

MPO Program Management Handbook

Florida Department of Transportation

Office of Policy Planning

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The purpose of this Handbook is to provide guidance to Florida Metropolitan Planning Organizations (MPO) and the Florida Department of Transportation (FDOT) staff for carrying out metropolitan transportation planning responsibilities. It presents procedures, policies, and timelines for developing MPO planning and programming products required by Federal and State laws and the related administrative requirements MPOs and FDOT must meet.

The Handbook is developed and maintained by FDOT staff in the Office of Policy Planning (OPP). The Handbook is a living document. OPP will update the Handbook, as necessary, to reflect changes to State or Federal legislation, regulation, or policy. This version of the Handbook, in concert with the MPOs, was finalized on June 6, 2017. New chapters have been added to address public involvement, performance management, and other planning topics and products, including freight, the Congestion Management Process, safety, bicycle and pedestrian planning, and scenario planning.

The Handbook is not intended to provide legal advice or interpretation of laws and regulations. FDOT and MPO legal counsel should be consulted for the purpose of legal interpretations and/or legal guidance.

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Chapter 1: Introduction

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1.1 What is an MPO?

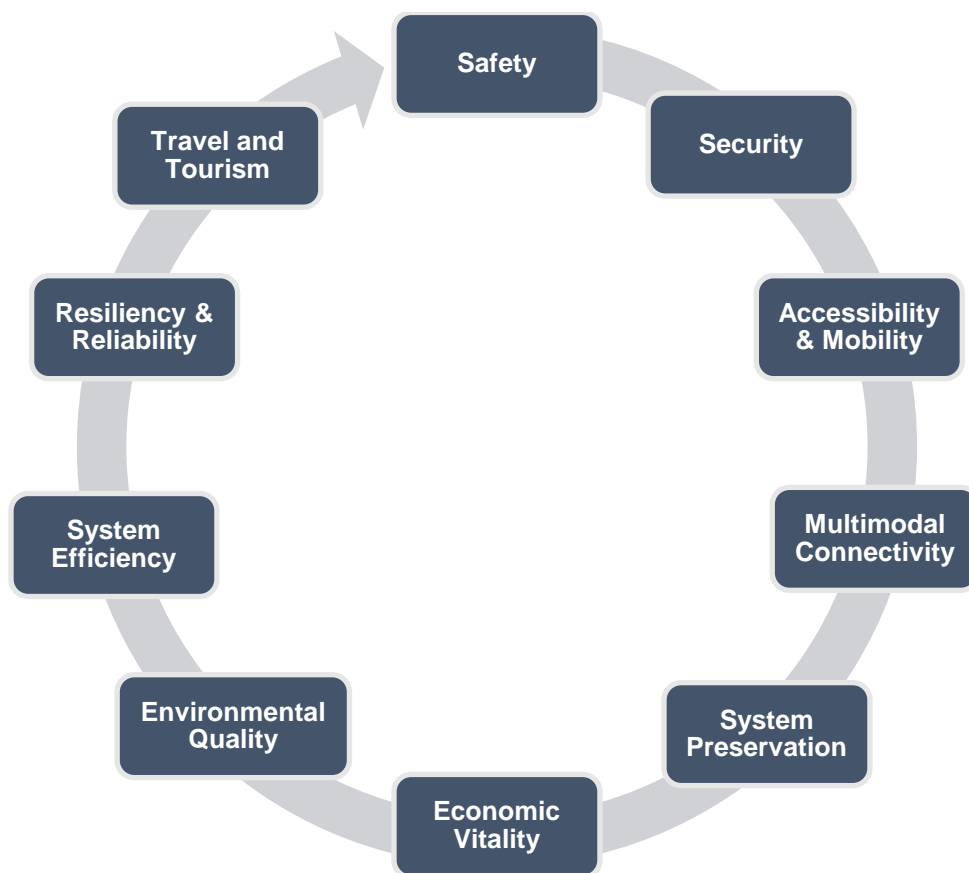
MPOs are federally mandated transportation planning organizations (TPO) comprised of representatives from local governments and transportation authorities. The MPO's role is to develop and maintain the required transportation plans for a metropolitan area to ensure that Federal funds support local priorities. In Florida, MPOs are also referred to as TPOs and Transportation Planning Agencies (TPA).

Federal transportation planning requirements for metropolitan areas have been in place for several decades. In 1962, the United States Congress passed the Federal-Aid Highway Act, which made Federal-Aid highway funding to areas with populations greater than 50,000 contingent on the establishment of a continuing and comprehensive transportation planning process carried out cooperatively by State and local communities (i.e., 3-C planning process). To more effectively address the need for regional coordination of transportation planning across jurisdictional boundaries, the 1973 Federal-Aid Highway Act mandated the creation or designation of MPOs for urbanized areas with populations greater than 50,000 people. MPOs are required to implement the 3-C planning process and comply with Federal and State transportation planning requirements as a condition of the receipt of Federal transportation funds.

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA, P.L. 102-240) gave MPOs the responsibility to involve the public in this planning process through expanded citizen participation opportunities and requirements. The Transportation Equity Act for the 21st Century (TEA-21, P.L. 105-178), signed in 1998, added a requirement for public involvement during the MPO certification review.

The Safe, Accountable, Flexible, Efficient, Transportation Equity Act (SAFETEA-LU, P.L. 109-59), signed in 2005, increased public involvement responsibilities with new Public Participation Plan (PPP) requirements that provide reasonable opportunities for all parties to provide input to MPO plans. The Moving Ahead for Progress in the 21st Century Act (MAP-21, P.L. 112-141), signed in 2012, and the Fixing America's Surface Transportation System Act (FAST, P.L. 114-94), signed in 2015, continued with these requirements. MPOs also must consider 10 Federal Planning Factors in the planning process, which are presented in Figure 1.1.

Figure 1.1 Federal Planning Factors



1.2 What Does the MPO Do?

The MPO carries out four primary activities:

1. Develop and maintain a Long-Range Transportation Plan (LRTP), which addresses no less than a 20-year planning horizon.
2. Update and approve a Transportation Improvement Program (TIP), a four-year program for highway and transit improvements. In Florida, MPOs are required to develop and adopt a TIP annually that includes a five-year program of projects. The fifth year is included for illustrative purposes.
3. Develop and adopt a Unified Planning Work Program (UPWP), which identifies the MPO's budget and planning activities to be undertaken in the metropolitan planning area.

- 4. Prepare a Public Participation Plan (PPP), which describes how the MPO involves the public and stakeholder communities in transportation planning. The MPO also must periodically evaluate whether its public involvement process continues to be effective.

These activities, also presented in Figure 1.2, are required for the MPO to qualify for and receive Federal transportation funds.

Figure 1.2 MPO Primary Activities



The LRTP includes both long-range and short-range strategies/actions that provide for the development of an integrated multimodal transportation system (including accessible pedestrian walkways and bicycle transportation facilities) to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand [23 C.F.R. 450.324(a)(b)]. The LRTP is reviewed and updated at least every five years in air quality attainment areas to confirm the transportation plan’s validity and consistency with current and forecasted transportation and land use trends and conditions, and to extend the forecast period to at least a 20-year planning horizon [23 C.F.R. 450.324(d)]. Chapter 4 details the LRTP process.

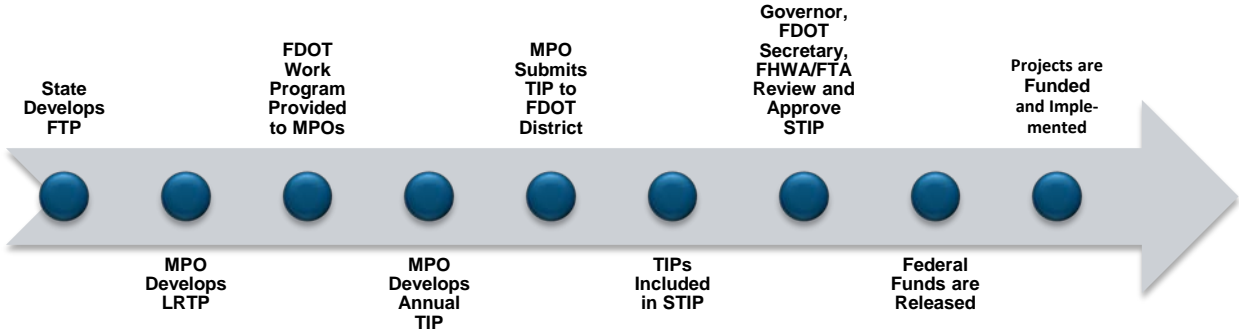
Each MPO’s LRTP must consider the goals and objectives identified in the [Florida Transportation Plan](#) (FTP), which is the Long-Range Transportation Plan for the State [s.339.175(7)(a), F.S.]. The current FTP outlines the transportation vision for the State over the next 40 plus years; and identifies goals, objectives, and strategies to accomplish that vision. Within each metropolitan area, the State shall develop the Long-Range Statewide Transportation Plan in cooperation with the MPOs [23 C.F.R. 450.216(g)].

An MPO’s TIP reflects the short-term transportation investment priorities established in the MPO’s current LRTP. It includes surface transportation projects within the boundaries of the MPO that receive Federal funds. Federal law requires the TIP to cover a period of no less than four years, and to be updated at least every four years. If the TIP covers

more than four years, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) will consider the projects in the additional years as informational [23 C.F.R. 450.326(a)]. However, s.339.175(8)(a), F.S., requires that MPOs develop an annual TIP that identifies projects to be carried out over the next five years. The schedule for the development of the TIP must be compatible with the schedule for the development of FDOT’s Work Program [s.339.175(8)(c)(1), F.S.]. Since the five-year work program is adopted annually, the TIP covers five years instead of four. This fifth year is considered “illustrative” for planning purposes. This process involves solicitation of project requests from agencies responsible for providing transportation services and facilities, cooperatively ranking the projects, and selecting the highest priority projects that can be implemented with the estimated available funding. Each MPO’s TIP is included in Florida’s Statewide Transportation Improvement Program (STIP). Chapter 5 discusses the TIP process in detail.

Figure 1.3 shows the general LRTP and TIP steps in the statewide and metropolitan planning processes.

Figure 1.3 Statewide and Metropolitan Planning Processes



Each MPO, in cooperation with the State and public transportation operator(s), must develop a UPWP that includes a discussion of the planning priorities for the MPO’s planning area [23 C.F.R. 450.308(c)]. The UPWP identifies work proposed for the next one- or two-year period. In Florida, the MPOs currently are on a two-year UPWP schedule. FDOT provides the Districts and the MPOs with a UPWP balance sheet, which includes year one allocation and, for illustrative purposes, the anticipated year two allocation. Prior to development of the UPWP, the Districts are provided Federal and

State Planning Emphasis Areas (PEA) that are to be considered by the MPO when developing UPWP tasks. Chapter 3 discusses the UPWP process in greater detail.

Each MPO must develop and use a PPP that defines a process for providing individuals; affected public agencies; representatives of public transportation employees; public ports; freight shippers; providers of freight transportation services; private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program); representatives of users of public transportation; representatives of users of pedestrian walkways and bicycle transportation facilities; representatives of the disabled; and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process [23 C.F.R. 450.316(a)]. The MPO must develop the PPP, in consultation with all interested parties, and describe explicit procedures, strategies, and desired outcomes for public participation; and periodically review the effectiveness of the procedures and strategies. Chapter 6 provides more details about the PPP.

Table 1.1 presents FDOT and MPO transportation planning products and associated review and update requirements.

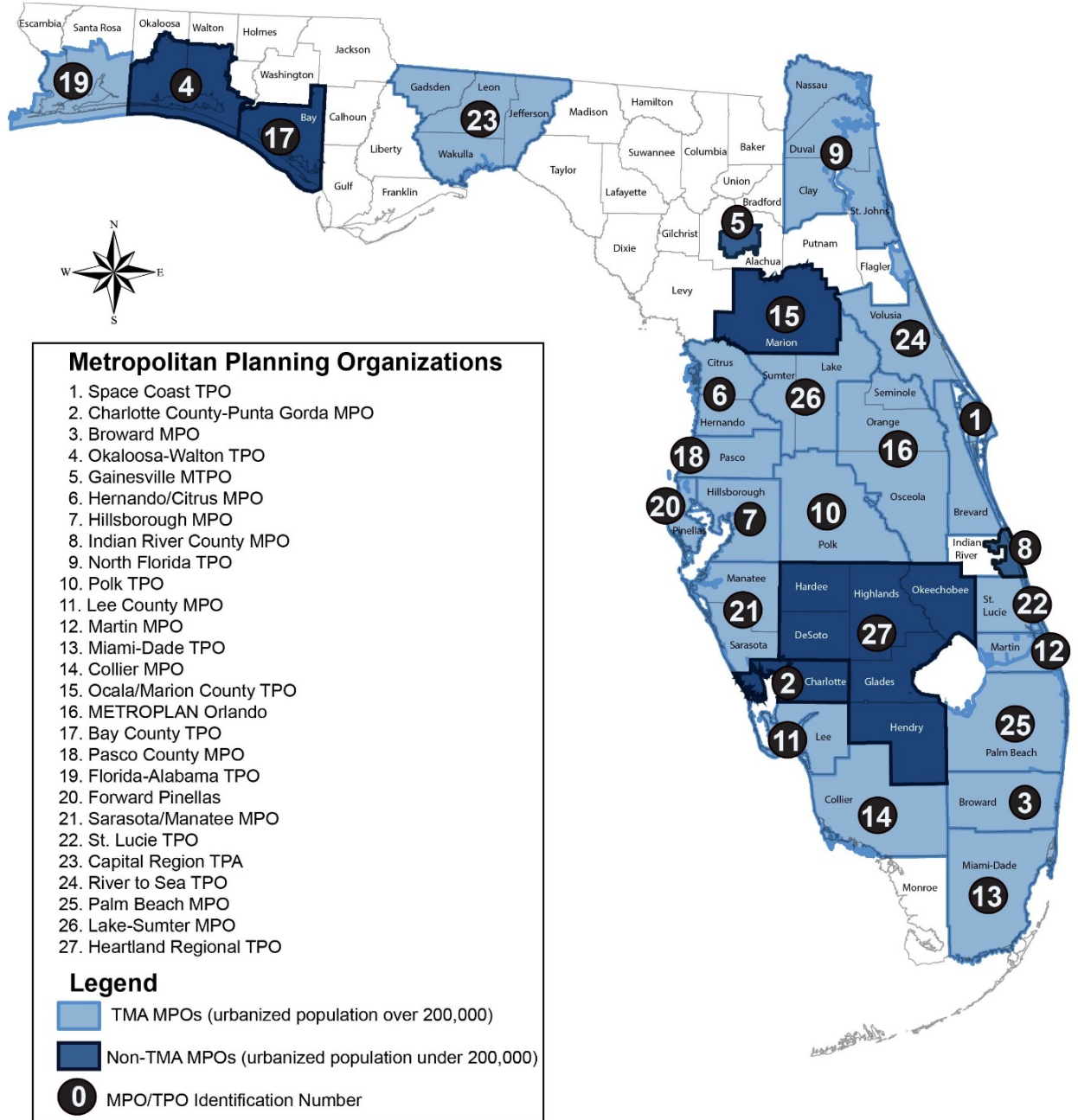
1.3 Florida's MPOs

Florida has 27 MPOs serving metropolitan areas with a wide range of population sizes, from just over 135,000 people to more than 2,500,000 people. Of these 27 MPOs, 15 are Transportation Management Areas (TMA). TMAs are urbanized areas that have a population greater than 200,000 people. The planning requirements for TMA MPOs and non-TMA MPOs are slightly different. Figure 1.4 presents a map of the TMA and non-TMA MPOs throughout Florida. Section 1.6 contains a listing of all Florida MPOs and related contact information.

Table 1.1 Statewide and MPO Transportation Planning Products

Planning Product	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
TIP	MPO	MPO/ Governor	4 Years FL: Illustrative 5 th year	Transportation improvements	Every 4 years FL: Annual
STIP	FDOT	FHWA and FTA	4 Years FL: Illustrative 5 th year	Transportation improvements	Every 4 years FL: Annual
LRTP	MPO	MPO	20 years FL: 20+ years	Future goals, strategies and projects	Every 5 years (4 years for nonattainment and maintenance areas) FL: 5 years
FTP	FDOT	FDOT	20 years FL: At least 30-year horizon	Future goals and strategies	Not specified FL: At least every 5 years
UPWP	MPO	MPO, FHWA and FTA	1-2 years FL: 2 years	MPO tasks and planning budget	At least once every 2 years FL: Annual
PPP	MPO	MPO	Not specified	Procedures, and strategies for engaging the public	Periodic review and update

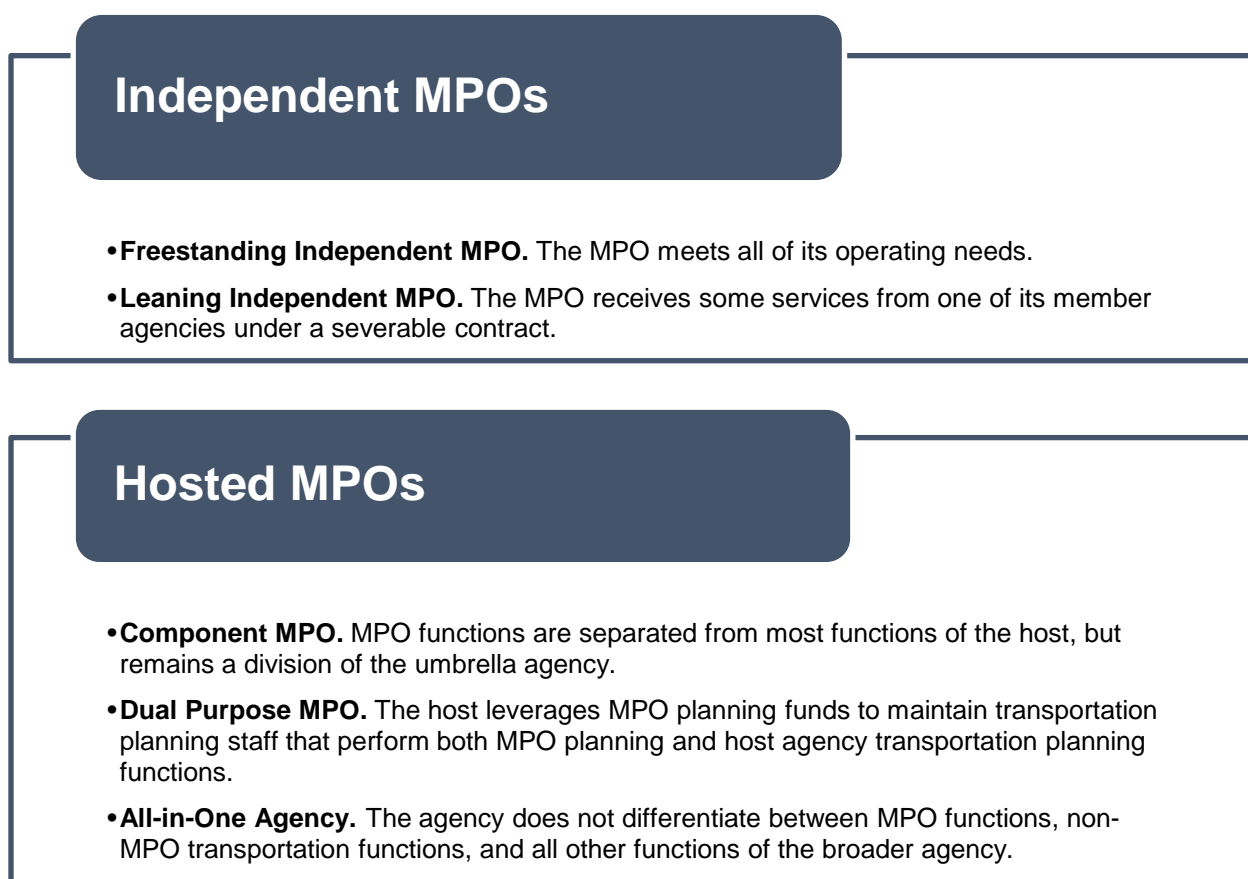
Figure 1.4 Florida MPO/TMA Areas



1.3.1 MPO Organizational Structure

MPO organizational structures span a continuum that ranges from fully independent freestanding (non-hosted) organizations to those that are so integrated with a host agency that they form a single, indistinguishable all-in-one agency. Typically, hosted MPOs are affiliated with another governmental agency, such as a county or regional planning office. Figure 1.5 provides detailed information about MPO structures that fall along this continuum.

Figure 1.5 MPO Organizational Structures



Of the 27 MPOs in Florida, a majority (16) are hosted MPOs, while the remaining (11) MPOs are independent of a hosting agency. Currently, Florida has no all-in-one agency MPOs. The most common organizational structure in the State is the Dual Purpose MPO. For more information on Florida MPO structures, see [A Snapshot of Florida MPOs](#).

1.3.2 Florida MPO Board Composition

Each MPO has a Governing Board. Statewide, there are over 438 MPO Governing Board members, 386 of whom are voting members. The number of board members ranges from 6 to 29 members per MPO, including both voting and nonvoting members. The average size of an MPO Governing Board in Florida is approximately 16 members – 14 voting members and 2 nonvoting members. MPOs serving areas with a population greater than one million people tend to have the largest boards – an average of 18 voting members and 4 nonvoting advisors. MPOs serving populations below 200,000 people tend to have the smallest boards – an average of 11 voting members and 2 nonvoting members. [\[A Snapshot of Florida MPOs.\]](#)

[Section 339.175\(3\)\(a\), F.S.](#), states that “Voting members shall be elected officials of general-purpose local governments; one of whom may represent a group of general-purpose local governments through an entity created by an MPO for that purpose. An MPO may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida.”

[Section 339.175\(3\)\(a\), F.S.](#), also states, “In accordance with [23 U.S.C. 134](#), the Governor may also allow MPO members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the MPO.” These rotating MPO Governing Board seats allow groups of municipalities (typically smaller population municipalities – often grouped by geographic proximity) to more fully engage in the MPO process by allowing them to rotate on and off the MPO Governing Board as a full voting member – taking turns representing the interests of the group they represent. [Section 339.175\(3\), F.S.](#), establishes a 25-member cap for each MPO Governing Board. However, an MPO may be permitted to exceed this cap [\[s.339.176, F.S.\]](#).

1.3.3 Florida MPO Committees

Florida Statute requires each MPO to have a Technical Advisory Committee (TAC) and a Citizens Advisory Committee (CAC). These committees meet prior to board meetings to develop recommendations for presentation to the Board.

Pursuant to [s.339.175\(6\)\(d\), F.S.](#), each MPO appoints a TAC whose members serve at the pleasure of the MPO. The TAC consists of transportation professionals working for government agencies, who review plans, projects, and programs from a technical perspective. The members of the TAC “must include, whenever possible, planners, engineers, representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments; as applicable, the school superintendent of each county within the jurisdiction of the MPO or the superintendent’s designee; and other appropriate representatives of affected local governments.” State and Federal agency representatives whose actions are transportation related should also serve on the committee.

In addition to the TAC, each MPO is required to appoint a CAC whose members also serve at the pleasure of the MPO [[s.339.175\(6\)\(e\), F.S.](#)]. The CAC provides a mechanism for input to the transportation planning process that reflects the citizens’ views and interests. It also assists in disseminating relevant information to the public. Membership on the CAC “must reflect a broad cross-section of local residents with an interest in the development of an efficient, safe, and cost-effective transportation system. Minorities, the elderly, and the handicapped must be adequately represented.”

Regional cooperation and partnerships are essential to the transportation planning process. For this reason, MPOs may establish other active committees or groups to advise the MPO Board on current or local issues in their area.

MPOs may serve as Designated Official Planning Agencies (DOPA) to assist the Florida Commission for the Transportation Disadvantaged in implementing a transportation disadvantaged (TD) program in designated service areas. The Commission is an independent organization that ensures the availability of transportation services for transportation disadvantaged persons.

1.3.4 Florida MPO Advisory Council

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) assists MPOs in carrying out the metropolitan transportation planning process by serving as the principal forum for collective policy discussion. The MPOAC was created by the Florida Legislature as a statewide transportation planning and policy organization to augment the

role of individual MPOs in the cooperative transportation planning process, and to lobby on behalf of MPOs [\[s.339.175\(11\) F.S.\]](#).

According to its mission statement, the MPOAC improves transportation planning and education by engaging and equipping its members to deliver results through shared innovations, best practices, enhanced coordination, communication, and advocacy. The organization is made up of a 27-member Governing Board consisting of local elected officials from each of the MPOs, as well as a 27-member Staff Directors Advisory Committee consisting of the staff directors from each MPO. The MPOAC also includes a Policy and Technical Subcommittee and other committees, as assigned by the Governing Board. The MPOAC annually prepares legislative policy positions and develops initiatives to be advanced during Florida's legislative session, actively participates in the activities of the Association of Metropolitan Planning Organizations (AMPO) and the National Association of Regional Councils (NARC), and works with other stakeholder groups to help shape State and national transportation policy. The MPOAC runs the MPO Institute for Elected Officials, which provides MPO Board members with the knowledge and tools necessary to engage in the metropolitan transportation planning process.

The MPOAC Governing Board and Staff Directors Advisory Committee typically meet quarterly. The Policy and Technical Subcommittee meets between the quarterly MPOAC meetings. More information is available on the [MPOAC website](#).

1.4 Florida MPO Contact Information

FDOT is a decentralized State agency in accordance with legislative mandates. There are seven FDOT Districts throughout Florida, and each is managed by a District Secretary. Coordination between FDOT and the MPOs occurs mainly through the cooperative planning efforts of the MPOs and FDOT District offices. Figure 1.6 highlights the geographical area for each FDOT District. Table 1.2 presents contact information by FDOT District for each of the 27 MPOs.

Figure 1.6 FDOT Districts

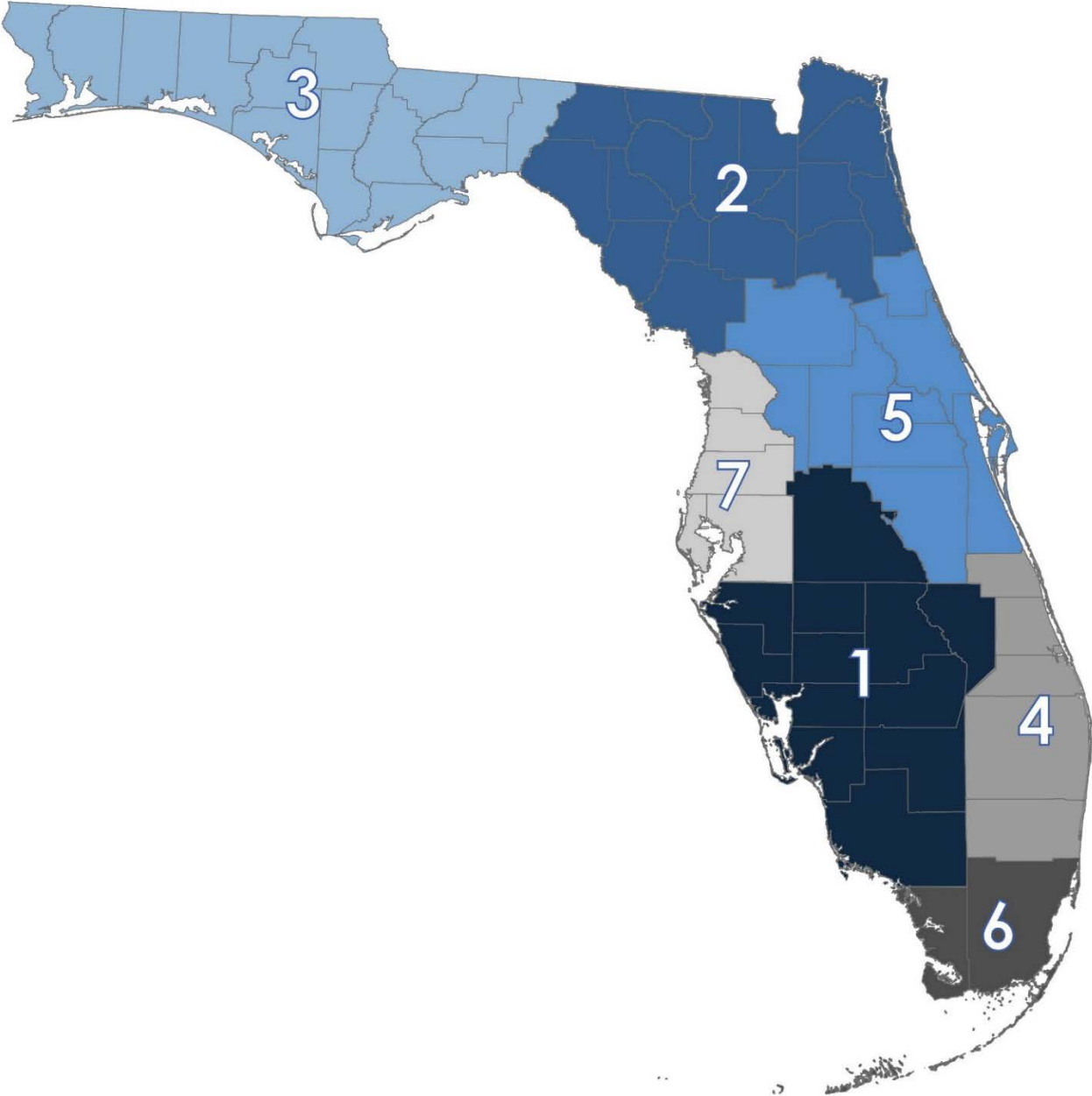


Table 1.2 Florida MPO Contact Information by FDOT District

District 1	
Charlotte County-Punta Gorda MPO	(941) 883-3535
Collier MPO	(239) 252-5804
Heartland Regional TPO	(869) 534-7130
Lee County MPO	(239) 244-2220
Polk TPO	(863) 534-6486
Sarasota/Manatee MPO	(941) 359-5772
District 2	
Gainesville MTPO	(352) 955-2200 x.103
North Florida TPO	(904) 306-7500
District 3	
Bay County TPO	(850) 332-7976
Capital Region TPA	(850) 891-6800
Florida-Alabama TPO	(850) 332-7976
Okaloosa-Walton TPO	(850) 332-7976
District 4	
Broward MPO	(954) 876-0033
Indian River County MPO	(772) 226-1672
Martin MPO	(772) 221-1498
Palm Beach MPO	(561) 684-4170
St. Lucie TPO	(772) 462-1593
District 5	
Lake-Sumter MPO	(352) 315-0170
MetroPlan Orlando	(407) 481-5672
Ocala/Marion County TPO	(352) 629-8297
River to Sea TPO	(386) 226-0422
Space Coast TPO	(321) 690-6890
District 6	
Miami-Dade TPO	(305) 375-4507
District 7	
Hernando/Citrus MPO	(352) 754-4057
Hillsborough MPO	(813) 272-5940
Pasco County MPO	(727) 847-8140
Forward Pinellas	(727) 464-8200

Chapter 2: Metropolitan Planning Organization Formation and Modification

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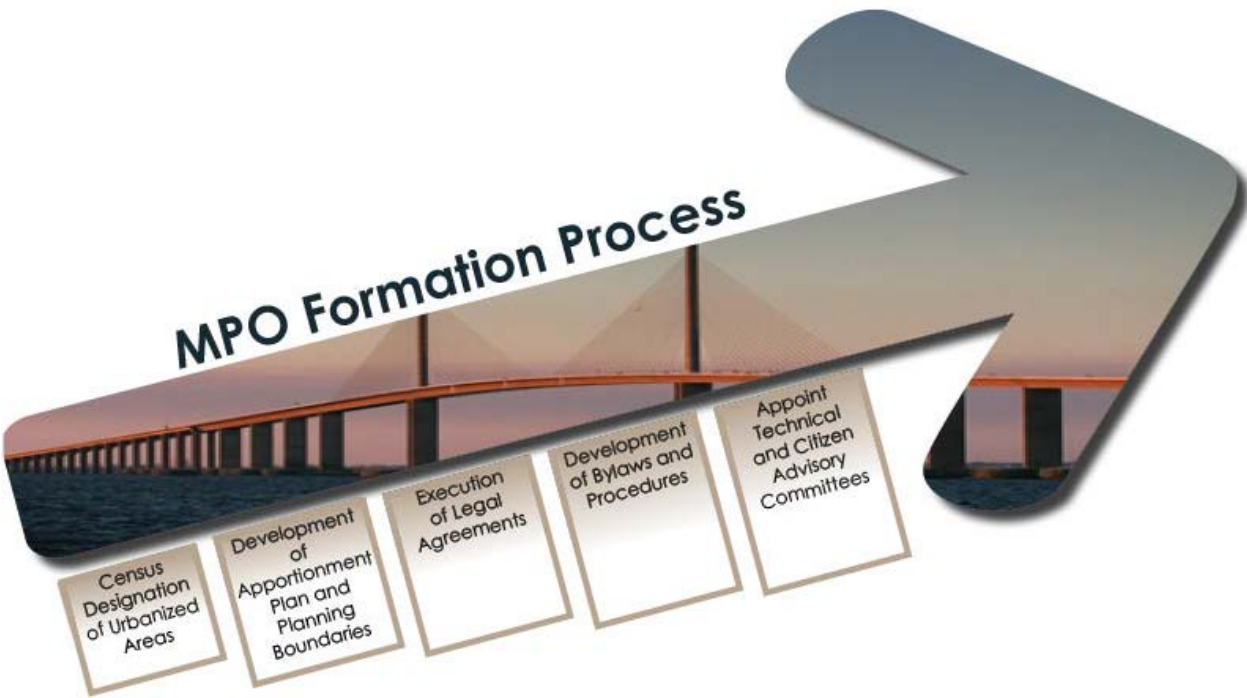
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2.1 Purpose

This chapter addresses Metropolitan Planning Organization (MPO) designation and redesignation, establishing and reviewing transportation planning boundaries, MPO membership apportionment, and required agreements for MPO formation, organization, planning, and funding. This chapter may be used by Florida Department of Transportation (FDOT) staff as a guideline for the formation of an emerging MPO and changes to an existing MPO’s membership or boundaries. Figure 2.1 illustrates the general process for MPO designation and formation.

Figure 2.1 MPO Designation and Formation



2.2 Authority

This section lists the Federal and State statutes, regulations, and rules related to the designation of MPOs.

Table 2.1 Federal and State Statutes and Codes

Citation	Description
Designation/Redesignation	
23 U.S.C. § 134(d) and (e) 49 U.S.C. § 5303(d) and (e) 23 C.F.R. § 450.310 s.339.175(2), F.S.	Describes the requirements for the designation and redesignation of MPOs
Voting & Apportionment	
23 U.S.C. § 134(d)(2) 49 U.S.C. § 5303(d)(2) 23 C.F.R. § 450.310(d) s.339.175(3) and (4), F.S. s.339.176, F.S.	Describes the MPO voting membership and membership apportionment requirements
Planning Boundaries	
23 U.S.C. § 134(e) 49 U.S.C. § 5303(e) 23 C.F.R. § 450.312 s.339.175(2)(c) and (d), F.S.	Describes the requirements and process for establishing MPO transportation planning boundaries
Agreements	
23 C.F.R. § 450.314 s.339.175(2)(b), F.S. s.339.175(10), F.S.	Describes the agreements necessary to implement the metropolitan transportation planning process
Advisory Committees	
s.339.175(6)(d) and (e), F.S.	Specifies the requirement to appoint an MPO Technical Advisory Committee and Citizens' Advisory Committee

Citation	Description
Census	
Final Urban Area Criteria for the 2010 Census	Census Bureau, Department of Commerce, Federal Register August 24, 2011, pages 53030-53043
Qualifying Urban Areas for the 2010 Census	Census Bureau, Department of Commerce, Federal Register March 27, 2012, pages 18625-18669

2.3 Census Designation of Urbanized Areas

The United States Census Bureau conducts a census of the population and housing of the United States of America every 10 years. Approximately two years after the census, the Census Bureau designates Urban Areas throughout the United States. An Urban Area is a Census-designated area consisting of a central core and adjacent densely settled territory that, together, contain at least 2,500 residents. The Census Bureau also designates, as part of this process, Urbanized Areas (UZA), which are Urban Areas with 50,000 residents or more.

UZA designations are critical to the administration of the nation’s surface transportation programs. Key Federal Highway Administration (FHWA) and Federal Transit Authority (FTA) planning programs impacted by UZA designations include MPO designation, application of metropolitan transportation planning requirements, FHWA and FTA funding availability and eligibility, and application of air quality conformity requirements.

2.4 MPO Designations

UZAs are the building blocks of MPO formation. Federal law and regulations require an MPO to be designated for each UZA. [\[23 C.F.R 450.310\(a\)\]](#) The designation must be made by agreement between the Governor and units of local government that together represent at least 75 percent of the affected population, including the largest incorporated city, or according to procedures established by State or local law. [\[23 C.F.R 450.310\(b\)\]](#)

To the extent possible, only one MPO shall be designated for each UZA or group of contiguous UZAs. More than one MPO may be designated to serve a UZA only if the Governor and the existing MPO determine that the size and complexity of the UZA makes designation of more than one MPO appropriate. [\[23 C.F.R. 450.310\(e\)\]](#).

[s.339.175\(2\)\(a\)\(2\), F.S.](#) If more than one MPO is designated for a UZA, the MPOs must establish an official written agreement that identifies the areas of coordination and division of responsibilities between MPOs.

Each designated MPO carries out the metropolitan transportation planning process within a defined Metropolitan Planning Area (MPA). The MPA must encompass the entire UZA plus the contiguous area expected to become urbanized within a 20-year forecast period. An MPA boundary may encompass more than one UZA. See **Section 2.9** for more information about establishing and reviewing MPA boundaries.

Each designated MPO may result in the designation of new UZAs. A newly identified UZA may be incorporated into an existing MPA, which is encouraged by FDOT, and does not require redesignation of the existing MPO. [\[23 C.F.R 450.312\(e\)\]](#)

When the Census Bureau designates a new UZA that is not within or overlaps an existing MPA, the District will provide the census information at the time it notifies all local governmental entities (e.g., cities and counties); administrators or operators of major modes of transportation; local and regional planning agencies; and, where applicable, Native American Tribal governments, of a meeting to discuss the designation of an MPO to represent the new UZA. All local governments partially or entirely within the new UZA will be invited to attend. Designation and redesignation must be agreed upon by the Governor and units of local government that together represent at least 75 percent of the affected population, including the largest incorporated city, as named by the Census Bureau.

An existing MPO should review new census data to assess potential changes in its boundaries or Governing Board membership. When the Census Bureau issues UZA designations, FDOT's Office of Policy Planning (OPP) will transmit the information to each District, along with applicable UZA boundary maps and population information (including appropriate geographic identification). The Districts will then provide the information to the MPOs and to the affected local governments within the new UZAs to assist in potential MPO redesignation and/or formation. OPP shall keep the Districts informed on all census information affecting new and existing UZAs.

Existing MPOs must review the information to determine whether the membership on the MPO policy body and other committees maintains the appropriate level of representation. If the census information indicates that UZAs of separate existing MPOs have become a

single urbanized area, the affected MPOs should consider consolidating into a single MPO. If the MPOs and Governor agree the MPOs will remain separate, the affected MPOs must develop and implement a coordinated planning process. This process must result in, but not be limited to, the following: a regional Long-Range Transportation Plan (LRTP) covering the combined MPA that will serve as the basis for the Transportation Improvement Programs (TIP) of each MPO, a coordinated project prioritization and selection process, a regional public involvement process, and a coordinated air quality planning process if in a nonattainment area.

The District shall schedule meetings to fully acquaint the emerging and existing MPOs with Federal and State requirements. The following topics will be discussed:

1. Census population.
2. The Governor's process for submitting a Membership Apportionment Plan for review and approval/disapproval by the Governor and subsequent designation (or redesignation) of an MPO by the Governor.
3. The required legal agreements for formation, organization, transportation planning, and funding.
4. The establishment of bylaws and procedures.
5. Delineation of boundaries for the MPA.
6. Types of funding available to an MPO. This will include an explanation that an emerging MPO is not eligible to receive Federal planning funds to establish an MPO. The District also should explain what funding is available after designation: Metropolitan Planning (PL) Funds and FTA Section 5303 funds.
7. All Federal regulations concerning the formation and responsibilities of an MPO.
8. All State laws and rules that govern the organization, operation, and responsibilities of MPOs.
9. All procedures, handbooks, and manuals used by FDOT to assist MPOs in meeting the requirements for Federal and State funding purposes and fulfilling the requirements of the transportation planning process in an MPA.

10. All FDOT procedures, software, and user manuals concerning the development and validation of travel demand forecasting models using the Florida Standard Urban Transportation Model Structure (FSUTMS) or any other FDOT-approved travel demand forecasting model.
11. The overall role of FDOT, including any pertinent planning documents (e.g., Florida Transportation Plan, Strategic Intermodal System, Strategic Highway Safety Plan, and the Annual Performance Report) and specific District contact persons.
12. The role of the MPO and its intergovernmental relationships with State and local governments, regional planning agencies, and other transportation and land use agencies.

Each new MPO must be fully operational no later than six months following its designation. [\[s.339.175\(2\)\(e\), F.S.\]](#) An MPO designation remains in effect until an official redesignation has been made. [\[23 C.F.R. 450.310\(g\)\]](#)

2.5 Membership Apportionment Plan

Federal law and regulation allows the State and units of local government to largely determine the composition of the MPO. [\[23 U.S.C. 134\(d\), 23 C.F.R. 450.310\]](#) Florida Statute refers to this process as “apportionment.” [\[s.339.175\(4\), F.S.\]](#) The Governor apportions the membership of the MPO with the agreement of the affected local governments. [\[s.339.175\(4\)\(a\), F.S.\]](#) Each MPO must review the composition of its membership in conjunction with each decennial census. Each existing and emerging MPO must submit a Membership Apportionment Plan that meets the requirements of [s.339.175\(3\), F.S.](#), [s.339.175\(4\), F.S.](#), and [23 C.F.R. 450.310](#).

2.5.1 Voting Membership

The MPO voting membership, as reflected in the Membership Apportionment Plan, must consist of at least 5, but no more than 25 apportioned members, the exact number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general purpose local government, as required by Federal rules and regulations. [\[s.339.175\(3\)\(a\), F.S.\]](#) In determining the composition of the MPO Board:

1. With the exception of instances in which all of the county commissioners in a single-county MPO are members of the MPO Governing Board, county commissioners shall compose at least one-third of the MPO Governing Board membership. A multicounty MPO may satisfy this requirement by any combination of county commissioners from each of the counties constituting the MPO. In cases where the MPO has more than 15 voting members with a 5-member county commission, or the MPO comprises 19 members with a 6-member county commission, the county commissioners can comprise less than one-third of the voting members. In the two situations outlined above, all county commissioners must be members of the Board.
2. All voting members shall be elected officials of general purpose local governments, except that an MPO may include as part of its apportioned voting members a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, and/or an official of the Spaceport Florida Authority. As used in [s.339.175\(3\)\(a\), F.S.](#), the term “elected official” excludes constitutional officers, such as sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.
3. County commissioners shall compose not less than 20 percent of the voting membership of the MPO Board if an official of an agency that operates or administers a major mode of transportation has been appointed to the MPO. [\[s.339.175\(3\)\(a\), F.S.\]](#)
4. Any authority or agency created by law to perform transportation functions that is not under the jurisdiction of a local government represented on the MPO may be provided voting membership on the MPO. [\[s.339.175\(3\)\(b\), F.S.\]](#)

The Governor also may provide that MPO members who represent municipalities on an MPO Board may alternate with representatives from other municipalities within the MPA that do not have members on the MPO. [\[s.339.175\(3\)\(a\), F.S.\]](#)

Any county chartered under [Subsection 6\(e\), Article VIII](#) of the Constitution of the State of Florida may elect to have its county commission serve as the MPO Board if the MPO jurisdiction is wholly contained within the county. In addition to the entire county commission, the MPO established under this provision must include four additional voting members to the MPO: one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member,

one of whom must be a nonelected individual residing in the unincorporated portion of the county, and one of whom must be a school board member. [\[s.339.175\(3\)\(d\), F.S.\]](#)

In addition, the voting membership of any MPO, whose geographical boundaries include any “county,” as defined in [s.125.011\(1\), F.S.](#), (i.e., a Charter County), must include an additional voting member appointed by that city’s governing body for each city with a population of 50,000 or more residents. [\[s.339.176, F.S.\]](#)

A Transportation Management Area (TMA) is a UZA with a population over 200,000, as defined by the Census Bureau and designated by the U.S. Department of Transportation (U.S. DOT). Note that in some cases, a UZA with less than 200,000 residents has been designated as a TMA, upon special request from the Governor and the MPO designated for the area. Federal law requires the voting membership of an MPO Board in a TMA must include:

1. Local elected officials;
2. Officials of public agencies that administer or operate major transportation systems in the metropolitan area (such as rail, airports, ports, and transit); and
3. Appropriate State officials. [\[23 C.F.R. 450.310\(d\)\(1\)\]](#).

Florida law states these transportation agencies may be given voting membership on the MPO, regardless of TMA status, if such agencies are performing functions that are not under the jurisdiction of a general purpose government represented on the MPO. If such operators of major modes of transportation are represented by elected officials from general purpose governments that are on the MPO, the MPO shall establish the process by which the interests of these operators are expressed. [\[s.339.175\(3\)\(b\), F.S.\]](#)

2.5.2 Nonvoting Advisors

Florida Statutes require FDOT to serve as a nonvoting advisor to the MPO Governing Board. FDOT will be represented by the District Secretary or designee. Additional nonvoting advisors may be appointed by the MPO as deemed necessary; however, to the maximum extent feasible, each MPO shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the MPO. Representatives of major military installations, upon their request, shall be appointed as nonvoting advisors of the MPO. [\[s.339.175 \(4\)\(a\), F.S.\]](#) All nonvoting

advisors may attend and fully participate in board meetings, but may not vote or be members of the Board.

Urbanized areas that include Tribal reservation lands should include the appropriate Native American Tribal Council's government in the metropolitan transportation planning process.

2.5.3 Alternate Members

At the request of the majority of the affected units of general-purpose local government comprising an MPO, they and the Governor shall cooperatively agree upon and prescribe who may serve as an alternate member and agree on a method for appointing alternate members. This method must be included as part of the MPO's interlocal agreement or bylaws. The alternate member may vote at any MPO Board meeting in place of the regular member if the regular member is not in attendance. [\[s.339.175\(4\)\(a\), F.S.\]](#)

2.5.4 Board Member Terms

The MPO Board members shall serve four-year terms. The membership of any public official automatically terminates upon the member leaving his or her elected or appointed office for any reason, or may be terminated by a majority vote of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reappointed for one or more additional four-year terms. The MPO Board members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the MPO may serve terms up to four years, as provided in the MPO interlocal agreement.

[\[s.339.175\(4\)\(b\), F.S.\]](#)

2.5.5 Membership Apportionment Plan Content

The MPO Membership Apportionment Plan shall include the following:

1. The proposed MPO membership with an explanation of the methodology used to determine the proposed apportionment;
2. A map of the MPA boundary identifying all eligible entities for MPO membership; and

3. Resolutions of support from local governments, transportation authorities, and any other eligible entity proposed for membership.

Under State law, a chartered county with a population over one million may elect to reapportion the membership of the MPO whose jurisdiction is wholly within the county.

[\[s.339.175\(3\)\(c\), F.S.\]](#) The charter county may exercise this option if:

1. The MPO approves the Reapportionment Plan by a three-fourths vote of its membership;
2. The MPO and charter county determine the Reapportionment Plan is needed to fulfill specific goals and policies applicable to that MPA; and
3. The charter county determines the reapportionment plan otherwise complies with all Federal requirements pertaining to MPO membership.

Any chartered county that elects to exercise this option must notify the Governor in writing. [\[s.339.175\(3\)\(c\), F.S.\]](#) This may be addressed in a cover letter accompanying the MPO Membership Apportionment Plan.

2.5.6 Membership Apportionment Plan Review

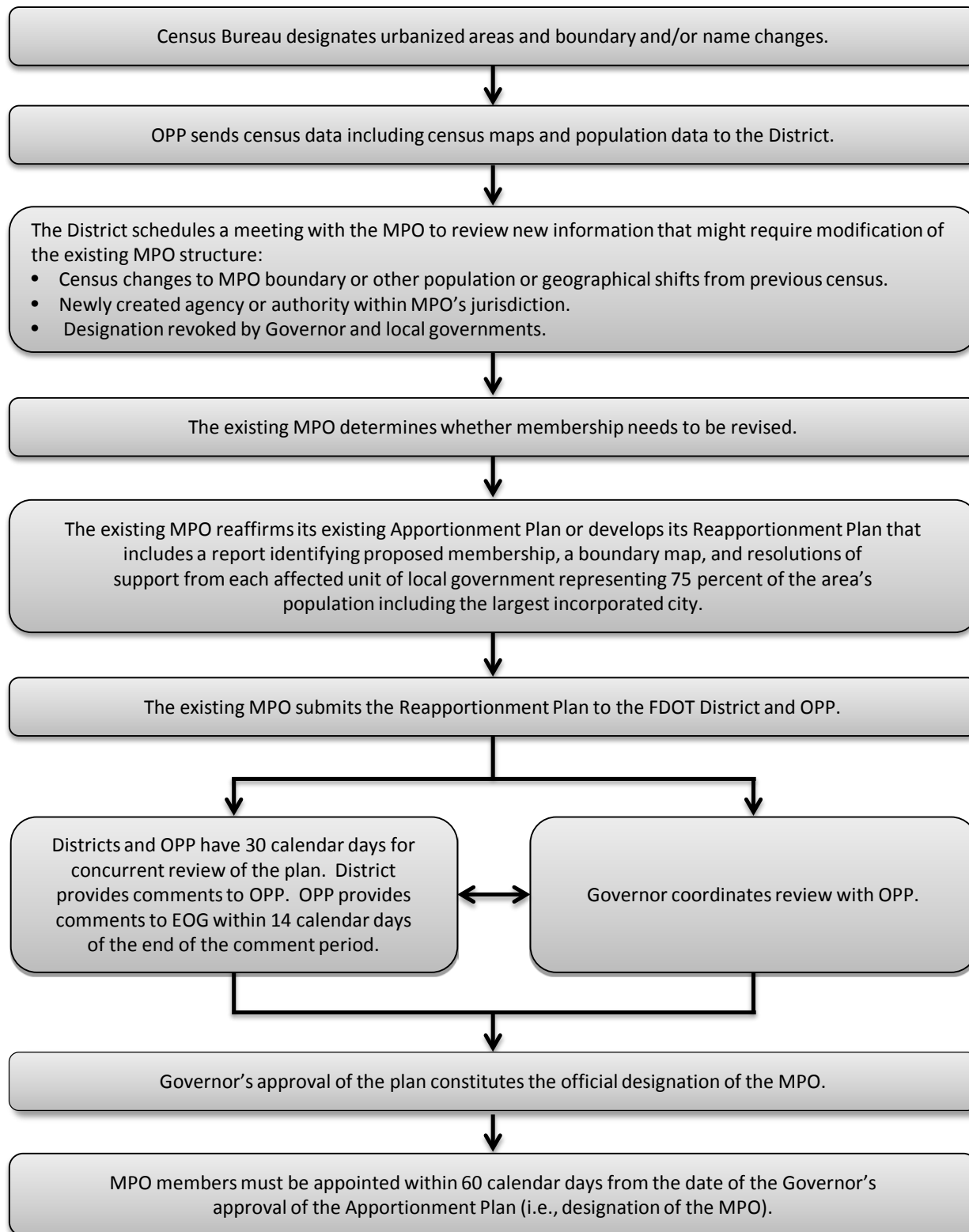
The MPO submits the Membership Apportionment Plan to OPP's MPO Statewide Coordinator. The MPO shall at the same time provide copies of the Plan to the District Planning Manager or designee. The District planning staff and OPP will have 30 calendar days from the date of receipt to concurrently review the MPO Membership Apportionment Plan for consistency with Federal and State requirements. At the end of the 30-day review period, the District will provide comments to OPP. Within 14 calendar days after the end of the 30-day review period, FDOT will provide a recommendation to the Policy Coordinator in the Transportation and Economic Development unit of the Executive Office of the Governor. The recommendation will be for the Governor to either approve or disapprove the proposed Membership Apportionment Plan. The Governor's approval of the Apportionment Plan constitutes official designation of the MPO, as required by [23 U.S.C. 134\(d\)\(5\)](#), [s.339.175\(3\), F.S.](#), and [s.339.175\(4\), F.S.](#)

2.5.7 Governor's Action on Membership Apportionment Plan

The MPO should appoint representatives to serve on the Board within 60 days after the Governor has approved the proposed Membership Apportionment Plan. If a governmental entity fails to fill an assigned appointment to an MPO within 60 days after notification by the Governor of its duty to appoint, that appointment shall be made by the Governor from the eligible representatives of that governmental entity. [\[s.339.175\(4\)\(c\), F.S.\]](#) If the Governor should disapprove the proposed Membership Apportionment Plan, the District shall assist in addressing any issues identified by the Governor.

Figure 2.2 shows the process for developing the MPO Membership Apportionment Plan.

Figure 2.2 Developing the MPO Membership Apportionment Plan



2.6 Redesignation and Reapportionment

An existing MPO may be redesignated only by agreement between the Governor and units of local government that together represent at least 75 percent of the existing MPA population, including the largest incorporated city. [\[23 C.F.R. 450.310\(h\)\]](#)

Redesignation of an existing MPO is required whenever the MPO proposes to make 1) a substantial change in the proportion of its voting members, or 2) a substantial change in the decision-making authority or responsibility of the MPO or in decision-making procedures established in the MPO's bylaws. [\[23 C.F.R. 450.310\(j\)\]](#)

According to [23 C.F.R. 450.310\(l\)](#), the following changes to an MPO do not require a redesignation as long as the changes are not substantial, as defined in the above paragraph:

1. Identification of a new UZA (as determined by the Census Bureau) within an existing MPA;
2. Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the MPA;
3. Adding members to satisfy the specific membership requirements for an MPO that serves a TMA; and/or
4. Periodic rotation of members representing units of general purpose local government, as established under MPO bylaws.

An MPO seeking redesignation must submit a Reapportionment Plan that meets the same requirements and must go through the same review and approval process as outlined in **Section 2.5**. The District shall assist the MPO and provide the MPO with guidance as the proposed MPO Reapportionment Plan must include the following:

1. A report that identifies the current MPO membership.
2. A report that identifies the proposed MPO membership and the methodology used to determine the proposed changes.
3. A map of the MPA; this is the official area from which membership is to be drawn, taking into account geographic and population equity.

4. Resolutions of support from each of the affected units of local government representing at least 75 percent of the population within the MPA. The largest incorporated city must be among the units of local government agreeing to the redesignation.

As appropriate, the MPO should appoint or remove representatives to serve on the Board within 60 days after completion of an amended interlocal agreement. The interlocal agreement should be updated to incorporate the changes made in the approved Membership Apportionment Plan. The MPO shall notify the District when membership changes are made. If the Governor disapproves the proposed Redesignation Plan, the District shall assist the MPO with addressing the issues identified by the Governor.

2.7 Execution of an Interlocal Agreement

The responsibilities of each agency involved in carrying out the metropolitan transportation planning process shall be clearly identified by written agreement between the parties. [\[23 C.F.R. 450.314\(a\), s.339.175\(2\)\(b\), and s.339.175\(10\)\(a\), F.S.\]](#) This is accomplished through the execution of an interlocal agreement [\[Form No. 525-010-01\]](#) pursuant to the Florida Interlocal Cooperation Act of 1969 [\[s.163.01, F.S.\]](#).

The interlocal agreement is a standard document drafted specifically to address the metropolitan transportation planning requirements identified in Federal and State law and regulations. The parties to this interlocal agreement shall be FDOT and the governmental entities designated by the Governor for MPO membership, including nonvoting members. [\[s.339.175\(2\)\(b\), F.S.\]](#)

After a new MPO has been designated by the Governor, or modifications to an existing MPO have been approved by the Governor, the District shall hold a meeting with the responsible MPO staff to discuss the execution of a new or updated interlocal agreement.

Though not required by law, it is highly recommended that each signatory to the agreement be accompanied by a resolution from that municipality or agency. The interlocal agreement should indicate if a member government is to represent other local governments on the MPO, and if the voting membership is to rotate annually. The District shall request the District legal staff to review the agreement before forwarding it to the MPO for execution. The text of all standard interlocal agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the

MPO without prior written permission of the District Secretary. Any changes to the standard interlocal agreement need to be coordinated with the District legal counsel and OPP.

Copies of the approved interlocal agreement shall be distributed to the MPO, the District, OPP, and each signatory to the agreement. Copies of the interlocal agreement must be filed with the Clerk of the Circuit Court in each county in which a party to the agreement is located. The District legal office shall ensure the interlocal agreement is filed in the county in which the District office is located.

The interlocal agreement is reviewed and updated at least every five years, or sooner when MPO membership changes. [\[s.339.175\(10\)\(a\), F.S.\]](#) When an interlocal agreement is updated, the MPO serves as the coordinating body for agreement review, negotiations, and execution among all parties. The MPO provides copies of the updated agreement to all signatories for filing purposes.

An emerging MPO, upon execution of the interlocal agreement, must immediately establish bylaws for the conduct of daily business and decision-making. Once the MPO is formally designated, the bylaws should be revised as needed and adopted again by the MPO. Each District and emerging MPO should coordinate and mutually agree to a timetable suitable for the MPO to be fully operational within six months from its designation.

2.8 Execution of Other Required Agreements

The District shall meet with the MPO to develop each of the standard agreements discussed below. The District shall process each standard agreement after approval by all parties and approved by the MPO through a resolution. The District shall coordinate the review of the agreement with District legal staff and FDOT's Comptroller's Office, if needed, before transmitting it for execution. The language contained in all standard agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the MPO without the District legal staff concurrence and prior expressed written permission of the District Secretary. Any changes to the standard agreements need to be coordinated with OPP. The District shall request the MPO approve each agreement, and provide an appropriate number of copies of the agreement to FDOT. The MPO will return all signed versions to the District for FDOT

approval. The District Secretary (or designee) must sign each agreement, thereby, executing the agreement for FDOT.

One original agreement shall be sent to each of the following: the MPO, the District, the OPP MPO Statewide Coordinator, and each signatory as needed. For Joint Participation Agreements, two copies of the executed agreement should be provided to the Comptroller's Office. The same process applies whenever an agreement is updated. The following subsections provide detail on each of the agreements.

2.8.1 MPO Agreement (Form 525-010-02)

The MPO Agreement establishes the cooperative relationship between the MPO and FDOT to accomplish the transportation planning requirements of State and Federal law. [\[s.339.175\(10\)\(a\)\(1\), F.S., 23 C.F.R. 450.314\(a\)\]](#). Specifically, the Agreement accomplishes three things: 1) provides Federal financial assistance to the MPOs for transportation-related planning activities, as found in the Unified Planning Work Program (UPWP); 2) establishes the terms and conditions for accepting that Federal assistance; and 3) creates the framework of cooperation between FDOT and the MPO for development of the UPWP. The Agreement must be reviewed and updated, as necessary, or at least every two years.

2.8.2 Public Transportation Joint Participation Agreement (Form 725-030-06) (Exhibits Form 725-030-06E)

To fund its public transportation programs using FTA planning funds, the designated MPO may choose to enter into a Joint Participation Agreement with FDOT. This agreement provides “State funding” to the MPO to assist in meeting FTA local match requirements. It outlines certain administrative and program requirements that must be met to receive State funds for FTA match purposes. These agreements are executed annually and differ in how FDOT chooses to provide the “State match,” which may be cash, in-kind services, or both. At this time, the soft-match option used for FHWA Metropolitan Planning (PL) funds is not applicable for FTA planning funds.

2.8.3 Interstate Compact

Where the boundaries of the MPA extend across two or more states, the governors, the MPO(s), and public transportation operators must coordinate transportation planning for the entire multistate area, including jointly developing planning products for the MPA. The states may enter into agreements or compacts for cooperative efforts and mutual assistance in support of metropolitan planning activities, and may establish agencies to implement the compacts or agreements. [\[23 C.F.R. 450.314\(f\)\]](#)

2.8.4 Multiple MPOs in One Urbanized Area

If more than one MPO has been designated to serve a UZA, there must be a written agreement between the MPOs, the state(s), and the public transportation operator(s) describing how the metropolitan transportation planning processes will be coordinated to ensure the development of consistent LRTPs and TIPs across the MPA boundaries. The planning processes must reflect coordinated data collection, analysis, and planning assumptions across the MPAs. Alternatively, a single LRTP and/or TIP for the entire UZA may be developed jointly by the MPOs. Coordination also is strongly encouraged for neighboring MPOs that are not within the same MPA. Coordination efforts and outcomes must be documented in submittals of the UPWP, the LRTP, and the TIP to the state(s), the FHWA, and the FTA. [\[23 C.F.R. 450.314\(e\)\]](#)

2.9 Appointment of Technical and Citizens' Advisory Committees

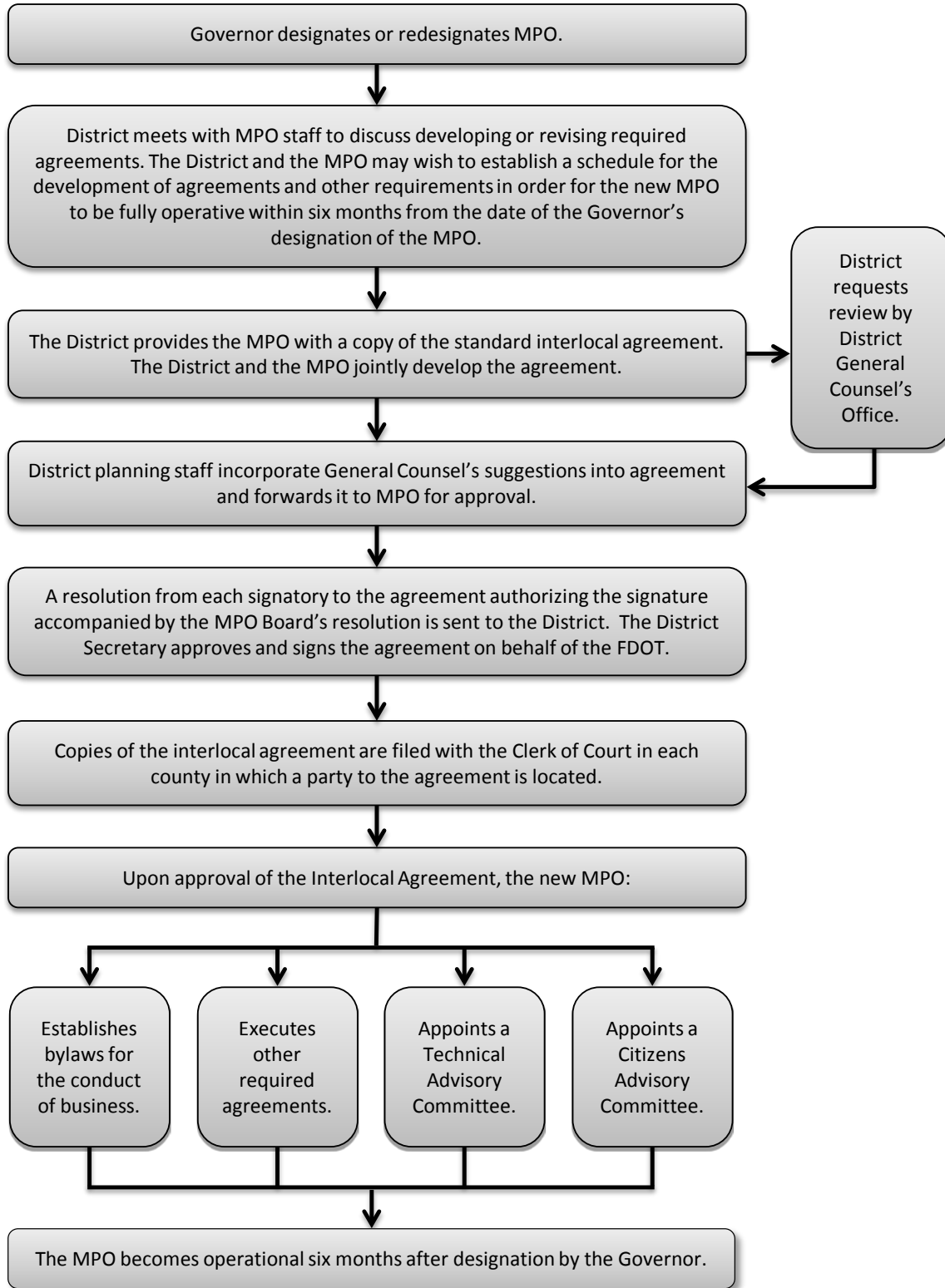
Florida Statute requires that each MPO appoint a Technical Advisory Committee (TAC) and a Citizens' Advisory Committee (CAC), the members of which shall serve at the pleasure of the MPO. The District shall assist the MPO, as requested in the appointment of a TAC and CAC. [\[s.339.175\(6\)\(d\) and \(e\), F.S.\]](#)

The TAC must include, when possible, planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent (or designee) of each county covered by the MPO; and other appropriate representatives of affected local governments. State and Federal agency representatives, whose actions are transportation related, also should serve on the TAC. [\[s.339.175\(6\)\(d\), F.S.\]](#)

The CAC must reflect a broad cross-section of local residents. Minorities, the elderly, and the handicapped must be adequately represented. An MPO, with FDOT, FHWA, and FTA approval, may adopt an alternative program or mechanism to ensure citizen involvement in the transportation planning process. [\[s.339.175\(6\)\(e\), F.S.\]](#)

Figure 2.3 provides an overview of the process to develop agreements and appoint the required committees.

Figure 2.3 Agreement Development Process



2.10 Metropolitan Planning Area Boundaries

The Federal requirements for establishing and adjusting MPA boundaries are set out in [23 C.F.R 450.312](#). The boundaries of an MPA must be determined by agreement between the MPO and the Governor. The MPA boundaries must encompass the entire existing UZA plus the contiguous area expected to become urbanized within a 20-year forecast period. An MPA boundary may encompass more than one UZA, and may be established to coincide with regional economic development and growth forecasting boundaries, as well as with a metropolitan statistical area or combined statistical area, as defined by the U.S. Office of Management and Budget. In addition, MPA boundaries must not overlap with each other.

Where part of a UZA served by one MPO extends into an adjacent MPA, the MPOs must establish written agreements that clearly identify areas of coordination and the division of transportation planning responsibilities among and between the MPOs. Alternatively, the MPOs may adjust their existing boundaries so the entire UZA lies within only one MPA. Boundary adjustments that change the composition of the MPO may require redesignation of one or more of the MPOs.

The MPA can include all or part of a given county, including areas that, due to their growth characteristics, are anticipated to become urbanized within the next 20 years. The District, in consultation with the MPO, shall review and make recommendations on areas outside the projected 20-year area. FHWA should be consulted in such expansions with supporting documentation that justifies the expansion.

After each Census, the MPO must review its MPA boundaries, in cooperation with the State and public transportation operator(s), to determine if existing MPA boundaries meet the minimum statutory requirements for new and updated UZAs, and adjust the boundaries as necessary. [\[23 C.F.R. 450.312\(j\)\]](#)

2.10.1 MPA Boundary Maps

The Census Bureau makes all census and mapping data that determine UZA boundaries available to OPP. The Census Bureau's 2010 UZA boundaries consist of TIGER/Line files showing boundaries, names, and codes of urbanized areas and are available at the Census Bureau [TIGER Products website](#). OPP will provide this information to the District Planning Offices within 30 calendar days of receipt. The District shall, within 30 calendar

days of receipt, provide this information to the MPO, or if an MPO has not yet been formed, to the general purpose local governments within the Census UZA, for the purpose of establishing or updating existing MPA boundaries.

Within 120 calendar days of receipt of the decennial census information, the MPO shall create or revise a preliminary map in consultation with the District showing the MPA boundaries. Information used to develop the map shall include, but not be limited to, the following:

1. The Census-based criteria and data assumptions (i.e., population estimates provided by the Bureau of Economic and Business Research, University of Florida) used to determine the 20-year growth area for drawing the MPA boundary; and
2. Documentation used to support the inclusion of any geographic areas for MPA funding purposes that are not expected to be urbanized within the next 20 years.

The MPO will adopt the MPA Boundary Map when it adopts its Membership Apportionment Plan. The MPO shall submit both documents to OPP's MPO Statewide Coordinator and the District Planning Manager or designee in accordance with the review procedure set out in Section 2.5.6. In accordance with [23 C.F.R. 450.312\(l\)](#), OPP will provide one hard-copy and one electronic-copy of the map to FHWA and FTA following approval by the MPO and the Governor.

MPA boundary maps should be developed at a scale that best meets the needs of the urbanized area, and in addition to the aforementioned boundaries, shall clearly designate the following information:

1. Names of all urban areas;
2. Graphic scale and north arrow;
3. Major city or county designated routes and route numbers;
4. Interstate, U.S., and State highway route numbers;
5. Locations and names of all major waterways;
6. Locations and names of railroads;
7. Location of intermodal transfer facilities;

8. Locations of transit facilities;
9. Demarcation of transit service area;
10. Locations and names of airports and seaports;
11. A legend, including the date the map, was initially approved and the date of the revision; and
12. Boundary highways should be designated as either inside or outside the Census UZA boundary, or the MPA boundary.

2.10.2 Modification of MPO Boundary Maps

Requests for modification to the MPA boundary may be initiated by the MPO or the District. OPP periodically releases Census population information developed by the Bureau of Economic and Business Research Department at the University of Florida. This information may be used to modify transportation planning boundaries.

Any changes to the relevant MPO boundaries may require the MPO to review and/or revise its voting apportionment, LRTP, TIP, UPWP, and all existing agreements and documents, as necessary.

2.11 References

This section provides a list of references/definitions from State law, including key procedures and forms, related to MPOs.

Table 2.2 **References**

Reference	Description
Florida Constitution	
Article VIII of the Florida Constitution Section 6(e)	Provides for home rule and charter counties
Florida Statutes	
s.125.011(1), F.S.	Defines “county”

Reference	Description
Section 163.01, F.S., The Florida Intergovernmental Cooperation Act of 1969	Provides for interlocal agreements
Section 339.175, F.S.	Florida’s MPO Statute
FDOT Procedures	
Procedure No. 525-020-311-b	FHWA Urban Boundary and Federal Functional Classification, defines the procedures and responsibilities for designating urban boundaries and determining Federal functional classification designations for all public roads
<i>(The language in the samples may be adjusted with the advice and guidance of the District general counsel to address an individual MPO’s needs.)</i>	
Form No. 525-010-01	Interlocal Agreement for Creation of the MPO
Form No. 525-010-02	Transportation Planning Funds Joint Participation Agreement, Source
Form No. 725-030-06	Public Transportation Joint Participation Agreement
Form No. 725-030-06E-Exhibits	Public Transportation Joint Participation Agreement Exhibits

Chapter 3: Unified Planning Work Program

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3.1 Purpose

This chapter provides guidance to the Metropolitan Planning Organizations (MPO), and the Districts and Central Office units of the Florida Department of Transportation (FDOT), to assist in the development, review, and administration of the Unified Planning Work Program (UPWP) and management of the grant funding identified in the UPWP.

The Code of Federal Regulations defines a UPWP as “a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, timeframes for completing the work, the cost of the work, and the source(s) of funds.” [\[23 C.F.R. 450.104\]](#).

Florida's MPOs are required to develop a UPWP. The UPWP serves as the MPO’s transportation planning work program, which identifies the planning budget and tasks the MPO will perform over two State fiscal years. Funding for the UPWP is provided by Federal fiscal year.

3.2 Authority

This section lists the Federal and State statutes, regulations, and rules related to the development of the UPWP document for MPOs.

Table 3.1 Federal and State Statutes and Codes

Citation	Description
Planning and Research Program Administration	
23 C.F.R. § 420	Describes the policies and procedures for the administration of activities undertaken by State departments of transportation (State DOTs) and their subrecipients, including MPOs, with Federal Highway Administration (FHWA) planning and research funds.
Unified Planning Work Programs	
23 C.F.R. § 450.308	Describes the funding for transportation planning and the development of UPWPs.

Citation	Description
Metropolitan Transportation Planning	
23 U.S.C. § 134	Describes the transportation planning process for MPOs.
Statewide Planning	
23 U.S.C. § 135	Describes the transportation planning process for State DOTs.
Efficient Environmental Reviews for Policy Decision-Making	
23 U.S.C. § 139	Describes the environmental review process for transportation projects.
Financial Management	
31 U.S.C. Subtitle III	Describes the financial management of Federal funds.
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards	
2 C.F.R. § 200	Establishes uniform administrative requirements, cost principles, and audit requirements for Federal awards to non-Federal entities.
Program Guidance for Metropolitan Planning and State Planning and Research Program Grants	
Federal Transit Administration (FTA) Circular 8100.1C	Program guidance and application instructions for applying for grants under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP) authorized under 49 U.S.C. § 5305.
Florida Single Audit Act	
s.215.97, F.S.	Establish uniform State audit requirements for State financial assistance provided by State agencies to non-State entities to carry out State projects.

Citation	Description
Agreements Funded with Federal or State Assistance	
s.215.971, F.S.	Discusses requirements for an agency agreement that provides State or Federal financial assistance to a recipient or subrecipient.
Metropolitan Planning Organizations	
s.339.175 (9), F.S.	Describes the transportation planning process for MPOs in Florida.

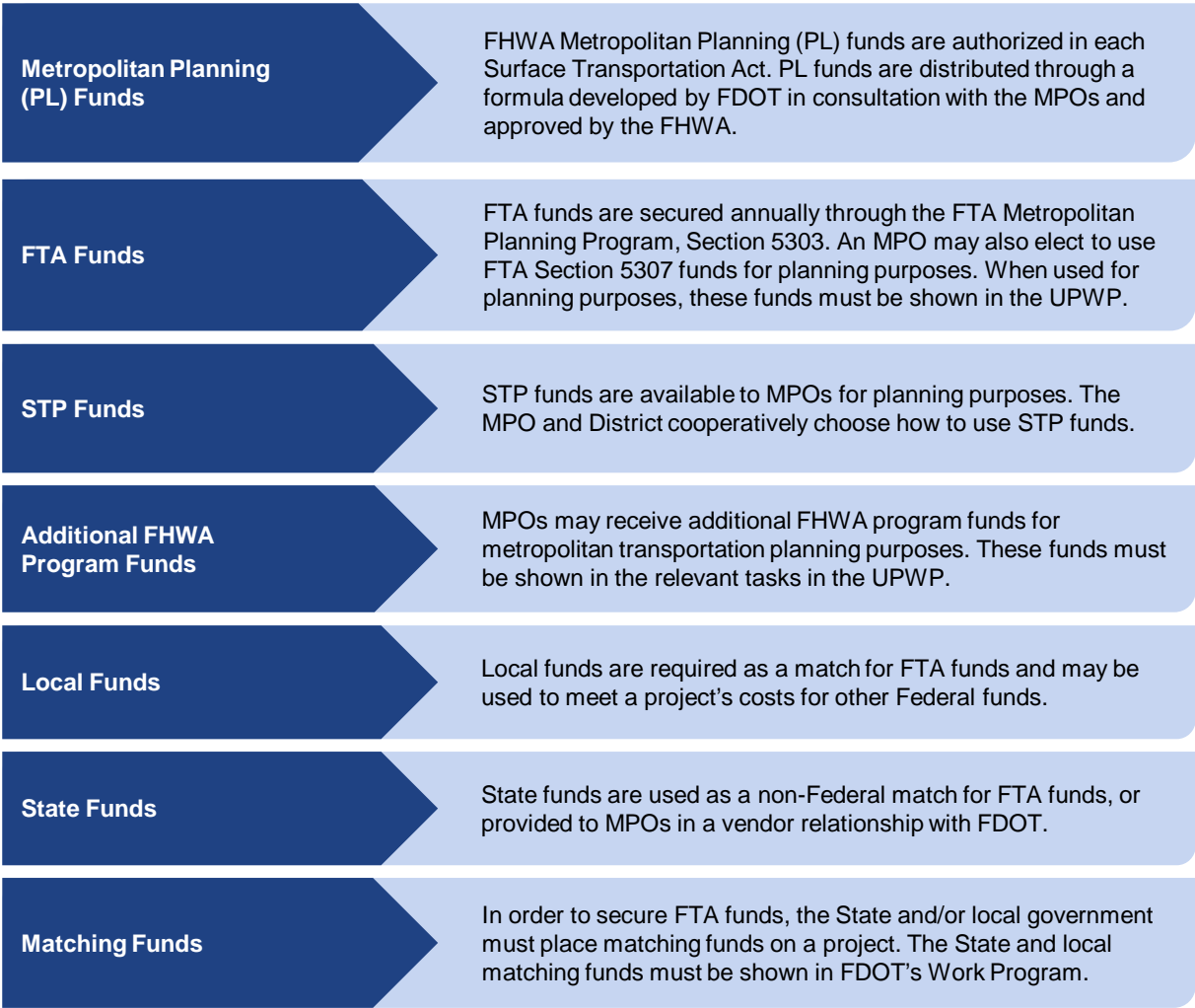
Note: The many due dates and deadlines noted in this chapter are driven largely by FDOT’s requirements for Work Program development under [s.339.135, F.S.](#), Federal requirements, and the variance of fiscal years between the State (July 1 – June 30) and the Federal government (October 1 – September 30). These due dates and deadlines are intended to provide adequate and reasonable times for the development, review, and approval of the UPWP and documents necessary to efficiently administer UPWP funds. The due dates and deadlines represent current practice and were arrived at through consensus between FDOT, FHWA, FTA, and the MPOs. This is consistent with the continuing, cooperative, and comprehensive metropolitan planning process mandated by [23 U.S.C. 134\(c\)\(3\)](#).

3.3 UPWP Funding

UPWPs are funded primarily with FHWA Metropolitan Planning (PL) funds and FTA 5303/5305(d) funds, both of which are apportioned to States for the purpose of metropolitan transportation planning. An MPO may use other eligible funds for their UPWP, provided the Federal and State requirements and guidelines for eligibility of the use of these funds are met. Generally, additional Federal funds used for metropolitan planning purposes include Surface Transportation Block Grant Program (STP) funds and FTA 5307 funds; however, an MPO may receive additional Federal funds for metropolitan transportation planning, such as Congestion Mitigation and Air Quality (CMAQ) funds, Transportation Alternatives (TA) funds, or discretionary grants such as U.S. DOT’s Transportation Investment Generating Economic Recovery (TIGER) program.

UPWPs also may be funded by funds from the Florida Commission on the Transportation Disadvantaged (TD) and Local funds. State funds may be used only to provide the State match for Federal funds or with MPOs for a vendor relationship. **Figure 3.1** illustrates the types of funds included in a UPWP.

Figure 3.1 UPWP Funds



3.3.1 Metropolitan Planning (PL) Funds

FHWA Metropolitan Planning (PL) funds are provided for in each federal surface transportation act, the most recent being the Fixing America's Surface Transportation (FAST) Act. PL funds are to be used to carry out the metropolitan transportation planning process as described in [23 U.S.C. §134](#). As such, PL funds have a wide range of uses; however, the use of these funds by the MPO must be for allowable, necessary, and

reasonable purposes, as described in both Federal and State requirements. It is the responsibility of the MPO Liaison to ensure the MPO is using PL funds in accordance with Federal and State requirements.

The distribution of PL funds is accomplished through a formula developed by FDOT, in consultation with the MPOs, and must be approved by FHWA. [\[23 C.F.R. 420.109\(a\)\]](#) In developing the formula for the distribution of PL funds, various factors must be considered, including population, status of planning, attainment of air quality standards, and metropolitan area transportation needs. [\[23 C.F.R. 420.109\(b\)\]](#) The formula is updated as needed, such as when there are significant changes in Federal law. MPOs may contact FDOT's Office of Policy Planning (OPP) (or their respective District Liaison) for information regarding the current formula. MPOs may contact FDOT's Work Program Development Office for available PL allocation.

The MPOs available PL balance for a given year includes the following:

1. The amount of new PL funds allocated by formula;
2. The carry forward funds that have not been obligated/used in the prior years;
3. The de-obligated funds from the prior UPWP; and
4. The close-out funds from the prior UPWP.

The amount of new PL funds for the upcoming fiscal year and the four succeeding years appears in FDOT's [Work Program Instructions](#) under Schedule A. The Work Program Development Office in Central Office is responsible for programming the Schedule A amount of funds in the Tentative Work Program.

FDOT's Work Program Development Office is responsible for applying the PL distribution formula to the annual PL allocation, and for tracking the available PL balance for each MPO. The Program Development Office provides the District Liaisons with a PL funds tracking report, referred to as the Check PL spreadsheet. It is extremely important the MPO and MPO Liaison regularly review the Check PL spreadsheet to have the most current information regarding the MPO's available PL balance.

Currently, the State provides the required match to secure PL and all FHWA program funds with toll credits (soft match), as per the [Work Program Instructions](#), eliminating the need for an MPO to provide a local match. Toll credits are not actual dollars that can be

expended, and toll credits do not appear in the Work Program. However, the MPO must show the amount of toll credits that are used to match all FHWA program funds in the UPWP. Section 3.8 provides more information on representing soft match in the UPWP.

3.3.2 Federal Transit Administration Funds

[49 U.S.C. §5303](#) establishes the FTA Section 5303 grant to support metropolitan transportation planning. These funds are apportioned to the MPOs in accordance with the rules established in [49 U.S.C. §5305\(d\)](#). In addition to Section 5303/5305(d) funds, an MPO may also elect to use FTA Section 5307 grant funding for planning purposes. If this is the case, the MPO must reflect the Section 5307 funds on the relevant UPWP task(s).

Both of these funds, when used by the MPO for planning purposes, must be shown in the UPWP. FTA funds require a 20 percent non-Federal match, made up of 10 percent State funds and 10 percent Local funds. The specific requirements for these funds are outlined in [Form No. 725-030-06](#), Public Transportation Joint Participation Agreement and [Form No. 725-030-06E, Exhibits](#), and in FDOT [Procedure 725-000-005](#): Public Transportation Joint Participation Agreement.

Please note any Section 5307 funds used for planning purposes in the MPO planning area must be reflected in the UPWP. If the local transit agency elects to use Section 5307 funds for planning, the MPO must reflect this activity and funding as an informational item in the UPWP. If the MPO elects to use Section 5307 funds for planning, the funding must be reflected on the relevant UPWP task(s).

3.3.3 Surface Transportation Block Grant Program Funds

The Surface Transportation Block Grant Program (STP) is a Federal-aid highway flexible funding program that funds a broad range of surface transportation capital needs, including roads, transit, seaport and airport access, vanpool, and bicycle and pedestrian facilities. STP funds are allocated based on population. STP Urban (SU) funds are allocated specifically to Transportation Management Area (TMA) urbanized areas, which are based on population. See Part IV, Chapter 1, of FDOT's [Work Program Instructions](#) for more information regarding the Surface Transportation Block Grant Program.

As per [23 U.S.C. §133](#), “surface transportation planning” is also an eligible use of STP funds. The decision to provide the MPO with STP funds for metropolitan planning purposes must be made in accordance with the guidelines in the [Work Program Instructions](#), Part III, Chapter 23. It is the responsibility of the MPO Liaison to ensure the MPO uses STP funds in accordance with Federal and State requirements.

STP funds provided to an MPO for metropolitan transportation planning purposes must be shown in the UPWP. A UPWP amendment is required if an MPO adds new STP funds to an adopted UPWP. Section 3.12 provides information on UPWP amendment and modification thresholds. These funds shall be programmed in a manner consistent with the instructions in Part III, Chapter 23 of the [Work Program Instructions](#).

STP funds given to an MPO for planning purposes shall not be provided through the execution of a new Joint Participation Agreement (JPA); rather, they must be captured through an amendment to the existing MPO Agreement. Section 3.6 provides more information on the agreement process.

The State provides 100 percent of the required match with toll credits (soft match). Toll credits are not actual dollars that can be expended, and toll credits do not appear in the Work Program. However, the MPO must show the amount of toll credits that are used to match STP funds in the UPWP (see Section 3.8).

3.3.4 Additional FHWA Program Funds

FDOT may provide MPOs additional FHWA program funds for the purpose of metropolitan transportation planning, such as CMAQ funds, TA funds, or discretionary funds FDOT is responsible for administering. These funds must be reflected on the relevant tasks in the UPWP to ensure reimbursement to the MPO. A UPWP amendment is required to add these to the adopted UPWP. It is the responsibility of the MPO Liaison to ensure the MPO is using additional Federal funds in accordance with Federal and State requirements.

Any additional FHWA program funds provided to the MPO for the purpose of metropolitan transportation planning shall be captured in and administered through the MPO Agreement.

3.3.5 State Funds

The use of State funds, such as DDR and DPTO, is described in the [Work Program Instructions](#). DDR and DPTO funds are to be provided to MPOs solely as a non-Federal match for FTA or other Federal grants. All Federal and matching funds for metropolitan planning purposes, including State match, must be included in the UPWP.

Per guidance from the Office of Work Program and Budget, State (D) funds shall not be provided to the MPO for purposes of assisting with the carrying out of metropolitan transportation planning process, including the development and update of the Long-Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), the Public Participation Plan (PPP), the UPWP, and the Congestion Management Process/Plan (CMP).

D funds may be provided to the MPO as a vendor to FDOT in the case where the MPO is performing a service on behalf of FDOT. In these instances, a vendor agreement must be executed between the MPO and FDOT. Any funds provided to the MPO as a vendor; FDOT must be reflected in the UPWP as an **informational** item.

3.3.6 Matching Funds

Currently, the State provides 100 percent of the required match to secure FHWA funds, including PL and SU funds, with toll credits (soft match). Toll credits are not actual dollars that can be expended, and soft match credits do not appear in the Work Program. However, the MPO must show the amount of toll credits that are used to match the FHWA funds in the UPWP. Soft match values must not be reflected on the individual UPWP tasks; rather, the soft match amount must be described in the UPWP introduction and provided for in the UPWP summary budget tables (see Section 3.8).

In order to secure FTA funds, the State and/or local government must place matching funds on a project. The State and local funds used as match must be shown in FDOT's **Work Program**. FTA provides 80 percent with a required 20 percent non-Federal match. The 20 percent match is 10 percent State funds and 10 percent Local funds.

All Federal and matching funds for metropolitan planning purposes, including State/local match, must be included in the UPWP.

3.3.7 Local Funds

Any funds other than State or Federal that are applied to the planning program are considered local funds. As stated above, local funds are required as a match for FTA funds and may be used to meet a project's costs for other Federal funds. Local funds that are not serving as a match for Federal grant funds should be reflected in the UPWP as an informational item.

3.4 Eligibility of Project Expenditures

Federal and State laws and regulations govern the types of activities that are eligible for Federal and State funding. In order for costs to be eligible for FDOT/FHWA participation, the costs must be:

1. For work performed for activities eligible under the section of Title 23 U.S. Code;
2. Verifiable from the State DOT's or subrecipient's (MPO's) records;
3. Necessary and reasonable for proper and efficient accomplishment of the project;
4. Included in the approved UPWP or amendment; and
5. Incurred subsequent to FHWA authorization.

MPO Liaisons are responsible for ensuring costs incurred by the MPO meet the requirements listed above. The U.S. Code, Code of Federal Regulations, the [Department of Financial Services Reference Guide for State Expenditures](#), and FDOT's [Work Program Instructions](#) may be consulted for information on eligible activities.

Per FHWA guidance, STP funds can be used to support MPO staff salaries if MPO staff are working on Surface Transportation Planning Program activities [\[23 U.S.C. 133\(b\)\(10\)](#), activities that support [23 U.S.C. 134\]](#), and the STP funds are identified in the UPWP or the approved STIP to support the selected activities. The details of the task need to be thoroughly documented in either the UPWP and/or a Task Scope of Services that outlines what activities will be paid utilizing PL funds and what will be paid with STP, unless documented in the STIP.

In addition to ensuring the activities being performed are eligible under the U.S. Code, MPO Liaisons are responsible for ensuring all costs are both necessary and reasonable for the proper and efficient accomplishment of the project.

MPO Liaisons have two primary resources available to them to assist with the review of specific costs. [2 C.F.R. §200 Subpart E – Cost Principles](#), clarifies how to define whether a cost is “reasonable” in nature, and includes provisions for the allowability and unallowability of specific costs, such as costs related to conferences or memberships. In addition, MPO Liaisons may review the Florida Department of Financial Services (DFS) *Reference Guide for State Expenditures* for clarification on the State requirements related to costs. This reference guide provides guidance on all agreements being entered into by the State of Florida, and includes allowable/unallowable provisions for select cost items as well.

Sources available for more information on cost eligibility:

<p>2 C.F.R. §200 Subpart E – Cost Principles:</p> <p>Provides some basic considerations to be taken into account when reviewing costs for eligibility; includes a definition of “reasonable costs,” as well as guidance on defining direct and indirect costs; also provides examples of select allowable and unallowable costs.</p>	<p>Florida DFS Reference Guide for State Expenditures:</p> <p>Provides guidance to State agencies, such as FDOT, regarding requirements for disbursement of funds from the State Treasury; includes provisions for select examples of allowable and unallowable costs.</p>
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Both resources are available on OPP’s [MPO Agreement & Invoicing Process web page](#).

When the Federal and State guidelines regarding cost eligibility do not align, the **stricter** of the two shall prevail. For example, Federal regulations allow for the use of Federal funds for the purchase of refreshments (food and nonalcoholic beverage) associated with meetings; however, State guidelines, as described in the DFS *Reference Guide*, prohibit the expenditure of any funds from the State treasury on refreshments. Therefore, MPOs shall not spend any FDOT-administered funds, including PL funds, on refreshments.

In the instance where a specific cost in question is not adequately addressed in these sources, the FDOT [Disbursement Handbook](#) may be used to provide further clarification. The [Disbursement Handbook](#) similarly includes provisions for select items of cost, as applied to FDOT; however, these standards can generally be applied to the MPOs as

well, with discretion. MPO Liaisons or MPOs may contact the MPO Statewide Coordinator at the FDOT Central Office for more information or for clarification on a cost eligibility.

3.4.1 Equipment Purchases Using Federal Funds

FHWA will, on a case-by-case basis, allow MPOs to purchase equipment as a direct expense with Federal funds. Equipment is defined as any tangible personal property having a useful life of more than one year and a per-unit acquisition cost of \$5,000 or more per unit. [[2 C.F.R. §200.33](#)] All equipment purchases, regardless of cost, must be programmed and itemized in the UPWP; however, specific approval by the FHWA and the District is not required for equipment costs under \$5,000. All proposed equipment purchases must comply with [2 C.F.R. §200.313](#), [2 C.F.R. §200.314](#), and [2 C.F.R. §200 Subpart E Cost Principles](#), including [2 C.F.R. §200.439](#).

The following information is required to obtain approval by the FHWA to purchase equipment with a cost of \$5,000 or greater. This information shall be provided from the MPO to the District MPO Liaison prior to the purchase of the equipment:

1. A list of the equipment to be purchased with its description and cost;
2. The specifications and/or a detailed description of the equipment;
3. Documentation that the MPO has performed a cost comparison between multiple sources for the equipment;
4. Justification for the purchase and the proposed purpose/use of each piece of equipment; and
5. Reference to the equipment purchase in the UPWP.

District staff will review the MPO's proposed purchase acquisition and forward their recommendation to the FHWA. The FHWA will consider the MPO's equipment purchase proposal and provide an approval or denial. **The MPO must not procure any equipment with a cost of \$5,000 or greater prior to FHWA's approval.**

The FHWA and FDOT further require the MPO to maintain property records for all property obtained through Federal funding. [[2 C.F.R. §200.313\(d\)](#)] A physical inventory of the property must be taken at least once every two years, and the results reconciled with the MPO's property records. Property records for equipment must include:

1. Description of the property;
2. Serial or other identification number;
3. The source of funding for the property (including the FAIN);
4. Title owner;
5. Acquisition date;
6. Cost of the property;
7. Percentage of Federal participation in the project costs for the Federal award under which the property was acquired;
8. Location, use, and condition of the property;
9. Disposition of the property, including the date of disposal and sale price (if applicable).

A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated. Disposal of equipment purchased with Federal funds must be disposed of in accordance with State laws and procedures according to [2 C.F.R. §200.313\(e\)](#).

3.4.2 Indirect Cost Rate

Indirect costs are defined in [2 C.F.R. §200.56](#) as “those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitting, without effort disproportionate to the results achieved.” Examples of indirect costs may include office space leases, printing, and mailing costs.

FDOT will accept one of four methods for reimbursing indirect costs for MPOs:

1. Federally Approved Indirect Cost Rate Agreement;
2. Indirect Cost Rate Allocation Plan;

3. 10 percent de minimis indirect cost rate; and
4. Actual costs incurred.

Options 1 to 3 will result in the MPO using an indirect cost rate, be it a **Federally approved** rate, a rate derived from an indirect cost allocation plan and approved by FDOT, or the de minimis rate of 10 percent. Upon establishment of a rate, the MPO must apply this rate to all of the direct costs for each task in the UPWP. For example, if a specific task is made up of \$100,000 in direct costs, which could include salaries, professional services, and other direct expenses for that task, and the MPO has an indirect rate of 15 percent, the task budget detail must reflect \$15,000 in indirect costs.

MPOs wishing to be reimbursed for indirect costs using a Federally approved indirect cost rate agreement must submit this agreement to FDOT for filing. The MPO must apply this rate across all tasks in the UPWP. In general, only those MPOs that are hosted by agencies that receive direct Federal funding in some form (not necessarily transportation) will have available a Federally approved indirect cost rate, negotiated between the Federal funding agency and the MPO's host agency.

MPOs wishing to be reimbursed for the 10 percent de minimis indirect cost rate must submit to FDOT a completed 10 percent De Minimis Certification form for review and approval. This form can be found on OPP's [MPO Agreement & Invoicing Process web page](#). Once approved, the MPO must apply the de minimis rate across all tasks in the UPWP.

MPOs that do not have a Federally approved indirect cost rate agreement and wish to be reimbursed for indirect costs at a rate greater than 10 percent, must submit to FDOT an Indirect Cost Allocation Plan (ICAP) that has been developed in accordance with [2 C.F.R. §200 Appendix VII States and Local Government and Indian Tribe Indirect Cost Proposals](#). This ICAP must be sent to the MPO's District Liaison, who shall forward it to the Statewide MPO Coordinator. This ICAP must be included as an appendix to the UPWP, and the rate must be applied across all the tasks in the UPWP.

MPOs that do not wish to be reimbursed at the De Minimis rate and do not have a State or Federally approved indirect cost rate, will charge all eligible costs as direct costs and will be reimbursed for such. As opposed to MPOs charging a rate to cover indirect expenses, these MPOs will reflect all indirect expenses in the UPWP budget details as direct expenses. To reduce the burden of distributing these costs across the tasks in the

UPWP and minimize UPWP amendments and modification, these MPOs are strongly advised to include all administrative and overhead costs in one task or set of tasks in the UPWP (see Section 3.8).

3.5 Standard MPO Agreements

Two standard agreement forms are available to be utilized by the MPO and District depending on the type of funding being provided to the MPO, FHWA program funds or FTA funds.

3.5.1 FHWA Funds – MPO Agreement

The MPO Agreement is the standard contract between the MPO and FDOT to undertake the FHWA-funded planning studies and activities listed in the UPWP.

The MPO Agreement captures **all** FHWA program funds listed in the UPWP, such as PL and SU, and acts as the basis for the administration for these funds. The MPO Agreement contains a body of standardized legal language and three Exhibits:

1. Exhibit A is the UPWP, which acts as the Scope of Work for the MPO Agreement;
2. Exhibit B, titled Federal Financial Assistance (Single Audit Act), shall include the Federal award amount for the MPO Agreement, which is the two-year total for all FHWA program funds in the UPWP (PL, SU, etc.); and
3. Exhibit C, titled Title VI Assurances, includes the Title VI compliance requirements for the MPO and shall be included in any third-party agreements the MPO enters into.

The MPO Agreement shall be executed every two years, in conjunction with the UPWP. The MPO shall execute the MPO Agreement at the same time as it adopts the new UPWP. The UPWP and the MPO Agreement shall have the same effective dates.

The standard MPO Agreement is [Form No. 525-010-02](#) and can be downloaded by the Liaison from the Forms section of FDOT's **Intranet**. NOTE: The Central Office General Counsel Office must review all proposed changes to the standard MPO Agreement.

Once the MPO Agreement is executed, a contract status change form must be submitted to the District Financial Services Office, indicating the MPO may now invoice FDOT for the work performed as it relates to the tasks in the UPWP.

3.5.2 Federal Transit Administration Funds

The Public Transportation Joint Participation Agreement ([Form 725-030-06](#)) is the standard contract between the MPO and FDOT to undertake the FTA-funded planning studies and activities listed in the UPWP. More information on FTA grant administration can be provided by the FDOT Central Office Public Transportation Office.

3.5.3 Transportation Disadvantaged Program Funds

MPOs may receive State Transportation Disadvantaged (TD) grant funding from the Florida Commission for the Transportation Disadvantaged (CTD), an entity created within FDOT, but which functions independently of FDOT. These funds are administered to the MPO through the use of a CTD Joint Participation Agreement, jointly executed between the MPO and the CTD. This agreement describes the activities required by the MPO for carrying out the CTD program.

3.6 Third-Party Agreements

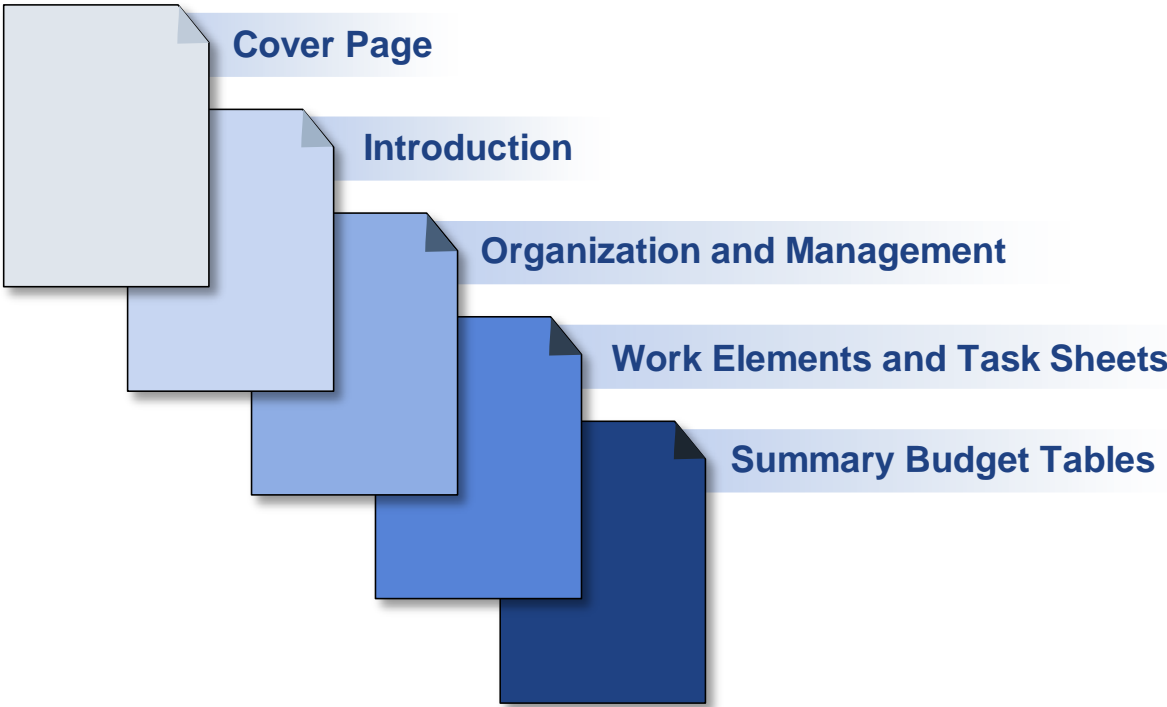
Third-party agreements occur when the MPO enters into an agreement with a party other than FDOT to perform UPWP work activities, such as a planning consultant. Consultant contracts shall be procured, developed, and executed in accordance with the applicable State and Federal requirements outlined in the MPO Agreement, [Form No. 525-010-02](#).

PL funds cannot be advanced and are distributed on a reimbursable basis only. In order for MPOs to reimburse a third party, an agreement will be required to incorporate the terms and conditions of MPO funding and interlocal agreements. Prior to execution, a draft scope of work and the consultant contract agreement shall be reviewed within the consultative process by FDOT and the FHWA. The scope of work shall reference the task number within the UPWP where the funds are identified. Approval of requests for disbursements from third-party agreements shall be contingent upon submittal of satisfactory backup and supporting material, including progress reports and technical reports. This requirement shall be clearly stated in the agreement.

3.7 UPWP Content and Format

The proposed use of FHWA planning funds must be documented in a biennial UPWP that is acceptable to the FHWA. The general format and content for UPWP development, as outlined below, is acceptable to FHWA and FTA. Other formats may also be acceptable provided they meet all Federal requirements and provide the information listed in the next several sections. The UPWP must include a Cover Page and an Introduction. It is recommended that at least three (3) sections be used, including Organization and Management, Work Elements, and Summary Budget Tables. **Figure 3.2** illustrates a general list of items that need to be included in a UPWP.

Figure 3.2 UPWP Content



If other Federal funds are used for planning purposes, they must be identified separately from PL funds. [\[23 C.F.R. 420.119\(e\)\]](#) The UPWP shall include a description of the work to be accomplished and the cost estimates for each activity. [\[23 C.F.R. 420.111\(b\)\]](#) The cost estimates must be broken out by fiscal year. An example UPWP task is shown in **Table 3.3** in **Section 3.16**.

MPOs are encouraged (and MPOs in TMAs are **required**) to include cost estimates for transportation planning, research, development, and technology transfer-related activities funded with local, State, or Federal funds other than those authorized under Title 23.

[\[23 C.F.R. 420.111\(e\)\]](#) This information shall be provided as an informational item, and may be obtained from the members of the MPO's Technical Advisory Committee. The following information must be provided for each planning study:

1. Name of the study and a short description of work to be accomplished;
2. The cost, or the approximate cost, of the study;
3. The source(s) of funding used to pay for the study; and
4. The lead agency that is conducting the study.

MPOs must include districtwide studies if they are specific to the MPO's location as an informational item. Districtwide studies that are not corridor or location specific, such as a districtwide traffic collection effort, need not be included in the UPWP.

If an MPO is transferring FHWA funds to an agency/local government to be used for a planning study, this must be reflected as a **task** in the UPWP.

The UPWP may be modified to add these additional planning studies not carried out by the MPO (see Section 3.13). PD&E studies are not considered planning studies and are contained in the TIP/STIPs of the MPOs.

Table 3.1 provides an example of a matrix to record these additional planning activities in the MPO area.

Table 3.2 Planning Studies in MPO Areas

Name and Study Description	Lead Agency	Fiscal Year	Cost (in Thousand Dollars)	Source of Funds
SR 42/Briarcliff Road Corridor Study. Study includes traffic analysis, review of operations conditions on the corridor from Clifton Road to Druid Road	Nassau County	2012	850	Local
Lehigh Valley Bus Rapid Transit Analysis. Determine feasibility of bus rapid transit lanes on U.S. 41 from Lehigh Avenue to Belmont Avenue	Lehigh Transit	2013	360	FTA-Section 5303

3.7.1 Cover Page

The Cover Page must include:

1. Name of the MPO;
2. Catalog of Federal Domestic Assistance Number (CFDA);
3. Identification of agencies providing funds for the UPWP;
4. Federal Aid Project Number (FAP);
5. Financial Project Number (FPN) (this is the FM number);
6. State fiscal years the UPWP covers; and
7. MPO website address and other contact information, including mailing address, telephone and fax numbers.

The UPWP must include a Cost Analysis Certification Statement, which is signed by the MPO Liaison to attest to the allowability, reasonableness, and necessity of the costs presented in the UPWP. The following statement must appear on a page separate from all other narrative after the Cover Page and before the Introduction:

Cost Analysis Certification as Required by Section 216.3475, Florida Statutes:	
I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.	
District MPO Liaison (Grant Manager) Name	
Signature	Date

This certification statement is a State statutory requirement enforced by the State of Florida Department of Financial Services. Signature by the MPO Liaison indicates the completion of a cost analysis on the costs presented in the UPWP, as required by State Statute. This statement is to be signed by the MPO Liaison for each of the following actions:

- 8. Following adoption of the UPWP and prior to execution of the MPO Agreement;
- 9. Following an MPO Board action amending the UPWP and prior to execution of the Amendment to the MPO Agreement; and
- 10. Following all UPWP modifications and prior to execution of the Amendment to the MPO Agreement.

The date of signature on this statement must align with the date of the last action taken on the UPWP. MPOs and MPO Liaisons are responsible for maintaining records related to all actions taken on the UPWP, including completed cost analyses.

3.7.2 Introduction

The Introduction section must include the following items:

1. A brief definition of the UPWP.
2. A current overview of the status of comprehensive transportation planning activities.
3. A discussion of the planning priorities for the metropolitan planning area that also identifies local priorities. For example, if a metropolitan planning area is experiencing a significant rate of growth, appropriate planning priorities must be identified to address increased development, traffic volumes, and planning for the area's future transportation system.
4. A description of the metropolitan transportation and transportation related air quality planning activities (if applicable) anticipated in the nonattainment or maintenance area regardless of funding sources or agencies conducting air quality activities.
5. Planning tasks to be performed with funds under Title 23, U.S.C and 49 U.S.C. §53.
6. A discussion and definition of "soft match" and the amount (both as a total and the percent) of the "soft match" for the Federal funds in the UPWP (the soft match percentage can be found in Part III, Chapter 23 of the Work Program Instructions).
7. The MPO's approved indirect cost rate (if applicable).
8. A description of the public participation process used in the development of the UPWP.
9. Federal Planning Factors.
10. Any State and/or Federal Planning Emphasis Areas that have been identified.

When discussing the "soft match," MPOs are encouraged to include the following language in the UPWP Introduction:

Section 120 of Title 23, U.S.C., permits a State to use certain toll revenue expenditures as a credit toward the non-Federal matching share of all programs authorized by Title 23, (with the exception of Emergency Relief Programs) and for transit programs authorized by Chapter 53 of Title 49,

U.S.C. This is in essence a "soft-match" provision that allows the Federal share to be increased up to 100% to the extent credits are available. The "soft match" amount being utilized to match the FHWA funding in the UPWP is _____% of FHWA program funds for a total of \$_____.

3.7.3 Organization and Management

The Organization and Management section consists of a narrative that discusses the following items:

1. Identification of participants and a brief description of their respective role(s) in the UPWP metropolitan area transportation planning process;
2. Discussion of appropriate MPO agreements;
3. Identification and discussion of operational procedures and bylaws;
4. Any required forms, certifications, and assurances; and
5. A matrix that identifies how each task relates to the State and/or Federal Planning Emphasis Areas, if applicable.

3.7.4 UPWP Work Elements

The Work Elements Section consists of descriptions of the major work products and tasks the MPO proposes to undertake. Several Work Element examples are provided below. These examples are not intended to be all-inclusive; an MPO may include additional elements or use different Element names.

1. **Administration.** Tasks required to manage the transportation planning process on a continual basis including program administration, development, review and reporting, anticipated staff development and an annual single audit. **For ease of budgeting, fund encumbering, and invoicing, MPOs are highly recommended to include all administrative costs for the entire UPWP in one administrative task (or group of subtasks).** See Tables 3.3 through 3.6 in Section 3.16 for examples of UPWP tasks.

2. **Data Collection.** Tasks to monitor area travel characteristics and factors affecting travel such as socioeconomic, community and land use data, transportation system data, natural, physical, and human environmental concerns and issues.
3. **Transportation Improvement Program (TIP).** Tasks for the development and management of the TIP.
4. **Long-Range Transportation Plan (LRTP).** Tasks for development of the LRTP.
5. **Special Project Planning.** Tasks related to non-recurring planning projects or activities that do not fit easily into other categories, e.g., addressing a Federal TMA or FDOT certification finding.
6. **Public Participation.** Tasks to implement the MPO's public participation program during the development of the UPWP, LRTP, TIP, and other plans and programs as required.
7. **Systems Planning.** Tasks related to recurring planning studies/projects, such as transit, bike/pedestrian, Transportation Demand Management, or transportation disadvantaged planning.

Generally, planning tasks are those activities that are not considered to be administrative tasks. Additional work elements related to transit, energy, short-range transportation planning including Congestion Management Process, Transportation Disadvantaged (TD), intermodal/multimodal planning, Intelligent Transportation Systems (ITS), and air quality planning shall be included when applicable. The UPWP should address any issues identified during the MPO's most recent certification review and specify the actions the MPO will take to address them.

3.7.5 Task Sheets

[23 C.F.R. 450.308 \(c\)](#) requires the UPWP to identify the work proposed for the next one to two years by major activity and task; in sufficient detail to indicate who will perform the work; the schedule for completing the work; the resulting products; the proposed funding by activity/task; and a summary of the total amounts and sources of Federal and the non-Federal match when using FTA funds. If an MPO uses local funds to supplement STP or match PL funds, the local contribution must be shown.

Each task in the UPWP is to be identified under an individual task sheet that includes the following items:

1. Task number and title;
2. Purpose;
3. Previous work completed;
4. Required Activities
 - a. How task will be performed;
 - b. Who will perform the task;
5. Responsible agency or agencies, i.e., who manages the contract (if being performed by a consultant);
6. A schedule that adequately describes the activities that will take place during the year(s), including:
 - a. A schedule of milestones or benchmarks to be used to measure progress,
 - b. End product(s), and
 - c. Estimated completion date(s).
7. Proposed funding source(s) with anticipated costs by fiscal year and by budget line item (an **Estimated Budget Detail**).

An Estimated Budget Detail is required for **all** tasks in the UPWP. Estimated Budget Details shall include the detailed line item costs used to determine the costs for each task, and shall include the costs in the following budget categories:

- Personnel Services;
- Consultant Services;
- Travel;
- Other Direct Expenses; and

- Indirect Expenses (only applicable to MPOs being reimbursed for indirect costs using an indirect rate).

Note: This Estimated Budget Detail replaces the individual task budgets that were previously required. Examples of the Estimated Budget Details are presented in **Tables 3.3 through 3.6** in **Section 3.16**.

As discussed above, the MPO Liaison shall perform a cost analysis on the content of each Estimated Budget Detail, ensuring the costs are allowable, reasonable, and necessary for the completion of the tasks in the UPWP. Specific line items in each budget category on the Estimated Budget Detail must be detailed enough to allow the MPO Liaison to perform the cost analysis. Completion of the cost analysis is documented through signature of the MPO Liaison on the Cost Analysis Certification Statement near the front of the UPWP. The cost analysis must be performed following all actions on the UPWP by the MPO (i.e., adoption, amendment, and modification).

For ease of budgeting and invoicing purposes, MPOs are highly recommended to include all administrative costs for the UPWP on one administration task or group of tasks. For MPOs charging all actual costs, this will make development of the Estimated Budget Details significantly easier. If done properly, all administrative and overhead costs would be consolidated to one task (or group of tasks), and the remaining tasks in the UPWP would simply include the costs for personnel services, professional services, and travel.

Task sheets will reflect slightly different information depending on if the MPO is being reimbursed for an indirect rate or not. For MPOs charging an indirect rate, the indirect rate must be applied consistently to each individual task.

An example of a task sheet for an MPO charging all actual costs incurred is shown in **Table 3.3** in **Section 3.16**. An example of a task sheet for an MPO charging an indirect rate is shown in **Table 3.4** in **Section 3.16**. Please note that the indirect rates, budget line items, and costs presented in these examples are for **illustrative purposes** only. MPOs should align the content of the Estimated Budget Details with their existing accounting systems and budget.

3.7.6 Summary Budget Tables

The following summary budget tables shall be included in the UPWP to identify agency participation and funding sources:

1. **Table 1: Agency Participation** identifies participating agencies (e.g., FHWA, FTA, FDOT, local governments) with respective funding commitments by task with line and column totals. A separate column must be used to indicate the dollars that will be billed to consultants. If the MPO uses a mixture of fund types for consultant work (e.g., PL, 5303 and 5307), the table must clearly identify amount by fund type.
2. **Table 2: Funding Source** lists current year funding by program source for each task with line and column totals. FDOT will soft match the PL funds and any FHWA funds using toll revenue expenditures as a credit toward the non-Federal matching funds. The amount of soft match by task must be reflected on this table, although should be clearly identified as a non-cash match.

Section 3.17 contains examples of Table 3.7 and Table 3.8. Please note: Each UPWP must include one set of Tables C.1 and C.2 for year one (e.g., 2016/17) and another set for year two (e.g., 2017/18).

3.7.7 Joint Certification Package

The timing of the annual certifications is meant to provide input into the development of the UPWP. This section of the UPWP must include the signed certification statement, a summary description of any noteworthy achievements, and a list of any corrective actions and/or recommendations. Attachments associated with the noteworthy achievements may be sent separately.

Although the UPWP is adopted every other year, the MPO's certification must occur annually. This is because certification is tied to approval of the TIP and STIP, [[23 C.F.R. §450.336](#)] which in Florida is submitted annually. Copies of the certification packages in year one must be sent to FHWA, FTA, and the MPO Statewide Coordinator. See **Chapter 7** of the MPO Handbook for more information on the certification process. The Joint Certification Statement is available on OPP's [MPO Statements and Assurances web page](#).

3.7.8 Statements and Assurances

The UPWP must include several statements and assurances that must be signed and submitted on an annual basis. These statements cover the areas of debarment, disadvantaged business enterprises, and lobbying, as described below. Copies are available on OPP's [MPO Statements and Assurances web page](#).

1. **Debarment and Suspension.** This statement assures that FHWA funds have not been used for procurement from persons who have been debarred or suspended in accordance with the provisions of [49 C.F.R. 29, subparts A through E](#). It is recommended that each MPO coordinate with their legal counsel on this item.
2. **Disadvantaged Business Enterprise.** This statement certifies the MPO and its consultants will comply with Federal requirements pertaining to participation of DBEs in Federally awarded contracts.
3. **Lobbying.** Pursuant to [31 U.S.C. 1352](#), the MPO must annually certify to the FHWA that no appropriated Federal funds are being used to influence, or attempt to influence (lobby), any member of Congress or their employees in connection with the awarding of any contract, grant, loan, cooperative agreement, or the extension, continuation, renewal, amendment or modification of any existing contract, grant loan or cooperative agreement.

If any funds other than Federally appropriated funds have been, or will be, paid to any person for the influencing, or attempting to influence, a member of Congress or its employees in connection with a Federal contract, grant, loan or cooperative agreement, the MPO must, in accordance, complete [Standard Form LLL – Disclosure Form to Report Lobbying to serve as the Lobbying Certification Statement](#).

The Certificate for Contracts, Grants, Loans and Cooperative Agreements for all Federal grants in excess of \$100,000 must be signed annually by the **MPO chairperson**. This statement must also be included in the UPWP.

As a subrecipient of FDOT, each MPO is required to sign a Title VI and Related Statutes Nondiscrimination Agreement with the State to assure Title VI and other nondiscrimination authorities' compliance. The official name of the form is [Title VI/Nondiscrimination Policy Statement](#).

The Nondiscrimination Agreement acts as the MPO's Title VI Plan pursuant to [23 C.F.R. Part 200](#) and the Federal Highway Administration's Title VI Implementation Guide. It includes all of the Title VI requirements that an MPO agrees to take on in return for receiving Planning (PL) funds from the State.

The Title VI Nondiscrimination Agreement must be signed **annually** by the MPO's signature authority. Normally, it is submitted with the Unified Planning Work Program (UPWP). Of the years when the UPWP is not submitted for approval, the forms and assurances must be submitted to the **MPO Statewide Coordinator**. District Planning staff are encouraged to work with their Title VI Program Area Officer when reviewing the agreement for compliance with the Title VI Nondiscrimination Program.

3.8 Steps in the UPWP Development, Review, and Approval Process

The steps involved in the development, review, and approval of the UPWP are discussed below. Figure 3.3 presents the schedule for this process.

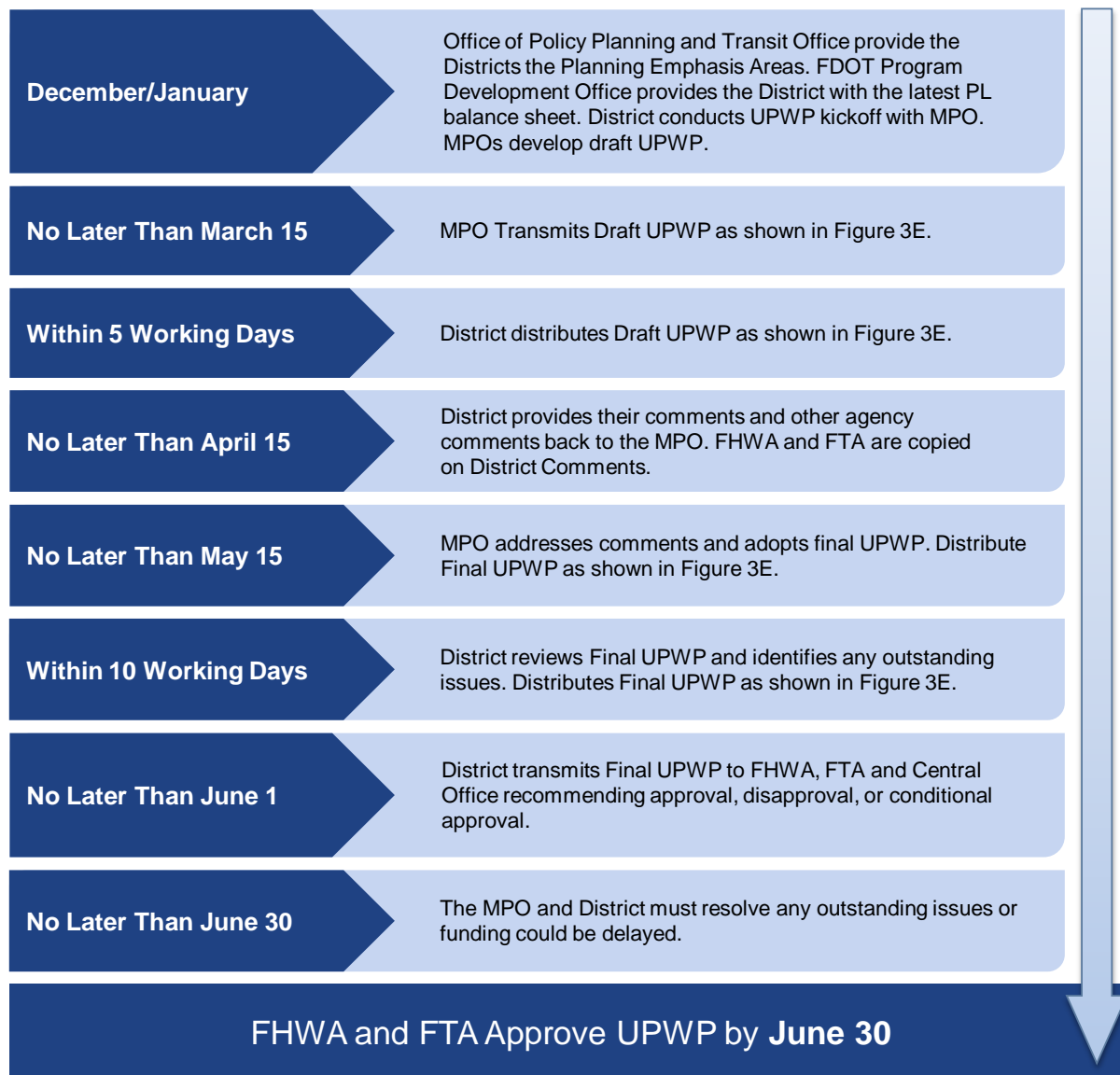
3.8.1 Early Steps in UPWP Development

Each **December**, OPP and/or the Public Transportation Office will send the Districts statewide and/or regional tasks and/or Planning Emphasis Areas they have identified. The Program Development Office will provide the Districts and the MPOs with the latest MPO balance sheet for UPWP development. The balance sheet will include the year one allocation and, for illustrative purposes, the anticipated year two allocation.

No later than **January**, the District will begin early coordination and technical assistance to the MPOs on preparation of the UPWP. At that time, the Districts will provide to the MPOs any new tasks and the most recent estimates of available FHWA and FTA metropolitan planning funds. It is very important to check the balance sheets (PL spreadsheet provided by FDOT) against the UPWP. The FHWA and/or the FTA must be consulted early in the UPWP development process if the MPO and/or FDOT identify issues that require additional discussion. The MPO is encouraged to initiate a "kickoff" meeting with their respective District(s), who may invite FHWA/FTA and other transportation partners to attend.

The MPO must develop the UPWP in accordance with a documented public participation plan consistent with [23 C.F.R. 450.316](#).

Figure 3.3 Development, Review, and Approval of the UPWP



3.8.2 Review of the Draft UPWP

No later than **March 15** during update years, the MPO will transmit the draft UPWP to reviewing agencies, as shown in **Figure 3.3**. The District shall distribute copies to agencies within **five working days** of receipt with internal distribution by the District as deemed appropriate. The District shall review the draft UPWP for format and content based on the guidance and UPWP Checklist found in **Section 3.15**, and must include the

review of the Estimated Budget Details. The District shall complete this review and provide comments within **30 calendar days** of receipt of the draft UPWP to the MPO. **Copies of District comments shall be transmitted to FHWA and FTA.** During the **30-day** review period, the District will coordinate with the MPO to ensure the UPWP addresses any FDOT concerns. Agencies receiving the draft UPWP for review from FDOT must provide comments to the District and the MPO **within 30 days of receipt.**

Note to Districts: Please ensure that only one version of the Draft UPWP is sent out for review. Review agencies, including FHWA and FTA, are working under tight time constraints. Please do not send out preliminary drafts only to follow them up with final drafts.

3.8.3 UPWP Adoption and Submittal

By **May 15**, the MPO will address all comments and adopt the Final UPWP. The District Liaisons and the MPOs will distribute the Final UPWP according to the list in **Table 3.2.** **Delays in the implementation of this schedule may jeopardize the timely receipt of Federal PL funds by the MPO.** The District must coordinate closely with the MPO to assist in meeting these deadlines.

The UPWP may be submitted electronically via CD or email PDF attachments. Links to websites are not acceptable for the purpose of submitting copies of UPWPs to agencies. The final copies of the UPWP sent to OPP, FHWA, and FTA must come from the FDOT District, not the MPO, with a submittal letter recommending approval.

Table 3.3 Distribution of the Draft and Final UPWP

Agency	Contact(s)
Local and Regional Distribution	As needed – determined by MPO
FDOT – District Staff	As needed – determined by District
FDOT – CO Planning	<p>Alex Gramovot Statewide Metropolitan Planning Coordinator FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Alexander.Gramovot@dot.state.fl.us</p> <p>Mark Reichert Administrator for Metropolitan Planning FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Mark.Reichert@dot.state.fl.us</p>
FDOT - FCTD	<p>Steve Holmes Executive Director Florida Commission for the Transportation Disadvantaged 605 Suwannee Street, Mail Station 49 Tallahassee, FL 32399-0450 Steven.Holmes@dot.state.fl.us</p>
DEO	<p>Matthew Preston Planning Analyst Bureau of Community Planning Florida Department of Economic Opportunity 107 East Madison, MSC 160 Tallahassee, FL 32399 Matt.Preston@deo.myflorida.com</p>
FTA	<p>Yvette Taylor Regional Administrator Federal Transit Administration Region IV 230 Peachtree Street, NW, Suite 800 Atlanta, GA 30303 Yvette.Taylor@dot.gov</p>

Agency	Contact(s)
FHWA	James Christian Florida Division Administrator Federal Highway Administration 3500 Financial Plaza, Suite 400 Tallahassee, FL 32312 Mail Station 29 James.Christian@dot.gov

3.8.4 District Review of the Final UPWP

Within 10 working days of receipt, the District shall review the final UPWP for format and content using the UPWP Review Checklist found in **Section 3.15** and FDOT’s and other agencies’ comments on the Draft UPWP. The MPO shall address any problems resulting from the District’s review and suggest ways to resolve those comments not addressed in the final UPWP as submitted. The District will transmit the MPO’s response and comments to the FHWA, the FTA, and the Public Transportation Office.

The District review of the UPWP must include the review of the Estimated Budget Details. At the time of adoption of the UPWP, cost analyses must be performed on each of the Estimated Budget Details in the UPWP. This must occur before execution of the MPO Agreement.

The District will transmit copies of the final UPWP to FHWA for their receipt prior to June 1. Based on the review of the final UPWP, the District shall make a recommendation for approval, conditional approval, or disapproval of the UPWP in its transmittal letter to FHWA.

The District and the MPOs need to be aware that **failure to meet the submittal deadlines outlined in this chapter may result in a delay in receiving Federal PL funds for the UPWP and that any failure by the District and the MPO to resolve any outstanding issues by June 30 may jeopardize final UPWP approval and authorization of PL, Section 5303, and Section 5307 funds.** The District and the MPOs shall distribute the final adopted UPWP in accordance with the list shown in **Table 3.2.**

3.8.5 FHWA/FTA Approval

The FHWA approves the UPWP [[23 C.F.R. 420.115\(a\)](#)]. Since UPWPs include tasks funded by both the FHWA and the FTA, FHWA coordinates comments and offers concurrence from FTA prior to approval of the UPWP and approves the UPWP on behalf of FTA. In order for FHWA to approve the UPWP prior to the beginning of the State fiscal year on July 1, it is critical they have adequate time to complete the review. As shown in **Figure 3.3**, the District MPO Liaison must forward the adopted UPWP to FHWA, MPO Statewide Coordinator, and FTA by **June 1**.

FHWA will send its approval letter to the District. The District shall notify the MPO within 10 business days, and provide the MPO a copy of the approval letter. It is important to remember the funds still need to be authorized in the Federal Aid Management System. **Section 3.10.2** describes this process. Although the MPO has adopted a two-year UPWP, FDOT will still have to do multiple authorizations over that time period. This is because the State and Federal governments have different start-end dates for their fiscal years and because the Florida Legislature grants budget authority for only one year at a time.

FHWA and FTA may disapprove or withhold approval of certain tasks in the UPWP. Should that occur, an MPO cannot receive reimbursement of PL funds for these tasks until FHWA and FTA grant approval.

3.9 Financial Management of Metropolitan Planning Funds

3.9.1 Programming of MPO Funds

All FHWA funds provided to each MPO for planning purposes for the two-year UPWP shall be programmed on a consistent basis.

The Central Office, Office of Work Program and Budget will establish financial project numbers for each MPO's UPWP and program the MPO's PL allocation on sequence -01 of these financial project numbers. District staff shall program all non-PL FHWA-program funds (such as SU, TA, or CM) on subsequent sequences beyond -01. **Each fund type shall be programmed on its own sequence.** In other words, an MPO's entire SU

balance shall be programmed on the same sequence, regardless of the number of tasks to be funded by SU funds.

For example, if an MPO is receiving \$500,000 in PL funds in both FY 16/17 and 17/18, \$15,000 in SU funds in FY 16/17 for two tasks, \$10,000 in SU in FY 17/18 for one task, and \$12,000 in TA funds in FY 16/17 for one task, the programming would reflect the following:

FPN Sequence	Fiscal Year	Fund Type	Amount
-01	FY 16/17	PL	\$500,000
-01	FY 17/18	PL	\$500,000
-02	FY 16/17	SU	\$15,000
-02	FY 17/18	SU	\$10,000
-03	FY 16/17	TA	\$12,000

District staff must take these new programming guidelines into account when programming MPO funds. Please refer to FDOT’s [Work Program Instructions](#) for further guidance.

3.9.2 Authorization and Encumbrance Levels

The Central Office’s Office of Work Program and Budget distributes information to the Districts for each MPO that gives authorization and encumbrance levels for the PL funds in the newly approved UPWP. This information provides:

1. Initial UPWP authorization amount;
2. Initial encumbrance amount;
3. Second authorization amount; and
4. Final encumbrance amount (if needed).

District MPO Liaisons are responsible for tracking and initializing the authorization and encumbrance of non-PL FHWA funds being provided to the MPO for planning purposes, of which the steps are inherently the same as those below.

3.9.3 Initial Authorization of FHWA Planning Funds

PL fund authorizations are typically issued at least twice for each fiscal year. The first authorization occurs after the FHWA approves the UPWP and provides only a portion of funds for the new State fiscal year beginning on **July 1**. The reason for the partial authorization is that while Florida's fiscal year begins July 1, the new Federal fiscal year does not begin until October 1, thus the new Federal fiscal year PL funds are not available until October 1.

The initial authorization, using the MPOs' available balance of funds from the previous year, allows the MPOs to begin work on **July 1** and to be able to bill for reimbursement of expenditures during the gap between the new State fiscal year and the new Federal fiscal year (July 1 through September 30). FDOT must request the first authorization of PL funds no later than **June 15**. Funds and budget must be approved prior to **July 1**. The following steps are required:

1. No later than **June 15**, the District MPO Liaison will request the District Federal-Aid Coordinator to process an authorization request in the Federal Aid Management System (FAMS) to the Central Federal-Aid Office for the authorization of PL funds for the new UPWP. The District Federal Aid Coordinator will copy the PL Funds Coordinator in the Office of Work Program and Budget with the request to the Federal-Aid Office. Before the District Federal Aid Coordinator can make the authorization request, the District MPO Liaison must provide a copy of the FHWA and FTA letter approving the UPWP.
2. FDOT receives an Electronic Signature Document (ESD) from the FHWA authorizing FDOT to commit PL funds to the MPO for the reimbursement of MPO expenditures as budgeted in the approved UPWP. The District Federal-Aid Coordinator will provide a copy of the ESD to the District MPO Liaison. Upon receipt of the ESD, a Letter of Authorization (LOA) notifying the MPO to expend the specified amount of funds is sent by FDOT to the MPO with a copy of the ESD.
3. Once FHWA authorizes the expenditure of funds, the next step is to encumber the funds. This is a State process and is described in the next section.

The MPO will not be reimbursed for expenditures incurred prior to the date of Federal authorization of PL funds [[23 C.F.R. 420.113\(a\)\(5\)](#)] and the fund

encumbrance. Thus, work that could generate charges for reimbursement must not start until after the MPO receives an approval letter from the District.

The authorization of funds cannot occur until FHWA and FTA have approved the UPWP. If the FHWA and the FTA have not approved an MPO's UPWP by **June 30**, the FDOT District cannot request an authorization of funds for the UPWP for the new fiscal year at that time. Work performed by the MPO or contracted out by the MPO during this time period (July 1 to the date of authorization) **cannot be billed** for reimbursement. In other words, expenses incurred during this time will not be reimbursed.

If sufficient funds are not available on July 1 to fund the UPWP budget in full, the District MPO Liaison will request a second authorization via FAMS once FDOT receives the Official Notice of Appropriation from FHWA. This occurs sometime after October 1, and is further described below.

FHWA will authorize/approve funds one fiscal year at a time, even though the UPWPs are on a two-year cycle.

3.9.4 Initial Fund Approval/Encumbrance of Funds

Immediately after FDOT initiates the authorization process, as described above, the Liaison (or whoever the District designates) must encumber the funds in the Contract Funds Management (CFM) System and notify the District Federal Aid Coordinator. The encumbrance requests must be submitted by **June 15** to allow sufficient time for review, processing, and conditional approval before **July 1**. The fund approval/encumbrance will be processed subject to legislative approval of the budget. The CFM System returns the reviewed fund approval by electronic mail to the originator.

After legislative approval of the budget, the CFM System will then encumber funds on projects reviewed during June. A follow-up email will be sent to the originator stating that funds have been approved.

Once the funds are encumbered, the District MPO Liaison will transmit a Letter of Authorization (LOA) along with the Electronic Signature Document (ESD) to the MPO. This letter authorizes the MPO to begin work that will be reimbursed by Federal funds.

3.9.5 Remaining Authorization and Encumbrances

The second PL authorization will be provided after October 1 when the official FHWA *Notice of Appropriation* is received for the new Federal fiscal year. The process is similar to the June authorization. As described above, the Central Office PL Funds Coordinator will notify each District MPO Liaison of the amount for authorization. The MPO Liaison shall then request the District Federal-Aid Coordinator to process an authorization request. Upon receipt of the second Electronic Signature Document from FHWA, the funds must then be encumbered in the CFM System. Once the funds are encumbered, a second LOA, with a copy of the ESD, must be sent to the MPO indicating additional PL funds are now available. The Work Program will automatically reflect the amount of authorized funds and any programming that is still unauthorized.

3.9.6 Additional FHWA Fund Authorizations

In the event a UPWP budget needs to be increased during a fiscal year, FDOT must request additional authorization from FHWA.

First, the District MPO Liaison will coordinate with the Office of Work Program and Budget in Central Office to ensure the availability of funds. Next, the MPO will adopt a UPWP amendment and transmit it to the District (refer to **Section 3.12**). The District will forward the amendment to FHWA with a cover letter describing the need for the change and recommending approval.

After FHWA approves the amendment, the District Liaison must authorize the funds in FAMS using the same process described in **Section 3.9.2**. Once FHWA authorizes the funds, the next step is to encumber them using the same process described in **Section 3.9.3**. Upon completion, the District Liaison will send a letter to the MPO authorizing the expenditure of PL funds based on the new budget amount along with a copy of the ESD. UPWP amendments adding funds to the budget must be approved by the MPO no later than **March 15** and submitted to the District no later than **April 1**.

3.9.7 PL Funds Carryforward and Available Balance

Carryforward funds occur when an MPO does not obligate/authorize all available PL funds in the current and/or prior fiscal years. Carryforward funds are combined with the annual allocation for the new fiscal year, the close out funds from the prior years, and de-

obligated funds from the prior year to determine an MPO's available PL fund balance for the upcoming fiscal year. Any budget (spending authority) associated with carryforward funds is obtained through FDOT's roll-forward process and is subject to approval of the Legislative Budget Committee.

In a two-year UPWP, an MPO does not have to de-obligate funds in the first year of the fiscal two-year cycle. If the funds are de-obligated and un-encumbered in the first year of a two-year UPWP, they will roll forward and be available by the end of September in the second year of a two-year UPWP. **This is not recommended.** If the District Liaison does not un-encumber the funds in the first year, the funds will remain in the first year of the two-year UPWP and the MPO must be careful to invoice appropriate expenses against the funds in the first year

3.10 De-Obligation of FHWA Funds

De-obligation of funds releases Federal funds previously authorized but not expended by the MPO. In years past, MPOs de-obligated PL funds if they knew the funds wouldn't be needed in the current fiscal year but would be needed in the next fiscal year. **One of the benefits to switching to the two-year UPWP is that an MPO only needs to close-out and/or de-obligate funds every other year, if they choose to leave them in the first fiscal year.** If the MPO has an unexpended balance on a task in year one of the UPWP and they wish to continue with that task in year two (provided the task is appropriately included in year two of the UPWP), MPOs must leave the balance in the first fiscal year of the two-year UPWP. The funds and budget would be available July 1 of the second fiscal year of the UPWP, and the MPO must be careful to invoice against year one of the UPWP for these funds.

If the MPO has an unexpended balance in year one of the two-year UPWP and wishes to expend these funds on a *different* task in year two, the funds must roll forward. In order for the roll forward to happen, the liaisons need to unencumber the unexpended funds in the first fiscal year of the two-year UPWP by **April 27th**. The *funds* will be available July 1 of the second fiscal year of the UPWP; however, the *budget* will not be available until the end of September of the second fiscal year of the UPWP. In order to spend these funds on a new or unrelated existing task in the second year of the two-year UPWP, a UPWP amendment is required to remove the funds from the old task and add to a new task, or add to an unrelated existing task in the second year of the two-year UPWP.

Before the end of year two, an MPO must unencumber and de-obligate any funds it wishes to be available in year one of the next adopted two-year UPWP. The MPO must take this action no later than **April 1** and make sure it is received by the District no later than **May 1**. This lead-time is required in order to amend the Work Program by June 30 and release the de-obligated Federal funds for use in the new UPWP. **If an MPO does not de-obligate those funds by the end of year two, the funds will be subject to the close-out process and will not become available again until July 1 of year two of the next UPWP; however, the budget will not be available until the end of September of year two of the next two-year UPWP (see Section 3.12 for more information on the close-out process).**

In order to de-obligate PL funds in the MPO's second fiscal year UPWP, the following steps are required:

1. The MPO must amend the UPWP and request a de-obligation of the current PL fund authorization.
2. Upon approval of the UPWP amendment by FHWA, the District MPO Liaison will request that the District Federal Aid-Coordinator obtain a de-obligation of the unused PL funds. This request follows the same process as the authorization request in **Section 3.10.3**. After the approved *Electronic Signature Documents (ESD)* are issued, the District Federal Aid Coordinator will distribute a copy of the ESD to the District MPO Liaison. The de-obligated funds must be processed via the Contract Funds Management (CFM) System. The CFM System will remove any remaining funds on the Letter of Authorization (LOA) when the LOA is placed in a status 50 (closed).
3. The District MPO Liaison will forward a copy of the Federal approval letter to the MPO.

The liaisons must coordinate with the District Work Program/Federal Aid Office to complete the de-obligation process in the CFM system. Once the de-obligation process is complete, the liaison must notify the Central Office Program Development Office. The de-obligated funds will be available for use in the first fiscal year of the new UPWP. However, the budget to expend the funds will not be available until the end of September of the first fiscal year.

3.11 Close-Out of FHWA Funds

In accordance with 2 C.F.R. §200.343, FHWA funds obligated and unexpended in a prior year UPWP must be closed out within **90 days** of the termination of the grant. The grant is based on the Work Program fiscal year (i.e., July 1 to June 30). Based on this timeline, FDOT has until September 30 to have the final invoice and close out documents to FHWA. **It is important to begin this process prior to September 30; do not wait until the deadline to start the process.**

With a two-year UPWP, this termination occurs every other year. Therefore, there is no need to close out the grant between years one and two. The MPO will conduct close-out procedures at the end of year two. If an MPO anticipates that it will not have its final invoice submitted to the District in time to allow the closeout process to occur by **September 30**, the MPO must notify the District. If the District anticipates it will not have the close-out memo completed before **September 30**, the District **MUST** request, in writing, a time extension from FHWA. **Once granted, the extension will be good for only an additional 30 days.** After 30 days, another extension may be requested and granted if needed.

As of July 11, 2016, the process for closing Federal aid projects has been revised. The revised process is reflected in Federal Aid Technical Bulletin 16-03. The process for closing out a PL fund project account is:

1. After the MPO submits the final invoice, the District sends a letter to the MPO's staff director stating FDOT's desire to close out the account and requesting the MPO to confirm the amounts expended. This letter includes a confirmation form and provides the authorization and level of reimbursements provided to the MPO for the fiscal year. Examples of a close-out letter and confirmation form are contained in **Section 3.18**.
2. Upon receipt of the confirmation letter and form, the MPO must promptly review its financial records. Any discrepancies must be noted and then resolved before signing the confirmation form. The signed confirmation form is then returned to the District.
3. Once the signed confirmation form is received from the MPO, the District shall load the confirmation letter and form into the EEDMS Work Program Loading Dock. Access to the EEDMS Work Program Loading Dock can be obtained through the

Automated Access Request Form (AARF), as well as through the Federal Aid Management Office.

4. Once the signed confirmation form is uploaded to EEDMS, the District MPO Liaison writes a closeout memorandum to the following offices requesting:
 - a. The District Federal-Aid Coordinator prepare an Authorization Request to reduce the fund authorization for the MPO's UPWP to the level of reimbursements provided to the MPO for the two fiscal years.
 - b. The District Financial Services Office unencumber any remaining balance. This request must include a completed Contract Status Change Form which reflects the amount to unencumber, a request to change the contract status to 50, and a request to close the contract.
 - c. The Office of Work Program and Budget, PL Funds Coordinator, for informational purposes.
5. Once all these steps are complete, notify OOC the project is ready to advance to Ready Final Voucher project status. To facilitate this notification, the OOC PCM-Team has set up a special Outlook Inbox for these RFV requests at: "RFV Status Change." The subject line for this request must include the characters "RFV" as well as the District, Federal Aid Project number (FAP), and the lead Item-Segment (for example: "RFV D7, FAP 2757(408), Item-Segment 432607-1"). Note that all emails addressed to this special Outlook Inbox will automatically be forwarded to the Central Office FAMO group as long as the "RFV" characters are included on the subject line.

Examples of a close-out letter and confirmation form are located in **Section 3.18**. The de-obligation of the remaining authorization follows the process described in **Section 3.11**. After the de-obligation request has been approved, the Central Office Program Development Office will adjust the MPO's account and increase the MPO's available PL balance by the de-obligated funds. The District will be responsible for the tracking of non-PL FHWA funds provided to the MPO.

An example timeline of the authorization/encumbrance/de-obligation/close-out process can be found in **Figure 3.3**. Timelines of key financial administration actions are presented in **Figures 3.4** and **3.5**.

Figure 3.4 De-Obligation and Close-Out Process Example

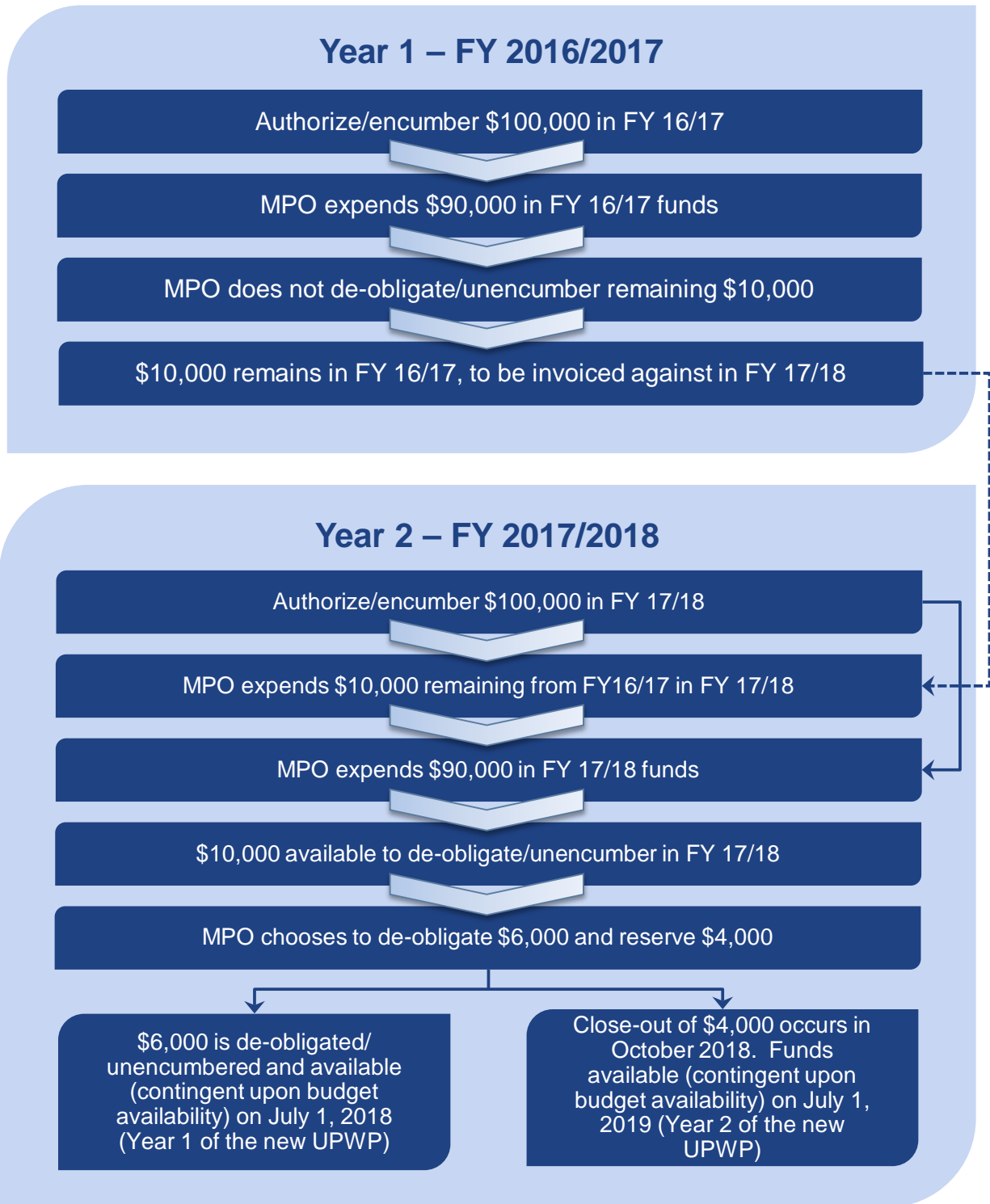


Figure 3.5 Key Financial Administration Dates and Actions (Year One)

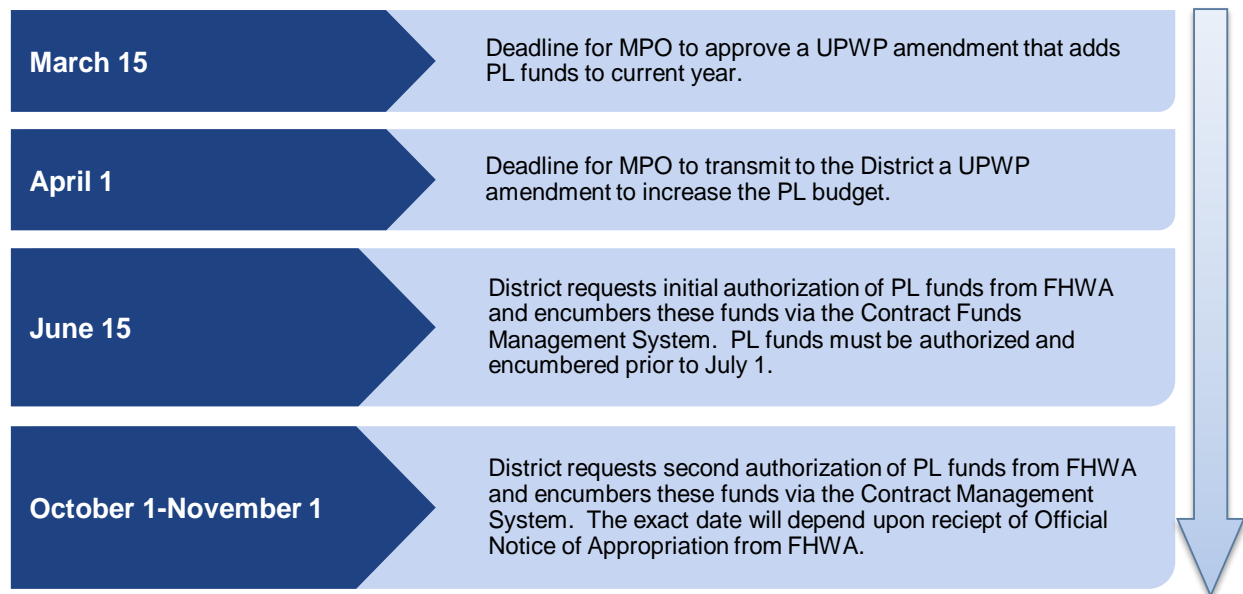
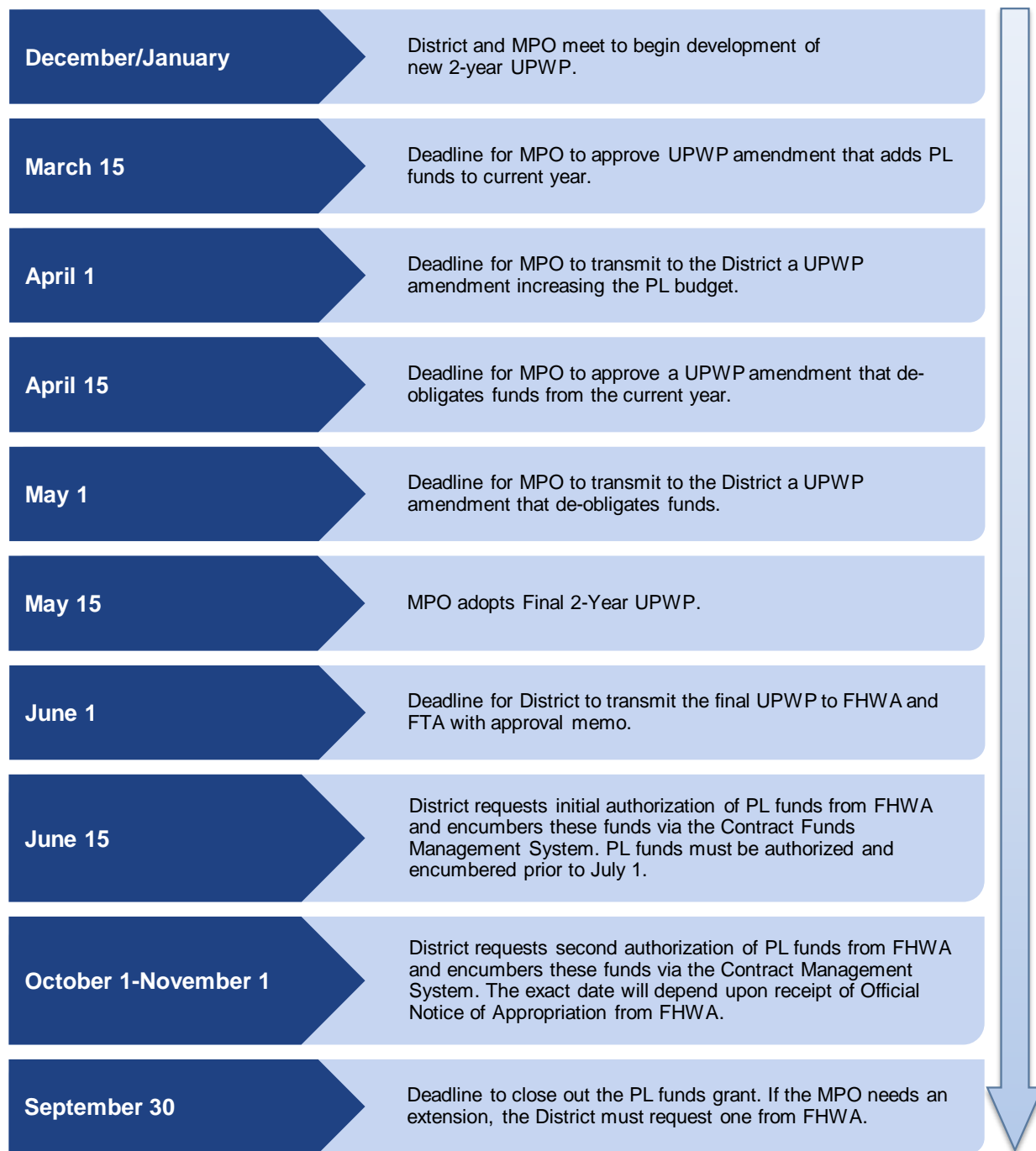


Figure 3.6 Key Financial Administration Dates and Actions (Year Two)



3.12 UPWP Revisions

The District and the MPO shall monitor invoices for overruns (or potential overruns) by comparing task expenditure amounts with programmed task amounts. When it appears an individually invoiced FHWA funded line item will require revision, the MPO must prepare and submit a request for an amendment of the UPWP, or in the case of a modification, notify the District MPO Liaison. Amendments are also necessary when the MPO introduces conditions that change the scope of a UPWP task or adds or deletes work tasks or subtasks. All revisions (both modifications and amendments) must be submitted to the District using the UPWP Revision Form. The UPWP Revision Form and instructions for using the form are located on FDOT's [OPP website](#).

3.12.1 Types of UPWP Revisions

Revisions to the UPWP involving FHWA/FTA funds fall into two categories, each requiring different actions by the District and the FHWA/FTA.

1. **Modifications** are revisions that:
 - a. Do not change the approved FHWA and FTA budget; or
 - b. Do not change the scope of the FHWA and FTA funded work task(s); or
 - c. Do not add or delete a work task(s).
2. **Amendments** are revisions that:
 - a. Change the approved FHWA and FTA budget; or
 - b. Change the scope of the FHWA and FTA work task(s); or
 - c. Add or delete a work task(s).

Please note: MPOs cannot utilize funds from year two to cover cost overruns in year one since the budget for year two has not yet been approved or authorized.

3.12.2 Approval of UPWP Revisions

Approval for a **modification** is not required; however the MPO must advise the District MPO Liaison of any MPO modifications to the UPWP. The District MPO Liaison must notify the PL Funds Coordinator and the FHWA of any modifications to the UPWP. Notification of a modification must occur within the consultative process prior to execution

by the MPO. Please note that modifications solely involving FTA funds do not need to be transmitted to FTA.

Amendments must be approved by the FHWA for all FHWA program funds. The UPWP Revision form must be used to submit for approval. Amendment requests must indicate the **total amount of the funds** being increased, decreased, or de-obligated within the body of the amendment request. The PL Funds Coordinator in the Office of Work Program and Budget must be copied on the amendment request. The District shall review the MPO's amendment request and transmit a letter of concurrence or comments within **10 working days** of receipt from the MPO along with copies of the request and supporting material to FHWA for approval. The District shall notify the MPO of FHWA's response within **10 working days** of receipt. The consultative process must be used at all stages of an amendment in order to facilitate communication and coordination among all parties involved. The District shall provide copies of the FHWA approved amendment to the Office of Work Program and Budget. A similar process must be carried out for FTA funds involving FTA rather than FHWA.

The MPO Liaison, acting as the Grant Manager for the MPO grant funds in the UPWP, shall perform the cost analysis for all actions taken on the UPWP, including amendments and modifications. This cost analysis shall be documented through signature on the Cost Analysis Statement at the front of the UPWP. The date of signature must reflect the last action taken.

3.12.3 UPWP and MPO Agreement Revisions

All amendments to the UPWP involving FHWA funds also prompt an amendment to the MPO Agreement, as the UPWP acts as the Scope of Work for the MPO Agreement. For this reason, MPO directors and staffs have been advised to seek authority from their Board to amend the MPO Agreement as needed, upon approval of UPWP amendments. The MPO and District shall jointly execute the **MPO Agreement Amendment Form**, available on the OPP's [MPO Agreement & Invoicing Process web page](#), to amend the MPO Agreement.

UPWP and MPO Agreement amendments that increase or decrease the FHWA-approved budget of the UPWP (and thus the total budgetary ceiling of the MPO Agreement) must be recorded in the Contract Funds Management (CFM) system as an *amendment* to increase the total budget of the contract. For example, if the UPWP and

MPO Agreement are amended to add additional PL funds, the increase in the total budgetary ceiling of the contract must be reflected in CFM.

Changes to the UPWP that do not increase or decrease the FHWA-approved budget (both amendments and modifications) do not require recording in CFM. If the UPWP and MPO Agreement are amended to reflect a major scope change, or if the UPWP is modified and the MPO Agreement is amended to reflect a shift in funding between tasks, and there is no increase in the FHWA-approved budget, then **no action is needed in CFM**.

All contract and UPWP change documentation must be uploaded to FDOT's Florida Accountability Contract Tracking System (FACTS). As stated, amendments that are prompted from an increase or decrease to the FHWA budget must be recorded in CFM. These amendments will be reflected in FACTS already and the documentation must be uploaded as an amendment (Change Type A). Documentation for other changes to the UPWP and MPO Agreement that are not recorded in CFM (*both UPWP amendments and modifications*) must be uploaded to CFM under the "Upload Other" field as a Change Type A.

3.13 MPO Invoicing

The MPO Agreement requires MPOs to submit invoices to FDOT on a quarterly or monthly basis. At a minimum, the **invoice package** shall include:

1. An Invoice, using the required format reflected in the section below;
2. An Itemized Expenditure Detail Report; and
3. A Progress Report.

Each of these items is discussed below. Additional documentation may be required to be submitted at the time of invoice, as determined by FDOT's MPO Liaison.

3.13.1 Invoice

The Invoice reflects the budgeted amounts and amounts due by task, as well as critical contract information. The Invoice must be built using the required format reflected in the

section below, and a template is available on the [MPO Agreement & Invoicing Process web page](#). The Invoice must include the following:

1. MPO Name and Contact Information, including address, phone, and fax number;
2. District Contact Information;
3. Invoice number, using the following format: **FHWA-[Agreement Number]-[Invoice Number]** (for example, FHWA-G001-01, FHWA-G001-02, etc.);
4. Invoice period;
5. Contract number, including amendment number and modification number;
6. Amount due by Financial Project Number;
7. A listing of the tasks in the UPWP;
8. The amount due by UPWP task and by fund type;
9. The amount of FHWA funds due by UPWP task;
10. The amount of previous payments of FHWA funds by UPWP task;
11. The amount of FHWA funds budgeted by task in the UPWP;
12. Column totals; and
13. The Request for Payment Certification, signed by an authorized MPO official, and reflecting the location of the supporting documentation for the invoice.

The Request for Payment Certification is a requirement of [2 C.F.R. §200.415](#), which states that all requests for payment must include the following certification:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud,

false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).”

Example MPO Invoice

2016/2017 Unified Planning Work Program Task		FHWA (PL) Current Cost	FHWA (SU) Current Cost	FHWA (WISE) Current Cost	FHWA Current Amount Due	Total Previous Payments	Total FHWA Budget Amount	FHWA Remaining Balance
Task 100 - General Office Management		17,805.83	-	-	17,805.83	18,602.56	71,223.31	34,814.92
Task 110 - UPWP & Financial Management		20,514.98	-	-	20,514.98	19,512.63	82,059.91	42,032.30
Task 120 - Certification		1,957.88	-	-	1,957.88	800.77	7,831.53	5,072.88
Task 130 - Board & Committee Support		25,427.98	-	-	25,427.98	22,654.32	101,711.93	53,629.63
Task 140 - Legal & Legislative Services		-	-	-	-	-	-	-
Task 150 - Local Match For Program Administration		-	-	-	-	-	-	-
Task 200 - System Monitoring		31,663.41	-	-	31,663.41	33,412.85	126,653.65	61,577.39
Task 210 - Transit System Monitoring		-	-	-	-	-	-	-
Task 220 - Land Use Monitoring		1,125.91	-	-	1,125.91	999.65	4,503.66	2,378.10
Task 300 - Transportation Improvement Program		9,232.52	-	-	9,232.52	7,541.26	36,930.09	20,156.31
Task 400 - Long-Range Transportation Plan		25,893.19	-	-	25,893.19	23,158.95	103,572.76	54,520.62
Task 500 - Special Project Planning		68,750.00	-	-	68,750.00	67,520.25	275,000.00	138,729.75
Task 600 - Intergovernmental & Interagency Studies		7,325.31	-	-	7,325.31	4,500.12	29,301.26	17,475.83
Task 610 - Interregional Transportation Planning & Coordination		-	-	-	-	-	-	-
Task 620 - Intermodal Planning		-	-	-	-	-	-	-
Task 700 - Community Outreach		26,863.30	-	-	26,863.30	28,514.57	107,453.19	52,075.32
Task 800 - Land Use Planning		48,535.06	-	-	48,535.06	47,001.52	194,140.25	98,603.67
Task 810 - Transit Planning		-	-	-	-	-	-	-
Task 820 - Transportation Systems Management & Operations		86,358.62	66,253.05	43,753.05	196,364.72	165,212.32	785,454.00	423,876.96
Task 821 - Traffic Signal Retiming		-	187,500.00	-	187,500.00	175,000.62	750,000.00	387,499.38
Task 830 - Goods Movement Planning		1,993.46	-	-	1,993.46	1,994.25	7,973.84	3,986.13
Task 840 - Smart Growth Planning		40,153.79	-	-	40,153.79	41,252.02	160,615.16	79,209.35
Task 850 - Transportation Disadvantaged Planning		-	-	-	-	-	-	-
Task 860 - Air Quality Planning		2,766.81	-	-	2,766.81	1,959.47	11,067.26	6,340.98
Task 870 - Bicycle & Pedestrian Planning		26,912.31	-	-	26,912.31	25,656.15	107,649.24	55,080.78
Task 880 - Highway Planning		4,763.48	-	-	4,763.48	5,015.63	19,053.93	9,274.82
Totals:		\$ 448,043.84	\$ 253,753.05	\$ 43,753.05	\$ 745,549.94	\$ 690,309.91	\$ 2,982,194.97	\$ 1,546,335.12

Request for Payment Certification as Required by 2 CFR 200.415:
 By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)

Supporting Documentation is on file at: MPO District

(MPO) Authorized Official Signature: _____ Date: _____

Printed Name: _____

Note: Editable template available on the [MPO Agreement & Invoicing Process web page](#).

3.13.2 Itemized Expenditure Detail Report

The Itemized Expenditure Detail Report is used to demonstrate the costs incurred during the invoice period by the budget line items included in the UPWP. The MPO will not be reimbursed for any expenses not reflected on the detailed expenditure report.

FDOT does not prescribe a specific format for preparing an itemized expenditure detail report; however, it must reflect the period of service in which the costs were incurred and must be itemized by UPWP task, by funding source, and by expenditure line items. The expenditure line items reflected on the itemized report must match those provided in the UPWP Estimated Budget Detail on each task.

Each line item given in the Itemized Expenditure Detail Report must reflect the budgeted amount derived from the UPWP; the amount of previous payments made on that line item; the current amount due for that line item; and the remaining balance available for that line item, derived from a calculation subtracting the total amount due and previous payments from the budgeted amount for each line item. If the remaining balance for any line item goes negative, the MPO must revise the UPWP to address the negative balance.

An example of an itemized expenditure detail report is available on the [MPO Agreement & Invoicing Process web page](#).

3.13.3 Progress Report

Progress reports are used to monitor the implementation of the UPWP consistent with [23 C.F.R. 420.117](#) and [FTA Circular C 8100.1C](#) (September 1, 2008). **A progress report must accompany each invoice an MPO submits to the District**; as such, progress reports must be submitted on no more than a monthly basis and no less than a quarterly basis.

Federal regulations require quarterly reports to be due within **30 days** after the end of the reporting period. Final reports are due **90 days** after the end of the end of the two-year UPWP [[23 C.F.R. 420.117\(c\)](#)]. The MPO sends the UPWP Progress Report to the District MPO Liaison. The District MPO Liaison sends a copy of the progress report to the FHWA Community Planner for the area as well as the Federal Programs Manager at FDOT's Central Office Public Transit Office to satisfy the FTA requirement. This report shall contain the following:

1. Each FHWA (PL funded) and FTA (Section 5303/5307) funded task separately;
2. A comparison of actual performance with established goals; and
3. A description of progress in meeting schedules and milestones.

The MPO Liaison shall review each progress report that is submitted for evidence the minimum performance standards in the MPO Agreement and UPWP were met as well as to support the costs incurred and being requested for reimbursement. The progress report must show a clear tie between the tasks reflected in the UPWP, the activities

expressed on the Progress Report, and the costs included in the Itemized Expenditure Detail Report.

The MPO must report to the District any events that have a significant impact on the UPWP as soon as they become known, including problems, delays, or adverse conditions that materially affect the MPO's ability to attain the UPWP's objectives. A description of the action taken or contemplated to be taken and any Federal or State assistance needed to resolve the situation must accompany the MPO's disclosure [[23 C.F.R. 420.117\(d\)](#)].

3.13.4 Invoice Review, Payment, and Return

[Title 23 U.S.C. 104\(d\)\(2\)\(b\)](#) states, "Not later than 15 business days after the date of receipt by a State of a request for reimbursement of expenditures made by a metropolitan planning organization for carrying out section 134, the State shall reimburse, from amounts distributed under this paragraph to the metropolitan planning organization by the State, the MPO for those expenditures." In order to meet this deadline, **MPO Liaisons shall have three (3) business days to review an MPO invoice and submit to the District Financial Services Office (FSO)** for further processing and submittal to the Department of Financial Services for payment.

Upon receipt of an invoice package from the MPO, the MPO Liaison must follow the steps outlined in the MPO Liaison Invoice Review Checklist prior to submitting to the FSO. This checklist is located in **Section 3.19**. A fillable form version is available on the [MPO Agreement & Invoicing Process web page](#) (MPO Liaison Invoice & Supporting Documentation Review). The checklist outlines a series of yes/no questions the MPO Liaison must follow as the invoice package is reviewed. This ensures the information presented is both accurate and consistent with the invoice package and with the UPWP. This review will also ensure the invoice adequately represents the activities of the MPO and does not include unallowable costs or non-budgeted costs.

The steps in the MPO Liaison Invoice Review, along with additional instruction in italics, are as follows:

1. Does the Invoice Package include the Invoice, Itemized Expenditure Detail Report and Progress Report?

These are the minimum required components of the invoice. If these items are not present, the invoice must be returned to the MPO for correction.

2. Do the service periods of the Itemized Expenditure Detail Report and the Progress Report match the service period of the Invoice?

The service periods of the various parts of the invoice package must match up. All costs being reimbursed must have been incurred during the invoice service period.

3. Verify the Total FHWA Previous Payments and FHWA Remaining Balance amounts for each task on the invoice.

The Total FHWA Previous Payments amounts must match those in the MPO Liaison's contract documentation. Any differences in previous payments between the MPO Liaison's records and the MPO's records must be resolved. The Remaining Balance is calculated by subtracting the previous payments and the current amount due from the budgeted amount in the UPWP. If the Remaining Balance on any task is negative, the UPWP must be revised to add additional budget to the task.

4. Does the Total FHWA Current Amount Due for each task on the Invoice match the total current expenses on the Itemized Expenditure Detail Report?

All FHWA-program costs reflected on the Itemized Expenditure Detail Report must be reflected on the invoice summary.

5. Does the Total FHWA Budget Amount for each task on the Invoice match the total current FHWA budgeted amount in UPWP?

Verify the budgeted amount reflected on the invoice summary accurately reflects the budgeted amount by task in the UPWP.

6. Review the Expenditure Detail Report for questionable line item expenses.

List questionable expenses in "Comments" and follow-up with the MPO. Any unallowable expenses will not be reimbursed. See Section 3.5 of this Chapter for more information on determining allowable expenses.

7. Verify the budget line items on the Itemized Expenditure Detail Report have not exceeded the Estimated Budget Detail line item budget amounts for each task in the UPWP.

The line items reflected on the Itemized Expenditure Detail report shall align with the line items reflected in the UPWP, and shall reflect the current amount due, the budgeted amount, previous payments, and the remaining balance by line item. If the remaining balance of any line item is negative, the UPWP must be revised to add additional budget to the negative line item.

8. Does the progress report evidence meeting minimum performance standards?

The progress report must reflect the activities undertaken by the MPO by UPWP task during the service period of the invoice. These activities must align with those described in the UPWP.

9. Is the Request for Payment Certification as required by 2 C.F.R. §200.415 signed by MPO Authorized Official?

This certification statement is required by the Code of Federal Regulations and must be signed by an authorized official at the MPO.

Following the Liaison's review of the invoice package, and if there are no discrepancies with the invoice package, the completed Invoice Review Checklist shall be saved in the MPO Liaison's contract file for future reference and the invoice package submitted to the District FSO for further processing. Each District FSO has an email inbox for all invoices; the MPO Liaison must check with their District FSO for that address.

In the case where an invoice is incomplete or inaccurate, Section 9.H. of the MPO Agreement outlines required actions:

If the invoice is not complete or lacks information necessary for processing, it will be returned to the MPO, and the 15 business day timeframe for processing will start over upon receipt of the resubmitted invoice by FDOT. If there is a case of a bona fide dispute, the invoice recorded in FDOT's financial system shall contain a statement of the dispute and authorize payment only in the amount not disputed. If an item is disputed and is not paid, a separate invoice could be submitted requesting reimbursement or the disputed item/amount could be included/added to a subsequent invoice.

If an invoice is incomplete or inaccurate, the MPO Liaison must work with the MPO to correct the issue and receive an updated invoice as soon as possible. If there are specific

items of question and the issue cannot be resolved in a timely fashion, the MPO Liaison may submit the invoice for payment without the items in question. The items in question would be submitted as part of a subsequent invoice.

3.14 MPO Risk Assessment and Monitoring

Federal regulations require that FDOT, as the pass-through entity for an MPO's Federal planning funds, assess the MPO's level of risk and undertake monitoring activities as appropriate, depending on the risk level of the MPO.

Monitoring activities are both programmatic and fiscal in nature. Programmatic monitoring includes such activities as reviewing MPO planning products, reviewing agendas and participating in MPO meetings, site visits to the MPO, and MPO certifications (both the Annual Joint State-MPO Certification and the Federal TMA Certification, both addressed in Chapter 7 of the MPO Program Management Handbook). Fiscal monitoring activities include review of the MPO's Single Audit (performed by the Office of Comptroller, see below) and review of MPO invoices and supporting documentation. The Annual Joint State-MPO Certification process is being reviewed for the inclusion of components to further fiscal monitoring efforts.

3.14.1 MPO Risk Assessment

[2 C.F.R. §200.331\(b\)](#) states that all pass-through entities must “evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring...” As the pass-through entity for each MPO's Federal planning funds, FDOT is bound to perform a risk assessment on each MPO and monitor the MPO appropriately depending on the level of risk (i.e., a higher risk MPO will be required to undergo more intensive monitoring than a lower risk MPO).

The Code of Federal Regulations goes on to state that the subrecipient risk assessment may include consideration of such factors as:

1. The subrecipient's prior experience with the same or similar subawards;
2. The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F-Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;

3. Whether the subrecipient has new personnel or new or substantially changed systems; and
4. The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).

Risk assessment of the MPOs will take these factors into account, as well as the results of previous monitoring activities (such as the MPO's Single Audit and the Joint State-MPO Certification and/or Federal TMA Certification). **Each MPO's risk level will be assessed using a scale of low, moderate, elevated, and high.**

Each MPO's risk level will be assigned by Central Office in consultation with the District using the factors provided above. As stated, this risk assessment will influence the level of monitoring required on the MPO. Risk assessments will be performed on an annual basis

Risk assessment will occur on an annual basis following the Central Office receipt of the results of each MPO's Annual Joint State-MPO Certification.

3.14.2 Programmatic Monitoring

Programmatic and fiscal monitoring occurs on an ongoing basis as well as at defined events at defined intervals.

Programmatic monitoring activities are largely those the FDOT District MPO Liaison performs as part of their participation in the MPO planning process: attendance and participation at MPO Board, Committee, and other public meetings; review of agendas, meeting materials, and minutes both prior to and after meetings; review of MPO planning products for timeliness, accuracy, and compliance with State and Federal requirements; communicating with the MPO on a regular basis on programmatic subjects, issues, and concerns; visiting the MPO on-site and communicating with staff; discussions and feedback from MPO partner agencies; and other continued coordination and cooperation with MPOs. Additionally, the Annual Joint State-MPO Certification and Federal TMA Certification (if applicable) function as programmatic monitoring activities.

FDOT District staff must take a more active oversight role for MPOs that pose a significant risk programmatically, such as conducting more frequent site visits, reviewing MPO planning products throughout their development, and avoiding the use of the

Modified Joint Certification review for the Standard Joint Certification Review (see **Chapter 7**).

3.14.3 Fiscal Monitoring

FDOT is also responsible for fiscal monitoring and oversight of the MPOs. Fiscal monitoring activities are those the MPO Liaison performs to ensure the MPO has adequate financial controls, is not incurring unallowable or ineligible expenses, and that Federal funds being used by the MPO are for authorized purposes in compliance with Federal and State laws, rules, and regulations.

As discussed above, fiscal monitoring activities include those activities such as the review of the MPO's Single Audit, reviews of MPO invoices and supporting documentation, and reviews of timekeeping and accounting systems the MPO utilizes.

The MPO Agreement describes the Federal single audit requirements that MPOs must operate under, which are established in [2 C.F.R. §200 Subpart F–Audit Requirements](#). 2 C.F.R. §200.501 establishes that all non-Federal entities (such as MPOs) that expend **\$750,000 or more** of Federal grant funds in a fiscal year must undergo a single audit. This \$750,000 threshold applies to all Federal awards received and expended by the MPO, not just the MPO's PL expenditures. In the event an MPO does not expend \$750,000 of Federal awards in a fiscal year, the MPO must provide a single audit exemption to FDOT at FDOTSingleAudit@dot.state.fl.us.

MPOs that undergo a single audit on an annual basis must provide the audit reporting package to the Federal Audit Clearinghouse at <https://harvester.census.gov/facweb> and to FDOT at FDOTSingleAudit@dot.state.fl.us. This must be provided no later than nine months after the end of the audit period.

Following receipt of the single audit at FDOT, the Office of Comptroller will review the single audit and communicate any relevant findings or auditor's disclosures to the Statewide MPO Coordinator, who will then communicate these to the MPO Liaison, for inclusion in their contract file and incorporation into their monitoring activities. The Office of Comptroller has established an internal database for storage and review of all single audits received by FDOT, which may be accessed by the MPO Liaisons as needed. This database, called the Single Audit Reporting Application (SARA), can be found at

<http://fdotwp2.dot.state.fl.us/SingleAuditReportingApplication/>. This is an *internal* web application available only to those on the FDOT network.

Effective July 1, 2016, with the implementation of the new MPO Agreement, FDOT is formalizing the MPO invoicing process across the State. One of the changes to the invoicing process is the fact that the supporting documentation for the expenses incurred during the invoice period may not need to be submitted and reviewed at the time of invoice. Rather, **the review of this documentation will occur on a frequency determined by the MPO’s risk level**. As stated, the FDOT Central Office will determine the minimum risk level of each of the MPOs, based on the factors described above. This risk level will determine the **minimum frequency** of supporting documentation review to be performed by the FDOT MPO Liaison on the expenses reimbursed to the MPO. The MPO Liaison has the latitude to request the supporting documentation on a more frequent basis if needed.

The frequency of the supporting documentation review will occur on the following scale:

Risk Level	Minimum Frequency of Supporting Documentation Review
Low	Annually (1 per year)
Moderate	Semiannually (Every 6 months)
Elevated	Triannually (Every 4 months)
High	Quarterly (Every 3 Months)

In performing the supporting documentation review, the MPO Liaison must utilize the MPO Liaison Supporting Documentation Review Checklist, which is included in **Section 3.20**, as well as on the [MPO Agreement & Invoicing Process web page](#). This checklist provides instruction for identifying reimbursed expenses to be reviewed, ensuring the required documentation is available and accurate, and ensuring the expenses incurred are allowable. **This review goes above and beyond the review of the invoice, but the invoice must also be reviewed for verification it is an allowed expense.**

The MPO Liaison’s supporting documentation review is to be performed on a sample basis, whereby the MPO Liaison would identify one budget line item from the Personnel Services, Consultant Services, and Travel budget categories in the Itemized Expenditure

Detail Report as well as five budget line items from the Other Direct Expenses budget category. The MPO Liaison shall then request the supporting documentation from the MPO for these items and review it in accordance with the MPO Liaison Supporting Documentation Review Checklist. The completed checklist must be saved in the MPO Liaison's contract file for future reference and documentation.

As stated, the MPO's risk assessment establishes the minimum frequency for the supporting documentation review; the FDOT MPO Liaison may perform this review on a more frequent basis if needed.

If the supporting documentation review reveals unallowable expense(s) that have been reimbursed, the value of the expense shall be reduced from the subsequent invoice from the MPO. If the review results in the finding that the MPO is not maintaining adequate records for expenses incurred (i.e., they are not able to provide complete and accurate supporting documentation), the District shall work with the Central Office Statewide MPO Coordinator and the MPO to come to a joint resolution of the issue. If no resolution can be reached, the MPO may receive an increased risk level, or additional action may be taken.

The MPO agreements and the supporting documentation are also subject to additional review and audit by FDOT and FHWA/FTA.

3.14.4 Results of Monitoring Activities

Federal regulations provide guidance for pass-through entities whose subrecipients pose a significant level of risk. [2 C.F.R. §200.331\(e\)](#) states:

“Depending upon the pass-through entity's assessment of risk posed by the subrecipient..., the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

1. Providing subrecipients with training and technical assistance on program-related matters;
2. Performing on-site reviews of the subrecipient's program operations; and
3. Arranging for agreed-upon-procedures engagements as described in [§200.425 Audit Services](#).”

Additionally, [2 C.F.R. §200.331\(h\)](#) states that pass-through entities shall “consider taking enforcement action against noncompliant subrecipients as described in §200.338 Remedies for noncompliance of this part and in program regulations.” [2 C.F.R. §200.338](#) provides the following guidance for pass-through entities related to noncompliant subrecipients:

“If a non-Federal entity fails to comply with Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in [§200.207 Specific conditions](#). If the Federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the Federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

- (a) Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.*
- (b) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.*
- (c) Wholly or partly suspend or terminate the Federal award.*
- (d) Initiate suspension or debarment proceedings as authorized under 2 C.F.R. part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).*
- (e) Withhold further Federal awards for the project or program.*
- (f) Take other remedies that may be legally available.”*

Any concerns or issues that arise from the result of programmatic and fiscal monitoring activities must be shared with the FDOT Central Office Statewide MPO Coordinator. The District and Central Office will work together in consultation with the MPO to determine the appropriate path forward.

3.15 UPWP Checklist

MPO: _____	Draft/Final		Date Received
<i>UPWP Check List</i>	Yes	No	Comment
A. Cover and Title Page			
Includes CFDA Number			
Includes Federal Aid Project Number (FAP)			
Includes FM Number (Work Program)			
Name of MPO and Funding Agencies			
The correct fiscal years for the proposed UPWP are listed			
MPO physical, mailing, and website addresses; phone numbers			
The Final UPWP includes an approved signature or MPO resolution and the date of MPO Board action			
The Final UPWP includes a Cost Analysis statement signed and dated by the Grant Manager (MPO Liaison)			
B. Table of Contents			
Introduction			
Organization and Management			
Work Program Task Sheets – includes the following sections:			
• Administration			
• Data Collection			
• Transportation Improvement Program			
• Long-Range Transportation Plan			
• Special Project Planning			

MPO: _____	Draft/Final	Date Received
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- Public Involvement

Summary Budget – Table 1

Agency Participation (broken out by year)

Summary Budget – Table 2

Funding Source (broken out by year)

District Planning Activities

Joint Certification Package

Statements and Assurances

Title VI Nondiscrimination Agreement

FTA Grant Application (if included in UPWP)

Each Task is consistent in number, wording, and references page numbers with each respective task sheet

C. Introduction

Brief definition of the UPWP

Current overview of the status of comprehensive transportation planning activities

Discussion of local and regional planning priorities

Planning tasks to be performed with funds under Title 23 and Title 49 Chapter 53 (Public Transportation)

A description of the metropolitan transportation and transportation related air quality planning activities (if applicable) anticipated in the non-attainment area regardless of funding sources or agencies conducting air quality activities

Discussion of soft match, including a definition and the amount (both as a total and the percent)

MPO: _____	Draft/Final	Date Received
Indirect Cost Rate (if applicable)		
Description of Public Involvement process used in development of UPWP		
Discussion of Planning Emphasis Areas		
D. Organization and Management		
Identification of participants and a brief description of their respective roles in the UPWP metropolitan area planning process		
Discussion of appropriate agreements		
Standard Interlocal Agreement		
Metropolitan Planning Organization (MPO) Agreement		
Joint Participation Agreement – FTA 5303 funds		
ICAR Agreement		
Other agreements		
Identification and discussion of operational procedures and bylaws		
E. Work Program Task Sheets		
Each sheet must describe individual tasks, be in the same format, and include:		
Task number and title		
Purpose		
Previous work completed		
Required Activities – how task will be performed; who will perform the task		
Responsible agency or agencies		
Proposed funding source(s) – tied into Table 2		

MPO: _____	Draft/Final	Date Received
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Schedule that adequately describes activities that will take place during the year, including:

- Schedule of milestones or benchmarks
- End product(s)
- Estimated completion date(s)

Proposed funding source(s) with anticipated costs by fiscal year and by budget line item (an Estimated Budget Detail)

F. Joint Certification Package

Signed certification statement

Brief description of noteworthy achievements

Any corrective actions or recommendations

G. Statements and Assurances

DBE

Debarment and Suspension

Lobbying

Title VI Nondiscrimination Agreement

H. FTA Section 5303 Application (if included in UPWP)

Certain FTA grants – Form 424

Certain FTA Grants: FTA Certification / Assurances

Affirmation of Applicant

Affirmation of Applicant’s Attorney

Budget showing total funds by classifications

Budget showing FTA funds only by classifications

MPO: _____	Draft/Final	Date Received
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I. Table 1: Agency Participation

Participating agencies identified with funding commitments

Table includes only those District planning activities scheduled to occur within the MPO Boundaries

Table shows the amount of funds set aside for work by consultants

There is one table for year one and one table for year two

J. Table 2: Funding Source

Proposed funding sources and budgeted funds are identified by task and subtask for each appropriate funding source and are consistent with applicable Task Sheet

FDOT's PL and FTA matching funds are shown separately

Federal, State, and local contribution levels are provided by task and subtask

The total amounts shown in each task agree with the amounts shown in Table 1: Agency Participation

There is one table for year one and one table for year two

K. General

The Final UPWP was reviewed and endorsed or approved by the TAC, CAC, and the MPO prior to distribution

Documentation of the endorsement or approvals (e.g., an MPO Resolution, meeting minutes, letter of authentication) are included

MPO: _____	Draft/Final	Date Received
Tasks or activities to correct or eliminate deficiencies noted in the previous Federal and/or State certification reviews are identified in the UPWP		
The annual audit is included as part of the Program Administration Task and as a separate line item		
Equipment purchases are identified as part of a task		
Equipment rentals and leases are included by tasks		
Matrix that identifies how each task relates to the Planning Emphasis Areas and Planning Factors		

3.16 Sample Task Work Sheets

Table 3.4 Sample Task Work Sheet for "Administration Task" – MPO Charging All Actual Costs

Task 1.1 Administration	
Purpose:	
To properly manage and carry out the continuous, cooperative, and comprehensive metropolitan transportation planning process for the MPO area.	
Previous Work Completed:	
Preparation and distribution of planning documents. Technical assistance and preparation of documents for MPO Board and committee meetings. Coordination with Federal, State, and local partners. Preparation of contracts and agreements. Preparation of certification documents. Attendance at workshops and training sessions.	
Required Activities:	
<ul style="list-style-type: none"> • Technical assistance and staff support to MPO Policy Board and committees. • Preparation and distribution of MPO materials (agenda packages, meeting minutes, resolutions, plans, documents, etc.). • Coordination with partner agencies, including FDOT, and provide staff support for joint meetings. • Preparation and participation in annual Joint State-MPO Certification and quadrennial TMA Certification. • Prepare and submit progress reports and invoices. 	<ul style="list-style-type: none"> • Review and update agreements and MPO administrative documents. • Maintain financial records and perform an annual single audit. • MPO staff and Board member travel and participation at general trainings, conferences, and meetings, including those of the MPOAC. • Select and manage consultant support. • Purchase office supplies, postage, and equipment.
End Product:	Completion Date:
MPO Board and committee meetings	Monthly
Joint State-MPO Certification	Jan. 2017; Jan. 2018
Invoices and progress reports	Quarterly
Annual single audit	Nov. 2016; Nov. 2017
MPOAC and General meetings, workshops, trainings	As needed
Maintenance of financial records	Ongoing
Responsible Agency: MPO	

Table 3.4 Sample Task Work Sheet for “Administration Task” – MPO Charging All Actual Costs (continued)

Task 1.1. Administration Estimated Budget Detail for FY 2016/17								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
	Subtotal:	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
B. Consultant Services								
	Contract/Consultant Services	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
C. Travel								
	Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
	Subtotal:	\$7,200	–	\$1,440	–	–	–	\$8,640
D. Other Direct Expenses								
	Accounting/Auditing Services	\$14,800	–	\$1,960	–	–	–	\$16,760
	Staffing Services	\$16,274	–	\$3,000	–	–	–	\$19,274
	Attorney Services	\$14,800	–	\$1,960	–	–	–	\$16,760
	Office Building: Lease	\$9,712	–	\$2,424	–	–	–	\$12,136
	Office Building: Repair and Maintenance	\$1,594	–	\$398	–	–	–	\$1,992
	Office Building: Insurance	\$1,588	–	\$396	–	–	–	\$1,984
	Office Building: Utilities	\$1,588	–	\$396	–	–	–	\$1,984
	Office Equipment: Lease	\$1,588	–	\$396	–	–	–	\$1,984
	Communication Expenses	\$1,588	–	\$396	–	–	–	\$1,984
	Office Supplies	\$1,588	–	\$396	–	–	–	\$1,984
	Postage and Freight	\$1,588	–	\$396	–	–	–	\$1,984
	Printing and Binding Services	\$1,588	–	\$396	–	–	–	\$1,984
	Vehicle Allowance	\$2,556	–	\$512	–	–	–	\$3,068
	Books, Publications, Subscriptions, Memberships	\$1,588	–	\$396	–	–	–	\$1,984
	Subtotal:	\$72,440	–	\$13,422	–	–	–	\$85,862
	Total:	\$188,000	–	\$37,600	\$4,700	\$4,700	–	\$235,000

Table 3.4 Sample Task Work Sheet for “Administration Task” – MPO Charging All Actual Costs (continued)

Task 1.1. Administration Estimated Budget Detail for FY 2017/18								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$108,360	—	\$22,738	\$4,700	\$4,700	—	\$140,498
	Subtotal:	\$108,360	—	\$22,738	\$4,700	\$4,700	—	\$140,498
B. Consultant Services								
	Contract/Consultant Services	—	—	—	—	—	—	—
	Subtotal:	—	—	—	—	—	—	—
C. Travel								
	Travel Expenses	\$7,200	—	\$1,440	—	—	—	\$8,640
	Subtotal:	\$7,200	—	\$1,440	—	—	—	\$8,640
D. Other Direct Expenses								
	Accounting/Auditing Services	\$14,800	—	\$1,960	—	—	—	\$16,760
	Staffing Services	\$16,274	—	\$3,000	—	—	—	\$19,274
	Attorney Services	\$14,800	—	\$1,960	—	—	—	\$16,760
	Office Building: Lease	\$9,712	—	\$2,424	—	—	—	\$12,136
	Office Building: Repair and Maintenance	\$1,594	—	\$398	—	—	—	\$1,992
	Office Building: Insurance	\$1,588	—	\$396	—	—	—	\$1,984
	Office Building: Utilities	\$1,588	—	\$396	—	—	—	\$1,984
	Office Equipment: Lease	\$1,588	—	\$396	—	—	—	\$1,984
	Communication Expenses	\$1,588	—	\$396	—	—	—	\$1,984
	Office Supplies	\$1,588	—	\$396	—	—	—	\$1,984
	Postage and Freight	\$1,588	—	\$396	—	—	—	\$1,984
	Printing and Binding Services	\$1,588	—	\$396	—	—	—	\$1,984
	Vehicle Allowance	\$2,556	—	\$512	—	—	—	\$3,068
	Books, Publications, Subscriptions, Memberships	\$1,588	—	\$396	—	—	—	\$1,984
	Subtotal:	\$72,440	—	\$13,422	—	—	—	\$85,862
	Total:	\$188,000	—	\$37,600	\$4,700	\$4,700	—	\$235,000

Table 3.5 Sample Task Work Sheet for "Administration Task" – MPO Charging 25 Percent Indirect Rate

Task 1.1 Administration	
Purpose:	
To properly manage and carry out the continuous, cooperative, and comprehensive metropolitan transportation planning process for the MPO area.	
Previous Work Completed:	
Preparation and distribution of planning documents. Technical assistance and preparation of documents for MPO Board and committee meetings. Coordination with Federal, State, and local partners. Preparation of contracts and agreements. Preparation of certification documents. Attendance at workshops and training sessions.	
Required Activities:	
<ul style="list-style-type: none"> • Technical assistance and staff support to MPO Policy Board and committees. • Preparation and distribution of MPO materials (agenda packages, meeting minutes, resolutions, plans, documents, etc.). • Coordination with partner agencies, including FDOT, and provide staff support for joint meetings. • Preparation and participation in annual Joint State-MPO Certification and quadrennial TMA Certification. • Prepare and submit progress reports and invoices. 	<ul style="list-style-type: none"> • Review and update agreements and MPO administrative documents. • Maintain financial records and perform an annual single audit. • MPO staff and Board member travel and participation at general trainings, conferences, and meetings, including those of the MPOAC. • Select and manage consultant support. • Purchase office supplies, postage, and equipment.
End Product:	Completion Date:
MPO Board and committee meetings	Monthly
Joint State-MPO Certification	Jan. 2017; Jan. 2018
Invoices and progress reports	Quarterly
Annual single audit	Nov. 2016; Nov. 2017
MPOAC and General meetings, workshops, trainings	As needed
Maintenance of financial records	Ongoing
Responsible Agency: MPO	

Table 3.5 Sample Task Work Sheet for “Administration Task” – MPO Charging 25 Percent Indirect Rate (continued)

Task 1.1. Administration Estimated Budget Detail for FY 2016/17								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
	Subtotal:	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
B. Consultant Services								
	Contract/Consultant Services	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
C. Travel								
	Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
	Subtotal:	\$7,200	–	\$1,440	–	–	–	\$8,640
D. Other Direct Expenses								
	Other Direct Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
E. Indirect Expenses								
	25% Federally approved Indirect cost rate	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
	Subtotal:	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
	Total:	\$144,450	–	\$30,222.50	\$5,875	\$5,875	–	\$186,422.50

Table 3.5 Sample Task Work Sheet for “Administration Task” – MPO Charging 25 Percent Indirect Rate (continued)

Task 1.1. Administration Estimated Budget Detail for FY 2017/18								
<i>Budget Category</i>	<i>Budget Category Description</i>	<i>FHWA (PL)</i>	<i>FHWA (SU)</i>	<i>FTA 5303</i>	<i>FTA State Match</i>	<i>FTA Local Match</i>	<i>Trans. Disad.</i>	<i>Total</i>
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
	Subtotal:	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
B. Consultant Services								
	Contract/Consultant Services	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
C. Travel								
	Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
	Subtotal:	\$7,200	–	\$1,440	–	–	–	\$8,640
D. Other Direct Expenses								
	Other Direct Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
E. Indirect Expenses								
	25% Federally approved Indirect cost rate	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
	Subtotal:	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
	Total:	\$144,450	–	\$30,222.50	\$5,875	\$5,875	–	\$186,422.50

Table 3.6 Sample Task Work Sheet for "Planning Task" – MPO Charging Actual Costs

Task 4.1 Transportation Improvement Program (TIP) Development	
<i>Purpose:</i>	
To annually update the five-year Transportation Improvement Program (TIP) and amend as needed, consistent with Federal and State requirements.	
<i>Previous Work Completed:</i>	
Development of the FY 15/16-19/20 TIP and FY 16/17-20/21 TIP, and all required amendments.	
<i>Required Activities:</i>	
<ul style="list-style-type: none"> • Annually develop, update, and publish the TIP, a five-year program of transportation improvements in the MPO area, in accordance with Federal and State requirements and the MPO’s Public Participation Plan. • Perform amendments to the adopted TIP as necessary. • Utilize and maintain an interactive TIP tool. • Publish annual listing of previously obligated projects. 	
<i>End Product:</i>	<i>Completion Date:</i>
FY 2016/17 – 2021/22 TIP	Adoption in June 2016
FY 2017/18 – 2022/23 TIP	Adoption in June 2017
TIP Amendments	As needed
Responsible Agency: MPO	

Table 3.6 Sample Task Work Sheet for “Planning Task” – MPO Charging Actual Costs (continued)

Task 4.1. Transportation Improvement Program Estimated Budget Detail for FY 2016/17								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
	Subtotal:	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
B. Consultant Services								
	Contract/Consultant Services	\$5,000	\$5,000	–	–	–	–	\$10,000
	Subtotal:	\$5,000	\$5,000	–	–	–	–	\$10,000
C. Travel								
	Travel Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
D. Other Direct Expenses								
	Other Direct Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
	Total:	\$20,000	\$5,000	\$10,000	\$1,250	\$1,250	–	\$37,500

Table 3.6 Sample Task Work Sheet for “Planning Task” – MPO Charging Actual Costs (continued)

Task 4.1. Transportation Improvement Program Estimated Budget Detail for FY 2017/18								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
	Subtotal:	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
B. Consultant Services								
	Contract/Consultant Services	\$5,000	\$5,000	–	–	–	–	\$10,000
	Subtotal:	\$5,000	\$5,000	–	–	–	–	\$10,000
C. Travel								
	Travel Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
D. Other Direct Expenses								
	Other Direct Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
	Total:	\$20,000	\$5,000	\$10,000	\$1,250	\$1,250	–	\$37,500

Table 3.7 Sample Task Work Sheet for "Planning Task" – MPO Charging 25 Percent Indirect Rate

Task 4.1 Transportation Improvement Program (TIP) Development	
<i>Purpose:</i>	
To annually update the five-year Transportation Improvement Program (TIP) and amend as needed, consistent with Federal and State requirements.	
<i>Previous Work Completed:</i>	
Development of the FY 15/16-19/20 TIP and FY 16/17-20/21 TIP, and all required amendments.	
<i>Required Activities:</i>	
<ul style="list-style-type: none"> • Annually develop, update and publish the TIP, a five-year program of transportation improvements in the MPO area, in accordance with Federal and State requirements and the MPO’s Public Participation Plan. • Perform amendments to the adopted TIP as necessary. • Ensure consistency of the TIP with the MPO LRTP and local Capital Improvement Programs. • Publish annual listing of previously obligated projects. 	
<i>End Product:</i>	<i>Completion Date:</i>
FY 2016/17 – 2021/22 TIP	Adoption in June 2016
FY 2017/18 – 2022/23 TIP	Adoption in June 2017
TIP Amendments	As needed
Responsible Agency: MPO	

Table 3.7 Sample Task Work Sheet for “Planning Task” – MPO Charging 25 Percent Indirect Rate (continued)

Task 4.1. Transportation Improvement Program Estimated Budget Detail for FY 2016/17								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
	Subtotal:	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
B. Consultant Services								
	Contract/Consultant Services	\$5,000	\$5,000	–	–	–	–	\$10,000
	Subtotal:	\$5,000	\$5,000	–	–	–	–	\$10,000
C. Travel								
	Travel Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
D. Other Direct Expenses								
	Other Direct Expenses	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
	Subtotal:	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
	Total:	\$25,000	\$6,250	\$12,500	\$1,562.50	\$1,562.50	–	\$46,875

Table 3.7 Sample Task Work Sheet for “Planning Task” – MPO Charging 25 Percent Indirect Rate (continued)

Task 4.1. Transportation Improvement Program Estimated Budget Detail for FY 2017/18								
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5303	FTA State Match	FTA Local Match	Trans. Disad.	Total
A. Personnel Services								
	MPO staff salaries, fringe benefits, and other deductions	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
	Subtotal:	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
B. Consultant Services								
	Contract/Consultant Services	\$5,000	\$5,000	–	–	–	–	\$10,000
	Subtotal:	\$5,000	\$5,000	–	–	–	–	\$10,000
C. Travel								
	Travel Expenses	–	–	–	–	–	–	–
	Subtotal:	–	–	–	–	–	–	–
D. Other Direct Expenses								
	Other Direct Expenses	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
	Subtotal:	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
	Total:	\$25,000	\$6,250	\$12,500	\$1,562.50	\$1,562.50	–	\$46,875

3.17 Summary Budget Tables Example

Table 3.8 MPO/TPO Agency Funding Participation – FY 20XX/XX

(MPO/TPO Name)	FHWA	FTA	FDOT			CTD	Total (Minus Soft Match)	Amount to Consultant
			Soft Match	Cash Match	Local Match			
A.1 MPO/TPO Administration	\$83,500	\$0	\$16,700	\$0	\$0	\$0	\$83,500	\$0
A.2 Unified Planning Work Program (UPWP)	\$18,000	\$0	\$3,600	\$0	\$0	\$0	\$18,000	\$0
A.3 Public Involvement	\$50,000	\$0	\$10,000	\$0	\$0	\$0	\$50,000	\$0
A.4 Regional Planning	\$22,000	\$0	\$4,400	\$0	\$0	\$0	\$22,000	\$0
A.5 Capital Purchases	\$15,000	\$0	\$3,000	\$0	\$0	\$0	\$15,000	\$0
A.6 Travel	\$11,500	\$0	\$2,300	\$0	\$0	\$0	\$11,500	\$0
B.1 Socioeconomic and Land Use Data	\$30,000	\$0	\$6,000	\$0	\$0	\$0	\$30,000	\$20,000
B.2 Transportation Data	\$65,000	\$10,000	\$13,000	\$1,000	\$1,000	\$0	\$77,000	\$45,000
B.3 ETDM	\$43,500	\$0	\$8,700	\$0	\$0	\$0	\$43,500	\$23,500
C.1 Transportation Improvement Program (TIP)	\$15,000	\$5,000	\$3,000	\$500	\$500	\$0	\$21,000	\$5,000
C.2 Long-Range Transportation Plan (LRTP)	\$28,500	\$0	\$5,700	\$0	\$0	\$0	\$28,500	\$20,000
C.3 Traffic Ops + Freight	\$15,000	\$0	\$3,000	\$0	\$0	\$0	\$15,000	\$0

(MPO/TPO Name)	FHWA	FTA	FDOT			CTD	Total (Minus Soft Match)	Amount to Consultant
			Soft Match	Cash Match	Local Match			
C.4 CMS + ITS	\$20,000	\$0	\$4,000	\$0	\$0	\$0	\$20,000	\$0
C.5 Public Transportation	\$65,000	\$66,487	\$13,000	\$6,649	\$6,649	\$0	\$144,784	\$0
C.6 Bike/Ped Planning	\$28,500	\$0	\$5,700	\$0	\$0	\$0	\$28,500	\$10,000
C.7 Transportation Disadvantaged Planning	\$0	\$0	\$0	\$0	\$0	\$39,224	\$39,224	\$0
D.1 Corridor Planning and Preservation	\$100,000	\$0	\$20,000	\$0	\$0	\$0	\$100,000	\$50,000
Total	\$610,500	\$81,487	\$122,100	\$8,149	\$8,149	\$39,224	\$747,509	\$173,500

^a FDOT noncash match.

Table 3.9 MPO/TPO Funding Sources by Task – FY 20XX/XX

(MPO/TPO Name)	FHWA		FDOT				Total (Minus Soft Match)	
	PL	SU	FTA 5303	Soft Match ^a	Cash Match	Local Match		CTD
A.1 TPO Administration	\$83,500	\$0	\$0	\$16,700	\$0	\$0	\$0	\$83,500
A.2 UPWP	\$18,000	\$0	\$0	\$3,600	\$0	\$0	\$0	\$18,000
A.3 Public Involvement	\$50,000	\$0	\$0	\$10,000	\$0	\$0	\$0	\$50,000
A.4 Regional Planning	\$22,000	\$0	\$0	\$4,400	\$0	\$0	\$0	\$22,000
A.5 Capital Purchase	\$15,000	\$0	\$0	\$3,000	\$0	\$0	\$0	\$15,000
A.6 Travel	\$11,500	\$0	\$0	\$2,300	\$0	\$0	\$0	\$11,500
B.1 Socioeconomic and Land Use Data	\$15,000	\$15,000	\$0	\$6,000	\$0	\$0	\$0	\$30,000
B.2 Transportation Data	\$45,000	\$20,000	\$10,000	\$13,000	\$1,000	\$1,000	\$0	\$77,000
B.3 ETDM	\$33,500	\$10,000	\$0	\$8,700	\$0	\$0	\$0	\$43,500
C.1 Transportation Improvement Program (TIP)	\$10,000	\$5,000	\$5,000	\$3,000	\$500	\$500	\$0	\$21,000
C.2 Long-Range Transportation Plan (LRTP)	\$8,500	\$20,000	\$0	\$5,700	\$0	\$0	\$0	\$28,500
C.3 Traffic Ops + Freight	\$15,000	\$0	\$0	\$3,000	\$0	\$0	\$0	\$15,000

(MPO/TPO Name)	FHWA		FDOT				Total (Minus Soft Match)	
	PL	SU	FTA 5303	Soft Match ^a	Cash Match	Local Match		CTD
C.4 CMS + ITS	\$20,000	\$0	\$0	\$4,000	\$0	\$0	\$0	\$20,000
C.5 Public Transportation	\$65,000	\$0	\$66,487	\$13,000	\$6,648.7	\$6,648.7	\$0	\$144,784
C.6 Bike/Ped Planning	\$20,500	\$8,000	\$0	\$5,700	\$0	\$0	\$0	\$28,500
C.7 Transportation Disadvantaged Planning	\$0	\$0	\$0	\$0	\$0	\$0	\$39,224	\$39,224
D.1 Corridor Planning and Preservation	\$75,000	\$25,000	\$0	\$20,000	\$0	\$0	\$0	\$100,000
Total	\$507,500	\$103,000	\$81,487	\$122,100	\$8,149	\$8,149	\$39,224	\$747,509

^a FDOT noncash match.

3.18 Close-Out Letter and Confirmation Form

Sample of a PL Funds Close-Out Letter

(Date)

(Name of MPO Staff Director)

(MPO Name)

(Address of MPO)

RE: Confirmation of Final Invoice and Reimbursements

MPO Name:

Federal Aid Number: XXXX

FM No.: XXXXXXXX

Contract No. XXXXX FY XX/XX to XX/XX

Dear _____:

The Florida Department of Transportation desires to close out our financial records for PL funds for the State Fiscal Year ending June 30, 20___. This will allow us to submit a final voucher to the Federal Highway Administration for reimbursement to the (name of MPO).

In order to do this, FDOT needs confirmation of submittal of the final invoice and our records need to reflect the correct amount of reimbursements for the (name of MPO) two-Year UPWP covering Fiscal Years 20xx/xx to 20xx/xx.

Please complete the enclosed confirmation form and return it to me for further processing.

Sincerely,

Name of Planning Manager or MPO Liaison

Sample of a PL Funds Close-Out Confirmation Form

(Date)

To: Florida Department of Transportation
District __ Planning Office

Attention: Name of Project Manager

From: MPO Staff Director

Subject: PL-XXXX (xx)

MPO Name

Our records disclose the final invoice has been submitted for PL Funds for the fiscal years listed below.

Fiscal Years 20xx/xx to 20xx/xx

<u>FM Number</u>	<u>Authorization</u>	<u>Reimbursement</u>	<u>Balance</u>
XXXXXX-X	\$	\$	\$

3.19 MPO Liaison Invoice Review Checklist

Reviewer Name		Date	
Reviewer Title			

Overall Invoice Package Review – this review is to be performed on each invoice submitted.

Contract No.		MPO	
Amendment No.		Invoice No.	
Modification No.		Invoice Period	

	Criteria	Yes/No	Comments
	Does the Invoice Package include the Invoice, Itemized Expenditure Detail Report and Progress Report?		
	Do the service periods of the Itemized Expenditure Detail Report and the Progress Report match the service period of the Invoice?		
	Verify the Total FHWA Previous Payments and FHWA Remaining Balance amounts for each task on the invoice.		
	Does the Total FHWA Current Amount Due for each task on the Invoice match the total current expenses on the Itemized Expenditure Detail Report?		
	Does the Total FHWA Budget Amount for each task on the Invoice match the total current FHWA budgeted amount in UPWP?		
	Review the Expenditure Detail Report for questionable line item expenses. List questionable expenses in "Comments" and follow-up with the MPO.		
	Verify the budget line items on the Itemized Expenditure Report have not exceeded the Estimated Budget Detail line item budget amounts for each task in the UPWP.		
	Does the progress report evidence meeting minimum performance standards?		
	Request for Payment Certification as required by 2 CFR 200.415 is signed by MPO Authorized Official.		
	Invoice Package and signed Contract Summary Form Number 350-060-02 submitted to District FSO.		Date Submitted:

If the answer is "No" to any of the above questions, or if any questionable line items exist in the Expenditure Report, the invoice must be returned to the MPO for clarification and correction.

Florida Department of Transportation
Office of Policy Planning



Note: Fillable form available on the [MPO Agreement & Invoicing Process web page](#).

3.20 MPO Liaison Supporting Documentation Review Checklist

Reviewer Name		Date	
Reviewer Title			

Supporting Documentation Review – the frequency of this review is contingent upon risk assessment. Sampling should include one budget line item from each budget category with the exception of Other Direct Expenses. At least five Other Direct Expenses should be reviewed.

Contract No.		MPO	
Amendment No.		Review Period	
Modification No.			

Personnel Services: Review the entire payroll register and compare to expense being reimbursed. Select one timesheet for a position being reimbursed. Confirm time charged by the task and the invoice period.

Identify the invoice and timesheet selected for review:

Invoice No.		Timesheet Selected for Review
Invoice Period		

	Criteria	Yes/No	Comments
	Does payroll register match the expense being reimbursed?		
	Does the timesheet match the expense being reimbursed?		
	Is the timesheet signed by an MPO authorized official?		

Consultant Services: Select and review one invoice from management/consulting firm that shows consultant fees.

Identify the MPO invoice and consultant invoice selected for review:

Invoice No.		Consultant Invoice Selected for Review
Invoice Period		

	Criteria	Yes/No	Comments
	Are task services documented in the progress report?		
	Is there evidence payment was made (ex: "Paid with check number")?		

Travel: Identify and gather the appropriate travel regulations and policies in place at the MPO, including rate(s) and methods if different from the state. Select and review one travel reimbursement.

Identify the invoice and travel reimbursement selected for review:

Invoice No.		Travel Reimbursement Selected for Review
Invoice Period		

Travel (cont.)	Criteria	Yes/No	Comments
	Does the travel reimbursement, including rate(s) and method, comply with MPO policies, 2 CFR §200.474 and 112.061, F.S.?		
	Is the required FDOT Contractor Travel Form Number 300-000-06 used to document travel?		
	Does the travel documentation reflect the appropriate authorizations?		
	Are charges supported by receipts?		
	Are receipts dated during the period of travel?		

Other Direct Expenses: Select and review five Other Direct Expense line item reimbursements for review.

Identify the invoice and Other Direct Expense line items selected for review:

Invoice No(s).	Other Direct Expense Line Items Selected for Review
Invoice Period(s)	1. 2. 3. 4. 5.

	Criteria – For Each Line Item Selected:	Yes/No	Comments
	Is there an itemized receipt showing date of purchase, name of vendor/store, amount paid, description of goods purchased, and evidence payment was made (ex: "Paid" with check number)?		
	Is the date of purchase within the invoice period?		
	If it is an equipment purchase over \$5,000, is there documented pre-approval by FHWA?		
	Are the expenses allowable?		

Indirect Rate: Identify and gather the MPOs indirect rate documentation, if applicable. Review the approved Indirect Cost Plan/Cost Allocation Plan.

Identify the invoice selected for review:

Invoice No.	Indirect Rate
Invoice Period	

	Criteria	Yes/No	Comments
	Does the Indirect Cost Rate and calculation agree with amount invoiced/reimbursed?		

If the answer is “No” to any of the above questions and the MPO is unable to provide correction or clarification, any unallowable or unsupported expenses reimbursed to the MPO may be deducted from the next invoice. See Chapter 3 of the MPO Program Management Handbook for more information.

Note: Fillable form available on the [MPO Agreement & Invoicing Process web page](#).

3.21 References

This section provides a list of references and definitions from Federal and State laws, rules, and regulations, including key procedures and forms related to the development of the UPWP.

Table 3.10 References

Reference	Description
Federal Office of Management and Budget	
Form SF-LLL	Disclosure of Lobbying Activities Form.
Federal Office of Management and Budget	
2 C.F.R. §200	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
FDOT Forms and Procedures	
Form No. 525-010-02 Form No. 725-030-06	Metropolitan Planning Organization (MPO) Agreement. Public Transportation Joint Participation Agreement.
Form No. 725-030-06E	Public Transportation Joint Participation Agreement, Exhibits.
FDOT Procedure No. 725-000-005	Public Transportation Joint Participation Agreement.
FDOT Work Program Instructions	
FDOT Work Program Instructions	Describes the procedures for the development of FDOT's annual five-year Work Program.
Metropolitan Transportation Planning	
23 U.S.C. §134	Describes the transportation planning process for metropolitan planning organizations (MPOs).

Reference	Description
Metropolitan Transportation Planning	
49 U.S.C. §5303	Describes the transportation planning process for metropolitan planning organizations (MPOs) – companion to 23 U.S.C. § 134.
Grants and Agreements	
49 U.S.C. §5305	Planning Programs – Establishes the U.S. DOT may award grants to States, authorities of the States, metropolitan planning organizations, and local governmental authorities and make agreements to develop transportation plans and programs; plan, engineer, design, and evaluate a public transportation project; and conduct technical studies relating to public transportation.
49 U.S.C. §5307	Urbanized Area Formula Grants – Establishes the U.S. DOT may award grants for: capital projects, planning, job access and reverse commute projects, and operating costs of equipment and facilities for use in public transportation in urbanized areas with a population of fewer than 200,000 individuals.
Nondiscrimination	
Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§2000d-2000d-7)	Prohibition against exclusion from participation in, denial of benefits of, and discrimination under Federally assisted programs on ground of race, color, or national origin.
23 U.S.C. §324	Prohibition against discrimination on the basis of sex.
29 U.S.C. §794	Nondiscrimination under Federal grants and programs.

Chapter 4: Long Range Transportation Plan

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4.1 Purpose

This chapter provides guidance to Metropolitan Planning Organizations (MPO) and MPO Liaison staff of the Florida Department of Transportation (FDOT) to assist in developing, implementing, and managing the MPO’s Long-Range Transportation Plan (LRTP) required by Federal and State laws and regulations. The MPO must develop an LRTP that addresses no less than a 20-year planning horizon. The intent and purpose of the LRTP is to encourage and promote the safe and efficient management, operation, and development of a cost-feasible intermodal transportation system that will serve the mobility needs of people and freight; and foster economic growth and development within and through urbanized areas of the State, while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas (GHG) emissions. The LRTP must include long- and short-range strategies consistent with Federal, State, and local goals and objectives.

4.2 Authority

Table 4.1 presents the Federal and State statutes, regulations, and rules related to development of the LRTP for MPOs.

Table 4.1 Federal and State Statutes and Codes

Citation	Description
Federal	
23 U.S.C. 134 (h) and (i)	Scope of the metropolitan planning process and development of the metropolitan transportation plan.
49 U.S.C. 5303	
23 C.F.R. 450.322, 450.324, and Appendix A to Subpart 450	Congestion management process, and development and content of the metropolitan transportation plan.
State	
Section 339.175, Florida Statutes	MPO responsibilities and LRTP requirements.

4.3 Federal Requirements for the LRTP

Federal regulations require MPOs to develop LRTPs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State. The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive; and provide for consideration and implementation of projects, strategies, and services that will address the following factors: [\[23 C.F.R. 450.306\(a\) and \(b\)\]](#):

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 operations;
8. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system, and reduce or mitigate storm water impacts of surface transportation; and
10. Enhance travel and tourism.

In addition to these planning factors, Federal law and regulation requires the LRTP shall include, at a minimum:

1. The current and projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan. [\[23 C.F.R. 450.324\(g\)\(1\)\]](#)
2. Existing and proposed transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal and intermodal facilities, non-motorized transportation facilities (e.g., pedestrian walkways and bicycle facilities, and intermodal connectors), which should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan. In addition, the locally preferred alternative selected from an Alternative Analysis under the Federal Transit Administration's (FTA) Capital Investment Grant Program needs to be adopted as a part of the plan. [\[23 C.F.R. 450.324\(g\)\(2\)\]](#)
3. A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with the required performance management approach. [\[23 C.F.R. 450.324\(g\)\(3\)\]](#) See Chapter 8 for detailed information about the Federally-required performance management approach to metropolitan transportation decision-making.
4. A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the required performance targets, including progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data; and, for MPOs that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system, and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. [\[23 C.F.R. 450.324\(g\)\(4\)\]](#) See Chapter 8 for detailed information about the Federally-required performance management approach to metropolitan transportation decision-making.

5. Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods. [\[23 C.F.R. 450.324\(g\)\(5\)\]](#)
6. Consideration of the results of the congestion management process in Transportation Management Areas (TMA), including the identification of single-occupancy vehicle (SOV) projects that result from a congestion management process in TMAs that are nonattainment for ozone or carbon monoxide. [\[23 C.F.R. 450.324\(g\)\(6\)\]](#)
7. Assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters. The metropolitan transportation plan may consider projects and strategies that address areas or corridors where current or projected congestion threatens the efficient functioning of key elements of the metropolitan area's transportation system. [\[23 C.F.R. 450.324\(g\)\(7\)\]](#)
8. Transportation and transit enhancement activities, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated, and including transportation alternatives, as defined in 23 U.S.C. 101(a), and associated transit improvements, as described in 49 U.S.C. 5302(a), as appropriate. [\[23 C.F.R. 450.324\(g\)\(8\)\]](#)
9. Descriptions of proposed improvements in sufficient detail to develop cost estimates (e.g., design concept and design scope descriptions). [\[23 C.F.R. 450.324\(g\)\(9\)\]](#)
10. A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The MPO shall develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife,

and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation. [\[23 C.F.R. 450.324\(g\)\(10\)\]](#)

11. A financial plan that demonstrates how the adopted transportation plan can be implemented. Revenue and cost estimates must use an inflation rate(s) to reflect “year of expenditure dollars,” based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator(s). For illustrative purposes, the financial plan may include additional projects that would be included in the adopted transportation plan if additional resources beyond those identified in the financial plan were to become available. [\[23 C.F.R. 450.324\(g\)\(11\)\]](#)
12. Pedestrian walkway and bicycle transportation facilities in accordance with 23 U.S.C. 217(g). [\[23 C.F.R. 450.324\(g\)\(12\)\]](#)
13. Both long- and short-range strategies/actions that provide for the development of an integrated multimodal transportation system (including accessible pedestrian walkways and bicycle transportation facilities) to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand. [\[23 C.F.R. 450.324\(b\)\]](#)
14. The MPO, the State(s), and the public transportation operator(s) shall validate data used in preparing other existing modal plans for providing input to the transportation plan. In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The MPO shall approve transportation plan contents and supporting analyses produced by a transportation plan update. [\[23 C.F.R. 450.324\(f\)\]](#)
15. Integrate the priorities, goals, countermeasures, strategies, or projects for the metropolitan planning area contained in the Highway Safety Improvement Program (HSIP), including the Strategic Highway Safety Plan (SHSP) required under 23 U.S.C. 148, the Public Transportation Agency Safety Plan required under 49 U.S.C. 5329(d), or an Interim Agency Safety Plan in accordance with 49 C.F.R. Part 659, as in effect until completion of the Public Transportation Agency Safety Plan; and may incorporate or reference applicable emergency relief and disaster preparedness plans and strategies and policies that support homeland security, as

appropriate, to safeguard the personal security of all motorized and non-motorized users. [\[23 C.F.R. 450.324\(i\)\]](#)

4.4 State Requirements for the LRTP

[Section 339.175\(6\)\(b\), Florida Statutes](#), requires the LRTP provide for consideration of projects and strategies that will:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety and security of the transportation system for motorized and non-motorized users;
3. Increase the accessibility and mobility options available to people and for freight;
4. Protect and enhance the environment, promote energy conservation, and improve quality of life;
5. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
6. Promote efficient system management and operation; and
7. Emphasize the preservation of the existing transportation system.

In addition to these considerations, Florida Statutes require MPOs to develop, in cooperation with the State and public transit operators, transportation plans and programs for each metropolitan area that provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities, which will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in [s.334.046, F.S.](#) and [s.339.175\(1\), F.S.](#)

The process for developing such plans and programs shall provide for consideration of all modes of transportation; and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. [\[s.339.175\(1\), F.S.\]](#)

To ensure the process is integrated with the statewide planning process, MPOs shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. These include the facilities on the Strategic Intermodal System (SIS) designated under Section [s.339.63, F.S.](#) and facilities for which projects have been identified pursuant to Section [s.339.2819\(4\), F.S.](#) (Transportation Regional Incentive Program). [\[s.339.175\(1\), F.S.\]](#)

The LRTP must address at least a 20-year planning horizon, must include both long-range and short-range strategies, and must comply with all other State and Federal requirements. The LRTP also must consider these prevailing principles: preserving the existing transportation infrastructure, enhancing Florida's economic competitiveness, and improving travel choices to ensure mobility. [\[s.339.175\(7\), F.S.\]](#)

The LRTP must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the MPO. [\[s.339.175\(7\), F.S.\]](#)

Each MPO is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce GHG emissions. [\[s.339.175\(7\), F.S.\]](#)

The approved LRTP must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. [\[s.339.175\(7\), F.S.\]](#)

The LRTP must, at a minimum:

1. Identify transportation facilities, including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, transit systems, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system. [\[s.339.175\(7\)\(a\), F.S.\]](#)
2. Give emphasis to those transportation facilities that serve national, statewide, or regional functions; and must consider the goals and objectives identified in the Florida Transportation Plan. If a project is located within the boundaries of more than

one MPO, the MPOs must coordinate plans regarding the project in their LRTPs. [\[s.339.175\(7\)\(a\), F.S.\]](#)

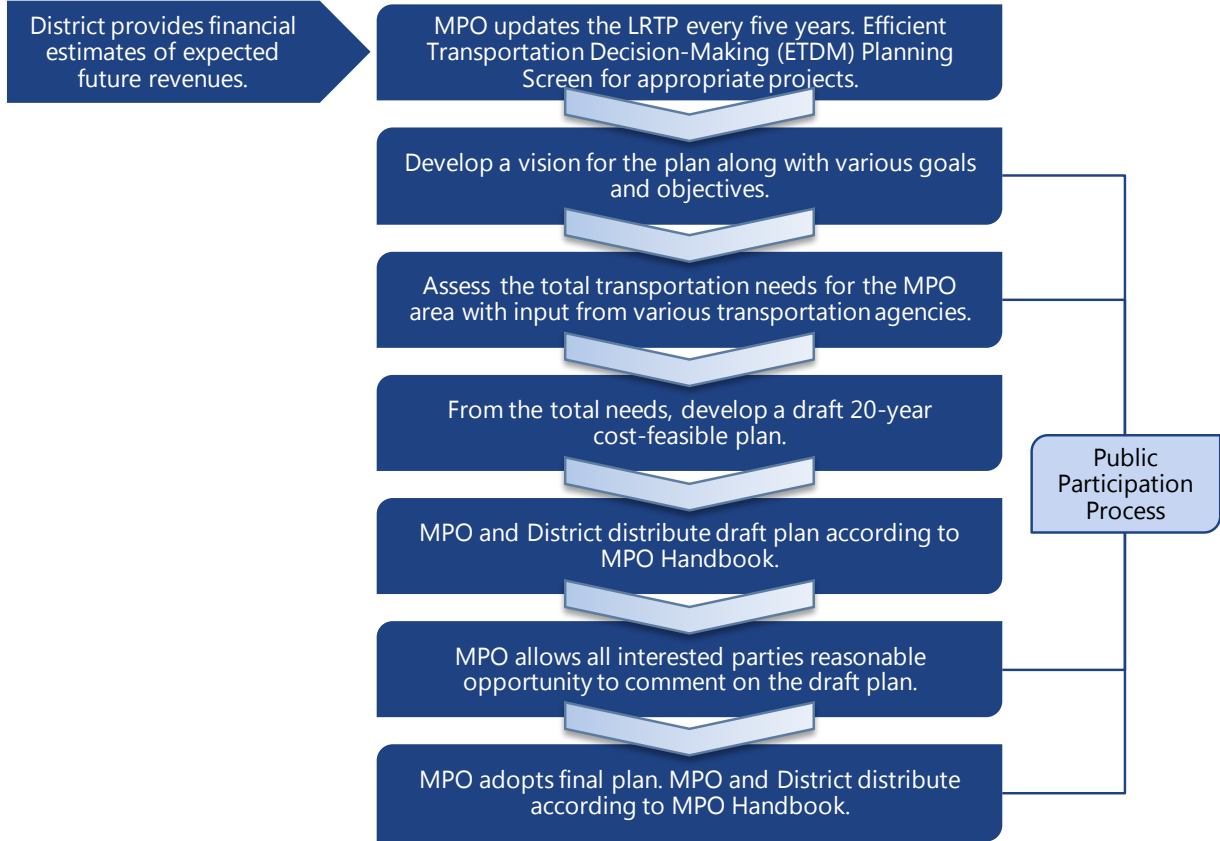
3. Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources that are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted LRTP if reasonable additional resources beyond those identified in the financial plan were available. [\[s.339.175\(7\)\(b\), F.S.\]](#)
4. Assess capital investment and other measures necessary to ensure the preservation of the existing metropolitan transportation system, including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities. [\[s.339.175\(7\)\(c\)\(1\), F.S.\]](#)
5. Assess capital investment and other measures necessary to make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments. [\[s.339.175\(7\)\(c\)\(2\), F.S.\]](#)
6. Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising. [\[s.339.175\(7\)\(d\), F.S.\]](#)
7. Be approved by each MPO on a recorded roll-call vote or hand-counted vote of the majority of the MPO membership present. [\[s.339.175\(13\), F.S.\]](#)

4.5 Methods for Developing the LRTP

The LRTP must address the Federal and State requirements identified in this chapter, and must consider the goals and objectives identified in the [Florida Transportation Plan \[s.339.175\(7\)\(a\), F.S.\]](#). While no single methodology or process must be used for

developing LRTPs, Figure 4.1 shows the basic process for the development and approval of the LRTP. The steps are described below.

Figure 4.1 LRTP Development and Approval Process



4.5.1 LRTP Update Frequency and Planning Horizon

An LRTP must undergo periodic updates. Update is defined as making current an LRTP through a comprehensive review. Updates require public review and comment, a 20-year horizon for LRTPs, demonstration of fiscal constraint for LRTPs, and a conformity determination for LRTPs in nonattainment and maintenance areas. [\[23 C.F.R. 450.104\]](#)

The MPO shall review and update the LRTP at least every five years in attainment areas (every four years in air quality nonattainment and maintenance areas) to confirm the transportation plan’s validity and consistency with current and forecasted transportation and land use conditions and trends, and to extend the forecast period to at least a 20-year planning horizon. [\[23 C.F.R. 450.324\(d\)\]](#)

FDOT developed the Florida Standard Urban Transportation Model Structure (FSUTMS) for use by all Florida MPOs to determine current and forecasted transportation and land use conditions and trends for this 20-year planning horizon. The MPO may use any analytical techniques and/or models after consultation with FDOT. The MPO must document in the LRTP the models and methodology used, and prepare technical memoranda documenting how the techniques can be used in various planning applications.

The schedule for the five-year update of the LRTP will be determined cooperatively by the MPO, FDOT, Federal Highway Administration (FHWA), and FTA. The LRTP must be adopted no later than five years to the day when the MPO last adopted it. The MPOAC maintains a [list of LRTP adoption dates](#) for MPOs in Florida.

4.5.2 LRTP Needs Plan and Cost Feasible Plan

The LRTP often contains a Needs Plan and a Cost Feasible Plan. The Needs Plan takes into account current and future transportation needs without consideration of financial constraints. While not required by Federal regulation, a Needs Plan can aid in inventorying a region's transportation needs to prioritize which projects should be funded to achieve a more efficient and interconnected transportation system.

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) adopted the [Financial Guidelines for MPO 2040 Long-Range Plans](#) in January 2013 to improve uniformity in the reporting of financial data and estimating transportation needs in MPO LRTPs. This document provides guidelines for defining and reporting needs in the LRTP. The Needs Plan should include only transportation projects that are necessary to meet identified future transportation demand or advance the goals, objectives, and policies of the MPO, the region, and the state. MPOs will include a cost estimate of these needs in the LRTP. The needs estimate should include all costs (operations, maintenance, capacity expansion, etc.) of all projects associated with all modes; and estimated needs should be reported by mode. Although there is no Federal or State requirement to include an estimate of needs, the MPOAC agreed to include this information in their respective MPO LRTPs.

The LRTP must demonstrate fiscal constraint, which means the plan includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan can be implemented using committed, available, or reasonably available revenue

sources, with reasonable assurance the federally supported transportation system is being adequately operated and maintained. [\[23 C.F.R. 450.104\]](#)

Revenue and cost estimates that support the metropolitan transportation plan must use an inflation rate(s) to reflect “year of expenditure dollars,” based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator. [\[23 C.F.R. 450.324\(g\)\(11\)\(iv\)\]](#) Inflation factors and guidance for converting project costs estimates to year of expenditure dollars are provided in [Financial Guidelines for MPO 2040 Long-Range Plans](#).

Additional guidance is provided in the [2040 Revenue Forecast Handbook](#). This Handbook includes program estimates for the expenditure of State and Federal funds expected from current revenue sources, and provides guidance for using this forecast information in updating LRTPs. FDOT developed metropolitan estimates from the 2040 Revenue Forecast for certain capacity programs for each MPO.

4.5.3 Efficient Transportation Decision-Making (ETDM) Planning Screen

The Efficient Transportation Decision-Making (ETDM) process is Florida’s procedure for reviewing qualifying transportation projects to consider potential environmental effects in the Planning phase. The intent of the ETDM Planning and Programming Screens is to provide a method for early consideration of ecosystem, land use, social, and cultural issues, prior to a project moving into the Work Program and into the Project Development and Environmental (PD&E) study phase. Information gathered may be incorporated later into the PD&E study to satisfy National Environmental Policy Act (NEPA) requirements.

The ETDM process allows resource and regulatory agencies and the public an opportunity to review and comment on potential impacts of proposed transportation projects during the development of an MPO LRTP. Based on feedback from the Planning Screen, transportation planners may adjust project concepts to avoid or minimize adverse impacts, consider mitigation alternatives, and improve project cost estimates.

The ETDM process is composed of two project-screening events: 1) Planning and 2) Programming. During the Planning Screen, comments received help FDOT and MPOs identify environmental considerations that assist in assessing projects for inclusion or advancement in the LRTP and further into the Cost Feasible Plan. During the

Programming Screen, qualifying projects are reviewed when being considered for funding in the FDOT Five-Year Work Program or MPO Transportation Improvement Program (TIP), or if already funded, before advancing to the PD&E phase.

The ETDM Planning and Programming Screens provide for continuous coordination with State and Federal resource agencies during Plan development. The Planning Screen for major transportation projects should be conducted in conjunction with the update of the Needs Plan or the Cost Feasible Plan, but completed before the final approval of the Plan. Resource and community agencies can provide official comment regarding potential transportation projects included in the Plan and receive information regarding LRTP development.

The coordinated review and screening process in ETDM provides the mechanism for required consultation with over 20 resource agencies at both the State and Federal levels. These agencies comprise the Environmental Technical Advisory Teams (ETAT) for each FDOT district. The ETAT's include environmental, land use management, historical preservation, and Tribal government representatives.

Requests for additional meetings or consultations with the MPO to discuss environmental issues or resource impacts in more detail can be made through the Environmental Screening Tool (EST). As part of the ETDM Planning Screens, agencies are requested to provide information regarding their resource-specific conservation plans, as well as identify future key issues and/or effects, which this project might have related to their resource.

It is recommended the LRTP include a section that lists all projects screened through the ETDM Planning Screen process to document the level of agency consultation that has occurred. A Purpose and Need Statement must be included for each project entered into a Planning Screen, as well as a summary of the major issues and comments noted by the resource agencies during their review. This list and summary assists in focusing on specific geographic areas and strategies for mitigation purposes.

The public can review project information and maps in the public screening tool, and provide email comment to the Community Liaison Coordinator. The MPO website should link to the [ETDM public website](#).

MPOs should notify their various committees, other local municipalities, and the general public, to the extent possible, once projects are uploaded into the Planning Screen. In

addition, the public can comment on projects through the traditional public involvement activities coordinated by the MPO or the Community Liaison Coordinator.

All major transportation projects in the MPO LRTP should be screened under the ETDM process (Planning Screen), including major Local Agency Program (LAP) projects. See Figure 4.2 for recommended guidance for the Planning/Programming Screen. MPOs should build sufficient time into the LRTP development process to conduct the Planning Screen, and prepare the accompanying summary reports prior to approving the Plan.¹ Examples of major transportation improvement projects include:

- Widening existing roadways to include additional through lanes;
- Addition of High-Occupancy Vehicle (HOV) lanes;
- Bus Rapid Transit (BRT) lanes;
- New roadways;
- New interchanges and major interchange modifications;
- New bridges and bridge replacements; and
- Major public transportation projects, such as Intermodal Passenger Centers and new fixed guideway service.

The purpose of the Planning Screen review is to provide additional information to the MPO to make the determination whether the project, as proposed, should be adopted into the Cost Feasible Plan. Other projects can be run through the Planning Screen at the discretion of the ETDM coordinators (MPO and FDOT) and the respective ETAT members. The screening of local projects not on the State Highway System is optional.

¹ ETDM screens of major transportation improvement projects included in the highway component of the Strategic Intermodal System Cost Feasible Plan will be conducted by FDOT.

Figure 4.2 ETDM Screening Matrix for Qualifying Projects

	Federal Dollars (any FHWA, FTA, or FRA funds, or Federal authorization)		State Dollars (TRIP, Transit/Intermodal System Grants, etc.) No Federal Dollars Involved		Local Dollars Only	
	Responsible Agency	ETDM Screening	Responsible Agency	ETDM Screening	Responsible Agency	ETDM Screening
System						
Highways on the State Highway System (SHS) and on the Strategic Intermodal System (SIS)	FDOT	YES FDOT Lead	FDOT	YES	FDOT	YES
	Local		Local and FDOT	Local Option	Local and FDOT	Local Option
Highways on the SHS but not on the SIS	FDOT	YES FDOT Lead	FDOT	YES	FDOT	YES
	Local		Local and FDOT	Local Option	Local and FDOT	Local Option
Highways not on SHS but on the SIS	FDOT	YES FDOT Lead	FDOT	YES	FDOT	YES
	Local		Local and FDOT	Local Option	Local and FDOT	Local Option
Highways not on SHS nor on the SIS	FDOT	YES FDOT Lead	FDOT	YES	Local	N/A
	Local		Local	Local Option		
Major Transit Projects (new fixed guideway, New Starts) or Major Freight Projects	FDOT	YES	FDOT	YES	Local	N/A
	Local	Local Option	Local	Local Option		

Note: Local applies to any local government agency, other state agency, expressway authority, bridge authority, or private entity.

If a potential issue is identified during the Planning Screen, the MPO should try to resolve the issue before approving the LRTP. Examples of potential issues include a response by a reviewing agency that a project does not conform to agency statutory requirements and may not be permitted; and/or responses indicating very strong community opposition to a project and/or potentially severe negative impacts on the affected community.

The ETDM review period for each project is 45 calendar days, and may be extended an additional 15 days based upon a written request of a resource/regulatory agency. The MPO has 60 days from the end of the review period to complete the ETDM Planning Screen Summary Report, which summarizes the identified issues and recommendations and other project-specific and system-wide information. The information gained from the Planning Screen should be conveyed to the MPO Board to be utilized in the decision-making process. Once a project in the LRTP has undergone a Planning Screen, that project would not normally undergo a second Planning Screen unless the parameters of the project significantly change.

Refer to the [ETDM Planning and Programming Manual](#) for specific information about the ETDM Planning Screen.

4.5.4 Sociocultural Effects (SCE) Evaluations

Although not shown in Figure 4.1, MPO and FDOT District staffs are expected to evaluate and provide comment about potential social and cultural effects of projects included in the LRTP based on available information as part of the ETDM Planning Screen process. The SCE evaluation addresses six issues:

1. Social;
2. Economic;
3. Land use;
4. Mobility;
5. Aesthetics; and
6. Relocation.

MPO staff have primary responsibility for performing SCE evaluations for non-SIS projects in the MPO area. District staff has responsibility for SIS projects in all areas of the State, including the MPO areas. However, District and MPO staff must take a collaborative team approach in conducting SCE evaluations for their areas of responsibility. For further information, refer to [Practical Application Guides for SCE Evaluations: ETDM Phase](#).

4.5.5 LRTP Approval and Distribution

The MPO Board must approve the final LRTP by a recorded roll-call vote or hand-counted vote of the majority of the membership present. [\[s.339.175\(13\), F.S.\]](#) Although the LRTP does not require approval by the FHWA or the FTA, these agencies must be

involved during the development of the plan and be provided an opportunity to comment on the draft plan.

The plan is reviewed by FHWA and FTA during the quadrennial TMA certification. Copies of any new and/or revised plans must be provided to each agency as well as FDOT. [\[23 C.F.R. 450.324\(d\)\]](#)

Distribution of the draft and final adopted LRTP must be provided as listed in Table 4.1. New or revised plans must be provided to the FHWA, the FTA, and the appropriate FDOT Central and District offices prior to the MPO's annual self-certification.

4.6 Relationship of the LRTP to the Transportation Improvement Program (TIP)/State Transportation Improvement Program (STIP)

An approved, or properly amended, LRTP must be in place at the time the MPO submits the annual TIP to FDOT for the Secretary's approval. The TIP must be incorporated into the STIP to ensure continued Federal funding for the metropolitan area. The Secretary cannot approve a TIP for inclusion in the STIP that does not come from a currently approved LRTP or a TIP that includes projects that have not been properly amended into the LRTP and approved by the MPO.

4.7 LRTP and NEPA Consistency

“Consistency” means the LRTP, TIP, STIP, and environmental documents all reflect consistent project descriptions and information. Planning consistency must be met before a final environmental document decision (Record of Decision, Finding of No Significant Impact, or Categorical Exclusion) can be approved by FHWA.

At the time of publication of this updated MPO Handbook, FDOT has submitted an application to FHWA to participate in the NEPA Assignment Program pursuant to 23 U.S.C. 327. Under this program, FDOT would assume the responsibilities of the U.S. Department of Transportation (U.S. DOT) and FHWA for NEPA and all environmental laws for highway projects. The application is under review, thus, this section is subject to change.

Projects in a LRTP are required to be described in enough detail to develop cost estimates in the LRTP financial plan that show how the projects will be implemented and to enable FHWA and FDOT to determine fiscal constraint of the document. The description, at a minimum, must include roadway identification, termini, implementation timeframe, and full project cost. A NEPA document is consistent with the LRTP and STIP/TIP when NEPA discussion of the project scope, cost, general funding sources, description, and logical termini reflects the LRTP and TIP/STIP; an amendment to either the LRTP or STIP/TIP is not needed; and the limits in the NEPA document (logical termini) are addressed in the LRTP, regardless of the constructible segments.

For an environmental document to be approved by FHWA, the “entire project length and termini” must be fully described in the LRTP in order to be found consistent with the plan. The project includes the entire length studied in the PD&E (e.g., a 30-mile length of roadway). If construction of the entire length of roadway is to be accomplished in multiple segments, this, too, must be documented in the LRTP and the NEPA document.

Following are possible treatments for a project to be included in the LRTP:

- If a project is planned to be fully funded through construction during the life of the LRTP (e.g., by 2040), the cost of and source of funding for each phase (Preliminary Engineering, Right of Way, and Construction) needs to be documented in the LRTP. It is not necessary to document the costs of each segment (e.g., three 10-mile segments) individually. PE can be addressed in the LRTP as a phase, or PD&E and Design can be shown as separate phases.
- If a project is not planned to be fully funded through construction during the life of the LRTP, the LRTP must document the length and phases of the project that can be funded (e.g., 20 miles) and the cost of and source of funding for each phase (PE, Right of Way, Construction) that is funded in the plan. The LRTP should reference for informational purposes a written description of any project segments and the associated phases that could not be funded in the LRTP with a reference to the overall project in the Needs Plan. If the MPO does not develop a Needs Plan, it should be discussed elsewhere in the LRTP documentation. The written description should include an estimate of the cost of any unfunded phases, expressed as the “year of expenditure cost” equal to the last period of the planning period (e.g., 2036-2040).
- When undertaking a PD&E phase, the project must be described in the LRTP by the time the approval for the environmental document is requested in order to obtain the

environmental document approval for the entire project. This may require early coordination with the MPO to process an amendment to the LRTP and this effort should be incorporated into the project schedule.

4.8 Major Project Guidance

Title 23 of the U.S. Code defines Major Projects as those with a total cost of \$500 million or greater that receive Federal aid. A Project Management Plan (PMP) and an Annual Financial Plan is required to be submitted to FHWA by the Districts for all Major Projects. [\[23 U.S.C. 106 \(h\)\]](#) The FTA also has requirements for Major Capital Investment Projects. [\[49 C.F.R. Part 611\]](#) The update of the annual finance plan could necessitate an update to the LRTP.

It is important that any Major Projects be identified as such in the MPO's LRTP. FHWA has issued [Major Project Financial Plan Guidance](#) requesting the cost estimates reported for Major Projects in the first five years of the LRTP be based on more precise cost estimate information than a project reflected in the latter years of the LRTP.

4.9 Planning Emphasis Areas

FHWA, FTA, and FDOT periodically issue Planning Emphasis Areas (PEAs) to encourage transportation planning agencies to give priority to particular issues in the Unified Planning Work Programs (UPWP). MPOs are encouraged to consider the PEAs in modal planning for future system improvements. This may include addressing the PEAs in the LRTP. FDOT provides [Planning Emphasis Area guidance](#) on the PEAs that are encouraged to be incorporated (or given priority and emphasis) in the UPWP.

4.10 Addressing Environmental Mitigation in the LRTP

The LRTP must include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The MPO shall develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and

regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation. [\[23 C.F.R. 450.324\(g\)\(10\)\]](#)

Federal regulation defines environmental mitigation activities as strategies, policies, programs, and actions that, over time, will serve to avoid, minimize, rectify, reduce, or eliminate impacts to environmental resources associated with the implementation of a LRTP. [\[23 C.F.R. 450.104\]](#)

The LRTP mitigation discussion could identify specific challenges to mitigation implementation, such as areas where the ability to mitigate for a particular resource may be limited, as well as activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan. The mitigation text should be accompanied by maps depicting existing and future areas designated for mitigation, conservation, or preservation.

The ETDM EST, discussed in Section 4.5.3, can be used to map and provide inventories for a majority of these resources. The EST database provides access to maps and inventories of natural and historic resources that also are used to support resource agency comments on project reviews. There are over 500 data layers in the EST available for these purposes. Examples of available data layers that can be mapped include conservation lands, wetlands, priority habitat, historical/archaeological sites, socioeconomic characteristics, and future land use designations.

One technique to identifying potential mitigation activities could be to load all the projects from the LRTP and create system level maps against priority layers such as conservation lands. These maps would illustrate the relationship between the conservation lands and the proposed projects. The ETDM Coordinator and/or the resource agencies should be consulted to determine the most appropriate data layers to use for the mitigation discussion. The EST is set up to accept projects into the system, perform the standard GIS analyses on those projects, and generate quality maps of the projects without requiring those projects to complete an ETDM screening since only major transportation projects qualify for that review. If adequate GIS resources are available to the MPO, a second technique could be to access and download the GIS files from the Florida Geographic [Data Library Explorer](#); or coordinate with the sponsoring agency and generate the maps in-house.

Regardless of the technique used, it is important to keep in mind some data sets that are exempted from Florida's Sunshine Law, such as archeological sites and threatened and endangered species locations, must not be provided to the public. Please contact the local FDOT ETDM Coordinator to determine data that may be exempt from public access.

As part of the ETDM Planning Screens, over 20 resource agencies at both the State and Federal levels are requested to provide information regarding their resource-specific resource conservation plans, as well as identify potential future key conservation efforts, as they relate to specific projects. Potential mitigation areas for this discussion may be identified utilizing the comments submitted by the resource agencies during the Planning Screen of major transportation improvements through the EST. This discussion also can be enhanced using the information contained in the Planning Screen Summary Reports created by the ETDM process for all projects screened within an MPO or other geographic area.

4.11 Public Involvement

MPOs are required to develop and use a documented Public Participation Plan that defines a process for providing reasonable opportunities to be involved in the metropolitan transportation planning process to individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties. [\[23 C.F.R. 450.316\(a\)\]](#)

In developing the LRTP and TIP, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area. [\[23 C.F.R. 450.316\(a\)\(3\)\(b\)\]](#)

Chapter 6 provides detailed information about MPO public involvement requirements.

4.12 LRTP Revisions

Besides the five-year update cycle, there are times an MPO may find it necessary to revise the LRTP. [FDOT Guidance](#) provides minimum thresholds for project changes that trigger an LRTP Amendment. The Code of Federal Regulations defines two types of revisions:

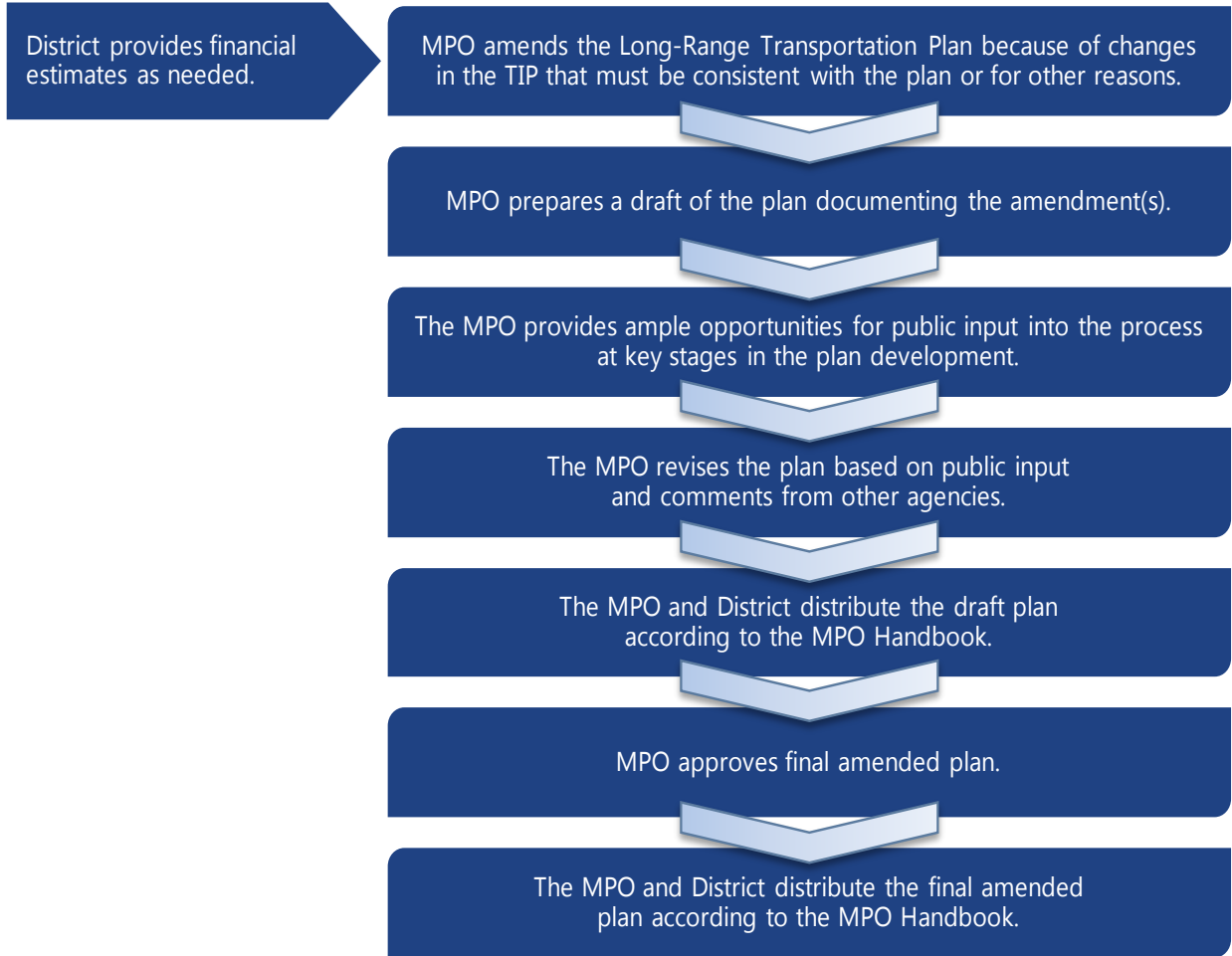
1. An **administrative modification** is a minor revision to the LRTP (or TIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, a redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas). [\[23 C.F.R. 450.104\]](#)
2. An **amendment** means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP, that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes or changing the number of stations in the case of fixed guideway transit projects). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment and a redemonstration of fiscal constraint. If an amendment involves “nonexempt” projects in nonattainment and maintenance areas, a conformity determination is required. [\[23 C.F.R. 450.104\]](#)

The LRTP can be revised at any time. It is important to note the MPO does not have to extend the LRTP planning horizon out another 20 years for administrative modifications and amendments. That is required only for the periodic (e.g., 5-year) update.

Florida Statute requires the MPO Board adopt any amendments to the LRTP by a recorded roll-call vote or hand-counted vote of the majority of the membership present. [\[s.339.175\(13\), F.S.\]](#)

Figure 4.3 shows the LRTP amendment process. Copies of the amended LRTP must be distributed in accordance with Table 4.2.

Figure 4.3 L RTP Amendment Process



4.13 Publication and Distribution of the L RTP

The MPO must publish its L RTP and make it available to the public for review including, to the maximum extent practicable, in electronically accessible formats and means, such as the Internet. [\[23 C.F.R. 450.316\(a\)\(1\)\(iv\)\]](#) The draft and final versions of the L RTP will be distributed by the MPO and District according to Table 4.2.

Please note: The FHWA needs to have one copy of all supporting documentation submitted to them, including model documentation. The Districts shall review the draft MPO L RTPs for consistency with Federal and State regulations using the L RTP Checklist in this chapter. The Districts will coordinate with the MPO regarding comments on the draft L RTP.

Table 4.2 L RTP Distribution

Agency	Contact(s)
Local and Regional Distribution	As needed – determined by MPO
FDOT – District Staff	As needed – determined by District
FDOT – CO Planning	<p>Alex Gramovot Statewide Metropolitan Planning Coordinator FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Alexander.Gramovot@dot.state.fl.us</p> <p>Mark Reichert Administrator for Metropolitan Planning FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Mark.Reichert@dot.state.fl.us</p>
FDOT - FCTD	<p>Steve Holmes Executive Director Florida Commission for the Transportation Disadvantaged 605 Suwannee Street, Mail Station 49 Tallahassee, FL 32399-0450 Steven.Holmes@dot.state.fl.us</p>
DEO	<p>Matthew Preston Planning Analyst Bureau of Community Planning Florida Department of Economic Opportunity 107 East Madison, MSC 160 Tallahassee, FL 32399 Matt.Preston@deo.myflorida.com</p>
FTA	<p>Yvette Taylor Regional Administrator Federal Transit Administration Region IV 230 Peachtree Street, NW Suite, 800 Atlanta, GA 30303 Yvette.Taylor@dot.gov</p>

Agency	Contact(s)
FHWA	James Christian Florida Division Administrator Federal Highway Administration 3500 Financial Plaza, Suite 400 Tallahassee, FL 32312 Mail Station 29 James.Christian@dot.gov

Please note: FHWA needs to have one copy of all supporting documentation submitted to them, including model documentation. The Districts shall review the draft MPO LRTPs for consistency with Federal and State regulations using the LRTP Checklist in this chapter. The Districts will coordinate with the MPO regarding comments on the draft LRTP.

4.14 LRTP Checklist

The Long Range Transportation Plan (LRTP) Checklist presented below is not required to be used when reviewing the LRTP. This is simply a tool for Districts and MPOs to use when reviewing or drafting the LRTP to assist in meeting requirements in Federal and State regulation and statute for LRTPs.

FDOT updated this checklist to reflect passage of Fixing America's Surface Transportation (FAST) Act in 2015, the FHWA/FTA Final Rule on Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning, FHWA/FTA LRTP expectations and guidelines, and MPOAC LRTP guidelines.

The following key is used in the checklist:

- The “A” items relate to the Code of Federal Regulations (C.F.R.) that address the LRTP, public participation, and consultation.
- The “B” items relate to State statutory requirements for LRTPs that are not otherwise addressed in Federal statute or regulation.
- The “C” items relate to *Federal Strategies for Implementing Requirements for LRTP Update for the Florida MPOs* (November 2012). FHWA and FTA distributed this document to highlight notable areas for improvement and assist MPOs in meeting Federal planning requirements.
 - » The unnumbered items allow for reporting on topics in the *Emerging Issues and Proactive Improvements* sections. MPOs are not required to include consideration of these topics in their current planning processes and plans; therefore, they have the option of deleting them.
- The “D” items are from the MPOAC-adopted *Financial Guidelines for MPO 2040 Long Range Plans* (January 2013). These are guidelines rather than requirements; therefore, MPOs are encouraged to report on these items, but have the option to not do so.

Where there is overlap among the items in the checklist, reviewers may reference previous checklist comments instead of repeating information.

Requirements in Federal Regulations		Where and How Addressed
<u>23 C.F.R. Part 450, Subpart C – Metropolitan Transportation Planning and Programming</u>		
A-1	Does the plan cover a 20-year horizon from the date of adoption? 23 C.F.R. 450.324(a)	
A-2	Does the plan consider the 10 planning factors described in 23 C.F.R. 450.306(a)? 23 C.F.R. 450.324(a)	
A-3	Does the plan include both long-range and short-range strategies/actions that provide for the development of an integrated multimodal transportation system (including accessible pedestrian walkways and bicycle transportation facilities) to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand? 23 C.F.R. 450.324(b)	
A-4	Was the requirement to update the plan at least every five years met? 23 C.F.R. 450.324(d)	
A-5	Was the plan updated based on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity? 23 C.F.R. 450.324(f)	

Requirements in Federal Regulations		Where and How Addressed
A-6	Does the plan identify the current and projected transportation demand of persons and goods in the metropolitan planning area over the period of the plan? 23 C.F.R. 450.324(g)(1)	
A-7	Does the plan identify existing and proposed transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal and intermodal facilities, non-motorized transportation facilities (e.g., pedestrian walkways and bicycle facilities), and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan? 23 C.F.R. 450.324(g)(2)	
A-8	Does the plan include operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods? 23 C.F.R. 450.324(g)(5)	

Requirements in Federal Regulations		Where and How Addressed
A-9	<p>For TMAs, are the results of the congestion management process considered in the plan? If so, how are they considered?</p> <p>23 C.F.R. 450.324(g)(6), see also 23 U.S.C. 134(k)(3)(A), 49 U.S.C. 5303(k)(3)(A)</p>	
A-10	<p>Does the plan include an assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters?</p> <p>23 C.F.R. 450.324(g)(7)</p>	
A-11	<p>Does the plan include transportation and transit enhancement activities, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated, and including transportation alternatives, as defined in 23 U.S.C. 101(a), and associated transit improvements, as described in 49 U.S.C. 5302(a), as appropriate?</p> <p>23 C.F.R. 450.324(g)(8)</p>	

Requirements in Federal Regulations		Where and How Addressed
A-12	Does the plan describe proposed improvements in sufficient detail to develop cost estimates? 23 C.F.R. 450.324(g)(9)	
A-13	Does the plan include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan? Did the MPO develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and regulatory agencies? 23 C.F.R. 450.324(g)(10)	
A-14	Does the plan include system-level estimates of costs and revenue sources to adequately operate and maintain Federal-aid highways and public transportation? 23 C.F.R. 450.324(g)(11)(i)	
A-15	Does the plan identify pedestrian walkway and bicycle transportation facilities in accordance with 23 U.S.C. 217(g)? 23 C.F.R. 450.324(g)(12)	
A-16	Did the MPO, public transportation operator(s), and State cooperatively develop estimates of funds that will be available to support metropolitan transportation plan implementation, as required under §450.314(a)? 23 C.F.R. 450.324(g)(11)(ii)	

Requirements in Federal Regulations		Where and How Addressed
A-17	<p>Does the financial plan include recommendations on additional financing strategies to fund projects and programs included in the plan, and, in the case of new funding sources, identify strategies for ensuring their availability?</p> <p>23 C.F.R. 450.324(g)(11)(iii)</p>	
A-18	<p>Are the plan’s revenues and project costs reflected in year of expenditure dollars?</p> <p>23 C.F.R. 450.324(g)(11)(iv)</p>	
A-19	<p>Was the plan developed in consultation, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation?</p> <p>Did the consultation involve, as appropriate, a comparison of transportation plans with State conservation plans or maps, or a comparison of transportation plans to inventories of natural or historic resources?</p> <p>23 C.F.R. 450.324(h)</p>	

Requirements in Federal Regulations		Where and How Addressed
A-20	<p>Does the plan integrate the priorities, goals, countermeasures, strategies, or projects for the metropolitan planning area contained in the HSIP, including the SHSP required under 23 U.S.C. 148, the Public Transportation Agency Safety Plan required under 49 U.S.C. 5329(d), or an Interim Agency Safety Plan in accordance with 49 C.F.R. part 659?</p> <p>23 C.F.R. 450.324(i)</p>	
A-21	<p>Did the MPO use its participation plan developed under 23 C.F.R. 450.316(a) to provide a reasonable opportunity for individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cashout program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties to comment on the plan?</p> <p>23 C.F.R. 450.324(k)</p>	

Requirements in Federal Regulations		Where and How Addressed
A-22	<p>Did the MPO publish or otherwise make readily available the plan for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web?</p> <p>23 C.F.R. 450.324(l)</p>	
A-23	<p>Did the MPO provide adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan?</p> <p>23 C.F.R 450.316(a)(1)(i)</p>	
A-24	<p>In developing the plan, did the MPO seek out and consider the needs of those traditionally underserved by existing transportation systems such as low-income and minority households?</p> <p>23 C.F.R 450.316(a)(1)(vii)</p>	
A-25	<p>Has the MPO demonstrated explicit consideration of and response to public input received during development of the plan? If significant written and oral comments were received on the draft plan, is a summary, analysis, and report on the disposition of the comments part of the final plan?</p> <p>23 C.F.R. 450.316(a)(1)(vi) and (2)</p>	

Requirements in Federal Regulations		Where and How Addressed
A-26	<p>Did the MPO provide an additional opportunity for public comment if the final plan differs significantly from the version that was made available for public comment and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts?</p> <p>23 C.F.R 450.316(a)(1)(viii)</p>	
A-27	<p>Did the MPO consult with agencies and officials responsible for other planning activities within the MPO planning area that are affected by transportation, or coordinate its planning process (to the maximum extent practicable) with such planning activities?</p> <p>23 C.F.R. 450.316(b)</p>	
A-28	<p>If the MPO planning area includes Indian Tribal lands, did the MPO appropriately involve the Indian Tribal government(s) in the development of the plan?</p> <p>23 C.F.R 450.316(c)</p>	
A-29	<p>If the MPO planning area includes Federal public lands, did the MPO appropriately involve Federal land management agencies in the development of the plan?</p> <p>23 C.F.R 450.316(d)</p>	

Requirements in Federal Regulations		Where and How Addressed
A-30	<p>In urbanized areas that are served by more than one MPO, is there written agreement among the MPOs, the State, and public transportation operator(s) describing how the metropolitan transportation planning processes will be coordinated to assure the development of consistent plans across the planning area boundaries, particularly in cases in which a proposed transportation investment extends across the those boundaries?</p> <p>23 C.F.R. 450.314(e)</p>	

Florida Statutory Requirements Not Otherwise Addressed in Federal Code or Regulation		Where and How Addressed
Florida Statutes: Title XXVI – Public Transportation, Chapter 339, Section 175		
B-1	Are the prevailing principles in s.334.046(1), F.S. – preserving the existing transportation infrastructure, enhancing Florida’s economic competitiveness, and improving travel choices to ensure mobility – reflected in the plan? s.339.175(1), (5) and (7), F.S.	
B-2	Does the plan give emphasis to facilities that serve important national, state, and regional transportation functions, including SIS and TRIP facilities? s.339.175(1) and (7)(a), F.S.	
B-3	Is the plan consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved comprehensive plans for local governments in the MPO’s metropolitan planning area? s.339.175(5) and (7), F.S.	
B-4	Did the MPO consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions? s.339.175(1) and (7), F.S.	
B-5	Were the goals and objectives identified in the Florida Transportation Plan considered? s.339.175(7)(a), F.S.	

Florida Statutory Requirements Not Otherwise Addressed in Federal Code or Regulation		Where and How Addressed
B-6	<p>Does the plan assess capital investment and other measures necessary to</p> <p>1) ensure the preservation of the existing metropolitan transportation system, including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and</p> <p>2) make the most efficient use of existing transportation facilities to relieve vehicular congestion and maximize the mobility of people and goods?</p> <p>s.339.175(7)(c), F.S.</p>	
B-7	<p>Does the plan indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising?</p> <p>s.339.175(7)(d), F.S.</p>	
B-8	<p>Was the plan approved on a recorded roll-call vote or hand-counted vote of the majority of the membership present?</p> <p>s.339.175(13), F.S.</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
http://www.dot.state.fl.us/planning/policy/metrosupport/lrtp/LRTPEXpectations2012.pdf		
C-1	<p>Were the requirements for inclusion of projects in the MPO’s Transportation Improvement Program (TIP) considered when developing the LRTP?</p>	
C-2	<p>Projects in the LRTP: Does the plan include:</p> <ul style="list-style-type: none"> • Projected transportation demand in the planning area; • Existing (E+C) and proposed transportation facilities that function as an integrated system; • Operational and management strategies; • Consideration of results of the Congestion Management Plan; • Strategies to preserve existing and projected future transportation infrastructure; • Pedestrian and bicycle facilities; and • Transportation and transit alternative activities? <p>Are projects that meet the definition of regionally significant in 23 CRF 450.104 included in the Cost Feasible LRTP?</p>	
C-3	<p>Grouped Projects in the LRTP: If non-regionally significant projects have been grouped in the LRTP, are the groups specific enough to determine consistency between the LRTP and the TIP? Are the grouped projects similar in function, work type, and/or geographic area?</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
C-4	<p><i>Fiscal Constraint/Operations and Maintenance (O&M):</i> Does the LRTP provide system-level cost estimates for O&M activities using each of the five-year cost bands or as a total estimate for the entire timeframe of the LRTP? Are O&M cost estimates included for State- and locally-maintained facilities covered in the LRTP? Is the general source of funding for O&M activities identified? Is there a clear separation of costs for O&M activities and for capital investment projects?</p>	
C-5	<p><i>Fiscal Constraint/Total Project Costs:</i> For each capacity expansion and regionally significant project, are all phases described in sufficient detail to estimate and provide an estimated total project cost, and explain how the project is expected to be implemented? For any projects that will go beyond the horizon year, does the LRTP explain what and when phases/work will be performed beyond the horizon year with costs estimated using year of expenditure methodologies?</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
C-6	<p>Fiscal Constraint/Cost Feasible Plan: Has an estimate of the cost and source of funding for each phase been provided for projects included in the CFP (phases are PD&E and Design or Preliminary Engineering, ROW, and Construction)? If boxed funds are utilized, are individual projects that will utilize them listed or described in bulk in the LRTP?</p>	
C-7	<p>Fiscal Constraint/New Revenue Sources: If any new revenue source is assumed as part of the CFP, is it clearly explained? Also, is the following covered: why the new revenue source is considered to be reasonably available, when it will be available, what actions would need to be taken for it to be available, and what would happen if it does not become available?</p>	
C-8	<p>Fiscal Constraint/Federal Revenue Sources: Are projects within the first 10 years planned to be implemented with Federal funds notated or flagged? Beyond the first 10 years, is project funding clearly labeled as a combined Federal/State source in the CFP?</p>	
C-9	<p>Full-Time Span of the LRTP: As a planning document, does the LRTP show all the projects and project funding for the entire period covered by the LRTP (base year to horizon year)?</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
<p>C-10</p>	<p>Environmental Mitigation: For highway projects, does the LRTP include a discussion of types of potential environmental mitigation activities and opportunities at a system-wide level developed in consultation with Federal, State, and Tribal wildlife; land management; and regulatory agencies (beyond project-specific ETDM screenings)? Does the MPO maintain documentation of the consultation with the relevant agencies?</p> <p>Was there a need to State transit environmental benefits, such as reduction in single-occupant vehicle trips and vehicle miles traveled, reduction in greenhouse gases, pedestrian and bicycle linkages, and transit-oriented/compact development, within the broad parameters in the LRTP? Are phases for transit capital projects listed in the LRTP?</p>	
<p>C-11</p>	<p>LRTP Documentation/Final Board Approval: Was a substantial amount of the LRTP analysis and documentation completed at the time of MPO Board adoption? Will all final documentation/ documents be posted on-line and available through the MPO office no later than 90 days after plan adoption?</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
C-12	<p>Documented LRTP Modification Procedures: Does the MPO have procedures that document how modifications to the adopted LRTP are to be addressed? These procedures can be included as part of the LRTP, the public participation plan, or provided elsewhere as appropriate.</p>	
Transit Projects and Studies		
C-13	<p>Major Transit Capital Projects: In order to plan for a transit “New Start” in the LRTP, the MPO must assume it will be successful in competing for discretionary FTA New Starts program dollars. Grantees may be proposing use of a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan or other loan to help bridge the gap in capital financing for a New Start. With regard to planning of a major capital facility other than a New Start, the MPO must assume that FTA program funds, such as “State of Good Repair” and “Bus and Bus Facilities,” will be awarded to the transit system based on formula.</p>	
C-14	<p>Transit Facility: Transit facilities eligible for FTA 5307, 5309, 5337, and 5339 funds or FLEX funds from FHWA should be contained within the TIP and the STIP and be consistent with the LRTP. For example, consistent with the LRTP might mean a general statement, paragraph, line item, or section on the specific facilities and their</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
	<p>general location if known. Inclusion also might mention feasibility studies, preliminary engineering, appraisals, final design, property acquisition and relocation and NEPA documents, and perhaps the intent to seek local, State, or Federal funding for same. The award of such funds may require an LRTP Amendment to show such funds in the constrained LRTP.</p>	
<p>C-15</p>	<p><i>Transit Service, Including Fixed-Route Bus, Deviated Route, Para-transit, Enhanced, or Express Bus:</i> Specific new transit service proposed by a transit grantee for a new area or corridor should, at a minimum, be consistent with the LRTP. For example, that might mean a general statement, paragraph, line item, or section on the specific service improvements to be undertaken (and the general location if known). Inclusion also might mention feasibility studies, operational plans, strategic plans, and perhaps the intent to seek local, State, or Federal funding for same. The award of such funds may require an LRTP Amendment to show such funds.</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)		Where and How Addressed
<p>C-16</p>	<p>Transit Service, Including BRT, LRT, HRT, CRT, Streetcar Through New Starts/Small Starts Program: Specific new fixed guideway transit service proposed by a transit grantee to serve a new area or corridor as part of the FTA New Starts/Small Starts or Core Capacity Program should, at a minimum, be consistent with the LRTP. As such service may be a large capital expenditure, the project, termini, and cost would need to be specified in the constrained LRTP. Inclusion also might mention feasibility studies, NEPA studies, preliminary engineering and final design, right of way acquisition, operational plans, modeling improvements, strategic plans, and perhaps the intent to seek local, State, or Federal funding for same. The award of such funds would require an LRTP Amendment to show such funds in the constrained LRTP.</p>	
<p>Emerging Issues – Not Currently Required/New Requirements May Have Short Timeframe for Compliance</p>		
	<p>Safety and Transit Asset Management: MAP-21 includes significant additions to safety planning and transit asset management on the part of transit grantees and the States.</p>	
	<p>Performance Measurement: MPOs are encouraged to consider ways to incorporate performance measures/metrics for system-wide operation as well as more localized measures/</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)	Where and How Addressed
<p>metrics in their LRTPs. Measures to assess the plan’s effectiveness in increasing transportation system performance will be needed. State and MPO target setting will follow establishment of performance measures under MAP-21 by U.S. DOT.</p> <p><i>Related MAP-21/FAST provisions that are codified but not yet finalized through rulemaking:</i></p> <p>Each MPO shall establish performance targets that address the performance measures or standards established under 23 C.F.R. Part 490 (where applicable), 49 U.S.C. 5326(c), and 49 U.S.C. 5329(d) to use in tracking progress toward attainment of critical outcomes for the region of the metropolitan planning organization. (23 C.F.R. 450.306(d)(2)(i))</p> <p>The selection of targets that address performance measures described in 23 U.S.C. 150(c) shall be in accordance with the appropriate target setting framework established at 23 C.F.R. Part 490, and shall be coordinated with the relevant State(s) to ensure consistency, to the maximum extent practicable. [23 C.F.R. 450.306(d)(2)(ii)]</p> <p>The selection of performance targets that address performance measures described in 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d) shall be coordinated, to the maximum extent practicable, with public transportation providers to ensure consistency with the performance targets that public transportation providers establish under 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d). [23 C.F.R. 450.306(d)(2)(iii)]</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)	Where and How Addressed
<p>Each MPO shall establish the performance targets under paragraph (d)(2) of this section not later than 180 days after the date on which the relevant State or provider of public transportation establishes the performance targets. (23 C.F.R. 450.306(d)(3))</p>	
<p>An MPO shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as plans developed by providers of public transportation, required as part of a performance-based program. (23 U.S.C. 134(h)(2)(D), 49 U.S.C. 5303(h)(2)(D))</p> <p>An MPO shall integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed under 49 U.S.C. chapter 53 by providers of public transportation, required as part of a performance-based program. (23 C.F.R. 450.306(d)(4))</p> <p>In the transportation plan for the MPO’s metropolitan planning area, describe the performance measures and performance targets used in assessing the performance of the transportation system and include a system performance report and subsequent updates evaluating the condition and performance of the</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)	Where and How Addressed
<p>transportation system with respect to the performance targets, including progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data; and for MPOs that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. (23 C.F.R. 450.324(f)(3) and (4))</p>	
<p>Freight: Careful consideration should be given on how to address the 10 planning factors (see A-2). Special emphasis should be given to the freight factor as it is anticipated to play a more prominent role in future planning requirements.</p>	
<p>Sustainable Transportation and Context-Sensitive Solutions: MPOs are encouraged to identify and suggest contextual solutions for appropriate transportation corridors and promote livability.</p>	
<p>Proactive Improvements – Not Currently Required/Positive Strides in Long-Range Planning</p>	
<p>Linking Planning and NEPA: MPOs should strongly consider including purpose and need statements for regionally significant projects in their LRTP Cost Feasible Plans.</p>	

FHWA/FTA 2040 LRTP Expectations (November 2012)	Where and How Addressed
<p>Climate Change: MPOs may wish to consider climate change and strategies which minimize impacts to the transportation system. State legislation encourages MPOs to consider strategies that integrate transportation and land use planning in their LRTPs to provide for sustainable development and reduce greenhouse gas emissions, as well as include energy considerations in all State, regional, and local planning.</p>	
<p>Scenario Planning: If an MPO elects to do scenario planning as part of development of its LRTP, it is encouraged to consider a number of factors, including potential regional investment strategies, assumed distribution of population and employment, a scenario that maintains baseline conditions for identified performance measures, revenue constrained scenarios, and estimated costs and potential revenue available to support each scenario.</p> <p>An MPO may voluntarily elect to develop and evaluate multiple scenarios for consideration as part of development of its transportation plan. (23 C.F.R. 450.324(i))</p> <p>For an MPO that voluntarily elects to develop multiple scenarios, its system performance report, and subsequent updates, are to include an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. [23 C.F.R. 450.324(g)(4)ii]</p>	

MPOAC Financial Guidelines for MPO 2040 LRTPs (January 2013)		Where and How Addressed
https://www.mpoac.org/download/florida_mpo_information/AdoptedGuidelines.pdf		
Guidelines for Defining and Reporting Needs		
D-1	Does the plan include a cost estimate of needs in base-year dollars and report estimated needs by mode? Does the needs estimate include all costs associated with all modes?	
D-2	Does the plan include only transportation projects that are necessary to meet identified future transportation demand or advance the goals, objectives, and policies of the MPO, the region, and the State?	
D-3	Does the plan exclude projects that are extremely unlikely to be implemented and unnecessarily inflate the estimated transportation needs in the metropolitan area?	
D-4	Does the plan include an estimate of unfunded project costs in base-year dollars?	
Guidelines for Financial Reporting for Cost Feasible Long Range Transportation Plans		
D-5	Is reasonably available revenue reported in year of expenditure (YOE) dollars?	
D-6	Is an estimate of the cost of all projects and all phases, regardless of mode, included in the Cost Feasible Plan?	

MPOAC Financial Guidelines for MPO 2040 L RTPs (January 2013)		Where and How Addressed
D-7	Are the costs of operating and maintaining the existing and future transportation system clearly stated in the Cost Feasible Plan?	
D-8	Did the MPO include full financial information for all years covered by the LRTP, including information from its transportation improvement program?	
Guidelines for Revenue Estimates and Developing Project Costs		
D-9	Did the MPO use State FY 2013/2014 as the base year and State FY 2039/2040 as the horizon year for its plan (for financial reporting purposes)?	
D-10	Has the MPO presented revenue estimates and project costs using 5-year periods to the year 2030 and a 10-year period for the remaining years of the plan (2031 to 2040)?	
D-11	Has the MPO included FDOT’s revenue estimates for operating and maintaining the State Highway System at the district level in its plan documentation?	
D-12	Does the plan adjust project-cost estimates expressed in Present Day Cost dollars to YOE using FDOT inflation factors? If alternative inflation factors were used, has an explanation of assumptions used to develop them been provided?	
D-13	Does the plan incorporate 2040 SIS Cost Feasible Plan projects as provided by FDOT?	

4.15 References

This section provides a list of references/definitions from State law, including key plans and guidance related to MPOs.

Table 4.3 **References**

Reference	Description
42 U.S.C. 2000d et. seq.	Title VI of the Civil Rights Act of 1964, as amended
Florida Transportation Plan	The single overarching statewide plan guiding Florida's transportation future
FDOT Efficient Transportation Decision-Making (ETDM) Manual , March 2006	For use in reviewing qualifying transportation projects during the Efficient Transportation Decision Making (ETDM) Process Planning and Programming Screens
Practical Application Guides for SCE Evaluations: ETDM Phase	Describes the process for evaluating sociocultural effects (SCE) for projects undergoing Planning screen or Programming screen reviews as part of Florida's Efficient Transportation Decision Making (ETDM) Process
Florida MPOAC	Metropolitan Planning Organization Advisory Council
Florida Standard Urban Transportation Model Structure (FSUTMS) Web Portal	Used to determine current and forecasted transportation and land use conditions and trends for this 20-year planning horizon
2040 Revenue Forecast Handbook	Documents the State's long range transportation revenue forecast

Chapter 5: Transportation Improvement Program

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5.1 Purpose

This chapter provides guidance to the Florida Department of Transportation (FDOT) staff for the review of Metropolitan Planning Organization (MPO) Transportation Improvement Programs (TIP) and TIP amendments. It also serves as a useful document for MPOs and contains pertinent information regarding MPO TIPs.

5.2 Authority

Table 5.1 presents the Federal and State statutes, regulations, and rules related to the development of the TIP.

Table 5.1 Federal and State Statutes and Codes

Citation	Description
Federal	
23 U.S.C. 134(j) and (k)(3) and (4)	Scope of the metropolitan planning process and development of the TIP
49 U.S.C. 5303	
23 U.S.C. 204	Roads on Federal lands to be included in the TIP, where applicable
23 C.F.R. Part 450 Sections 326, 328, 330, 332, and 334	Development and content of the TIP, TIP revisions and relationship to the STIP, TIP action by FHWA and FTA, project selection from the TIP, and annual listing of projects.
State	
s.339.175, F.S.	MPO responsibilities and TIP requirements
s.339.135(4)(c) and (4)(d), F.S.	Work Program
s.427.015(1), F.S.	Transportation Disadvantaged

Note: Letter from the Governor of the State of Florida to the Federal Highway Administration (FHWA), dated June 8, 2011, delegating the authority to review and approve MPO TIPs and TIP amendments to the Secretary of the FDOT.

5.3 Federal and State Requirements for Developing the TIP

The MPO is required by [23 U.S.C. 134\(j\)](#) to develop a TIP. The Code of Federal Regulations (C.F.R.) defines the TIP as a “prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under [Title 23 U.S.C.](#) and [Title 49 U.S.C. Chapter 53 \[23 C.F.R. 450.104\]](#). State law requires the TIP to cover a period of five years, not four. [\[s.339.175\(8\)\(c\)\(1\), F.S.\]](#) The fifth year of the TIP is considered illustrative for Federal purposes. The TIP is developed in cooperation with FDOT and public transportation operators. [\[23 C.F.R. 450.326\(a\)\]](#) The following sections present the Federal and State requirements for developing the TIP.

5.3.1 TIP Schedule

By State law, the TIP is updated annually and approved by the MPO and the Governor or the Governor’s delegate. The FDOT Secretary is the delegate in Florida. [\[23 U.S.C. 134\(j\)\(1\)\(D\); 23 C.F.R. 450.326\(a\); s.339.175\(8\)\(a\) and \(f\), F.S.\]](#) The schedule for the development of the TIP must be compatible with the schedule for the development of FDOT’s Work Program and the State Transportation Improvement Program (STIP) since the TIP is incorporated into the STIP. [\[23 U.S.C. 135\(g\)\(5\)\(D\)\(i\); 23 C.F.R. 450.218\(b\)\]](#) For a discussion on how projects are selected and incorporated into the STIP, refer to Section 5.3.5.

By September 30 of each year, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) make a joint finding that each TIP is consistent with the Long Range Transportation Plan (LRTP). The finding is based on the self-certification statement, submitted by the State and the MPO, on their review of the LRTP and on other reviews deemed necessary. [\[23 C.F.R. 450.330\(a\)\]](#) Figure 5.1 shows the key deadlines for development of the TIP/STIP.

5.3.2 Public Involvement

MPOs are required to develop and use a documented participation plan that defines a process for providing reasonable opportunities to be involved in the metropolitan transportation planning process to individuals; affected public agencies; representatives of public transportation employees; public ports; freight shippers; providers of freight transportation services; private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program); representatives of users of public transportation; representatives of users of pedestrian walkways and bicycle transportation facilities; representatives of the disabled; and other interested parties. [\[23 C.F.R. 450.316\(a\)\]](#)

In developing the TIP, the MPO should consult with agencies and officials responsible for other planning activities within the Metropolitan Planning Area (MPA) that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements); or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area. [\[23 C.F.R. 450.316\(a\)\(3\)\(b\)\]](#)

When the MPA includes Indian Tribal Lands, the MPO shall appropriately involve Indian Tribal Governments in the process. In addition, if the MPA includes Federal Public Lands, the MPO shall appropriately involve Federal Land Management Agencies in the process.

Chapter 6 provides detailed information about MPO public involvement requirements and practices.

5.3.3 Performance Management

Federal statute establishes national performance goals for Federal-aid highway programs and directs U.S. Department of Transportation (U. S. DOT) to establish performance measures for pavement conditions, performance of the Interstate and National Highway System (NHS), bridge performance and conditions, highway injuries and fatalities, traffic congestion and emissions, freight movement on the Interstate system, and safety and state of good repair relating to transit services. [\[23 U.S.C. 150\]](#) U.S. DOT has finalized

the rulemaking for these performance measures. States will set performance targets for the measures within one year of the effective date of the rule, [\[23 C.F.R. 450.206\(c\)\(2\)\]](#) and MPOs will then set performance targets no later than 180 days after the State sets targets. [\[23 C.F.R. 450.306\(d\)\(3\)\]](#)

Once the performance management rules become effective, the TIP must be designed such that once implemented, it makes progress toward achieving the performance targets established by the MPO under §450.306(d). The TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets. [\[23 C.F.R. 450.326\(c\)\(d\)\]](#)

See Chapter 8 for detailed information about the Federally required performance management approach to metropolitan transportation decision-making.

5.3.4 Financial Constraint

The MPO must demonstrate that the TIP is financially constrained by year and maintain that financial constraint. [\[23 C.F.R. 450.326\(k\)\]](#) It is recommended the TIP include a table(s) that compares the funding sources and amounts by year to the total project costs by year. The TIP shall include a financial plan that demonstrates how the approved TIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommends any additional financing strategies for needed projects and programs. [\[23 C.F.R. 450.326\(j\)\]](#) When developing the TIP, the MPO, State, and public transportation operator(s) shall cooperatively develop estimates of funds that are reasonably expected to be available. [\[23 C.F.R. 450.326\(j\)\]](#)

The TIP shall include a project or phase of a project only if full funding can reasonably be anticipated for the time period contemplated to complete the project. [\[23 C.F.R. 450.326\(k\)\]](#) The TIP may include projects that are not fully funded in the four Federally recognized years of the TIP, so long as that project or project phase is fully funded within the 20-year time horizon of the LRTP.

5.3.5 TIP Project Selection and Implementation Process

Pursuant to Federal law, project selection for the TIP depends on whether the metropolitan area is designated as a Transportation Management Area (TMA) or a non-TMA. TMA's are urbanized areas with a population over 200,000. In metropolitan areas not designated as a TMA, the State and/or public transportation operator(s), in cooperation with the MPO, selects projects to be implemented using title 23 U.S.C. and title 49 U.S.C. Chapter 53 funds, with the exception of Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program projects. Those projects will be selected by the appropriate Federal agencies in cooperation with FDOT and the MPO and must be included in the TIP. [\[23 C.F.R. 450.332\(b\)\]](#)

In areas designated as TMAs, the MPO selects all 23 U.S.C. and 49 U.S.C. Chapter 53 funded projects for implementation in consultation with FDOT and public transit operators (except projects on the NHS and Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program). The State shall select projects on the NHS in cooperation with the MPO. Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program projects shall be selected by the appropriate Federal agencies in cooperation with FDOT and the MPO and must be included in the TIP. [\[23 C.F.R. 450.332\(c\)\]](#)

Federal laws and regulations do not prescribe a particular process State DOTs, MPOs, and affected public transportation operators must follow to develop their respective TIPs and statewide STIP. Transportation needs vary widely, and it is up to each state to establish a process that meets their particular goals and objectives and those of the local jurisdictions within a State. There are, however, common elements in both State and Federal law that govern TIP project selection and implementation.

Regarding the requirement for both the Work Program and the STIP to incorporate MPO TIPs into the statewide work program and STIP:

- [Title 23 Section 134 U.S.C.](#) requires each MPO to develop a TIP in cooperation with the State DOT and any affected public transportation operator. This is further emphasized in [23 C.F.R. Section 450.326](#), which requires the MPO to develop the TIP in cooperation with the State DOT and any affected public transportation operators.

- [Section 339.175, F.S.](#) requires each MPO, in cooperation with FDOT and affected public transportation operators, develop an annually updated TIP for the area of jurisdiction of the MPO. Each year this is accomplished by having each MPO prepare a list of project priorities, which are submitted to the appropriate FDOT District office for inclusion in the new fifth year of the work program (see Section 5.4). These lists of project priorities are used by the District in developing the District Work Program (to become part of the Statewide Work Program), and also are used by the MPO in developing its TIP.

Regarding the order of the selection of projects for implementation from the approved five-year work program and four-year STIP, there are common elements in both Federal and State law:

- [23 C.F.R. Section 450.332](#) states that the projects in the first year of an approved TIP shall constitute an “agreed to” list of projects for funding and implementation, and no further action is required for the implementing agency to proceed with the projects. This is also applicable to all the projects in the statewide STIP, including those outside the jurisdiction of the MPOs.
- [Section 339.135, F.S.](#) states FDOT shall advance for implementation by one fiscal year all projects included in the second year of the previous year’s adopted five-year work program. This ensures the projects in the first year of the new adopted work program constitute an “agreed to” list of projects for funding and implementation, consistent with the Federal requirement.
- [Section 339.135\(4\)\(b\), F.S.](#) provides “it is the intent of the Legislature that the first three years of the adopted work program stand as a commitment of the State to undertake transportation projects that local governments may rely on for planning and concurrency purposes and in the development and amendment of capital improvement elements of their local government comprehensive plans.”

Regarding the need to revise, modify, advance, or delete projects in the approved work program, STIP and/or TIPs prior to implementation, both Florida and Federal laws and regulations make provisions for this flexibility:

- [23 C.F.R. Section 450.326](#) states that an MPO TIP may be revised at any time under procedures agreed to by the State, MPOs, and public transportation

operators, consistent with TIP development procedures established in that section of Federal regulations.

- [Section 339.175, F.S.](#) defines the work program amendment process, which is further defined in FDOT's [Work Program Instructions](#). The process requires notification to all affected parties, with those affected parties given an opportunity to comment on how the amendment affects local concurrency management and regional transportation planning efforts.

See Section 5.12 on TIP modifications and amendments.

5.3.6 Projects to Be Included in the TIP

The TIP must include:

- Capital and noncapital surface transportation projects (or phases of projects) within the boundaries of the metropolitan planning area proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53 (including transportation alternatives; associated transit improvements; Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program projects; HSIP projects; trails projects; accessible pedestrian walkways; and bicycle facilities). [\[23 C.F.R. 450.326\(e\)\]](#)
- All regionally significant projects requiring an action by FHWA or FTA, regardless of funding source. [\[23 C.F.R. 450.326\(f\)\]](#)
- For information purposes, all regionally significant projects proposed to be funded with Federal funds other than those administered by the FHWA or FTA, as well as all regionally significant projects to be funded with non-Federal funds. [\[23 C.F.R. 450.326\(f\)\]](#)

The following types of projects may be included in the TIP, but are not required:

[\[23 C.F.R. 450.326\(e\)\]](#)

- Safety projects funded under [23 U.S.C. 402](#) and [49 U.S.C. 31102](#);
- Metropolitan planning projects funded under [23 U.S.C. 104\(d\)](#), and [49 U.S.C. 5305\(d\)](#);

- State planning and research projects funded under [23 U.S.C. 505](#) and [49 U.S.C. 5305\(e\)](#);
- At the discretion of the State and MPO, metropolitan planning projects funded with Surface Transportation Program funds;
- Emergency relief projects (except those involving substantial functional, locational, or capacity changes);
- National planning and research projects funded under [49 U.S.C. 5314](#); and
- Project management oversight projects funded under [49 U.S.C. 5327](#).

The TIP must include, for each project or phase (e.g., preliminary engineering, environment/National Environmental Protection Act (NEPA), right of way, design, or construction), the following: [\[23 C.F.R. 450.326\(g\)\]](#)

- Sufficient descriptive material (i.e., type of work, termini, and length) to identify the project or phase.
- Estimated total project cost, which may extend beyond the four years of the TIP.
- The amount of Federal funds proposed to be obligated during each program year for the project or phase (for the first year, this includes the proposed category of Federal funds and source(s) of non-Federal funds. For the second, third, and fourth years, this includes the likely category or possible categories of Federal funds and sources of non-Federal funds).
- Identification of the agencies responsible for carrying out the project or phase.
- In nonattainment and maintenance areas, identification of those projects that are identified as Transportation Control Measures (TCM) in the applicable SIP.
- In nonattainment and maintenance areas, included projects shall be specified in sufficient detail (design concept and scope) for air quality analysis in accordance with the Environmental Protection Agency (EPA) transportation conformity regulations (40 C.F.R. Part 93, Subpart A).
- In areas with Americans with Disabilities Act required paratransit and key station plans, identification of those projects that will implement these plans.

The MPO may group projects that are not considered to be of appropriate scale for individual identification in a given program year. [\[23 C.F.R. 450.326\(h\)\]](#)

Each project or project phase included in the TIP must be consistent with the approved LRTP. [\[23 C.F.R. 450.326\(i\)\]](#) and [s.339.175\(8\)\(c\)\(2\), F.S.\]](#)

5.4 List of Project Priorities (LOPP)

Development of the TIP begins with development of the List of Priority Projects (LOPP). The MPO is required to develop a list of project priorities in coordination with District planning staff, and submit the list to the District by **October 1** of each year, though the District and the MPO may agree in writing to vary this submittal date. [\[s.339.175 \(8\)\(a\) and \(b\), F.S.\]](#)

The annual list of project priorities must be based upon project selection criteria that, at a minimum, consider the following: [\[s.339.175\(8\)\(b\), F.S.\]](#)

- The approved MPO LRTP;
- The Strategic Intermodal System Plan developed under [s.339.64, F.S.](#);
- The priorities developed pursuant to [s.339.2819\(4\), F.S.](#);
- The results of the transportation management systems; and
- The MPO's public involvement procedures.

The MPO's list of project priorities must be formally reviewed by the technical and citizens' advisory committees, and approved by the MPO before being transmitted to the District. The approved list of project priorities must be used by the District in developing the District work program, and must be used by the MPO in developing its TIP. [\[s.339.175 \(8\)\(b\), F.S.\]](#)

5.4.1 Efficient Transportation Decision-Making (ETDM) Screening Process

All major capacity projects on the LOPP, with the exception of Strategic Intermodal System/Florida Intrastate Highway System (SIS) and bridge replacement projects, should

be screened under the ETDM process (programming screen) prior to being transmitted.² MPOs are encouraged to screen State- and locally-funded projects not on the State Highway System. The ETDM review period is 45 calendar days and may be extended an additional 15 days based upon a written request. MPOs should build sufficient time into their existing process to conduct programming screen before approving the priority list. Refer to the [ETDM Manual](#) for specific information about the ETDM programming screen.

The ETDM Programming Screen provides for continuous coordination with the agencies. Resource and community agencies can provide comments regarding priority transportation projects for the TIP. These agency comments are documented in the Programming Summary Report, available on the [Public Access Website](#), and can be used to supplement TIP public involvement activities.

Pursuant to the ETDM process, MPOs also should review sociocultural effects (SCE) comments about proposed priority projects. The SCE commentary and analyses should be updated, as needed, and address any unresolved SCE issues during the Programming Screen phase. This may include identifying technical studies needed to address certain issues. (Refer to the [Sociocultural Effects Evaluations Handbook for the ETDM Process](#) for specific information about conducting the SCE Evaluations.)

The intent of the ETDM programming screen is to identify significant environmental and social issues pertaining to priority projects, and to develop a methodology for focused technical studies to address those potentially significant issues, as needed. Examples of significant issues would include a project that does not conform to a resource agency's statutory requirements and will not be permitted, or a project that has a severe negative impact on the affected community.

TIP priority projects are included in the Work Program to the maximum extent feasible (see FDOT's [Work Program Instructions](#) for a description of the State prioritization and project selection criteria). Any significant disputes identified during the ETDM programming screen will be resolved prior to adding the priority project to the Work Program. The District will coordinate with the MPO to resolve any significant issues pertaining to projects on the MPO priority list pursuant to the ETDM dispute resolution process. (Refer to the [ETDM Manual](#) for a description of the dispute resolution process.)

² SIS and bridge replacement projects are screened by FDOT.

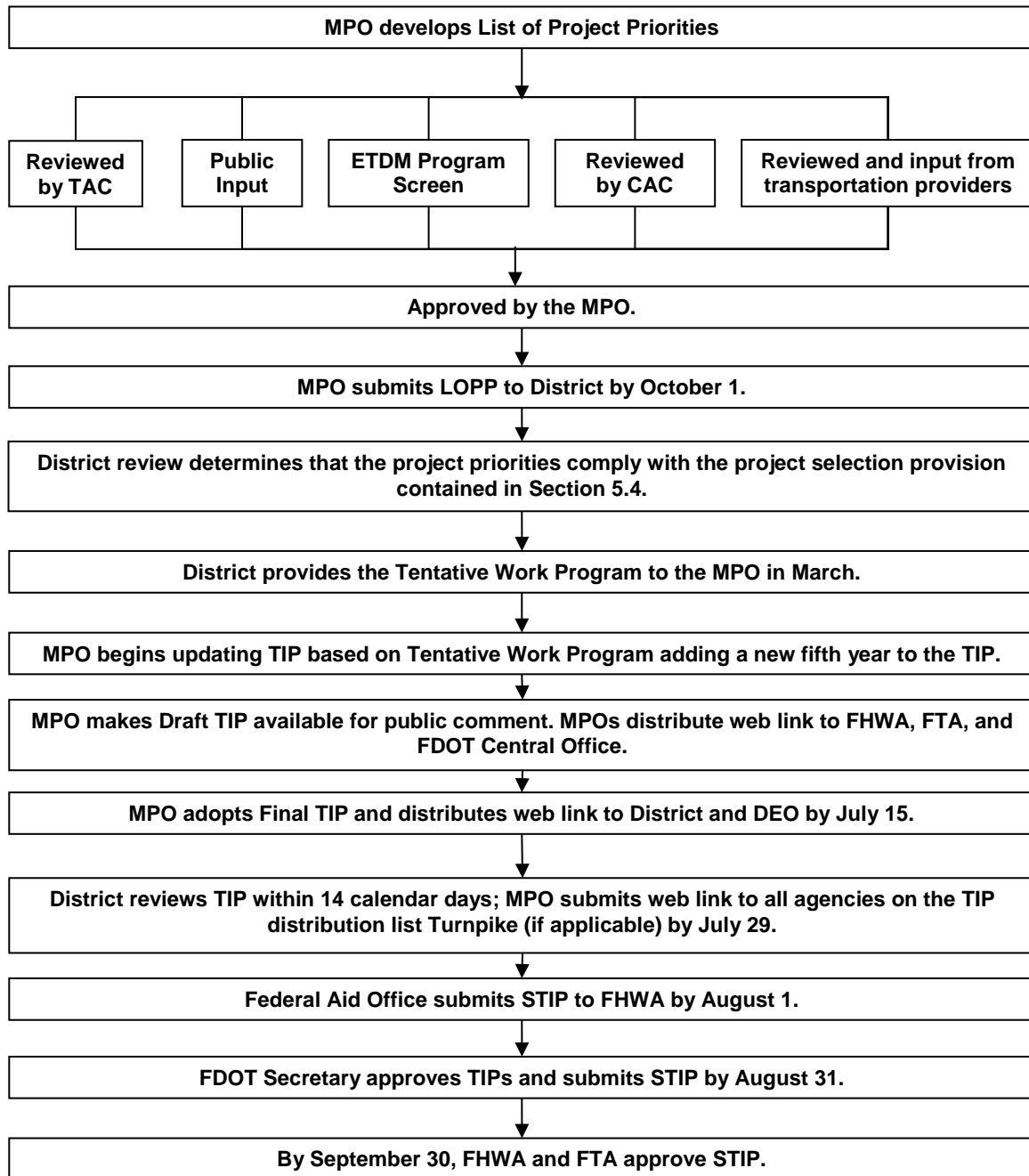
5.4.2 District Review of Priority Projects

The District's review of the MPO's LOPP should ascertain that, at a minimum, it is based on the project selection criteria listed in Section 5.4. [\[s.339.175 \(8\)\(b\), F.S.\]](#) Furthermore, the District should make sure the projects in the priority list have been screened under the ETDM programming screen process. Figure 5.1 provides an overview of the TIP development process, beginning with the development of the LOPP to approval, and incorporation of the TIP into the STIP.

5.5 Years to Be Covered in the TIP

Under Federal requirements, the TIP must cover a four-year period. Federal regulations allow the TIP to cover more than the required four years. FHWA and FTA consider the additional years of the TIP as informational. [\[23 C.F.R. 450.326\(a\)\]](#) Florida law requires a TIP to cover a five-year period, meaning the next fiscal year and four subsequent fiscal years listed by State fiscal year. [\[s.339.175\(8\)\(c\)\(1\), F.S.\]](#) Consequently, the fifth year of the TIP is considered informational by FHWA and FTA. Florida law also requires the TIP to include a list of locally and privately funded projects for informational purposes. [\[s.339.175\(8\)\(c\)\(1\), F.S.\]](#) The consolidation of both Federal and State requirements into a single project listing satisfies the Federal requirement that regionally significant transportation projects be listed in the TIP even if no Federal funding is involved.

Figure 5.1 TIP Development



5.6 Relationship of the LRTP to the TIP/STIP

The TIP must be incorporated into the STIP to ensure continued Federal funding for the metropolitan area. An approved LRTP must be in place at the time the MPO submits the annual TIP to FDOT for the Secretary's approval and for inclusion in the STIP. The Secretary cannot approve a TIP for inclusion in the STIP that does not come from a currently approved LRTP, or a TIP that includes projects that have not been properly amended into the LRTP and approved by the MPO.

5.6.1 TIP/STIP Inclusion and NEPA Approval

At the time of publication of this Handbook, FDOT has submitted an application to FHWA to participate in the NEPA Assignment Program pursuant to [23 U.S.C. 327](#). Under this program, FDOT would assume the responsibilities of the U.S. DOT and FHWA for NEPA and all environmental laws for highway projects. The application is under review, thus, this section is subject to change.

For an environmental document to be approved by FHWA, the TIP/STIP funding for the “entire project length and termini” must be consistent with what is described in the LRTP. The “project” includes the entire project length (e.g., 30 miles) studied in the Project Development and Environment (PD&E) phase. If the project is to move forward in segments, then the first segment (e.g., a 10-mile segment) must be funded for design in the TIP/STIP before the Environmental Document can be approved. If the funding for the design of the project is outside of the current adopted TIP/STIP at the time the Environmental Document is complete, there should be a written explanation in the current adopted TIP/STIP indicating the design for the project falls outside the current TIP/STIP, indicating when funding will be in the TIP/STIP, and explaining what the source of funding is expected to be. This should be discussed on a case-by-case basis with FHWA. The remaining phases for the segment(s) (i.e., right of way and construction) would be discussed in the TIP/STIP for information purposes, including when they are generally expected to be funded. Detailed guidance is provided at the OPP [Metropolitan Planning Support web page](#). Additional guidance also is provided in the [Federal Aid Technical Bulletin 08-02](#).

5.7 Format and Content of the TIP

While no format for the TIP is specified in Federal or State laws or rules, the following outline meets legal requirements and is acceptable to the FHWA and the FTA. An interactive checklist to assist in review of the TIP can be found in Section 5.14.

5.7.1 Introductory Materials

- The Cover or Title Page should include the official MPO name, State fiscal years covered, and the MPO Board approval date and/or subsequent revision dates.
- The table of contents should include the title of each section and the beginning page number.
- The TIP must include an endorsement that the TIP was developed following Federal and State requirements, and includes the date of official MPO approval. The endorsement may be a copy of the MPO resolution approving the TIP or a signature block on the document cover page signed by the MPO Chairperson. In air quality nonattainment or maintenance areas, the conformity determination report must be approved prior to the TIP approval by the MPO.
- The TIP should include a list of definitions, abbreviations, funding and phase codes, and acronyms used within the text.

5.7.2 Narrative

The narrative should:

1. Begin with a Statement that the purpose of the TIP is to provide a prioritized listing of transportation projects covering a period of five years that is consistent with the metropolitan LRTP. It should be indicated that the TIP contains all transportation projects within the designated metropolitan area to be funded by Title 23 and Title 49 funds and all regionally significant projects regardless of funding source.

2. Discuss the TIP's financial plan.
 - a. Explain that the TIP is financially constrained for each year.
 - b. Provide a financial plan that demonstrates how the TIP can be implemented. The plan needs to indicate the public and private financial resources that are reasonably expected to be available to accomplish the program. Innovative financing techniques that may be used to fund needed projects and programs should be identified. Additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available may be identified pursuant to [s.339.175\(8\)\(c\)\(3\), F.S.](#)
 - c. State the TIP is developed by the MPO in cooperation with the State and the public transit operator, who will provide the MPO with estimates of available Federal and State funds in order for the MPO to develop the financial plan. [\[23 C.F.R. 450.326\(a\)\]](#) and [s.339.175\(8\), F.S.\]](#)
3. Describe the project selection process and state that it is consistent with the Federal requirements in [23 C.F.R. 450.332\(b\)](#) for non-TMA MPOs or [23 C.F.R. 450.332\(c\)](#) for TMA MPOs.
4. Describe how projects are consistent with the MPO's LRTP and, to the maximum extent feasible, with port and aviation master plans, public transit development plans, and the approved local government comprehensive plans for those local governments located within the metropolitan area. [\[s.339.175\(8\)\(c\)\(7\), F.S.\]](#) When possible, the TIP should cross-reference projects with the corresponding LRTP project. [\[s.339.175\(8\)\(a\), F.S.\]](#)
5. Identify the MPO's criteria and process for prioritizing implementation of the transportation plan elements (including multimodal tradeoffs) for inclusion in the TIP and explain any changes in priorities from the previous TIP. [\[23 C.F.R. 450.326\(n\)\(1\)\]](#) The MPO's TIP project priorities must be consistent with the LRTP.
6. FDOT produces the annual listing of projects for which FHWA funds have been obligated in the preceding year. The annual listing of projects for which FTA funds have been utilized in the preceding year needs to be cooperatively developed with the appropriate transit agencies. The MPO should either include this list in the TIP

or State in the TIP that it has been published and otherwise made available for public review. [\[23 C.F.R. 450.334 and s.339.175\(8\)\(h\), F.S.\]](#)

7. Document the MPO's activities to seek public comment and how the draft TIP was made available for public review. [\[23 C.F.R. 450.316 and 23 C.F.R. 450.326\(b\)\]](#) The MPO should document the techniques used to reach citizens, such as Internet access to documents, flyers, meeting notices, billboards, media outreach, and other ways to seek the involvement of citizens and groups. The MPO should also document feedback received through this process and any revisions as a result. ETDM should be used to document all public involvement activities.
8. Include the completion date of the current annual FDOT and MPO joint certification. MPOs within TMAs also should include the date of the last FHWA/FTA certification and, if known, the anticipated date of the next FHWA/FTA certification.
9. Include a discussion of the congestion management process that is in place at the MPO. TMAs (urbanized areas with populations over 200,000) are required by [23 C.F.R. 450.322](#) to have a congestion management process that provides for the effective management and operation of new and existing facilities through the use of travel demand reduction and operational management strategies. [Section 339.175\(6\)\(c\)\(1\), F.S.](#), requires all MPOs to have a congestion management process.
10. Relate to the Transportation Disadvantaged services developed pursuant to [s.427.015\(1\) F.S.](#) and [41-2.009\(2\), F.A.C.](#) A description of costs and revenues from TD services should be included, as well as those improvements funded using such funds.

5.7.3 Detailed Project Listings for Five Fiscal Years

The TIP shall include for each project or phase (e.g., preliminary engineering, environment/NEPA, right of way, design or construction) the following information:

1. Sufficient descriptive material (i.e., type of work, termini, and length) to identify the project or phase.
2. Financial Project Number (FPN).

3. FDOT Work Program fund code.
4. Estimated total project cost.
5. Year of anticipated funding.
6. Summary tables showing the financial constraint of the program.
7. Page number or identification number where it can be found in the LRTP.
8. Category of Federal funds and source(s) of non-Federal funds.
9. The FTA section number should be indicated for FTA projects. This is accomplished by putting the section number in the description line of the work program for the project. The TIP is a download of the work program.

Please note for FTA-funded projects. FTA guidance states that projects in the TIP or STIP need to be described in a level of detail that delineates between minor projects (bus shelters, signs, facility rehabilitation, preventative maintenance, operating assistance) and major projects (rolling stock, new facilities) activities. Major projects must be listed in an approved Transportation Development Plan (TDP). Minor activities that are not considered to be of an appropriate scale for individual identification could be grouped by function.

The MPO should identify any project(s) that was rescheduled in the proposed TIP that had advanced to the design stage of preliminary engineering and was removed from a previous TIP. The MPO should document that such a removal or rescheduling resulted from a joint action of the MPO and FDOT. Such projects cannot be rescheduled by the MPO in a subsequent TIP earlier than the fifth year of such program, except when the District Secretary provides written justification that for good cause the project should be rescheduled in an earlier year. [\[s.339.175\(8\)\(d\), F.S.\]](#)

5.8 District TIP Review Criteria

Upon receipt of the final adopted TIP from the MPO, the District must review the TIP within **14 calendar days** from the date of receipt, and provide its comments and recommendations to the Office of Policy Planning (OPP). District review should assess the TIP's consistency with:

10. Federal and State laws and regulations, including [23 C.F.R. 450](#) and [s.339.175, F.S.](#), and the authorities listed in this chapter.
11. FDOT's Tentative Work Program, including changes in priorities, phasing, project cost estimates, and funding resources and categories, as required by [23 C.F.R. 450.326](#) and [s.339.175\(8\), F.S.](#)
12. The LRTP's priorities, projects, funding and policy, goals, and objectives, as required by [23 C.F.R. 450.326\(i\)](#) and [s.339.175\(8\)\(c\)\(5\), F.S.](#)

District review should verify:

1. Estimates of total costs and revenues for the program period, as required by [23 C.F.R. 450.326\(j\)](#) and [s.339.175\(8\), F.S.](#)
2. Transit project or service need is identified in the TDP, if applicable.

If the District, upon review of the TIP, cannot recommend TIP approval, the District should coordinate with the MPO to resolve deficiencies and issues before forwarding its comments and the TIP submittal package to OPP. An interactive checklist to assist in review of the TIP can be found in Section 5.14.

5.9 TIP Submittal and Review Process

The MPO must make the draft TIP available to all reviewing agencies and affected parties, and provide adequate opportunity to review and comment on the draft TIP at the time it is circulated for public review.

Upon MPO approval of the final TIP, the MPO must circulate the TIP for review and comment to a variety of local, State, and Federal agencies. Table 5.2 details the distribution of the TIP document.

5.9.1 Review by the Department of Economic Opportunity

The MPO must submit the approved TIP to the Department of Economic Opportunity (DEO) at least **45 days** before FDOT submits the STIP to the FHWA and the FTA for approval. This submittal date may vary if FDOT, DEO, and the MPO agree in writing to an alternative submittal date. [\[s.339.175\(8\)\(f\), F.S.\]](#)

Table 5.2 TIP Distribution Table

Agency	Contact(s)
Local and Regional Distribution	As needed – determined by MPO
FDOT – District Staff	As needed – determined by District
FDOT – CO Planning	<p>Alex Gramovot, Statewide Metropolitan Planning Coordinator FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Alexander.Gramovot@dot.state.fl.us</p> <p>Mark Reichert, Administrator for Metropolitan Planning FDOT Office of Policy Planning 605 Suwannee St., Mail Station 28 Tallahassee, FL 32399-0450 Mark.Reichert@dot.state.fl.us</p>
FDOT – FCTD	<p>Steve Holmes, Executive Director Florida Commission for the Transportation Disadvantaged 605 Suwannee Street, Mail Station 49 Tallahassee, FL 32399-0450 Steven.Holmes@dot.state.fl.us</p>
DEO	<p>Matthew Preston, Planning Analyst Bureau of Community Planning Florida Department of Economic Opportunity 107 East Madison, MSC 160 Tallahassee, FL 32399 Matt.Preston@deo.myflorida.com</p>
FTA	<p>Yvette Taylor, Regional Administrator Federal Transit Administration Region IV 230 Peachtree Street NW, Suite 800 Atlanta, GA 30303 Yvette.Taylor@dot.gov</p>

Agency	Contact(s)
FHWA	James Christian, Florida Division Administrator Federal Highway Administration 3500 Financial Plaza, Suite 400 Tallahassee, FL 32312 Mail Station 29 James.Christian@dot.gov

The DEO will review the TIP for consistency with the approved comprehensive plans of affected local governments. The projects and project phases listed in the TIP must be consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government located within the MPO’s jurisdiction. [\[s.339.175\(8\)\(c\)\(1\), F.S.\]](#) The DEO will identify projects that are inconsistent with local comprehensive plans and notify the MPO. [\[s.339.175\(8\)\(g\), F.S.\]](#) If a project is inconsistent with an affected comprehensive plan, the MPO must provide justification for including the project in the TIP. [\[s.339.175\(8\)\(c\)\(6\), F.S.\]](#) The DEO must forward copies of its findings to the Florida Transportation Commission and FDOT. If the inconsistent project(s) is in the first year of the TIP, the District coordinates with the MPO to resolve the issue prior to a request for project authorization. If the inconsistent project(s) is in the second year or beyond, the MPO is required to resolve the issue prior to the submittal of the next TIP.

5.9.2 Submittal to the District

MPOs must submit the approved TIP to the District and other parties shown in Table 5.2 no later than **July 15**. The District will review the TIP and prepare written comments within **14 calendar days** of receipt from the MPO (no later than **August 1**). The District will transmit its written comments to the MPO and OPP.

A link to the draft and adopted TIP is acceptable, unless an agency requests a hard copy.

5.9.3 Coordination by the Office of Policy Planning

OPP will review all TIPs for compliance with State and Federal laws and regulations as the draft and final TIPs are posted. An interactive checklist to assist in review of the TIP can be found in Section 5.14.

5.9.4 Review by Federal Agencies

OPP will request the FHWA and the FTA review the TIPs and provide written comments within **30 calendar days** of receipt. Once the FHWA Florida Division Office provides the OPP written comments on the TIPs, the OPP prepares all TIPs for approval by the Secretary and incorporation into the STIP by reference. The approval of the STIP by **October 1** ensures continued Federal-aid funding for projects and programs.

The FHWA or the FTA will notify OPP in the event they find any TIP to be deficient or incomplete. OPP will then notify the District. The District will coordinate with the MPO to resolve issues as soon as possible since Federal-aid funding cannot be approved until the TIP is approved and incorporated into the STIP by **October 1** of each year. Upon resolution of deficiencies, the MPO will resubmit the corrected TIP to the District. The District will then advise the OPP of the correction. OPP will notify the FHWA Florida Division Office. Upon confirmation that issues have been resolved to the satisfaction of the FHWA and the FTA, OPP will recommend the TIP to the Secretary for approval and incorporation into the STIP.

5.9.5 Approval by the Secretary of Transportation

The Secretary of FDOT has been designated by the Governor to approve TIPs. The Secretary must approve all TIPs by **August 31** of each year to allow adequate time for the review of the STIP by the FHWA and the FTA so Federal approval of the STIP can occur by **October 1**, which is the beginning of the Federal fiscal year.

5.10 Federal Authorization Requests

A project must be included in the approved TIP and STIP in order for the FHWA and the FTA to participate in the cost of any Federally funded transportation project and issue a Federal Project Authorization.

Federal Authorization Requests are prepared by the District Federal Aid Coordinator (or by various Central Office Program Coordinators), and submitted electronically to FDOT's Federal Aid Office. The Request is reviewed for compliance with the required criteria and transmitted electronically to the FHWA for approval.

A properly filed Federal Authorization Request will generally be approved by the FHWA within **two weeks** of submission by the Federal Aid Office. However, if the project is not

properly listed in the TIP/STIP, a TIP amendment requiring MPO Board action may be required to obtain the Federal Authorization. This could delay commencement of work by weeks or months. A STIP amendment request generally needs to accompany the TIP amendment.

For this reason, District staff (e.g., Planning, Work Program, Estimates, Right of Way) must verify the project is properly listed in the TIP/STIP prior to submitting a Federal Authorization Request to the Federal Aid Office. This verification should take place at least **two months** in advance of the District's submission of the project authorization request to the Federal Aid Office to ensure adequate time to process a TIP/STIP amendment if required. If a project has undergone a change that falls within the TIP/STIP amendment criteria, District planning staff will notify the MPO of the need to process a TIP amendment, and will notify OPP of the need to process a STIP amendment. Following approval of the TIP amendment, OPP will coordinate the submittal of all STIP amendments to the Federal Aid Office for electronic transmission to FHWA and/or FTA for review and approval. For more information on the TIP/STIP amendment process, see Section 5.12.

5.11 Relationship between Work Program and TIP

Every March, the Tentative Work Program is submitted to the Governor and the Legislature; and also is provided to the MPOs for development of the new TIP. On July 1, the Legislature approves the budget (minus project phases that were deferred from last fiscal year). At this same time, the Tentative Work Program becomes the Adopted Work Program, and the MPOs' new TIPs are adopted. In August, the Legislature amends the budget to approve project phases that were deferred from last fiscal year. These projects are automatically "rolled forward" in the Work Program, but not in the TIP. The MPOs must process a "Roll Forward" TIP Amendment for these types of projects. This process is discussed in [Section 5.14.1](#).

5.12 TIP and STIP Revisions

At times, TIPs and the STIP may require revisions. These revisions can be performed in the form of either a *TIP/STIP amendment* or an *administrative modification*. TIP/STIP amendments are performed for project changes that meet the thresholds for a TIP/STIP

amendment, as described below, and generally require MPO Board approval for the TIP amendment and FHWA/FTA approval for the STIP amendment. TIP administrative modifications are minor changes that do not meet the threshold for an amendment, and can generally be performed by the MPO Executive Director; TIP modifications do not require an amendment to the STIP.

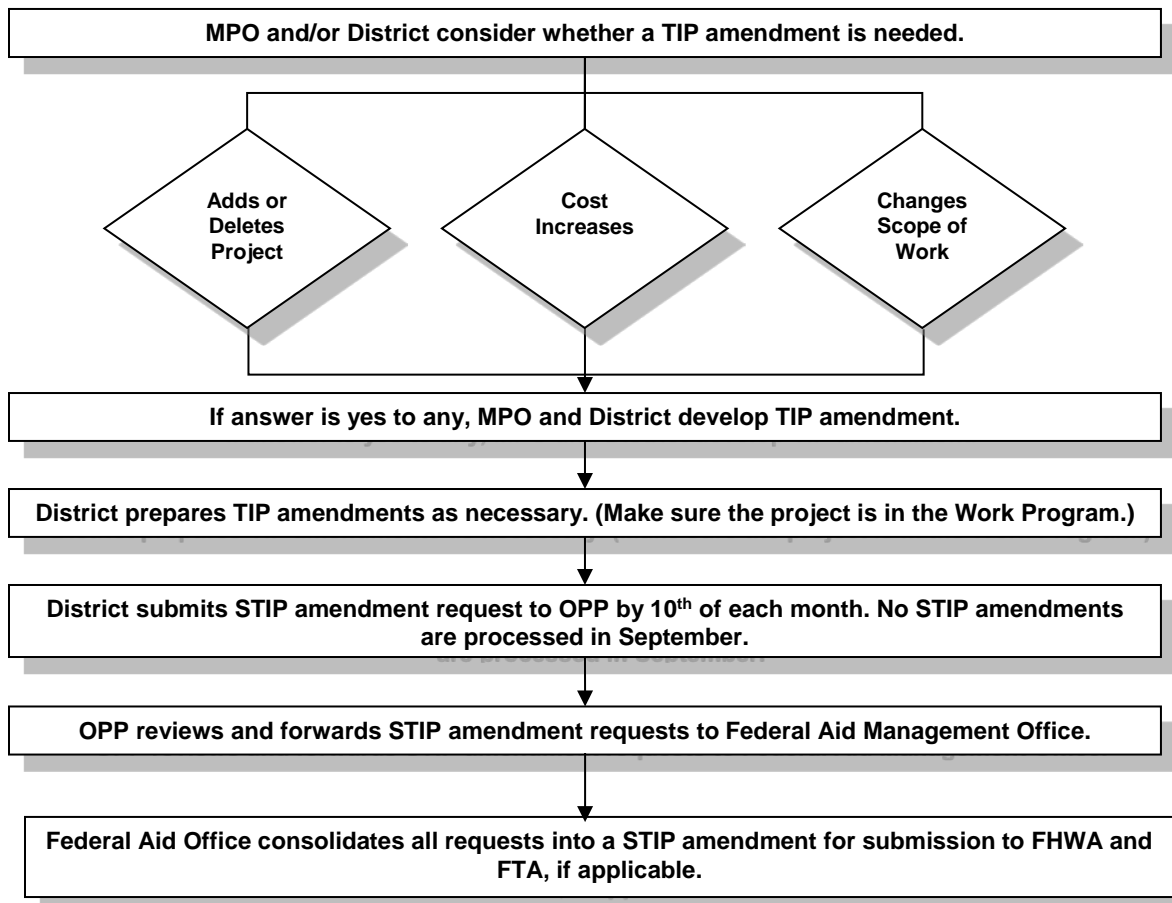
TIP amendments often are necessitated by the addition of a project to the Work Program that is not yet in the TIP/STIP. The appropriate District office should identify the need for amending the TIP and STIP, and work with the MPO to prepare and approve the TIP amendment in accordance with [23 C.F.R. 450.326](#) and [23 C.F.R. 450.328](#) in advance of the Federal Authorization Request to the Federal Aid Office. This may require schedule changes to allow time for MPO Board action and FHWA or FTA approvals. Some TIP amendments also may require FDOT Work Program amendments.

In many cases, projects that require TIP amendments also require FDOT Work Program amendments. The Work Program amendment process is authorized by [s.339.135\(7\), F.S.](#), and outlined in FDOT's [Work Program Instructions](#). STIP actions take place on the Adopted Work Program; therefore, any TIP/STIP amendments that require a Work Program Amendment cannot be processed until the Work Program Amendment has been approved. This entire amendment process may require two months or more. TIP/STIP amendments that require Work Program Amendments shall be held in the District and will only be forwarded to Central Office for processing when the work program actions have been completed. Please note: No STIP amendments are processed in the month of September due to new Federal fiscal year.

Florida law does not require TIP/STIP amendments for non-regionally significant, non-Federally funded projects. However, the Work Program Amendment process does apply to changes to non-Federally funded projects in the Work Program. Please refer to the [Work Program Instructions](#) for further details on requirements for processing Work Program Amendments.

Figure 5.2 shows the process for amending the MPO's approved TIP.

Figure 5.2 TIP Amendment Process



5.12.1 Roll Forward TIP Amendments (FHWA Projects)

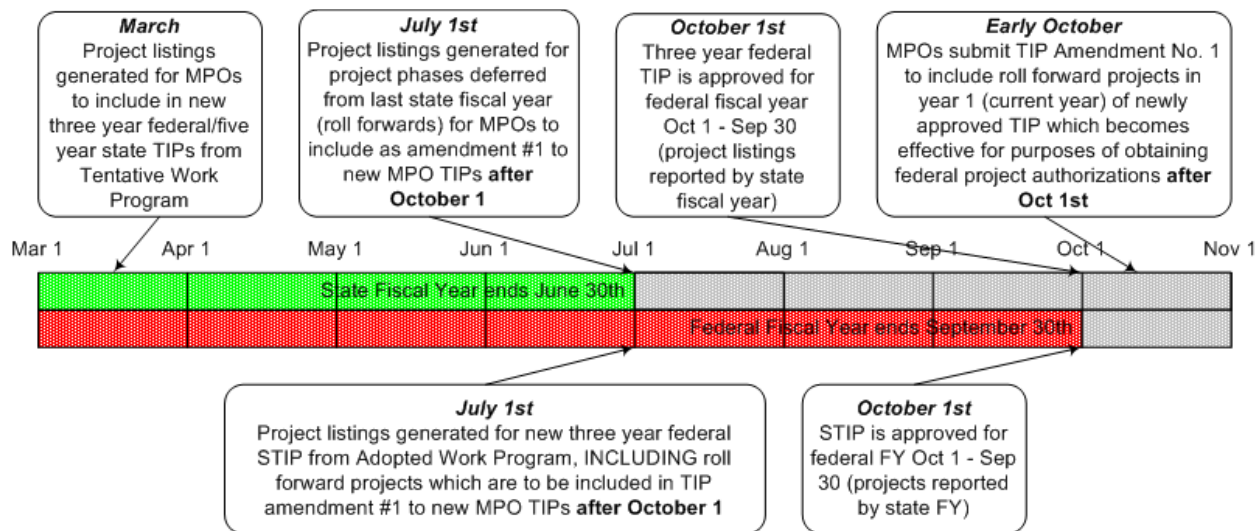
Every March, the Work Program Office provides the Districts the Tentative Work Program that is to be adopted on July 1. The MPO’s TIP incorporates the Tentative Work Program, and also is adopted by July 1. Year one of the TIP and the Work Program should always match. However when the new TIP and Work Program are adopted on July 1, there are often projects that were supposed to get authorized and encumbered prior to June 30 (i.e., when the previous TIP and Work Program were in effect), but did not. These projects will automatically roll forward in the Work Program, but will not roll forward in the TIP. Hence, the TIP must be amended to include these projects and match the Work Program. This is accomplished by what is known as a Roll Forward TIP Amendment.

Following the adoption of the Work Program, the Work Program Office posts the Roll Forward Report on-line. This report lists, by District, those projects which did not get

authorized by the end of the last fiscal year and have been rolled forward in the newly adopted Work Program. The Districts provide this list to the MPO, and the MPO uses this list to process a Roll Forward TIP Amendment.

Figure 5.3 presents the roll forward amendment process. An MPO can process a Roll Forward TIP Amendment as soon as the Roll Forward Report is published. However, FHWA will not recognize the approval of the Roll Forward TIP Amendment until after October 1, the effective date of the new MPO TIP. **Please note there is no need for the MPOs to request a Roll Forward STIP Amendment because these Roll Forward projects are included in FDOT’s submittal of the STIP on August 31.**

Figure 5.3 Process Flow for Roll Forward Amendments



5.12.2 Roll Forward TIP Amendments (FTA Projects)

Unlike all other projects, FTA projects do not automatically roll forward in the Work Program. Non-budgeted projects Sections 5307, 5337, and 5339, not obligated in the previous year will not roll forward. A limited amount of budgeted projects will roll forward into the new STIP. Unless MPO Liaisons and the Public Transportation Office are mindful to roll forward FTA funded projects, there is a risk that they could mistakenly drop out of the Work Program, and consequently, the STIP. If that happens, the project will not be eligible for FTA funding when the time comes to authorize it, and a STIP amendment will have to be executed to put the project back in. **Therefore, special care must be taken to ensure the Roll Forward TIP Amendment includes FTA-funded projects.** The District Public Transportation Office (PTO) should work in cooperation with the Central

Office PTO and the respective transit agencies to identify these projects. The MPO District Liaison must work closely with the District Public Transportation Office to ensure all projects not previously obligated are in the new STIP.

5.12.3 Authorization of Roll Forward Projects

During the three-month gap between the start of the State fiscal year (July 1) and the start of the Federal fiscal year (October 1), FHWA and FTA regard the old STIP and TIPs as being in effect. Therefore, if there was a project in any of the four Federally recognized years of the old TIP that did not get authorized by June 30, the project can still be authorized based on the old TIP, as long as the request is made between July 1 and September 30. **There is no need to amend the old TIP.** There is still a need, however, to ensure such projects are in the new TIP if the projects are to be authorized after September 30. This is accomplished through the Roll Forward TIP Amendment mentioned above, and must occur before October 1.

5.12.4 Administrative TIP Amendment between the Start of the State and Federal Fiscal Years

An administrative TIP amendment is a TIP amendment that does not have to go to the full MPO Board for approval. FHWA and FTA will allow an administrative TIP amendment during the three-month gap between the start of the new State fiscal year and the end of the old Federal fiscal year (July 1 to September 30) for new projects that were added during the Tentative Work Program development cycle.

Every March, the Districts provide the MPOs the Tentative Work Program for developing the new TIP. If a new project was added to Year One during the Tentative Work Program development cycle, this project will appear in the new TIP, but it is not in the current TIP. This becomes an issue because of the three-month gap between **July 1** and **September 30**, when FHWA recognizes the old TIP as being in effect.

In these instances, the TIP must be amended to include the project, but FHWA and FTA have agreed to allow the MPO Executive Director to process an Administrative TIP Amendment for these types of projects rather than having to go before the full Board. FHWA and FTA will allow this only under the following conditions:

- The amendment takes place between July 1 and September 30;
- The project must appear in the amendment exactly as it appears in the newly adopted TIP; and
- The MPO Director has been authorized by the Board to approve administrative TIP amendments.

It is important that District and MPO staff do not confuse the administrative amendment process with the administrative modification process, as these processes are unique and have different approval requirements. Doing so may result in miscommunication regarding the process for changing a project in the TIP, which could result in project delays. More information on the Administrative TIP/STIP amendment process can be found in Federal Aid Technical Bulletin 10-03 from FDOT's Federal Aid Office.

5.12.5 Emergency TIP/STIP Amendments

Occasionally, a project will undergo a change that requires an amendment to the TIP, either as a new project or a change in project or scope; however, the project schedule and timing of MPO Board meetings necessitates the amendment be performed prior to the MPO Board meeting.

In these instances, the MPO may perform an emergency TIP amendment, provided that the MPO Director or the MPO Board Chair has been authorized by the Board to do so; and the process is addressed in the MPO's operational procedures, bylaws, and public involvement plan. Such changes should be rare, as District and MPO staff should be coordinating early in the project development process.

The STIP amendment package that comes from an emergency TIP amendment must include a confirmation from the MPO that the emergency TIP amendment has been performed. Such confirmation might include correspondence between the MPO and District to that effect.

5.13 Determining if a TIP/STIP Amendment Is Required

This section defines changes to the MPO TIPs and STIP that require State review and Federal approval before the included Federally funded projects can be authorized for Federal participation. These guidelines **do not** affect any other provisions of State or Federal law or departmental procedure governing how projects are initially incorporated into FDOT’s Work Program, MPO TIPs, or the statewide STIP.

The “Work Program Amendment” process must not be confused with the “TIP/STIP Amendment” process described herein. The two processes are not the same, and one cannot be substituted for the other. Different criteria apply to each process; and the reporting, notification, and approval provisions for Work Program amendments are very different from those governing TIP/STIP amendments. Please refer to FDOT’s [Work Program Instructions](#) for a detailed explanation of the cooperative development of the Work Program and the Work Program Amendment process.

5.13.1 Determining if a Change Is an Amendment or Modification

Not all changes to the TIP/STIP require State review and Federal approval. Changes requiring formal State review and Federal approval are referred to as “TIP/STIP Amendments,” and are based upon criteria established under Federal law.

An administrative modification is a minor revision to a TIP or STIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. An administrative modification does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination, if applicable. [\[23 C.F.R. 450.104\]](#)

An amendment is a revision to a TIP or STIP that involves a major change to a project in a TIP or STIP, including addition or deletion of a project, or a major change in project cost; project/project phase initiation dates; or a major change in design concept or design scope (i.e., changing project termini or the number of through traffic lanes). [\[23 C.F.R. 450.104\]](#) An amendment requires public review and comment, demonstration of financial constraint, or a conformity determination, if applicable.

TIP amendment requests are made by the District to the MPO and require MPO Board approval. TIP amendments, being brought before the MPO Board that affects projects in the first three years of the TIP, must be approved by the MPO on recorded roll call vote of a majority of the membership present. [\[Section 339.175, F.S.\]](#)

STIP amendments are performed following MPO Board approval of the TIP amendment. All STIP amendment requests will be reviewed by OPP and the Federal Aid Office to ensure they are accurate and complete prior to submittal to the FHWA and/or the FTA for their review and approval.

TIPs/STIP will require formal amendments when one or more of the following criteria are met:

- The change adds new individual projects;
- The change adversely impacts financial constraint;
- The change results in major scope changes;
- The change deletes an individually listed project from the TIP/STIP; and
- The change results in a cost increase greater than 20 percent and \$2 million.

5.13.2 The Change Adds a New Individual Project

Any new project added to any of the first four years of the TIP/STIP will require a TIP/STIP amendment. A “project” for TIP/STIP purposes is the Federal Aid Project, which generally aligns to the phase group. For example, if the Preliminary Engineering and Right of Way phases already are in the TIP/STIP and Construction must be added, the Construction phase would be considered a new project being added to the TIP/STIP.

The TIP/STIP covers a period of five years according to State law. Of those five, the first four are recognized by the Federal government. The Federal government regards the fifth year as illustrative. Any Federally funded project listed in any of the first four years of the TIP/STIP may be advanced or deferred within those four years without requiring a TIP/STIP amendment. However, a Work Program amendment will still be required (if dollar thresholds are exceeded), along with all required notifications (including to MPOs). See FDOT’s [Work Program Instructions](#) for further details.

If a project is listed in the first four years of the TIP, but without Federal funding and the funding is subsequently changed to add Federal funds, this will not require a TIP/STIP amendment.

Any new project that is “regionally significant,” as defined by [23 C.F.R. 450.104](#) and requires FHWA or FTA approval, must have a TIP/STIP amendment regardless of the funding source. See [Section 5.3.6](#) of this chapter.

5.13.3 The Change Adversely Impacts Financial Constraint

Federal law requires the TIPs/STIP to be financially constrained to the amount of funds that have been projected to be available by year, over the four year period, of the approved TIPs/STIP. This means the cost of new projects and cost increases on existing projects must be offset by decreases in other areas of the TIP/STIP to maintain the financial constraints upon which the TIP/STIP was originally developed unless new sources of funds are identified.

If **new projects** are added to the TIP/STIP, or if a project is amended to reflect a cost increase, the STIP amendment transmittal to FHWA/FTA must identify the source of funds for the new project. This information can be obtained on a project-by-project basis from the District Office of Work Program or Federal Aid Office.

5.13.4 The Change Results in Major Scope Changes

A TIP/STIP amendment is required if there are major changes to the scope of a project. In this context, a major scope change is defined to be one that changes or significantly expands the basic attributes or nature of a project (design concept). Examples include, but are not limited to, the following:

- Any material changes to project length exceeding 20 percent, positive or negative, of the original project length;
- Any material changes to capacity (e.g., adding additional lanes);
- Any material changes to type of work (e.g., adding bridge repairs to resurfacing job, or changing modes from highway to transit); and

- Any scope change that is significant enough to affect the priority order of projects in the TIP/STIP, or to affect consistency with the MPO's LRTP.

5.13.5 The Change Deletes a Project

The deletion of any individually listed project in the four years of the TIP/STIP requires a TIP/STIP amendment, and also may require an amendment to the LRTP. If a project is listed in the first four years of the TIP with Federal funding, and that funding is subsequently deleted, a TIP/STIP amendment is required.

5.13.6 The Change Results in a Cost Increase Greater Than 20 Percent and \$2 Million

This TIP/STIP amendment criterion was added in 2006 because of the frequent occurrence of cost increases on projects. FDOT, FHWA, and FTA adopted the 20 percent – \$2 million threshold as the guideline for what requires an amendment. Both criteria have to be met. If the cost increase meets only one of the criteria, no TIP/STIP amendment is necessary.

5.13.7 Contents of TIP/STIP Amendment Package

TIP Amendment packages must include specific documents and information regarding project changes. The accompanying STIP amendment (prepared by the Federal Aid Office) will draw upon the contents of individual TIP amendments as the basis for its preparation.

TIP Amendments must contain the following information:

For **new projects**, include the following:

1. Project name, limits, length, detailed project description and type of work;
2. Financial Project Number (FPN);
3. FDOT Work Program fund code;
4. For FTA amendments, the section number needs to be in the description line of the Work Program entry and on the TIP Amendment;

5. Estimated cost;
6. Phase of work;
7. State fiscal year in which work is to commence;
8. Reason for the proposed change;
9. Effect of the change to financial constraints;
10. LRTP page number;
11. TIP page number;
12. Indication whether a STIP Amendment is required;
13. Signature of MPO Chairman or designee (if approval authority has been delegated to MPO staff and documented);
14. Signature of FDOT's District representative; and
15. Statement that the TIP Amendment was developed and approved in compliance with applicable laws and procedures.

For **existing projects**, include the information listed in Numbers 1 to 14 above, and the following:

1. As listed in the current TIP (include TIP page number);
2. As proposed to be amended (include new TIP page number); and
3. The page number in the existing STIP where it may be found.

The TIP/STIP amendment tool is posted on the Federal Aid Office home page at: <http://webapp02.dot.state.fl.us/fmsupportapps/stipamendments/default.aspx> for the Intranet version.

The Internet version of the TIP/STIP amendment tool is at FDOT's [Federal Aid Management Office STIP Amendment website](#). District staff will be notified via email when TIP/STIP amendment(s) are approved by the FHWA, and approved amendment packages will be posted to the website.

5.13.8 Schedule for Processing TIP/STIP Amendments

TIP/STIP Amendment requests received by OPP for review by the 10th of each month will be included in the STIP Amendment for that month, provided the requests are complete and require no clarifications or other District or MPO input. This will enable the FHWA to routinely approve the amendment by the end of the month.

This schedule does not apply in September. No STIP Amendments will be processed during the month of September due to the new Federal fiscal year beginning on October 1.

An incomplete STIP Amendment request may result in the request not being included in the consolidated STIP Amendment for that month if needed information cannot be obtained prior to the due dates for that month, as outlined above.

Additional guidance on STIP amendments may be found in the [Work Program Instructions](#) and in Federal Aid Technical Bulletins.

5.13.9 Routing of TIP/STIP Amendment Requests

STIP Amendment requests within MPO boundaries are generally accompanied by corresponding TIP amendments already prepared and approved by the various MPOs. However, the need for TIP/STIP amendments can come from many sources (e.g., Planning, Public Transportation, Program Development, etc.); and can cause a lack of consistency that often results in errors and delays in the authorization of funds. To improve communication and expedite the amendment process, all TIP/STIP amendment requests are to be routed through a single point of contact, designated within each District, to ensure that all of the necessary information is accurate.

- STIP Amendment requests for projects within an MPO's planning area (i.e., those requiring TIP amendments) will be reviewed by OPP in consultation with the District point of contact to ensure they are complete. After completing their review, OPP forwards these requests to the Federal Aid Programs Office.
- STIP Amendment requests for projects outside of MPO planning areas are to be submitted directly to the Federal Aid Programs Office.

The Federal Aid Programs Office then consolidates all requests into a single STIP Amendment for submission to FHWA.

5.13.10 Close-out of Federal Fiscal Year and TIP Amendments

During the month of September, FDOT’s Federal Aid Office is involved in closing the Federal fiscal year, and the FHWA Florida Division Office is involved in the review process for the new MPO TIPs. Because of this work load and the deadlines associated with each of these activities, no TIP/STIP amendments will be processed by OPP, the Federal Aid Office, or FHWA during the month of September of each year. The MPOs may still continue to amend their TIPs and send them to the Districts. However, the amendments will not be processed until **after October 1**, when the new Federal fiscal year begins. Those amendments received by OPP prior to September 1 will be processed provided the amendments include the full information required in **Section 5.13.7**.

5.14 TIP Review Checklist

Federal or State laws and rules do not specify a particular format for the TIP. The following TIP review checklist is provided to assist in review of the TIP.

TIP Review Checklist

MPO Name and Year: _____

Introduction

- Cover Page
- Table of Contents
- Legal Endorsement – “Developed following State/Federal Requirements”; include date of official MPO/TPO approval of the TIP
- List of definitions, abbreviations, funding and phase codes, and acronyms

Narrative

- Statement of Purpose – prioritized listing of five-year transportation projects; consistent with LRTP; contains all projects funded by Title 23 and Title 49 funds
- Discussion of the TIP's Financial Plan
- TIP is financially constrained
- Financial Plan for project implementation
- Statement that TIP is developed by MPO in cooperation with the State and public Transit Operator, who will provide estimates of funds to develop financial plan
- Describe project selection process
- Describe consistency with LRTP and other plans
- Identify criteria and process for project prioritization
- FDOT Annual Listing of Obligated Projects
- Public Involvement
- Completion date of FDOT-MPO Certification
- Date of last Federal MPO Certification (if applicable)
- Discussion of Congestion Management Process
- Discussion of Transportation Disadvantaged

Project Listing

For each project or phase:

- Descriptive material to identify the project or phase (type of work, termini, and length)
- Financial Project Number (FPN)
- FDOT's Work Program fund code

- Estimated total project cost
- Year of anticipated funding
- Summary tables showing the financial constraint of the program
- Page number or identification number where the project can be found in the LRTP
- Category of Federal funds and source(s) of non-Federal funds
- FTA section number for FTA funded projects

Comments

Date Completed: _____

Reviewer Signature: _____

5.15 References

This section provides a list of references/definitions from Federal or State law, including key plans and guidance related to MPOs.

Table 5.3 **References**

Reference	Description
FDOT Work Program Instructions	Instructions to guide the development of FDOT’s work program
FDOT's Efficient Transportation Decision-Making (ETDM) Manual , March 2006	For use in reviewing qualifying transportation projects during the Efficient Transportation Decision Making (ETDM) Process Planning and Programming Screens
Practical Application Guides for SCE Evaluations: ETDM Phase	Describes the process for evaluating sociocultural effects (SCE) for projects undergoing Planning screen or Programming screen reviews as part of Florida’s Efficient Transportation Decision Making (ETDM) Process

Chapter 6: Public Involvement

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6.1 Purpose

This chapter documents Federal and State public involvement requirements for Metropolitan Planning Organizations (MPO) in Florida. The primary public involvement document that MPOs must develop and maintain is a Public Participation Plan (PPP) that defines a process for providing interested parties reasonable opportunities to review and comment on MPO work products. In addition, MPOs must make Long Range Transportation Plans (LRTP) and Transportation Improvement Plans (TIP) readily available for public review.

6.2 Authority

Table 6.1 summarizes the Federal and State statutes, regulations, and rules related to public involvement for MPOs.

Table 6.1 Federal and State Statutes and Codes

Citation	Description
Federal	
23 C.F.R. 450.316	Describes the requirement for MPOs to develop a PPP and provide reasonable opportunities for all parties to participate and comment on MPO planning products.
23 U.S.C. 134	Describes the requirement for MPOs to provide reasonable opportunities for all parties to participate and comment on LRTPs and TIPs.
Title VI of the Civil Rights Act	Prohibits Federally assisted programs from discrimination based on race, color, or national origin.
Executive Order 12898	Describes requirements for Federal actions to address environmental justice concerns for low-income and minority populations.
Executive Order 13166	Describes requirements to develop plans for people for whom English is not their native language or who have limited ability to read, speak, write, or understand English.

Citation	Description
Americans with Disabilities Act (ADA)	Prohibits discrimination and ensures equal opportunity for persons with disabilities.
State	
Government-in-the-Sunshine Law s.286.011, F.S.	Provides the public with basic right of access to most meetings and records of boards, commissions, and other governing bodies of State and local governmental agencies; and requires meeting minutes to be publicly accessible.
s.339.175, F.S.	Describes public involvement requirements for MPO planning activities.
s.1012.465, F.S.	Jessica Lunsford Act, which requires background checks of all persons entering school grounds when children are present.

6.3 Federal Requirements for Public Involvement

Federal transportation planning regulations describe the requirements for MPOs in conducting public involvement activities during the transportation planning process. In addition, other Federal regulations and executive orders affect how an MPO’s public involvement activities are planned and conducted. These requirements are described in this section.

6.3.1 Development of a Public Participation Plan

MPOs are required to develop a Public Participation Plan (PPP). The requirements for this plan are contained in [23 C.F.R. 450.316](#), and are described below.

The MPO must develop and use a documented PPP that defines a process for providing individuals; affected public agencies; representatives of public transportation employees; public ports; freight shippers; providers of freight transportation services; private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program); representatives of users of public

transportation; representatives of users of pedestrian walkways and bicycle transportation facilities; representatives of the disabled; and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

[\[23 C.F.R. 450.316\(a\)\]](#)

The MPO is required to develop the participation plan in consultation with all interested parties and must, at a minimum, describe explicit procedures, strategies, and desired outcomes for: [\[23 C.F.R. 450.316\(a\)\(1\)\]](#)

1. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed LRTP and the TIP;
2. Providing timely notice and reasonable access to information about transportation issues and processes;
3. Employing visualization techniques to describe LRTPs and TIPs;
4. Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the Internet;
5. Holding any public meetings at convenient and accessible locations and times;
6. Demonstrating explicit consideration and response to public input received during the development of the LRTP and the TIP;
7. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
8. Providing an additional opportunity for public comment, if the final LRTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
9. Coordinating with the statewide transportation planning public involvement and consultation processes; and

10. Periodically reviewing the effectiveness of the public involvement procedures and strategies contained in the PPP to ensure a full and open participation process.

When developing the PPP, it is important to allow enough time to receive and respond to public input to find a balance between addressing appropriate public comments and adopting the LRTP within the required timeframe, including any meetings or hearings that take place during that time.

When significant written and oral comments are received on the draft LRTP and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the U.S. Environmental Protection Agency (EPA) transportation conformity regulations (40 C.F.R. Part 93, Subpart A), a summary, analysis, and report on the disposition of comments are required to be included in the final LRTP and TIP. [\[23 C.F.R. 450.316\(a\)\(2\)\]](#)

A minimum public comment period of 45 calendar days must be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved PPP must be provided to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for informational purposes; and must be posted on the Internet to the maximum extent practicable. [\[23 C.F.R. 450.316\(a\)\(3\)\]](#)

In developing LRTPs and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPO area. This consultation should include entities that are affected by transportation, including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements. In addition, the MPO must develop the LRTPs and TIPs with due consideration of other related planning activities within the metropolitan area, and the process must provide for the design and delivery of transportation services within the area that are provided by: [\[23 C.F.R. 450.316\(b\)\]](#)

1. Recipients of FTA assistance under [\[49 U.S.C. Chapter 53\]](#);
2. Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. DOT to provide nonemergency transportation services; and
3. Recipients of assistance under 23 U.S.C. 201-204 (Federal lands and Tribal transportation programs).

When the MPO area includes Indian Tribal lands, the MPO must appropriately involve the Indian Tribal government(s) in the development of the LRTP and the TIP. [\[23 C.F.R. 450.316\(c\)\]](#)

When the MPO area includes Federal public lands, the MPO must appropriately involve the Federal land management agencies in the development of the LRTP and the TIP. [\[23 C.F.R. 450.316\(d\)\]](#)

MPOs also must develop a documented process that outlines the roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs in this section, which may be included in the MPO's Metropolitan Planning Agreement. [\[23 C.F.R. 450.316\(e\)\]](#)

Note that MPOs are required to conduct the activities listed in their plans. For instance, if the PPP calls for a public hearing for LRTPs, that hearing becomes a requirement, even if it is not required by law or regulation. MPOs should clearly identify the *minimum* public involvement activities they will undertake for LRTPs, as well as any additional activities they *may* undertake. MPOs should anticipate the potential for additional meetings beyond the minimum and clearly identify in the PPP how the public will be informed of additional meetings.

6.3.2 Federal Public Involvement Requirements Specific to the LRTP

When developing the LRTP, the MPO must provide interested parties with a reasonable opportunity to comment on it using the strategies identified in the MPO's adopted PPP. In some cases, the MPO may develop a PPP specific to the LRTP as part of the scope of that project. If this is done, the PPP for the LRTP must be consistent with the overall PPP of the MPO. Parties that should be included in the development of LRTPs include public agencies; representatives of public transportation employees; public ports; freight shippers; providers of freight transportation services; private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program); representatives of users of public transportation; representatives of users of pedestrian walkways and bicycle transportation facilities; representatives of the disabled; and other interested parties using the participation plan developed consistent with 23 C.F.R. 450.316(a). [\[23 C.F.R. 450.324\(k\)\]](#)

The MPO must publish or otherwise make readily available the LRTP for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet. [\[23 C.F.R. 450.324\(l\)\]](#)

6.3.3 Federal LRTP Requirements Specific to Florida

The MPO must be aware of additional requirements or guidance provided by FHWA and FTA when developing the LRTP. For example, in November 2012, the FHWA and FTA developed a summary of “expectations” for the subsequent update of LRTPs, [Federal Strategies for Implementing Requirements for LRTP Update for the Florida MPOs](#), U. S. Department of Transportation, November 2012. This additional guidance states that for LRTPs, MPO Boards, their advisory committees, and the public, should have the opportunity to periodically review the LRTP products, interim tasks, and reports that result in the final LRTP documentation. Furthermore, this guidance also states that final adopted LRTP documentation should be posted to the Internet, and available at the MPO offices, no later than 90 days after adoption.

6.3.4 Federal Public Involvement Requirements Specific to the TIP

The MPO must provide all interested parties with a reasonable opportunity to comment on the proposed TIP, as required by the PPP. In addition, the MPO must publish or otherwise make readily available the TIP for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet, as described in the PPP. [\[23 C.F.R. 450.326\(b\)\]](#), [\[23 U.S.C. 134 \(i\)\(6\) and \(7\)\]](#)

In the event an MPO revises its TIP, the MPO must always use public participation procedures consistent with the MPO’s PPP. However, public participation is not required for administrative modifications unless specifically addressed in the PPP. [\[23 C.F.R. 450.328\(a\)\]](#)

6.3.5 Public Involvement for the Federal Certification Review

In conducting a certification review for a Transportation Management Area (TMA)/MPO, the FHWA and the FTA provide opportunities for public involvement within the metropolitan planning area under review. The FHWA and the FTA are required to

consider the public input received in arriving at a decision on a certification action. This process can be used by the MPOs to improve the overall delivery of future public outreach based on the input received during the certification review process. [\[23 C.F.R. 450.336\(b\)\(4\)\]](#)

6.3.6 Americans with Disabilities Act

The Americans with Disabilities Act of 1990 (ADA) prohibits the exclusion of persons with disabilities from participation in services, programs, or activities of a public entity, including MPOs. In addition, the MPO has the responsibility of providing reasonable accommodation to those with disabilities who require special services to access information or participate in MPO activities. [\[42 U.S.C. 12131-12134\]](#)

See **Chapter 9** for a discussion of ADA requirements as they pertain to MPOs.

6.3.7 Title VI of the Civil Rights Act

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. [\[42 U.S.C. 2000d-1\]](#) Title VI provides the following protection and activities relative to public involvement:

1. Encourages the participation of minorities as members of planning or advisory bodies for programs receiving Federal funds;
2. Requires information and services to be provided in languages other than English when significant numbers of potential beneficiaries have limited English-speaking ability; and
3. Requires entities to notify the entire eligible population about programs.

See **Chapter 9** for a discussion of other Title VI requirements as they pertain to MPOs.

6.3.8 Executive Order 12898, Environmental Justice

[Executive Order \(EO\) 12898](#), Environmental Justice (EJ), requires all Federal agencies to identify and address disproportionately high and adverse health or environmental effects of its activities on minority and low-income populations. EO 12898 also promotes access

to public information and public participation for minority and low-income communities. MPOs must ensure and document early, continuous, and meaningful opportunities for involvement for these communities.

See **Chapter 9** for a discussion of EJ requirements as they pertain to MPOs.

6.3.9 Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency

[Executive Order 13166](#), Improving Access to Services for Persons with Limited English Proficiency (LEP), requires agencies to develop plans so that people for whom English is not their native language or who have a limited ability to read, speak, write, or understand English can have meaningful access to services provided. Factors for determining when meaningful access is necessary include:

- Number or proportion of LEP persons in the affected area;
- Frequency of contact with LEP persons;
- Importance of the service provided to LEP persons; and
- Resources available.

MPOs must use these four factors to determine when, and to what extent, LEP services are required. Translation of vital documents into languages other than English and oral interpretation through translators or other interpretive services are methods of communication that may constitute meaningful access.

See **Chapter 9** for a discussion of LEP requirements as they pertain to MPOs.

6.4 State Requirements for Public Involvement

State public involvement requirements related to MPOs are described in this section.

6.4.1 State Public Involvement Requirements Specific to the LRTP

In the development of its LRTP, each MPO must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers

of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the LRTP. [\[s.339.175\(7\), F.S.\]](#)

6.4.2 State Public Involvement Requirements Specific to the TIP

During the development of the TIP, the MPO must, in cooperation with FDOT and any affected public transit operation, provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with reasonable notice of and an opportunity to comment on the proposed program. [\[s.339.175\(8\)\(e\), F.S.\]](#)

6.4.3 Public Involvement for the Annual List of Prioritized Projects

Each MPO annually must prepare a list of project priorities and submit the list to the appropriate FDOT District by October 1 of each year. The list must have been reviewed by the technical and citizens' advisory committees and approved by the MPO before submission to the District. The annual list of project priorities must be based upon project selection criteria that consider, among other items, the MPO's public involvement procedures. [\[s.339.175\(8\)\(b\)\(5\), F.S.\]](#)

6.4.4 Public Involvement for the Annual List of Federally Obligated Projects

The MPO is required annually to publish or otherwise make available for public review the annual listing of projects for which Federal funds have been obligated in the preceding year. [\[s.339.175\(8\)\(h\), F.S.\]](#)

6.4.5 Public Involvement and MPO Committees

Most MPOs consider their standing committees to be a fundamental part of their public involvement activities. The formation of a technical advisory committee (TAC) and citizens' advisory committee (CAC) are required pursuant to [s.339.175\(6\)\(d\), F.S.](#) and [s.339.175\(6\)\(e\), F.S.](#); and formation guidance is provided in Chapter 2. As an alternative

to the use of a CAC, Florida Statute provides provisions for MPOs to adopt an alternate program or mechanism that ensures adequate citizen involvement in the transportation planning process following approval by FHWA, FTA, and FDOT. MPOs may also consider additional standing committees as a public involvement activity to address specific needs, such as bicyclists, pedestrians, and multiuse trails, safety, goods/freight movement, etc. MPOs must address and include their committee activities in the PPP; and are encouraged to detail how the schedule for meetings, agenda packages, and actions of the committees will be communicated with the public and how the public can participate in those meetings.

6.4.6 Government-in-the-Sunshine Law

Florida's Government-in-the-Sunshine Law [\[s.286.011, F.S.\]](#), mandates that all meetings of any board or commission of any state, county, municipal, or political subdivision, agency, or authority conduct business in a transparent manner to provide the public a right of access to proceedings. This includes an MPO's Governing Board, general members (voting and nonvoting members), and any active committees designed to advise the MPO Board such as TACs and CACs. The Sunshine Law provides guidance on how to conduct MPO and the MPO advisory committee meetings and workshops; and how to process public records, communications, notices, minutes, in addition to general ethics issues.

The Sunshine Law secures the public's right to attend or record meetings, for the public to have reasonable opportunity to be heard, and for all meetings to be open to the public. Therefore, MPOs must provide reasonable notice of meetings and make adequate accommodations to hold open meetings and provide an opportunity for public input. Minutes of meetings must be available for public inspections. MPOs are prohibited from holding public meetings at a facility or location that discriminates on the basis of sex, age, race, creed, color, origin, or economic status; or that otherwise restrict public access. The statute establishes penalties for violations of these provisions and exceptions for specific situations. MPOs should consult legal counsel for any questions regarding Florida's Government-in-the-Sunshine Law.

6.4.7 Jessica Lunsford Act

The Jessica Lunsford Act [\[s.1012.465, F.S.\]](#) requires background checks of all persons entering school grounds when children are present. MPOs should consult legal counsel before planning to hold a meeting on school property.

6.4.8 FDOT Public Involvement Handbook

For more detail about public involvement, please consult the [FDOT's Public Involvement Handbook](#). This handbook provides more in-depth guidance for public involvement activities in general.

6.5 References

This section provides a list of references/definitions from State law, including key plans and guidance related to MPOs.

Table 6.2 **References**

Reference	Description
42 U.S.C. 2000d et. seq.	Title VI of the Civil Rights Act of 1964, as amended
Office of Environmental Management Web Page	FDOT’s Environmental Justice Information.
FDOT Limited English Proficiency Guidance	FDOT’s LEP guidance.
Public Involvement Handbook	FDOT Guidance for public involvement activities

Chapter 7: Certification of the Metropolitan Transportation Planning Process

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7.1 Purpose

This chapter provides guidance to the Districts of the Florida Department of Transportation (FDOT) and Metropolitan Planning Organizations (MPO) for the certification of the metropolitan transportation planning process conducted by FDOT, the MPOs, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

Federal law and regulation requires FDOT and the MPOs to jointly certify the transportation planning process for each metropolitan planning area concurrent with the submittal of the proposed Transportation Improvement Program (TIP) to FHWA and FTA. Federal law and regulation also require FHWA and FTA to review and evaluate the transportation planning process for MPOs in transportation management areas (i.e., urbanized areas with Census populations greater than 200,000) no less than once every four years.

7.2 Authority

Table 7.1 presents the Federal and State statutes, regulations, and rules related to MPO certification.

Table 7.1 Federal and State Statutes and Codes

Citation	Description
23 U.S.C. 134 (k)(5)	Certification of the metropolitan transportation planning process.
49 U.S.C. 5303 (k)(5)	
23 C.F.R. 450.336	Self-certifications and Federal certifications.

7.3 Overview of Federal Certification Requirements

The primary purpose of a certification review is to ensure the planning requirements of [23 U.S.C. 134](#) and [49 U.S.C. 5303](#) are being satisfactorily implemented. Per [23 C.F.R. 450.336\(a\)](#), for all metropolitan planning areas (MPA), concurrent with the submittal of the

entire proposed TIP to FHWA and FTA, as part of the State Transportation Improvement Program (STIP) approval, the State and the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements, including the following:

1. [23 U.S.C. 134](#), [49 U.S.C. 5303](#), and [23 C.F.R. 450.336](#);
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 \(d\), 40 C.F.R. Part 93\]](#)
3. Title VI of the Civil Rights Act of 1964, as amended; [\[42 U.S.C. 2000d-1, 49 C.F.R. Part 21\]](#)
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 Fixing America's Surface Transportation \(FAST\) Act](#) (Pub. L. 114-357) and [\[49 C.F.R. Part 26\]](#) regarding the involvement of disadvantaged business enterprises in DOT-funded projects;
6. [\[23 C.F.R. Part 230\]](#) 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 (ADA) of 1990 [\[42 U.S.C. 12101 et seq.\]](#) and [\[49 C.F.R. Parts 27, 37, and 38\]](#);
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. [\[23 U.S.C. Part 324\]](#) regarding the prohibition of discrimination on the basis of gender; and
10. Section 504 of the Rehabilitation Act of 1973 [\[29 U.S.C. 794\]](#) and [\[49 C.F.R. Part 27\]](#) regarding discrimination against individuals with disabilities.

Per [23 C.F.R. 450.336\(b\)](#) in Transportation Management Areas (TMA), FHWA and FTA jointly shall review and evaluate the transportation planning process for each TMA no less than once every four years to determine if the process meets the requirements of applicable provisions of Federal law and [23 C.F.R. 450.336](#).

1. After review and evaluation of the TMA planning process, FHWA FTA shall take one of the following actions:
 - a. If the process meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process;
 - b. If the process substantially meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process subject to certain specified corrective actions being taken; or
 - c. If the process does not meet the requirements of this part, jointly certify the planning process as the basis for approval of only those categories of programs or projects that FHWA and FTA jointly determine, subject to certain specified corrective actions being taken.
2. If, upon the review and evaluation conducted under paragraph (b)(1)(iii) of this section, FHWA and FTA do not certify the transportation planning process in a TMA, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the MPO for projects funded under Title 23 U.S.C. and Title 49 U.S.C. Chapter 53, in addition to corrective actions and funding restrictions. The withheld funds shall be restored to the MPA when the metropolitan transportation planning process is certified by FHWA and FTA, unless the funds have lapsed.
3. A certification of the TMA planning process will remain in effect for four years, unless a new certification determination is made sooner by FHWA and FTA, or a shorter term is specified in the certification report.
4. In conducting a certification review, FHWA and FTA shall provide opportunities for public involvement within the metropolitan planning area under review. FHWA and FTA shall consider the public input received in arriving at a decision on a certification action.
5. FHWA and FTA shall notify the MPO(s), the State(s), and public transportation operator(s) of the actions taken under paragraphs (b)(1) and (b)(2) of this section. FHWA and FTA will update the certification status of the TMA when evidence of satisfactory completion of a corrective action(s) is provided to FHWA and FTA.

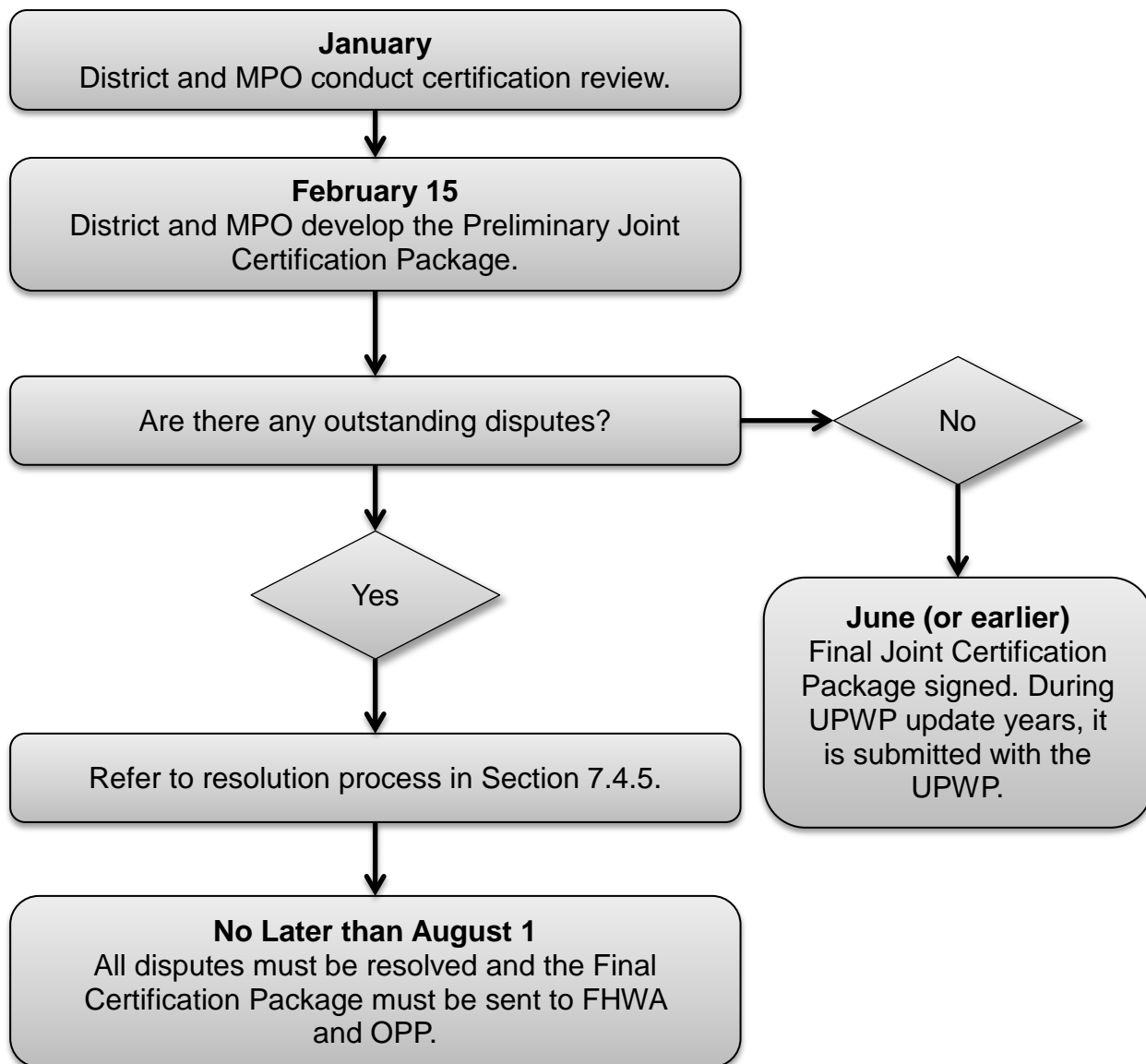
7.4 FDOT Joint Certification Process

Each year, the District and the MPO must jointly certify the metropolitan transportation planning process. The joint certification begins in January. This allows time to incorporate recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions. The District will include the signed joint certification package in its submittal of the Final UPWP, which is due no later than June 1.

Although the MPO develops and adopts a two-year UPWP, the MPO's certification must still occur annually. During those years when no UPWP is being adopted (i.e., year 1), the District and MPO will still do the certification review in January, albeit as a stand-alone process. The certification package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than June 1.

Districts have the option of doing a standard, full review each year or a limited, modified review. Districts may do a modified review for three consecutive years. On the fourth year, they must do a standard, full review of the applicable requirements listed in [\[23 C.F.R. 450.336\]](#). The timeline for the standard joint review and modified joint review process is the same. The process is presented in **Figure 7.1**, and is described in the following sections.

Figure 7.1 Joint Certification Process



7.4.1 Standard Joint Certification Review

Each January, the District must contact its MPO(s) to schedule the certification review(s) in order to provide the MPO preliminary results by February 15. The review ensures the transportation planning process is being carried out in accordance with the applicable requirements listed in [\[23 C.F.R. 450.336\(a\)\]](#) and referenced in **Section 7.3**, and the [questions](#) outlined in **Section 7.7**. Issues will be identified and discussed, and resolution sought by all parties, as appropriate.

During the years when the new two-year UPWP is being developed (i.e. year 2 of the current UPWP), any recommendations from the standard joint certification review will be incorporated into the Draft UPWP. The District will send a Final Joint Certification Package, along with the Final UPWP to FHWA, FTA, and the OPP. The Final UPWP is due no later than June 1.

If there is a dispute between the District and the MPO regarding the certification, they should refer to the conflict resolution process in **Section 7.4.5**. If the dispute cannot be resolved before June 1, the District will submit the Final UPWP without the Joint Certification Package. The District and the MPO have until August 1 to resolve disputes and submit the signed Joint Certification Package to FHWA, FTA, and OPP.

During the years when no UPWP is being adopted (i.e., year 1 of the current UPWP), the MPO and District will still do the certification review in January, albeit as a stand-alone process. The dispute resolution process and deadline are the same.

Note: Districts and MPOs in TMA areas must time their full review in the same year as the FHWA quadrennial review. FHWA will use the questions and answers gathered from the District's review as input to the quadrennial review.

7.4.2 Modified Joint Certification Review

The Modified Joint Review should be used only if the District is comfortable with the performance of the MPO. As with the Standard Joint Review, the District and MPO will review to ensure the transportation planning process is being carried out in accordance with the applicable requirements listed in [\[23 C.F.R. 450.336\(a\)\]](#) and referenced in **Section 7.3**, and use the questions outlined in **Section 7.7** as a frame of reference. The questions are not required to be used; however, for certain areas they could provide a focus for the review. This is a focused review on those areas of the planning process that may need improvement.

A District and MPO may only utilize the Modified Joint Review for a maximum of three consecutive years. Every fourth year, they must conduct a Standard Joint Review. The timeline for the Modified Joint Certification Review is identical to the Standard Review. The only difference is the depth of the review.

7.4.3 Development of the Joint Certification Package

The District must prepare a preliminary copy of the Joint Certification Package for MPO review by **February 15**. This will allow the implementation of recommendations into the Draft UPWP that is due on **March 15**.

The preliminary Certification Package must include the following:

- The unsigned certification statement, which can be found on OPP's [MPO Statements and Assurances web page](#);
- A summary description of noteworthy achievements by the MPO; and
- A list of any recommendations and corrective actions (along with deadlines).

7.4.4 MPO Review

The MPO has a maximum of **15 calendar days** to respond to the District concerning the contents of the Joint Certification Package. Disagreements between the District and the MPO staff are to be resolved prior to the District's submittal of the Final Joint Certification Package to OPP. Districts are not to include deficiencies or agreements in the Final Joint Certification Package that have not been fully discussed and coordinated with the MPO.

7.4.5 Resolving FDOT/MPO Joint Certification Issues

The District will consult with OPP and the MPO if the District cannot certify the metropolitan transportation planning process. Through this three-way consultation process, strategies and actions will be identified to facilitate certification. Should the issue(s) not be resolved within FDOT-MPO consultation process, OPP will arrange consultation with FHWA, FTA, the District, and the MPO to resolve the issue(s).

7.4.6 Processing the Final Joint Certification Package

The District must submit a copy of the signed Certification Package by **June 1** to OPP, the Florida Division of FHWA, and FTA (for a total of three copies). The Certification Package is included as part of the Final UPWP during UPWP update years, and is sent separately during non-update years. Extra time to resolve disputes may be needed; however, the deadline is **August 1**. This will allow OPP ample time for review. All joint

certifications must be approved before the FDOT Secretary can request approval of the STIP from FHWA and FTA.

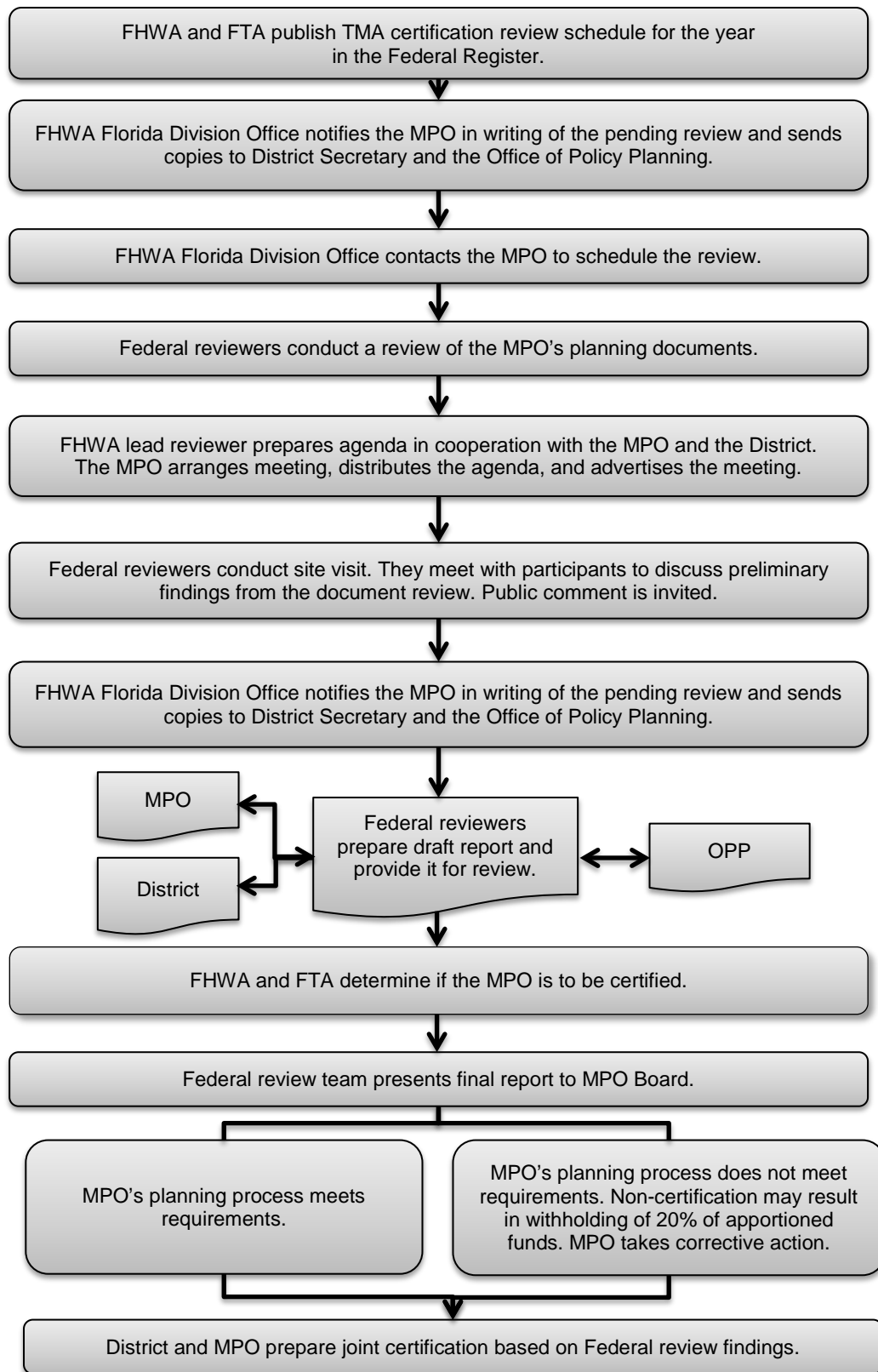
The Final Joint Certification Package will include the following:

- The signed certification statement;
- A summary description of any noteworthy achievements by the MPO;
- A list of any recommendations and corrective actions (along with deadlines); and
- Attachments associated with the noteworthy achievements.

7.5 Federal Certification Review Process

FHWA and FTA must certify that the metropolitan transportation planning process in TMAs is carried out in accordance with applicable provisions of Federal law at least once every four years [[23 U.S.C. 134](#), [49 U.S.C. 5303](#), and [23 C.F.R. 450.336](#)]. The schedule for Federal TMA certification reviews, referred to as the quadrennial review, is published annually in the Federal Register and announced in writing to the MPOs by the Florida Division of FHWA. FHWA and FTA will conduct these certifications on a multiyear cycle, thereby, ensuring the MPOs in this category will be Federally certified at least every four years. An overview of the Federal certification process is shown in **Figure 7.2**.

Figure 7.2 Federal Certification Process



7.5.1 Certification Review Tasks

The Federal certification review process is continuous and includes the following major tasks:

1. Certification reviews of TMAs at least once every four years;
2. Review and recommend approval of UPWPs;
3. Review of adopted metropolitan Long Range Transportation Plans (LRTP);
4. Review of metropolitan TIPs and the “3-C” (continuing, cooperative, and comprehensive) planning process; and
5. Issuance of a planning finding before the approval of the STIP.

7.5.2 Components of the Quadrennial Review

Two months prior to the quadrennial certification review, FHWA shall contact the MPO and the District to schedule the certification review of the metropolitan planning process. FHWA’s advance notification letter will be sent to the MPO with copies to the appropriate District Secretary and OPP. The Federal review team comprises representatives from FHWA and FTA. In nonattainment or maintenance areas, the Environmental Protection Agency may also participate.

The quadrennial certification review consists of the following four parts:

1. The **Document Review** involves a thorough examination of the most recent Joint Certification questions asked by the FDOT District. FHWA also will review the MPO’s planning documents and work products, such as the LRTP, TIP, UPWP, and the Congestion Management Process (CMP).
2. During the **Site Visit** to the MPO, the Federal Review Team will conduct meetings with the MPO to discuss the preliminary findings from the Document Review and other areas critical to the planning process, such as those listed at [\[23 C.F.R. 450.336\(a\)\]](#). The Site Visit provides an opportunity for information-sharing and discussion of best planning practices.

The FHWA lead staff person, in consultation with FTA, the MPO, and the District, is responsible for preparing the site visit agenda. The MPO is responsible for distributing the agenda and scheduling and advertising the meeting location for public involvement purposes.

Under [\[23 U.S.C. 134 \(k\)\(5\)\(D\)\]](#), there must be an opportunity for public involvement during TMA certification reviews. The public involvement activity is conducted during the Site Visit portion of the certification review. The Florida Division of FHWA developed guidelines to be used for scheduling and administering the public involvement component of the certification process. **Section 7.6** of this chapter presents these guidelines.

The public involvement session will include a public meeting and, if feasible, appointments with the members of the MPO Board and/or committees.

The review team will conduct a dialogue on the MPO's public involvement plan and its implementation. The MPO must provide documentation of its public involvement efforts.

3. The **Written TMA Certification Report** documents the findings from the Document Review and Site Visit, comments from the public meeting, and other meetings with members of the MPO and/or its committees, as applicable. A draft of the preliminary report is distributed to the MPO, the District, and the Statewide MPO Coordinator for comments prior to the report being finalized.
4. The **Closeout meeting** occurs when the Federal Review Team presents the report findings and discusses the certification options at an MPO Board meeting.

7.6 Guidelines for Public Involvement

Public involvement during the Federal certification review is designed to:

- Provide the public an opportunity to comment on the transportation planning process;
- Inform the public about Federal transportation planning requirements;
- Discuss public concerns;
- Provide follow-up action to demonstrate that public concerns are being addressed; and
- Help the Federal Review Team better understand community issues.

The Florida Division Office of FHWA has prepared *Guidelines for Public Involvement Component* of the Federal TMA certification review, which include suggestions for the meeting format, location, advertising, documentation of comments, and public comment opportunities. The *Guidelines* are listed below.

1. **Meeting Format.** The format for the public meeting consists of two components:
 - a) the first is a brief presentation by FHWA Florida Division staff, and b) the second is an open forum to receive public comments. The lead Federal Review Team staff person will be responsible for moderating the public meeting.

In the first component, FHWA Florida Division staff will describe the various elements of the TMA certification review and the Federal planning requirements that must be addressed by the MPO. The first section is expected to last no more than 10 to 15 minutes.

The second part of the meeting will be an open forum for citizens to ask questions, or offer their thoughts and comments on the Federal transportation planning process. Citizens wishing to address the Federal Review Team will be asked to fill out a speaker card that indicates their name, organization, address, and desire to be placed on the mailing list to receive a copy of the final *TMA Certification Report*. The lead Federal Review Team staff person will use the speaker cards to manage the succession of citizens wishing to address the Team or other participants. The length of the second part will vary, based on the number of speakers.

The citizen comments will be addressed at the meeting to the extent feasible. If an answer cannot be determined at the public meeting, the comments will be addressed in the final *TMA Certification Report*, with a copy of the report mailed to the citizen.

2. **Meeting Location.** The MPO will be responsible for scheduling the public meeting, including securing an appropriate location, obtaining necessary audio/visual equipment, and seating. The MPO should plan on reserving the meeting room for a minimum of two hours. The meeting room should be able to accommodate at least 50 people.

The meeting location should be in compliance with ADA. When securing the location, the MPO should consider when and where public transportation service is available. The public transportation service should be available prior to the start of

meeting and after it has concluded. The MPO also should make available communications for the hearing impaired; and provide sign and foreign language interpreters (i.e., Spanish, Creole, French, etc.), if requested.

- 3. Advertising.** The MPO is responsible for advertising the public meeting. The content of the advertising should include a title, the purpose of the meeting, the meeting sponsors, the date and time, the location with a map, contact person, a phone number to request additional information, and a phone number for persons with disabilities to contact if additional assistance is required. The MPO shall follow their Public Participation Plan for guidance in advertising for the public meeting.

An announcement of the meeting should be sent to all interested persons, including the local legislative delegation, local elected officials, and members of the MPO and MPO advisory subcommittees; and mail lists for major investment studies, the LRTP, and other public involvement activities. The MPO also should coordinate the advertising of the public meeting with the other participating agencies (i.e., to public transportation, port authority, aviation, etc.) to ensure their mailing lists are included. The notice to the interested persons should be mailed no later than 10 days prior to the public meeting.

The MPO may wish to employ additional technologies to advertise the meeting. These techniques may include a news release, the MPO's web site, local governments' cable access channel, and inserts in the local utility bill. In an effort to reach the underserved and minority populations, the MPO also may advertise the notice in community newspapers or newsletters that serve those populations. This may include civic and social organizations, religious and education institutions, neighborhood associations, senior citizens centers, and disability groups.

- 4. Documentation of Comments from the Public Meeting.** The MPO is responsible for providing a record of the attendance and comments presented at the public meeting. In an effort for the Federal Review Team to complete the certification report within 60 days, the minutes from the public meeting should be distributed electronically via email to the Federal Review Team and the participants no later than 15 working days after the public meeting certification report.

5. **Public Comment Opportunities.** Citizens wishing to speak at the public meeting will be asked to complete a speaker card that identifies their name, organization, and street address. A sample Speaker Card is included as **Figure 7.3**.

If a citizen cannot attend the public meeting, there are other ways to communicate concerns to the Federal Review Team. Comment cards will be available at the MPO office and on the MPO website. A citizen also can request a comment card by calling the FHWA Division office at (850) 553-2200. A sample Comment Card is included as **Figure 7.4**.

The comment cards will be pre-addressed and should be returned to FHWA Florida Division Office, 3500 Financial Plaza, Suite 400, Tallahassee, FL 32312, Attn: Planning Team Leader; or they may be faxed to (850) 942-9691. All written comments will need to be received by the due date indicated on the form in order to be included in the final certification report.

Figure 7.3 TMA Certification Speaker Card

Speaker Card

TMA Certification for _____ MPO
(Name of the MPO)

(Date)

Speaker Number: _____
(To be completed by FHWA Staff)

Please print

Name/Organization: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Would you like to receive a copy of the final report?

Yes No

Figure 7.4 TMA Certification Comment Form

Comment Form

TMA Certification for _____ MPO
(Name of the MPO)

(Date)

Name/Organization: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Would you like to receive a copy of the final report? Yes No

Please print your comments in the space below:

Please return to: FHWA Florida Division
3500 Financial Plaza, Suite 400
Tallahassee, FL 32312
(850) 553-2200 (Phone)
(850) 942-9691 (Fax)

7.7 Certification Questions

Section 7.3 stated the planning process must be done in accordance with the 10 applicable areas of law listed in [23 C.F.R. 450.336\(a\)](#). The questions provided below identify those minimum tasks that an MPO shall do in order to be fully certified. If the answer to a question is negative, and if the problem cannot be corrected prior to the signing of the Joint Certification Statement, FDOT has the option of granting conditional certification and including a corrective action in the joint certification statement. The corrective action should include a date by which the problem must be corrected. This list is intended to be as comprehensive as possible. However, additional requirements may be added as Federal guidance or regulations are developed.

Section (1). The metropolitan planning requirements of [\[23 U.S.C. 134, 49 U.S.C. 5303\]](#).

1. Is the MPO properly designated by agreement between the Governor and local governments that together represent at least 75 percent of the affected population,

including the largest incorporated city, or in accordance with procedures set forth in State and local law [\[23 U.S.C. 134 \(d\)\(1\)\(A\) and \(B\); 4 U.S.C. 5303 \(c\); and 23 C.F.R. 450.310 \(b\)\]](#)?

2. Does the MPO Policy Board include local elected officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation, and appropriate State officials [\[23 U.S.C. 134 \(d\)\(2\)\(A\), \(B\), and \(C\); 49 U.S.C. 5303\(c\); and 23 C.F.R. 450.310\(d\)\]](#). Note: Federal law covers TMAs only. Section 339.175, Florida Statutes, does not make a distinction.
3. Does the MPO have up-to-date agreements such as the interlocal agreement that creates the MPO, the intergovernmental coordination, and review agreement; and, if applicable, an interlocal agreement between the MPOs, State, and public transportation operators, where more than one MPO has been designated to serve an urbanized area [\[23 C.F.R. 450.314 \(a\) and \(e\)\]](#)?
4. Does the MPO boundary encompass the existing urbanized area and contiguous area expected to become urbanized within the 20-year forecast period? [\[23 C.F.R. 450.312 \(a\)\]](#)
5. Did the MPO send MPA boundary descriptions to FHWA and FTA? [\[23 C.F.R. 450.312 \(j\)\]](#)
6. For projects located within the boundaries of more than one MPO, does the MPO coordinate the planning of these projects with the other MPO(s)? [\[23 C.F.R. 450.314\(e\)\]](#)
7. Does the MPO planning process provide for consideration of the 10 planning factors? [\[23 U.S.C. 134\(h\); 23 C.F.R. 450.306\(a\)\]](#)?
8. Did the LRTP have at least a 20-year horizon at the time of adoption of the last major update? [\[23 U.S.C. 134 \(i\)\(2\)\(A\); 23 C.F.R. 450.324 \(a\)\]](#)
9. Did the LRTP, at a minimum, include the following, in accordance with [\[23 C.F.R. 450.324 \(f\)\]](#)?

10. The following are the current and projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan:
 - a. Existing and proposed transportation facilities (including major roadways; public transportation facilities; intercity bus facilities; multimodal and intermodal facilities; non-motorized transportation facilities (e.g., pedestrian walkways and bicycle facilities); and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan.
 - b. A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with the required performance management approach;
 - c. A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the required performance targets, including progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data.
 - d. For MPOs that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system, and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets.
 - e. Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.
 - f. In TMA areas, consideration of the results of the congestion management process.
 - g. Assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters.

- h. Transportation and transit enhancement activities, including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies; and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated, and including transportation alternatives and associated transit improvements, as appropriate.
 - i. Description of proposed improvements in sufficient detail to develop cost estimates.
 - j. A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan, and develop the discussion in consultation with applicable Federal, State, and Tribal land management, wildlife, and regulatory agencies.
 - k. A financial plan that demonstrates how the adopted transportation plan can be implemented.
 - l. Pedestrian walkway and bicycle transportation facilities.
11. Has the LRTP been reviewed and updated at least five years since the date of the last MPO Board action? [\[23 C.F.R. 450.324 \(c\)\]](#)
12. Has the MPO sent all updates/amendments of the LRTP to FHWA and FTA via the FDOT District? [\[23 C.F.R. 450.324 \(c\)\]](#)
13. Was the TIP developed in cooperation with the State and local transit operators? [\[23 C.F.R. 450.326 \(a\)\]](#)
14. Was the TIP updated at least every four years and approved by the MPO and the Governor? [\[23 C.F.R. 450.326 \(a\)\]](#)
15. Was the TIP financially constrained, and did it include only revenues that could be reasonably expected? [\[23 C.F.R. 450.326 \(j\)\]](#)
16. Did the TIP contain a priority list of Federally supported projects to be supported over the next four years? [\[23 C.F.R. 450.326 \(a\)\]](#)

17. Did the TIP contain all regionally significant projects, as defined by [\[23 C.F.R. 450.326 \(f\)\]](#)?
18. Was the TIP consistent with the LRTP? [\[23 C.F.R. 450.326 \(i\)\]](#)
19. Does the TIP identify the criteria and process for prioritizing implementation of transportation plan elements (including intermodal tradeoffs) for inclusion in the TIP and any changes in priorities from previous TIPs? [\[23 C.F.R. 450.326 \(n\) \(1\)\]](#)
20. Did the TIP include a listing of projects for which Federal funds have been obligated in the preceding year, or was this list otherwise made available for public review? [\[23 C.F.R. 450.326 \(n\)\(2\)\]](#)
21. When developing the LRTP and TIP, did the MPO provide individuals; affected public agencies; representatives of public transportation employees; public ports; freight shippers; providers of freight transportation services; private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program); representatives of users of public transportation; representatives of users of pedestrian walkways and bicycle transportation facilities; representatives of the disabled; and other interested parties with a reasonable opportunity to comment on the proposed plan and program? [\[23 C.F.R. 450.316 \(a\)\]](#)
22. Is the LRTP and TIP of the MPO published or otherwise readily available for public review? [\[23 C.F.R. 450.324 \(k\), 23 C.F.R 450.326 \(b\)\]](#)
23. Did the UPWP identify work proposed for the next one- or two-year period by major activity and task in sufficient detail to indicate who will perform the work, the schedule for completing the work, the resulting products, the proposed funding by activity/task, and a summary of the total amounts and sources of Federal and matching funds? [\[23 C.F.R. 450.308 \(c\)\]](#)
24. Did the UPWP document planning activities to be funded through Title 23 U.S.C. and the Federal Transit Act? [\[23 C.F.R. 450.308 \(c\)\]](#)
25. Were the transportation plans and programs of the MPO based on a continuing, comprehensive, and cooperative process? [\[23 C.F.R. 450.300 \(a\)\]](#)

26. If located in a TMA, does the MPO have an up-to-date congestion management process? [\[23 C.F.R. 450.322\]](#)
27. Does the MPO have a documented Public Participation Plan that defines a process for members of the public to have reasonable opportunity to participate in the planning process? [\[23 C.F.R. 450.316 \(a\)\]](#)
28. Has the MPO recently reviewed its Public Participation Plan? [\[23 C.F.R. 450.316 \(a\)\(1\)\(x\)\]](#)
29. When the Public Participation Plan was adopted, was it made available for public review for at least 45 days? [\[23 C.F.R. 450.316\(a\)\(3\)\]](#)

Section (2). The requirements of Sections 174 and 176 (c) and (d) of the Clean Air Act.

Note: The Clean Air Act applies only to areas designated nonattainment and maintenance to the National Ambient Air Quality Standards (NAAQS). Florida currently is in attainment status. No certification questions are required at this time. In the event the Environmental Protection Agency issues revised NAAQS, this section may require revision.

Sections (3), (4), and (7) through (10). The prohibitions against discrimination on the basis of race, color, creed, national origin, age, gender, or disability, as dictated by Title VI of the Civil Rights Act of 1964, as amended; [\[49 U.S.C. 5332; 23 U.S.C. 324\]](#); the ADA; the Older Americans Act; and Section 504 of the Rehabilitation Act of 1973.

1. Does the MPO have a signed Title VI policy statement expressing commitment to non-discrimination? [\[23 C.F.R. 200.9 \(a\)\(1\)\]](#)
2. Does the MPO take action to correct any deficiencies found by FDOT within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance? [\[23 C.F.R. 200.9 \(a\)\(3\)\]](#)
3. Does the MPO have a staff person assigned to handle Title VI and ADA-related issues? This does not need to be a full time equivalent position, but there should be at least someone at the MPO for whom Title VI and ADA is an extra duty area. [\[23 C.F.R. 200.9 \(b\)\(1\); 49 C.F.R. 27.13\]](#)

4. Does the MPO have a procedure in place for the prompt processing and disposition of Title VI and Title VIII complaints, and does this procedure comply with FDOT's procedure? [\[23 C.F.R. 200.9 \(b\)\(3\)\]](#)
5. Does the MPO collect statistical data (race, color, national origin, sex, age, disability) of participants in, and beneficiaries of, the programs and activities of the MPO? [\[23 C.F.R. 200.9 \(b\)\(4\)\]](#)
6. Does the MPO conduct an annual review of their program areas (for example: public involvement) to determine their level of effectiveness in satisfying the requirements of Title VI? [\[23 C.F.R. 200.9 \(b\)\(6\)\]](#)
7. Has the MPO participated in any recent Title VI training, either offered by the State, organized by the MPO, or some other form of training, in the past year?
8. Does the MPO have a signed Nondiscrimination Agreement, including Title VI Assurances, with the State?
9. Do the MPO's contracts and bids include the appropriate language, as shown in the appendices of the Nondiscrimination Agreement with the State?
10. Does the MPO hold its meetings in locations that are ADA accessible? [\[49 C.F.R. 27.7 \(5\)\]](#)
11. Does the MPO take appropriate steps to ensure its communications are available to persons with impaired vision and hearing? [\[49 C.F.R. 27.7 \(6\)\(c\)\]](#)
12. Does the MPO keep on file for one year all complaints of ADA noncompliance received, and for five years a record of all complaints in summary form? [\[49 C.F.R. 27.121\]](#)

Section (5). [Section 1101\(b\) of the FAST Act](#) regarding the involvement of disadvantaged business enterprises in FHWA and FTA planning projects [\[49 C.F.R. Part 26\]](#)

Note: MPOs that are part of municipal or county governments may have some of these processes handled by the host agency.

1. Does the MPO have a FDOT-approved Disadvantaged Business Enterprise (DBE) plan?
2. Does the MPO track DBE participation through the use of the Bid Opportunity List and DBE Participation Statement?
3. Does the MPO report actual payments to DBEs through BizWeb?
4. Does the MPO include the DBE policy statement in its boilerplate contract language for consultants and subconsultants?

Section (6). [\[23 C.F.R. Part 230\]](#) regarding implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.

At this time, there is no guidance from FHWA on how MPOs are expected to comply with this provision.

Financial Questions:

1. Are Federal-aid funds expended in conformity with applicable Federal and State laws, the regulations in 23 C.F.R. and 49 C.F.R., and policies and procedures prescribed by the Division Administrator of FHWA?
2. Are MPO expenditures allowable, necessary, reasonable, and allocable in accordance with the FHWA/FTA-approved UPWP?
3. Does the MPO's financial management system comply with the requirements set forth in 2 C.F.R. §200.302?
4. Are records of costs incurred under the terms of the MPO Agreement maintained and readily available upon request to FDOT at all times during the period of the MPO Agreement and for five years after final payment is made?
5. Are invoices submitted by the MPO to FDOT in detail sufficient for a proper pre-audit and post-audit?
6. Does the MPO comply with, and require its consultants and contractors to comply with, applicable Federal law pertaining to the use of Federal-aid funds?

7.8 References

This section provides a list of references/definitions from Federal and State law, including key plans and guidance related to MPOs.

Table 7.2 **References**

Reference	Description
23 U.S.C. 134	Metropolitan transportation planning
42 U.S.C. 2000d et seq	Title VI of the Civil Rights Act of 1964
42 U.S.C. 12101	ADA of 1990
42 U.S.C. 7504 and 7506(c) and (d)	Transportation Air Quality Conformity
49 U.S.C. 5303 ;	Metropolitan transportation planning
Section 1101(b) of the FAST Act	Disadvantaged Business Enterprise (DBE)
23 C.F.R. 450	Statewide and Metropolitan Planning
49 C.F.R. 26	Participation by Disadvantaged Business Enterprise (DBE)
49 C.F.R. 27	Nondiscrimination on the Basis of Disability in Programs and Activities Receiving Federal Financial Assistance
49 C.F.R. 37	Transportation Services for Individuals with Disabilities
49 C.F.R. 38	ADA Accessibility Specifications for Transportation Vehicles

Chapter 8: Performance Management

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8.1 Purpose

This chapter provides an overview of Federal performance management requirements for Metropolitan Planning Organizations (MPO). The 2012 Moving Ahead for Progress in the 21st Century (MAP-21) Act ushered in a national performance management program to strengthen the U.S. transportation system and improve decision-making through better informed planning and programming. MAP-21 established performance-driven and outcome-based requirements to align Federal transportation funding with national goals and track progress towards achievement of the goals. The objective of this performance-based program is for States, MPOs, and public transportation providers to invest resources in projects that, collectively, make progress toward the achievement of the national goals. The Fixing America’s Surface Transportation (FAST) Act affirmed this performance management approach.

8.2 Authority

This section lists the Federal and State statutes, regulations, and rules related to performance management.

Table 8.1 Federal and State Statutes and Codes

Citation	Description
<i>Federal</i>	
23 U.S.C. 150	Describes the national goals, establishment of performance measures and performance targets, and reporting requirements for the Federal-aid highway program.
49 U.S.C. 5301	Describes the national policy and purposes for funding public transportation systems.
23 U.S.C. 134 49 U.S.C. 5303	Describes the metropolitan transportation planning process.
23 C.F.R. 450	Describes planning assistance and standards.
23 C.F.R. 490	Describes national performance management measures.

8.3 Performance Management Terminology

Key performance-based planning and programming terms, which are also used in statute and regulations, provided below.

- **Goal:** a broad statement that describes a desired end state.³
- **Objective:** a specific, measurable statement that supports achievement of a goal.⁴
- **Performance measure:** an expression based on a metric that is used to establish targets and to assess progress toward meeting the established targets. [[23 C.F.R. 450.104](#) and [23 C.F.R. 490.101](#)]
- **Metric:** a quantifiable indicator of performance or condition. [[23 C.F.R. 490.101](#)]
- **Target:** a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period. [[23 C.F.R. 490.101](#)]

8.4 National Transportation Performance Management Framework

MAP-21 establishes the framework for transportation performance management. In the legislation, Congress defined seven national goals for the transportation system and requires the U.S. Department of Transportation (U.S. DOT) to establish performance measures related to those goals. Transportation agencies will then set performance targets to support the measures and monitor and report on progress toward achievement of the targets.

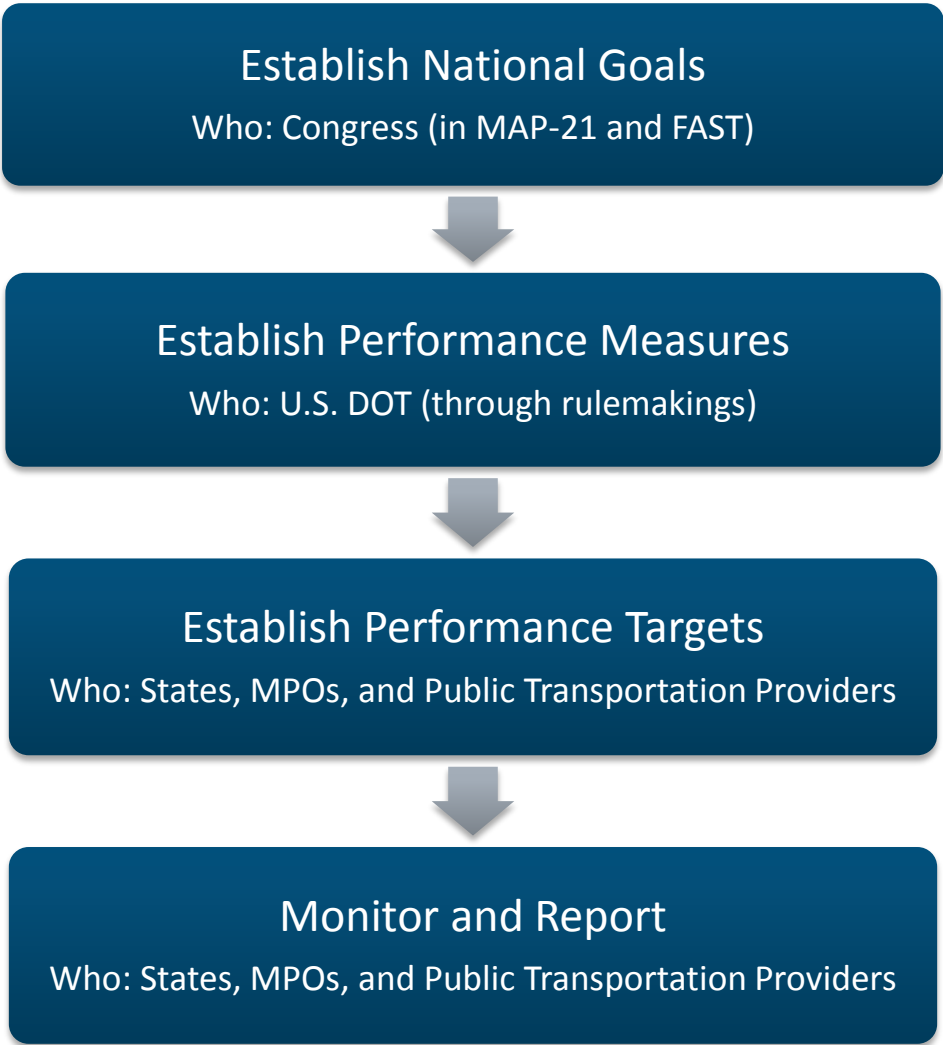
This represents the first time all States and MPOs are required to monitor and report on transportation performance using a national framework of consistent performance measures. Prior to MAP-21, there were no explicit requirements for transportation agencies to measure performance, establish targets, assess progress toward targets, or report on performance of the transportation system.

³ FHWA Performance-Based Planning and Programming Guidebook. page 12.
http://www.fhwa.dot.gov/planning/performance_based_planning/pbpp_guidebook/.

⁴ FHWA Performance-Based Planning and Programming Guidebook. page 12.
http://www.fhwa.dot.gov/planning/performance_based_planning/pbpp_guidebook/.

Congress, U.S. DOT, States, MPOs, and public transportation providers each have a role in performance management. Figure 8.1 presents the performance management framework and the agencies that lead each step. The sections following Figure 8.1 provide more detail on each component.

Figure 8.1 National Transportation Performance Management Framework



8.4.1 Establish National Goals

MAP-21 states that performance management will transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decision-making through performance-based planning and programming. [\[23 U.S.C. 150\(a\)\]](#)

MAP-21 established seven national goals for Federal transportation programs: [\[23 U.S.C. 150\(b\)\]](#)

1. **Safety.** Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
2. **Infrastructure Condition.** Maintain the highway infrastructure asset system in a state of good repair.
3. **Congestion Reduction.** Achieve a significant reduction in congestion on the National Highway System (NHS).
4. **System Reliability.** Improve the efficiency of the surface transportation system.
5. **Freight Movement and Economic Vitality.** Improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
6. **Environmental Sustainability.** Enhance the performance of the transportation system while protecting and enhancing the natural environment.
7. **Reduced Project Delivery Delays.** 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.

8.4.2 Establish Performance Measures

MAP-21 requires U.S. DOT to promulgate rulemakings that establish performance measures tied to the national goal areas. [\[23 U.S.C. 150\(c\)\]](#). The Federal performance measure rules fall into three primary categories – safety, system maintenance, and system performance.

- Safety performance measures track the number and rate of highway and transit fatalities and serious injuries; the number of pedestrian and bicyclist fatalities and serious injuries; and transit derailments, collisions, fires, or evacuations.

- System maintenance measures track the condition of roads, bridges, and transit capital assets including equipment, rolling stock, and transit infrastructure and facilities to assess how well these assets are being maintained.
- System performance measures track highway congestion and travel reliability, freight movement reliability, and on-road mobile source emissions to assess how well a corridor is moving people, not just vehicles.

As of May 2017, several performance measure rules have been finalized. Table 8.2 summarizes each rule, including the status and the performance measures identified in each rule. In addition, FHWA and FTA issued, on May 27, 2016, a final rule for Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning, also known as the planning rule. [\[23 C.F.R. 450\]](#) The planning rule updates the planning regulations to reflect changes brought about by MAP-21 and the FAST Act, including the performance management framework presented in Figure 8.1.

Table 8.2 U.S. DOT Performance Measures Rules

Rule	Performance Measures
Highway Safety Safety Performance Management Measures <i>Final Rule published March 15, 2016. Effective date April 14, 2016.</i>	<ul style="list-style-type: none"> • Number of fatalities. • Rate of fatalities per 100 million vehicle miles traveled (VMT) • Number of serious injuries. • Rate of serious injuries per 100 million VMT. • Number of non-motorized fatalities and serious injuries.

Rule	Performance Measures
<p>Highway Infrastructure Condition</p> <p>Assessing Pavement and Bridge Condition for the National Highway Performance Program</p> <p><i>Final Rule published January 18, 2017. Effective date May 20, 2017.</i></p>	<ul style="list-style-type: none"> • Percent of pavements on the Interstate system in good condition. • Percent of pavements on the Interstate system in poor condition. • Percent of pavements on the NHS in good condition. • Percent of pavements on the NHS in poor condition. • Percent of NHS bridges classified as in good condition. • Percent of NHS bridges classified as in poor condition.
<p>Highway System Performance</p> <p>Assessing Performance of the NHS, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program</p> <p><i>Final Rule published January 18, 2017. Effective date May 20, 2017.</i></p>	<ul style="list-style-type: none"> • Percent of person-miles traveled on the Interstate system that are reliable. • Percent of person-miles traveled on the Non-Interstate NHS that are reliable. • Percent change in tailpipe CO2 emissions on the NHS from 2017.* • Percent of Interstate system mileage providing for reliable truck travel times. • Annual hours of peak-hour excessive delay per capita • Percent of non-SOV travel. • Total emissions reduction.
<p>Transit Asset Management</p> <p>Transit Asset Management and National Transit Database</p> <p><i>Final Rule published July 26, 2016. Effective date October 1, 2016.</i></p>	<ul style="list-style-type: none"> • Percent of revenue vehicles that have met or exceeded their useful life benchmark. • Percent of non-revenue vehicles that have met or exceeded their useful life benchmark. • Percentage of track segments with performance restrictions. • Percentage of facilities rated in poor condition.

Rule	Performance Measures
Transit Safety Public Transportation Agency Safety Plan Notice of Proposed Rulemaking <i>Proposed Rule published February 5, 2016.</i>	<ul style="list-style-type: none"> Safety performance measures to be determined in the final rule.

* As of May 2017, FHWA delayed the CO2 emissions performance measure effective date indefinitely.

8.4.3 Establish Performance Targets

States, MPOs, and public transportation providers must establish performance targets for each performance measure identified in the final U.S. DOT rulemakings.

States must establish performance targets no later than one year after the effective dates of the U.S. DOT final performance measure rules. [\[23 C.F.R. 450.206\(c\)\(2\)\]](#)

Each MPO must establish performance targets not later than 180 days after the date on which the relevant State or public transportation provider establishes the performance targets. [\[23 C.F.R. 450.306\(d\)\(3\)\]](#)

The specific deadlines for when targets must be established vary by performance measure area. MPOs are not required to match State targets. An MPO will establish targets for each measure by agreeing to plan and program projects that contribute toward the accomplishment of the relevant State Department of Transportation targets, or committing to quantifiable targets unique to the MPO’s metropolitan planning area.

8.4.4 Monitor and Report

Accountability and transparency in transportation decision-making is a key provision of MAP-21’s performance management framework. To ensure this, MAP-21 set new requirements for States, MPOs, and public transportation providers to report on progress towards meeting performance targets.

In the MPO process, the Long Range Transportation Plan (LRTP) must include a description of the performance measures and targets used in assessing the performance of the transportation system. [\[23 C.F.R. 450.324\(g\)\(3\)\]](#)

The LRTP must also include a system performance report evaluating the condition and performance of the transportation system with respect to the MPO's targets, and report on progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports and baseline data. [\[23 C.F.R. 450.324\(g\)\(4\)\]](#)

For MPOs that elect to develop multiple scenarios when developing their LRTP, the system performance report must include an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. [\[23 C.F.R. 450.324\(g\)\(4\)\(ii\)\]](#)

MPOs must design the Transportation Improvement Program (TIP) such that once implemented, it makes progress toward achieving the MPO's performance targets. [\[23 C.F.R. 450.326\(c\)\]](#) The TIP must include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the LRTP, linking investment priorities to those performance targets. [\[23 C.F.R. 450.326\(d\)\]](#) FHWA defines maximum extent practicable as capable of being done after taking into consideration the cost, existing technology and logistics of accomplishing the requirement. Future FHWA and FTA guidance is expected to provide assistance on how this requirement might be met.

8.5 Additional MPO Performance Management Requirements

MPOs must meet the following performance management requirements in addition to the target setting and performance reporting requirements described above.

8.5.1 Use of a Performance-Based Planning and Programming Process

MPOs, in cooperation with the state and public transportation operators, must develop LRTPs and TIPs through a performance-driven, outcome-based approach to planning for metropolitan areas of the state. [[23 C.F.R. 450.306\(a\)](#)]

The MPO planning process must provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals. [[23 C.F.R. 450.306\(d\)\(1\)](#)]

MPOs must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other state or public transportation provider transportation plans and processes required as part of a performance-based program. These include:

- The state asset management plan for the NHS.
- The Transit Asset Management Plan.
- Applicable portions of the Highway Safety Improvement Program, including the Strategic Highway Safety Plan.
- The Public Transportation Agency Safety Plan.
- Other safety and security planning and review processes, plans, and programs, as appropriate.
- The Congestion Mitigation and Air Quality Improvement Program performance plan, as applicable.
- Appropriate metropolitan portions of the State Freight Plan.
- The congestion management process, if applicable.
- Other State transportation plans and transportation processes required as part of a performance-based program.

8.5.2 Coordination Requirements

States, MPOs and public transit providers have overlapping performance management roles and responsibilities. For example, they may draw from the same data sources when addressing performance measures. Because of this, Federal legislation and regulations require the agencies to coordinate when establishing targets and assessing progress.

Coordination is defined in this context as the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate. [[23 C.F.R. 450.104](#)]

MPOs must coordinate the selection of targets with the relevant State(s) and public transportation providers to ensure consistency, to the maximum extent practicable. [[23 C.F.R. 450.306\(d\)](#)] In turn, each State shall select and establish performance targets in coordination with the relevant MPOs to ensure consistency to the maximum extent practicable. [[23 C.F.R. 450.206\(c\)\(2\)](#)] FHWA defines maximum extent practicable as capable of being done after taking into consideration the cost, existing technology, and logistics of accomplishing the requirement.

This coordination process must be formalized. The MPO, State, and providers of public transportation must jointly agree upon and develop specific written provisions for: [[23 C.F.R. 450.314\(h\)](#)]

- Cooperatively developing and sharing information related to transportation performance data.
- Selection of performance targets.
- Reporting of performance targets.
- Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the MPO.
- Collection of data for the State asset management plans for the NHS.

These provisions must be documented either as part of the metropolitan planning agreements required under [23 C.F.R. 450.314\(a\), \(e\), and \(g\)](#), or in some other means

outside of the metropolitan planning agreements as determined cooperatively by the parties to the agreement. [[23 C.F.R. 450.314\(h\)](#)]

Thus, coordination must include not only target setting, but also the data collection necessary to support setting targets, identification of investments and strategies to achieve targets, and reporting of progress toward achieving targets. Coordination on target setting is crucial to successful implementation of performance management.

8.6 Phase-in of Performance Management Requirements

Congress established that States are not required to deviate from their established planning update cycles to implement changes in statewide and nonmetropolitan transportation planning. [[23 U.S.C. 135\(l\)](#)] FHWA and FTA have extended this same flexibility to MPOs. When developing LRTP or TIP amendments or updates, MPOs should consider when the new requirements must be incorporated.

Prior to May 27, 2018, (two years after the publication date of May 27, 2016, planning rule):

- An MPO may adopt a LRTP that was developed according to the requirements in place before or after the May 27, 2016, planning rule.
- FHWA/FTA may approve as part of a statewide Transportation Improvement Program (STIP), a TIP that was developed according to the requirements in place before or after the May 27, 2016, planning rule.

On or after May 27, 2018:

- An MPO may not adopt a LRTP that was not developed according to the requirements of the May 27, 2016, planning rule.
- FHWA and FTA may only approve as part of a STIP, a TIP that was developed according to the requirements of the May 27, 2016, planning rule, regardless of when the MPO developed the TIP.
- FHWA and FTA will take action on an updated or amended TIP developed under the requirements of the May 27, 2016, planning rule, even if the MPO has not yet adopted

a new LRTP under the provisions of the May 27, 2016, planning rule, as long as the underlying transportation planning process is consistent with the requirements in the rule.

- An MPO may make an administrative modification to a TIP that conforms to the requirements in place either before or after the May 27, 2016, planning rule.

Two years from the effective date of each rule establishing performance measures:

- FHWA/FTA will only approve as part of a STIP, a TIP that is based on a metropolitan transportation planning process that meets the performance based planning requirements of the May 27, 2016, planning rule and of the performance measure rule(s).
- An MPO may only adopt a LRTP that has been developed according to the performance-based provisions and requirements of the May 27, 2016, planning rule and of the performance measure rule(s).

Prior to two years from the effective date of each performance measures rule:

- An MPO may adopt a LRTP that has been developed using the requirements in place prior to the May 27, 2016, planning rule, or the performance-based planning requirements of the May 27, 2016, planning rule and of the performance measure rule(s).

In summary, States and MPOs have two years from the effective date of each performance measures rule, and two years from the effective date of the May 27, 2016, planning rule, whichever is later, to meet the performance-based planning and programming requirements described in this chapter when developing LRTPs and TIPs.

FHWA and FTA plan to provide technical assistance to the States, MPOs, and public transportation providers through a number of means, including the issuance of guidance, conducting peer reviews and workshops, sharing best practices, and conducting training on topics such as target setting, implementation of performance-based planning and programming, interagency coordination, data collection, and performance progress reporting. Performance-based planning and programming will also become a topic of discussion in MPO planning certification reviews.

8.7 Performance Management in Florida

For more than a decade, FDOT has used performance measures to assess how well Florida's multimodal transportation system functions, supports and informs decision, determines customer satisfaction, demonstrates transparency and accountability to Florida's citizens, and fosters collaboration with FDOT's transportation system stakeholders.

FDOT uses performance measures to help establish and inform the agency's goals, objectives, and strategies and to monitor progress toward achieving goals established in the Florida Transportation Plan, Strategic Highway Safety Plan, Freight Mobility and Trade Plan, and others. FDOT developed a Performance Management Policy to establish the relationship between performance plans and programs in Florida, as well as a Performance Framework that describes how FDOT uses performance measures.

FDOT held a Performance Summit in 2016 to obtain input from planning partners on the performance aspects of plans and programs spanning all modes of transportation. FDOT and MPOs have held several collaborative performance measures workshops since 2014.

FDOT and four MPOs conducted a Performance Measures Pilot Study in 2016 to gauge preparedness of the MPOs and FDOT to address the national performance measures. The study focused on safety measures and showed the level of effort required to gather and analyze performance data at the MPO level in Florida is feasible with a modest additional level of effort by FDOT staff.

8.8 References

This section provides references related to Performance Management requirements for MPOs.

Table 8.3 References

Reference	Description
<u>FHWA Performance-Based Planning and Programming Guidebook</u>	FHWA's guidance on performance-based planning and programming
<u>FHWA Transportation Performance Management Website</u>	FHWA's guidance on transportation performance management
<u>Florida MPO Pilot Study – National Performance Measures</u>	Summary of MPO Pilot Study
<u>FDOT Performance Management Policy</u>	Establishes FDOT's policy on performance management

Chapter 9: Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations

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9.1 Purpose

This chapter provides guidance to Metropolitan Planning Organizations (MPO) and Florida Department of Transportation (FDOT) staff for developing, maintaining, and reviewing metropolitan planning process consistency with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities.

9.2 Authority

All recipients of Federal financial assistance must comply with several Federal civil rights requirements. These include Title VI of the Civil Rights Act of 1964, which prohibits discrimination based upon race, color, and national origin. The Act states that **“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”** [\[42 U.S.C. 2000d\]](#)

In addition to Title VI, other nondiscrimination statutes prohibit discrimination based on sex, age, or disability. These include Section 162(a) of the Federal-Aid Highway Act of 1973 [\[23 U.S.C. 324\]](#) (sex), the Age Discrimination Act of 1975 [\[42 U.S.C. 6101\]](#) (age), and Section 504 of the Rehabilitation Act of 1973 [\[29 U.S.C. 701\]](#) and the Americans With Disabilities Act (ADA) of 1990 [\[42 U.S.C. 12131\]](#) (disability). These and additional authorities are listed below. Taken together, these requirements define a broad Title VI/ Nondiscrimination Program. Table 9.1 presents the relevant Federal statutes, regulations, executive orders, and rules.

Table 9.1 Federal and State Statutes and Codes

Citation	Description
Nondiscrimination	
20 U.S.C. 1681 et seq. , Civil Rights Restoration Act of 1987	Clarifies congressional intent to prohibit discrimination in all programs and activities of Federal-aid recipients, regardless of whether or not they are Federally assisted.
23 U.S.C. 324 , Highway Act of 1973	Adds sex as a protected class and authorizes the use of Title VI enforcement measures for sex discrimination.
29 U.S.C. 701 et seq. , Section 504 of the Rehabilitation Act of 1973	Prohibits discrimination based on disability in Federally funded programs or services.
42 U.S.C. 2000d-2000d-7 , Title VI of the Civil Rights Act of 1964	Provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
42 U.S.C. 6101 et seq. , Age Discrimination Act of 1975	Prohibits discrimination based on age in any Federally funded program or activity.
42 U.S.C. 12131 et seq. , ADA of 1990	Prohibits discrimination based on disability in programs or services operated by government entities.
49 C.F.R. 27 , Nondiscrimination Based on Disability in U.S. DOT-Assisted Programs	Codifies ADA/504 for U.S. DOT programs, services, and activities.
Title VI	
23 C.F.R. 200 et seq. , State Transportation Agency Nondiscrimination	Codified Title VI for FHWA programs, services, and activities.

Citation	Description
23 C.F.R. 450.336 , Self-certifications and Federal Certifications	Requires the metropolitan transportation planning process be carried out in accordance with Title VI and other nondiscrimination requirements.
49 C.F.R. 21 et seq. , Nondiscrimination in U.S. DOT Assisted Programs	Codifies Title VI for U.S. Department of Transportation programs, services, and activities.
Disadvantaged Business	
49 C.F.R. 26 , DBE	Establishes Federal guidelines for DBE participation in U.S. DOT-funded contracts.
Environmental Justice	
Executive Order 12898 (1994)	Directs Federal agencies to address disproportionately high and adverse human health or environmental effects in programs, policies, and activities on minority populations and low-income populations.
DOT Environmental Justice Order 5610.2(a) (2012)	Reaffirms U.S. DOT commitment to EJ and provides steps to prevent and/or address disproportionately high and adverse effects to minority or low-income populations through Title VI analyses and environmental justice analyses conducted as part of Federal transportation planning and National Environmental Policy Act (NEPA) provisions.
FHWA Environmental Justice Order 6640.23A (2012)	Provides FHWA policies and procedures for use in complying with Executive Order 12898.
Limited English Proficiency	
Executive Order 13166 (2000)	Requires Federal agencies to improve access to programs and services for those who are limited English proficient, and to provide guidance to Federal-aid recipients on taking reasonable steps to provide meaningful access for those who are Limited English Proficient (LEP).

9.3 Certification of the MPO Planning Process with Title VI/Nondiscrimination Requirements

The authority providing for the joint certification of an MPO, including the area of Title VI and related nondiscrimination requirements, is found in [23 C.F.R. 450.336](#) (Self-certifications and Federal certifications).

Federal metropolitan planning requirements state FDOT and each MPO, concurrent with the submittal of the entire proposed Transportation Improvement Program (TIP) to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as part of the State Transportation Improvement Program (STIP) approval, shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements. [\[23 C.F.R. 450.336\(a\)\]](#) The Title VI and nondiscrimination statutes and regulations to be addressed during certification are the following:

- Title VI of the Civil Rights Act of 1964 [\[42 U.S.C. 2000d-1\]](#) and [49 C.F.R. Part 21](#);
- [49 U.S.C. 5332](#), prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- Section 1101(b) of the Fixing America's Surface Transportation (FAST) Act [\[Pub. L. 114-357\]](#) and [49 C.F.R. Part 26](#) regarding the involvement of disadvantaged business enterprises (DBE) in Federally funded projects;
- [23 C.F.R. Part 230](#), regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the ADA of 1990 [\[42 U.S.C. 12101 et seq.\]](#) and [49 C.F.R. Parts 27, 37, and 38](#);
- 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;
- [Section 324 of Title 23 U.S.C.](#) regarding the prohibition of discrimination based on gender; and

- Section 504 of the Rehabilitation Act of 1973 [[29 U.S.C. 794](#)] and [49 C.F.R. Part 27](#) regarding discrimination against individuals with disabilities.

9.4 Title VI and Related Statutes and Nondiscrimination Requirements

The Federal Title VI/Nondiscrimination program includes several protections and activities:

- Prohibits entities from discriminatorily denying a protected individual any service, financial aid, or other benefit under the covered programs and activities;
- Prohibits entities from providing services or benefits to some individuals that are different from or inferior (in either quantity or quality) to those provided to others;
- Prohibits segregation or separate treatment in any manner related to the receiving program services or benefits;
- Prohibits entities from imposing different standards or conditions as prerequisites for serving individuals;
- Encourages the participation of minorities as members of planning or advisory bodies for programs receiving Federal funds;
- Prohibits discriminatory activity in a facility built in whole or part with Federal funds;
- Requires information and services to be provided in languages other than English when significant numbers of potential beneficiaries have limited English-speaking ability;
- Requires entities to notify the entire eligible population about programs;
- Prohibits locating facilities in a way that would limit or impede access to a Federally funded service or benefit; and
- Requires assurance of nondiscrimination in purchasing of services.

Each MPO must develop a Title VI Plan that details how the MPO will comply with Title VI requirements and all related regulations and directives. The Title VI Plan documents the efforts to be taken by the MPO to prevent discrimination; the methods for how it will

achieve compliance for work products, planning activities, and public participation; and the process for addressing discrimination complaints. Figure 9.1 below presents the components of a Title VI Plan and the following sections explain each component.

Figure 9.1 Components of a Title VI Plan

Nondiscrimination Agreement	Lists the Title VI requirements that an MPO agrees to perform for receiving State Planning (PL) funds.
Nondiscrimination Policy	MPOs must develop a policy stating they will not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status, and post it for public view.
Title VI/Nondiscrimination Coordinator	MPOs must appoint a Nondiscrimination Coordinator who has access to the MPO Executive Director when discrimination issues arise.
Nondiscrimination Complaint Procedure	MPOs must develop and post for public use a procedure for processing discrimination complaints based on race, color, national origin, sex, age, and disability.
Annual Reviews of Nondiscrimination Program	MPOs should review programs to ensure services and activities are free from discrimination.
Nondiscrimination Training	The MPO's Title VI/Nondiscrimination Coordinator should provide periodic staff training in nondiscrimination.
Outside Reviews	MPOs should be prepared for grant reviews of their nondiscrimination activities by federal funding agencies.

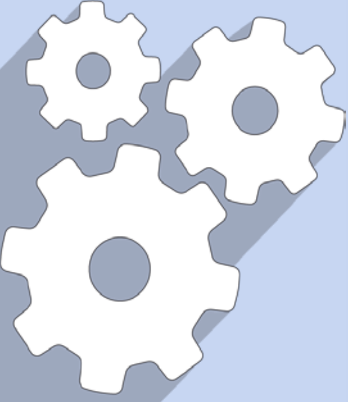
9.4.1 Nondiscrimination Agreement

- **Nondiscrimination Agreement.** As a FDOT subrecipient, each MPO is required to sign a Title VI and Related Statutes Nondiscrimination Agreement with the State to assure compliance with requirements. The form/agreement is entitled [Title VI/ Nondiscrimination Assurance](#) and is available on FDOT's [Metropolitan Planning Support website](#). The Title VI/Nondiscrimination Assurance must be signed annually by the MPO's signature authority and submitted to the Office of Policy Planning (OPP).

The Assurance acts as the MPO's Title VI commitment pursuant to [23 C.F.R. Part 200](#). It lists all of the Title VI requirements that an MPO agrees to perform in return for receiving Planning (PL) funds from the State, including developing a nondiscrimination policy and discrimination complaint procedure. The Assurance also contains appendices that must be included in all MPO bids, contracts, subcontracts, and agreements. The MPO is responsible not only for ensuring its own contracting documents have the required assurances, but also that any subcontracts also contain them.

The Districts' Planning staff are encouraged to work with the respective District's Title VI Program Area Officer in planning to review the MPO's updated Title VI/ Nondiscrimination Assurance annually to ensure compliance with the Title VI Program and related statutes.

- **Nondiscrimination Policy.** MPOs must develop and post for public view a policy that states the MPO will not discriminate in any program, service, or activity on the basis of race, color, national origin, sex, age, disability, religion, or family status. The MPO's website should not be the only location as not all members of the public have computer access. The policy statement should be circulated throughout the MPO and to the general public; and published, where appropriate, in languages other than English that are prevalent in the MPO area.
- **Title VI/Nondiscrimination Coordinator.** MPOs must appoint a Title VI/ Nondiscrimination Coordinator who has easy access to the MPO Executive Director. The Coordinator should be listed in the MPO Public Participation Plan (PPP) by name and contact information, and have a responsible position within the organization. While the Coordinator may report to a lower-level supervisor in other professional duties, he or she must be able to directly and easily access the head of the MPO when possible discrimination issues arise [\[23 C.F.R. 200.9\(b\)\(1\)\]](#). The MPO may demonstrate this easy access through the use of an organizational chart in the Title VI plan showing direct but dotted line access by the Title VI/ Nondiscrimination Coordinator to the MPO Executive Director.
- **Nondiscrimination Complaint Procedure.** MPOs must develop and post for public use procedures for prompt processing and disposition of complaints of discrimination based on race, color, national origin, sex, age, and disability. [\[23 C.F.R. 200.9\(b\)\(3\), \(b\)\(14\), and \(b\)\(15\)\]](#)



MPOs have the flexibility to develop a complaint resolution procedure that corresponds to the organization's operations with two limitations:

1. MPO processes to resolve complaints should be time-sensitive, never exceeding more than 90 days. [23 C.F.R. 200.9(b)(15)]
2. Copies of all MPO nondiscrimination complaints should be provided to the FDOT District Title VI/ Nondiscrimination Coordinator. The FDOT Coordinator is an important resource who can assist with investigation and resolution. The Coordinator also is responsible for recording, tracking, and reporting complaint status to the FDOT Central Office and FHWA. [23 C.F.R. 200.9(b)(3)] Finally, the Coordinator serves as a clearinghouse by transferring to the appropriate authority complaints without jurisdiction or outside FDOT/MPO purview.

- **Annual Reviews of Nondiscrimination Program.** Before signing annual Certification of MPO Planning Process Consistency with Title VI of the Civil Rights Act of 1964, the MPO must review each program area (Public Involvement, UPWP, TIP, Bike/Ped Master Plan, and LRTP) to ensure nondiscrimination. The MPO must review demographic data, measures of effectiveness matrices, committee reports, and other available documentation to ensure programs, services, and activities in these areas during the year were free from discrimination. [\[23 C.F.R. 200.9\(b\)\(5\)\]](#)
- **Nondiscrimination Training.** The MPO's Title VI/Nondiscrimination Coordinator must provide or arrange for periodic staff training in Title VI and nondiscrimination requirements. Both FDOT and FHWA have helpful resources, including videos and other training aids. Training may be targeted to particular areas, such as Environmental Justice, LEP, public involvement, or complaint investigation. FDOT's [Sociocultural Effects Evaluation website](#) contains a wide array of resources, including video training on Environmental Justice.

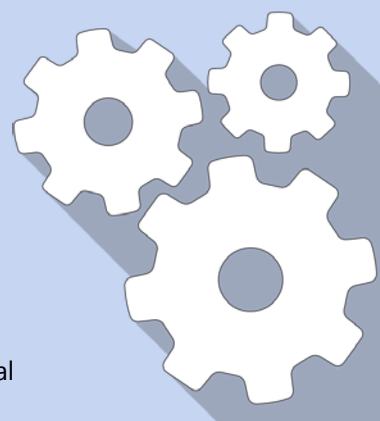
- **Outside Reviews.** MPOs must be prepared for pre-grant and post-grant reviews of MPO nondiscrimination activities by FDOT [\[23 C.F.R. 200.9\(b\)\(13\)](#) and [49 C.F.R. 21.11\]](#).

9.5 Documentation

Documentation of nondiscrimination policies, procedures, outreach, and other similar information is critical to demonstrate compliance with Title VI and related nondiscrimination requirements. The text box provided below lists recommended items for documentation.

Some examples of important items that should be documented include:

- ☑ All complaint information, including a tracking log of complainant, date of complaint, basis for complaint, and complaint disposition.
- ☑ A scrapbook of outreach events intended to increase participation and solicit feedback from low-income and minority communities.
- ☑ Measures of effectiveness reports detailing representative public involvement.
- ☑ Lists of MPO committee members by race, ethnicity, age, and whether or not disabled.
- ☑ Updated community characteristics inventories showing the MPO's geographic area broken down by socioeconomic factors.
- ☑ Community Impact Assessments that evaluate the enhancements and negative impacts of the MPO's plans.
- ☑ The MPO's LEP, Title VI, EJ, and nondiscrimination assurance documents. Samples of the MPO's meeting advertisements, contracts, and other documents containing nondiscrimination information.
- ☑ Records of all internal and external Title VI/Nondiscrimination reviews, results, and corrective action, if any.
- ☑ Lists of staff nondiscrimination training including the date, number of attendees, and the training subject.
- ☑ Documents showing strong practices, lessons learned, nontraditional partnerships, etc.

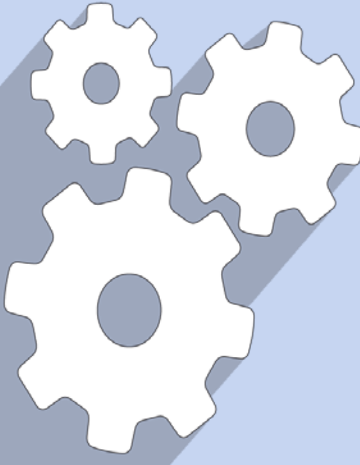


9.6 Limited English Proficiency

[Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#), as well as related Department of Justice (DOJ) Guidance from August 2000, requires Federal agencies and their recipients, including MPOs, to take reasonable steps to provide meaningful access to programs and services for persons who have a limited ability to read, speak, write, or understand English. In order to comply, MPOs must develop and post a written LEP plan that includes analysis of four factors:

1. **Demography.** Number and/or proportion of LEP persons served and languages spoken in service area;
2. **Frequency.** Rate of contact with service or program;
3. **Importance.** Nature and importance of program/service to people's lives; and
4. **Resources.** Available resources, including language assistance services.

MPOs must use the four factors in conjunction with their area demographics, PPP, measures of effectiveness, community partners, and funding to determine when and to what extent LEP services are required. LEP plans are essentially tools for providing better customer service, obtaining more representative public input, and demonstrating Title VI compliance. The Plans should effectively discuss the four factor analysis and list the steps, activities, or other resources the MPO uses to provide meaningful access. LEP plans must be available for public access and comment, and should use plain language. Plans should not be needlessly long, or contain so much background or legal information that it creates a barrier to public understanding. See FDOT's [LEP Guidance](#), [FHWA's LEP website](#), or the [U.S. government's website for LEP](#) for resources to assist MPOs with plan development.



MPOs must develop an LEP Plan that includes an analysis of four factors:

- 1. Number or proportion of LEP persons eligible to be served or likely to be encountered by the program or service;*
- 2. Frequency with which LEP individuals come in contact with the program;*
- 3. Nature and importance of the program, activity, or service provided by the program to people's lives; and*
- 4. Resources available to the recipient and costs.*

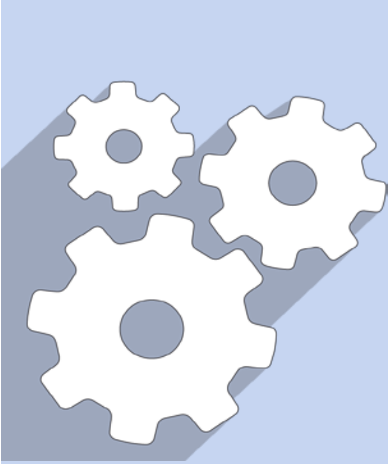
Though not required by the Executive Order or related Memoranda, MPOs may choose to comply with 'safe harbor' provisions. Safe harbors are affirmative defenses to a finding of noncompliance by demonstrating written translation of all vital documents based on the size of an LEP population. The safe harbor only applies to written translation of documents and when all vital documents are translated where there is an LEP language group constituting 5 percent or 1,000 persons, whichever is less. Given the size and scope of vital MPO documents, full translation could be cost prohibitive. Therefore, the MPO should carefully consider the wisdom of safe harbor compliance, and whether other reasonable steps might better or more effectively provide LEP compliance.

Finally, like all nondiscrimination programs and plans, LEP Plans are living documents that must be revisited to reflect changing communities and their needs. As such, the MPO must review its LEP Plan annually to ensure that it remains accurate and effective.

9.7 Environmental Justice (EJ)

[Executive Order 12898](#), Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, first issued in 1994, was reaffirmed by the White House in 2011. Subsequently, a consortium of Federal agencies, including U.S. DOT, participated in a working group to revise and update EJ guidance for its modal agencies and for recipients of Federal assistance, including MPOs. The result was the

[U.S. DOT Order on EJ, 5610.2\(a\)](#) (May 2012) and [FHWA Order on EJ, 6640.23A](#) (May 2012). U.S. DOT defines three fundamental EJ principles, which are described in the text box below.



The goals of Environmental Justice remain constant:

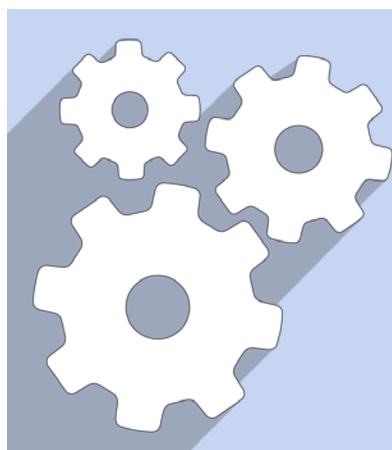
- ☑ To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- ☑ To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- ☑ To prevent the denial of reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

U.S. DOT's Order states that it will “promote the principles of environmental justice (as embodied in the Executive Order) through the incorporation of those principles in all DOT programs, policies, and activities... fully considering environmental justice principles throughout planning and decision-making processes in the development of programs, policies, and activities.” The Order also requires the collection and analysis of demographic data (race, color, national origin, and income level) through existing statutory and regulatory authority to ensure that EJ objectives are achieved.

To implement these requirements, the MPO must use all reasonable and available means at their disposal to better understand the demographics and needs of the communities within their areas. Sources of information may include, but not be limited to, Census and/or American Community Survey data; information collected and maintained by school, emergency, and social service providers; religious, community, or charitable organizations; planning and/or community development committees and boards; homeowners and civic groups; and surveys, blogs, and other social media sources.

MPOs may find it helpful to create a Sociocultural Data Report (SDR) to better identify community demographics, low-income and minority populations, and potential partner organizations that may serve or have more information about the community. Once

complete, the MPO may then use the SDR to analyze transportation plans, listing the benefits and impacts of its plans on the underserved communities, and assessing whether or not they are disproportionately high or adverse. The SDR is located in FDOT's [Environmental Screening Tool](#). More information about the Sociocultural Data Report and other tools for identifying demographics can be found at FDOT's [SCE Evaluation Process web page](#).



MPOs have two responsibilities with regard to Environmental Justice:

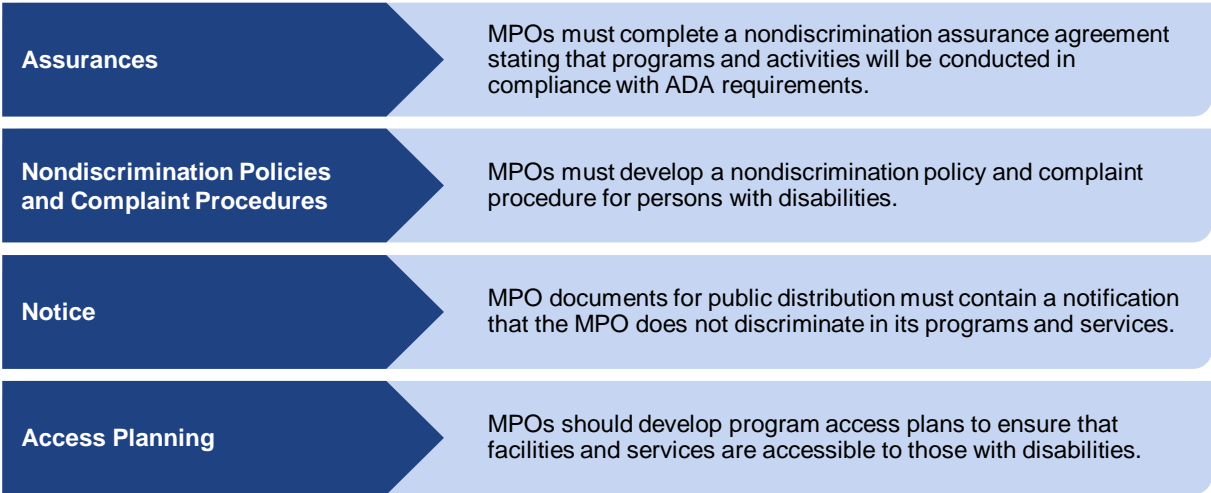
- 1. Access to Information.** MPOs must ensure and document early, continuous, and meaningful opportunities for involvement by minority and low-income communities; and
- 2. Data Collection and Analysis.** MPOs must scrutinize demographic data to ensure that planning activities will not have disproportionately high or adverse impacts on underserved communities and, where impacts are unavoidable, that documented steps are taken to avoid, minimize, or mitigate impacts.

As with all nondiscrimination programs and activities, MPOs must annually examine their EJ strategy for effectiveness, including ensuring that it captures significant changes in the area's minority and low-income populations. More information on EJ compliance may be found at FDOT's [EJ website](#) or [FHWA's EJ website](#).

9.8 Americans with Disabilities Act (ADA) and Related Authorities

Under the Americans with Disabilities Act of 1990 [\[42 U.S.C. 12131\]](#), MPO programs and services may not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the basis of a disability. Moreover, the MPO has the responsibility of providing reasonable accommodation to those with disabilities who require special services to access information or participate in MPO activities. The figure below describes ADA requirements for all government entities, including MPOs.

Figure 9.2 ADA Requirements for All Government Entities



- **Assurances.** [49 C.F.R. 27.9](#) requires all Federal-aid recipients to complete a nondiscrimination assurance stating that programs and activities will be conducted in compliance with ADA. If the MPO has executed the FDOT Nondiscrimination Agreement (which specifically includes disability), it need not sign a separate ADA Assurance.
- **Nondiscrimination policies and complaint procedures.** [49 C.F.R. 27.13](#) requires Federal-aid recipients to develop a nondiscrimination policy and complaint filing/ process procedure for disability. Recipients also must name a responsible person to coordinate disability nondiscrimination activities. While this part only applies to entities with 15 or more employees, all MPOs are encouraged to comply. Note: If the MPO has a comprehensive complaint policy and procedure that includes disability, and has named a Title VI/Nondiscrimination Coordinator, then it need not develop separate policies and procedures wholly for disability.
- **Notice.** [49 C.F.R. 27.15\(b\)](#) requires all publications or other general information for public distribution to contain a notification statement the recipient does not discriminate in admission or access to, or treatment or employment in, its programs and services. Recipients also must provide upon request reasonable accommodation for access to programs and services for those with disabilities. FDOT developed a standard statement for use on all public documents and notifications, stating that:

The MPO does not discriminate on the basis of race, color, national origin, sex, age, religion, disability and family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), or those requiring language assistance (free of charge) should contact [enter Title VI/Nondiscrimination Coordinator or Public Information Office] at (XXX) XXX-XXXX or coordinator@anympo.org.

- **Access Planning.** [28 C.F.R. 35.150\(d\)](#) states that government entities with 50 or more employees having ownership/control over pedestrian rights-of-way must have an ADA transition plan to prioritize, schedule, and detail structural changes necessary to bring facilities into compliance. As MPOs generally do not meet the thresholds for employment or sidewalk ownership/control, they are not required to develop transition plans. However, under [28 C.F.R. 35.105](#), all public entities, including MPOs are required to conduct a self-evaluation of programs and services for accessibility; and where deficiencies are discovered, develop program access plans for making the required modifications for compliance. In addition, MPOs must ensure that all planning products include accessibility considerations and the involvement of communities with disabilities and their service representatives in the planning process. MPOs also can enhance ADA compliance by providing technical assistance to local agencies within their jurisdictions. Examples of assistance that MPOs can provide are:
 - » Conduct and/or share roadway surveys and other information regarding accessibility and connectivity of pedestrian rights-of-way;
 - » Gather and distribute input from partner organizations that serve the community that is disabled;
 - » Collect, analyze, or share crash and other data related to high priority pedestrian areas;
 - » Provide safety outreach to schools, neighborhoods, community service groups, and other similar organizations; and
 - » Ensure that Bike/Ped Master Plans and similar documents are shared with (or plan input gathered from) public works and maintenance departments of the local agencies within MPO jurisdiction.

9.9 Disadvantaged Business Enterprise (DBE)

[Title 49 C.F.R. Part 26](#) establishes the Federal guidelines for participation of Disadvantaged Business Enterprises (DBE) in U.S. DOT-funded contracts. As a recipient of Federal planning funds, MPOs must comply with these requirements. The MPO certification process also certifies if the metropolitan planning process is being carried out in accordance with all applicable DBE requirements. [\[23 C.F.R. 450.336\(a\)\(5\)\]](#)

Under [49 C.F.R. 26.21\(a\)\(1\)](#), FHWA's *primary* recipients are required to have an approved DBE program plan. As further explained in the preamble: "For FHWA, the modification makes clear that under FHWA's financial assistance program, its direct, primary recipients must have an approved DBE program plan, and subrecipients are expected to operate under the primary recipient's FHWA-approved DBE program plans." Thus, all FHWA funding provide to MPOs through FDOT is subject to FDOT's DBE Program Plans. MPOs may not use an alternative DBE plan for FHWA funds provided by the State. If the MPO is a direct recipient of FTA funds, and more than \$250,000 of those funds are used for contracts, then the MPO must have its own DBE program and goal approved by FTA.

Per [49 C.F.R. 26.51\(f\)](#), where State transportation agencies achieve their overall goals for DBE participation through race neutral means for two consecutive years, they must continue a race-neutral program until they can no longer achieve the approved goal. Since 2000, FDOT has operated an entirely race neutral DBE program in that it achieves DBE goals through the normal competitive bid process. This means that MPOs must ensure their procurement and contracting documents carefully follow FDOT's specifications, and that they do not specify a project goal or contract sanctions for failing to meet DBE availability.

The State maintains a [Florida Unified Certification Program Disadvantaged Business Enterprise \(UCP DBE\) Directory](#) to help contractors and consultants identify subcontractors and subconsultants eligible to participate on Federally funded contracts towards the attainment of DBE goals.

MPOs must check the UPC DBE Directory to ensure that DBE contractors and subcontractors are certified as DBEs in the area of work required by the MPO. MPOs also may contact FDOT's supportive services providers for more information. FDOT's [Equal Opportunity Office DBE](#) website provides relevant contact information.

9.9.1 DBE Contract Assurances

Under [49 C.F.R. 26.13](#), MPOs are required to have a signed policy statement expressing their commitment to DBE participation. MPOs must sign the statement on an annual basis. A sample statement is available on OPP's [MPO Statements and Assurances](#) web page. In addition, each contract a MPO signs with a consultant and/or subconsultant must include the following assurance:

“The contractor, subrecipient, or subcontractor 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 C.F.R. 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 contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.”

9.10 References

This section provides references, procedures, and forms related to Title VI/ Nondiscrimination requirements for MPOs.

Table 9.2 References

Reference	Description
Title VI Assurance, DOT 1050.2A	Executed by the FDOT Secretary committing to Title VI/ Nondiscrimination compliance in all programs, services, and activities.
Title VI/Nondiscrimination Assurance	This agreement can be found on FDOT’s MPO Statements and Assurances web page.
Title VI Program and Related Statutes Implementation and Review Procedure, 275 010 010-e	Establishes FDOT’s process for implementing the FHWA Title VI compliance program and conducting Title VI program compliance reviews.
Title VI Implementation Plan	FDOT’s Title VI/Nondiscrimination Program Implementation Plan, which describes the policies, procedures, and practices in use to comply with nondiscrimination requirements.
Disadvantaged Business Enterprise Program Plan	Establishes FDOT’s DBE Program Plan in accordance with 49 C.F.R. Part 26.
Limited English Proficiency Plan	FDOT’s LEP guidance.
Sociocultural Data Report (SDR)	Displays information about communities in a project area that potentially may be affected by the project.
Sociocultural Effects Evaluation (SCE)	FDOT’s Sociocultural Effects Evaluation resources.
Environmental Justice Web Page	FDOT’s Environmental Justice information.

Chapter 10: Other Planning Products and Processes

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10.1 Purpose

This chapter describes several other planning products and processes required of the Florida Department of Transportation (FDOT) and other agencies that Metropolitan Planning Organizations (MPOs) must consider in the metropolitan transportation planning process. The topics discussed in this chapter are safety planning, the Congestion Management Process, bicycle and pedestrian planning, and freight planning.

10.2 Safety Planning

Safety planning plays a critical role in reducing transportation-related fatalities and serious injuries in Florida. To address safety issues across all modes, FDOT and the Florida MPOs develop, update, and implement several transportation safety plans and programs.

The primary safety-focused plans and programs produced by FDOT that are of importance to MPOs are:

- Florida Strategic Highway Safety Plan (SHSP).
- Florida Highway Safety Plan (HSP).
- Florida Highway Safety Improvement Program (HSIP).

The statewide and metropolitan transportation plans and programs that are required to consider safety and align with these safety-focused plans are:

- Florida Transportation Plan (FTP).
- MPO Long-Range Transportation Plans (LRTP).
- Statewide Transportation Improvement Programs (STIP) and MPO Transportation Improvement Programs (TIP).

The following section provides a general description of each safety plan and program and how it is addressed in Florida.

10.2.1 Strategic Highway Safety Plan

The SHSP is a statewide-coordinated safety plan developed by each State DOT in consultation with safety stakeholders, including MPOs. The SHSP provides a comprehensive framework for reducing transportation related fatalities and serious injuries on all public roads. The SHSP is required to use a data-driven approach to identify transportation safety needs, or emphasis areas, and must be updated at least every five years. Safety programs and projects identified for HSIP funding must be consistent with the SHSP emphasis areas. The SHSP also provides strategic direction for other State and regional transportation plans.

The Florida SHSP was originally developed in 2006, and was updated in 2012 and 2016. The current and previous SHSPs can be found on FDOT's [State Safety Office webpage](#). The [2016 SHSP](#) is Florida's current five-year comprehensive roadway safety plan. The update was coordinated with Florida's 27 MPOs, and included a review of safety-related goals, objectives, and strategies in MPO plans and targeted outreach sessions through Florida's Metropolitan Planning Organization Advisory Council (MPOAC). The Plan is data-driven, sets a vision of zero traffic-related fatalities in Florida, addresses safety needs for all public roads, and identifies strategies and emphasis areas that guide Florida's safety efforts. These emphasis areas and accompanying strategies are used to prioritize HSIP projects and guide the safety policies, programs, and projects, if applicable, in FDOT and MPO transportation plans and programs.

10.2.2 Highway Safety Plan

The HSP serves as a State's application to the National Highway Traffic Safety Administration for Federal funds available under [23 U.S.C. 402](#), State and Community Highway Safety grant program and [23 U.S.C. 405](#), National Priority Safety Program. The HSP is data-driven and identifies the key behavioral safety problems in a State, establishes performance measures and targets for 15 core performance measures, identifies other performance measures and targets as applicable, reports on how targets from the previous year were met, and identifies countermeasures for addressing safety needs. HSP content is coordinated with the SHSP and the annual targets for fatalities, serious injuries, and fatality rate are identical to those in the HSIP.

The [Florida HSP](#) is developed annually by FDOT's Safety Office. It is based on Florida's SHSP goals and objectives, an analysis of crash data, and related requirements. It sets

safety priorities and targets for the upcoming year and identifies programs and projects for funding.

10.2.3 Highway Safety Improvement Program

The purpose of the HSIP is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The HSIP is not a plan, but a program of highway safety improvement projects, identified through data-driven analysis. A highway safety improvement project is a strategy, activity, or project on a public road that is consistent with the data-driven SHSP; and corrects or improves a hazardous road segment, location, or feature or addresses a highway safety problem. At the planning level, HSIP projects must be carried out as part of the statewide and metropolitan planning processes. At the project level, they are included in the STIP and MPO TIPs. The HSIP also establishes targets for five performance measures. Targets for fatality, fatality rate, and serious injury must be identical between the HSIP and HSP.

FDOT's State Safety Office is responsible for administering the HSIP program, reviewing and evaluating all potential projects in coordination with FDOT's Districts, and evaluating the effectiveness of a project. In Florida, funding for HSIP projects is based on identified safety needs versus a formula or suballocation. FDOT's District staff, often in coordination with the local MPO and Community Traffic Safety Team (CTST), utilize the results of crash analysis for the District planning area to determine safety projects and programmatic needs. Eligible HSIP projects and programs must be identified through a data-driven process and must address a SHSP crash type or emphasis areas. Once projects are identified, District staff work with the State Safety Office to program and fund them.

10.2.4 Florida Transportation Plan (FTP)

The FTP is the single overarching statewide plan guiding Florida's transportation future. It includes a 50-year Vision Element, a 25-year Policy Element, and a five-year Implementation Element. The SHSP is considered an implementation activity that supports the FTP's vision of a fatality-free transportation system and the long-range goal of ensuring safety and security for residents, visitors, and businesses.

10.2.5 MPO LRTPs, TIPs, and the Metropolitan Planning Process

Federal and State statute and planning regulations specify the following safety-related requirements MPOs must address in the metropolitan transportation planning process.

- Safety of the transportation system for motorized and nonmotorized users is one of the ten factors MPOs must address in the planning process. [\[23 C.F.R. 450.306\(b\)\(2\)\]](#)
- MPO must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in the HSIP, SHSP, and other safety and security planning and review processes, plans, and programs, as appropriate. [\[23 C.F.R. 450.306\(d\)\(4\)\]](#)
- The LRTP must include operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods. [\[23 C.F.R.450.324\(g\)\(5\)\]](#)
- The LRTP must also integrate the priorities, goals, countermeasures, strategies, or projects for the metropolitan planning area contained in the HSIP, including the SHSP and public transportation agency safety plans. [\[23 C.F.R.450.324\(j\)\]](#)
- The TIP must include HSIP projects. [\[23 C.F.R. 350.326\(e\)\]](#)
- [Section 339.175, F.S.](#), describes Florida's MPOs, specifically citing the need to consider safety during the long-range transportation planning process. It also requires the MPO Technical Advisory Committee to coordinate its actions with other regional agencies, including the community traffic safety teams.
- [Section 339.177, F.S.](#), states FDOT, in cooperation with the MPOs, shall develop and implement a separate and distinct system for managing a number of program areas, including highway safety.

10.2.6 Safety in Performance Management

[23 U.S.C. 150](#) describes the national goals and performance management measures, which are also described in more detail in Chapter 8. It specifies seven national goal areas; one of which is to achieve a significant reduction in traffic fatalities and serious

injuries on all public roads. Safety performance management is addressed more specifically in Federal Highway Administration (FHWA) performance measures regulations [\[23 C.F.R. 490\]](#).

- [23 C.F.R. 490.207](#) establishes five performance measures for carrying out the HSIP: number of fatalities, rate of fatalities, number of serious injuries, rate of serious injuries, and number of non-motorized fatalities and non-motorized serious injuries. Each performance measure is based on a 5-year rolling average. Calculations for each measure are described in this section of the C.F.R.
- [23 C.F.R. 490.209](#) requires State DOTs to establish performance targets annually for each of the five safety performance measures listed above. The targets must be identical to the targets in the State's HSP and reported in the HSIP Annual Report. FDOT must develop and report on targets starting with the HSIP Annual Report, due in 2017.
- [23 C.F.R. 490.209](#) also requires MPOs to establish performance targets for each of the five safety performance measures listed above no later than 180 days after the State DOT establishes and reports on the targets in the HSIP Annual Report. MPOs have the option of agreeing to plan and program projects that contribute towards accomplishing the State DOT goal or establishing quantifiable targets for their planning areas. To ensure consistency between the State and metropolitan targets, the DOT and MPOs must coordinate on the establishment of targets to the maximum extent practicable.
- [23 C.F.R. 490.213](#) states that MPOs must annually report their established safety targets to the State DOT. MPOs must also report baseline safety performance, a vehicle miles traveled (VMT) estimate and methodology (if a quantifiable rate was established), and progress toward the achievement of their targets in the LRTPs.

10.2.7 Stand Alone Safety Plans

FDOT and the MPOs may choose to develop stand alone plans that further explore safety issues and needs. These may focus on a modal or topic area (i.e. bicyclists and pedestrians, older drivers), or geographic region (i.e. MPO region, corridor plan).

The [Florida Pedestrian and Bicycle Strategic Safety Plan](#) is an example of a modal plan that specifically focuses on safety policies, programs, and projects. A number of MPOs

have created similar modal safety plans. Typically, these plans will review crash data, including locations and crash characteristics, to develop modal safety goals, objectives, and project recommendations. Similar to modal plans, topic plans may address safety issues for a specific demographic segment or issue area and can be used to further prioritize safety programs and projects, either statewide or at the regional or local level.

Another type of safety plan is one that focuses on a specific geographic region and can be used to more narrowly focus on safety issues and needs. Many regional safety plans will utilize a crash characteristics analysis, combined with network screening or another type of analysis to identify locations for implementation of behavioral programs and safety infrastructure projects.

10.3 Congestion Management Process

The Congestion Management Process (CMP) is a federally mandated process to help larger urban areas analyze and manage traffic congestion. This section briefly explains the CMP requirements and provides resources for additional information.

The CMP, as defined in federal regulation, applies only to MPOs that are designated as a Transportation Management Area (TMA), which is an urbanized area that has a population greater than 200,000 people.

The purpose of the CMP is to provide for effective management and operation of the existing transportation system and identify areas where improvements are most needed. It is intended to provide an enhanced linkage to the planning process and the environmental review process that is based on cooperatively developed travel demand reduction and operational management strategies and capacity increases.

10.3.1 CMP Requirements

[23 C.F.R. 450.322](#) presents the CMP requirements for TMA MPOs. The transportation planning process in a TMA must address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for federal funding, through the use of travel demand reduction, job access projects, and operational management strategies.

The development of a CMP should result in multimodal system performance measures and strategies that can be reflected in the MPO's LRTP and TIP.

Consideration should be given to strategies that manage demand, reduce single occupant vehicle (SOV) travel, improve transportation system management and operations, and improve efficient service integration within and across modes, including highway, transit, passenger and freight rail operations, and non-motorized transport. Where the addition of general purpose lanes is determined to be an appropriate congestion management strategy, explicit consideration is to be given to the incorporation of appropriate features into the SOV project to facilitate future demand management strategies and operational improvements that will maintain the functional integrity and safety of those lanes.

The CMP must include methods to monitor and evaluate the performance of the transportation system, definition of objectives and performance measures, a system of data collection, evaluation of strategies, and identification of an implementation schedule, implementation responsibilities, and possible funding sources for each strategy or combination of strategies proposed for implementation. Evaluation results must be provided to decision-makers and the public to provide guidance on selection of effective strategies for future implementation. Additional requirements are specified for TMA MPOs in air quality nonattainment areas.

[Section 339.175, F.S.](#), requires all MPOs in Florida, including non-TMA MPOs, to prepare a congestion management system for the metropolitan area and cooperate with FDOT in the development of all other transportation management systems required by State or Federal law.

10.3.2 CMP Guidance

The Federal CMP requirements are not prescriptive regarding the methods and approaches an MPO must use to implement a CMP. This flexibility reflects the fact that different metropolitan areas may face different conditions regarding traffic congestion and may have different visions of how to deal with congestion.

FHWA issued the [Congestion Management Process Guidebook](#), which provides guidance to MPOs for developing a CMP. The Guidebook outlines and discusses the following eight steps in CMP development:

1. Develop regional objectives for congestion management.
2. Define the CMP network.
3. Develop multimodal performance measures.
4. Collect data/monitor system performance.
5. Analyze congestion problems and needs.
6. Identify and assess strategies.
7. Program and implement strategies.
8. Evaluate strategy effectiveness.

10.4 Pedestrian and Bicycle Planning

This section provides information about conducting pedestrian and bicycle planning in the metropolitan transportation planning process in accordance with regulations, guidance, and policies.

10.4.1 Pedestrian and Bicycle Planning Requirements

MPOs are not required to develop a stand-alone pedestrian and/or bicycle plan or develop a separate pedestrian and bicycle section of the LRTP. However, Federal and State law and regulations do require the MPO planning process address pedestrian and bicycle facilities along with other transportation infrastructure. These requirements include:

- Bicycle transportation facilities and accessible pedestrian walkways must be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities. [\[23 C.F.R. 450.300\(a\)\]](#)
- MPOs must provide representatives of users of pedestrian walkways and bicycle transportation facilities, among others, with reasonable opportunities to be involved in the metropolitan transportation planning process [\[23 C.F.R. 450.316\(a\)\]](#) and comment on the LRTP. [\[23 C.F.R. 450.324\(j\)\]](#)

- The LRTP must include both long-range and short-range strategies and actions that provide for the development of an integrated multimodal transportation system, including accessible pedestrian walkways and bicycle transportation facilities, to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand. [\[23 C.F.R. 450.324\(b\) and 23 C.F.R. 450.324\(g\)\(12\)\]](#)
- The State, public transportation operator(s), and the MPO must cooperatively develop a listing of projects on an annual basis, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal transportation funds were obligated in the preceding year. [\[23 C.F.R. 450.334\(a\)\]](#)
- MPO plans and programs must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area. [\[s.339.175\(1\), F.S.\]](#)
- The LRTP must indicate proposed transportation enhancement activities, including pedestrian and bicycle facilities. [\[s.339.175\(7\)\(d\), F.S.\]](#)

10.4.2 Developing Pedestrian and Bicycle Plans

While MPOs are not required to develop a bicycle or pedestrian plan, an MPO may do so to conduct a more detailed analysis, and to provide targeted recommendations to support regional planning and programming. An MPO may choose to develop a pedestrian and bicycle element of its LRTP, or may choose to develop a stand-alone bicycle or pedestrian plan. A stand-alone plan may address pedestrian and bicycle policy and infrastructure in more depth than a component of the LRTP. If an MPO chooses to develop a bicycle or pedestrian plan, the plan should be consistent with the goals and objectives of the LRTP and should also inform the MPO's TIP. These plans do not need to be fiscally constrained, allowing MPOs to identify an aspirational list of projects, and identify and articulate solutions such as improving safety and increasing accessibility.

MPO pedestrian and bicycle plans vary in their focus and content, with some being general and policy-oriented in nature, and others recommending specific facility improvements. Plans often include some or all of these components:

- Setting regional goals, objectives, and performance measures related to walking and bicycling.
- Collecting and analyzing pedestrian and bicycle data, including usage, facilities, and safety, and monitoring trends.
- Forecasting pedestrian and bicycle facility demand and mode choice in conjunction with regional travel modeling.
- Evaluating infrastructure deficiencies and areas of need.
- Using information on existing and potential demand, safety needs, and other network gaps or deficiencies to prioritize types of projects, specific projects, or areas for funding.
- Setting policies and criteria (such as TIP selection criteria) related to the incorporation of pedestrian and bicycle improvements in MPO-funded projects.
- Providing funding and/or technical assistance (e.g., model policies or design standards) to local jurisdictions to implement pedestrian and bicycle improvements on local streets.

10.4.3 Pedestrian and Bicycle Policies and Guidance

The U.S. DOT issued a [Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations](#) on March 11, 2010, to reflect the Department's support for fully integrated networks. The policy states that every transportation agency, including the DOT, has the responsibility to improve conditions for walking and bicycling and to integrate walking and bicycling into their transportation systems.

FDOT's policies, plans, and guidance related to metropolitan pedestrian and bicycle planning include:

- The [Florida Transportation Plan](#)
- FDOT's [Complete Streets Policy and Implementation Plan](#)
- The [Florida SHSP](#) and [Pedestrian and Bicycle Strategic Safety Plan](#)

- The [Florida Pedestrian and Bicycle Partnership Council](#)

Florida Transportation Plan

The [FTP](#) recognizes the importance of pedestrian and bicycle safety, facilities improvements/choices, changing cultural attitudes, and healthy lifestyles. The FTP includes seven long-range goals for Florida, four of which can be tied directly to pedestrian and bicycle planning -- quality infrastructure, transportation choices, quality places, and environment and energy conservation. If an MPO chooses to develop a pedestrian or bicycle plan, the plan should be consistent with the FTP's goals.

Complete Streets and Facility Design

FDOT adopted a [Complete Streets Policy](#) in September 2014. The policy states that FDOT will routinely plan, design, construct, reconstruct and operate a context-sensitive system of "Complete Streets." Complete Streets shall serve the transportation needs of transportation system users of all ages and abilities, including but not limited to cyclists and pedestrians as well as transit riders, motorists, and freight handlers.

FDOT's [Complete Streets Implementation Plan](#) (December 2015) provides a detailed description of actions FDOT will undertake to implement this policy. Action areas include:

- Revising guidance, standards, manuals, policies, and other documents.
- Updating decision-making processes.
- Modifying approaches for measuring performance; managing internal and external communication and collaboration during implementation.
- Providing ongoing education and training.

The [Florida Greenbook](#), formally referred to as the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, provides design standards and criteria for State and local roads, and is one vehicle for implementing the Complete Streets policy. Chapter 8 of the Greenbook addresses pedestrian facilities and Chapter 9 addresses bicycle facilities. The Greenbook states that bicycle facilities should be established in conjunction with the construction, reconstruction, or other change of any transportation facility and special emphasis should be given to projects in or within one mile of an urban area. A [draft update to the Greenbook](#) proposes

to require provision of sidewalks along both sides of roadways that are in or within one mile of an urban area, and proposes various additional standards for both pedestrian and bicycle facilities such as a minimum five foot sidewalk width.

While MPOs typically are not responsible for the design of streets, they may choose to include adherence to State standards and Complete Streets policies as criteria for project prioritization and funding in the TIP.

Pedestrian and Bicycle Safety Plans

As discussed in Section 10.2, Florida is required to develop and update a SHSP as a condition of receiving Federal-aid highway safety funding. [Florida's SHSP](#) is organized into emphasis areas, one of which includes pedestrian and bicycle safety. Within this emphasis area, the SHSP identifies four strategies on which to focus safety efforts:

- Increase awareness and understanding of safety issues and compliance with traffic laws and regulations related to pedestrians and bicyclists.
- Develop and use a systematic approach to identify locations and behaviors prone to pedestrian and bicycle crashes and implement multi-disciplinary countermeasures.
- Create urban and rural built environments to support and encourage safe bicycling and walking.
- Support national, state, and local initiatives and policies that promote bicycle and pedestrian safety.

[Florida's Pedestrian and Bicycle Strategic Safety Plan](#), published in 2013, supports the SHSP with a more detailed focus on pedestrian and bicycle safety. It establishes a vision to “provide a safe transportation system where people of all ages and abilities can walk, bike, utilize transit, and travel by automobile safely and comfortably in a pedestrian and bicycle friendly environment.” The plan is organized into seven emphasis areas: data and analysis; driver education and licensing; highway and traffic engineering; law enforcement and emergency services; communication; outreach and education; and legislation, regulation, and policy. The plan also includes a statewide pedestrian and bicycle crash analysis. Objective 3.11.1 of the plan is to “Promote linkage of state, local, and regional safety plans to increase coordination between stakeholders.”

Bicycle and Pedestrian Partnership Council

The [Florida Bicycle and Pedestrian Partnership Council](#) was convened to provide policy recommendations to FDOT and its transportation partners on the State's walking, bicycling and trail facilities. The 2015 Annual Report provides a number of recommendations regarding how all partners in pedestrian and bicycle facility planning in Florida should collaborate to advance principles through implementation of the [Florida Transportation Plan](#). Principles that relate directly to metropolitan planning activities include:

- Strive for a comprehensive, interconnected network of pedestrian and bicycle facilities at the State, regional, and local levels.
- Support cooperative efforts at the State, regional, and local levels (between public, private and non-governmental organizations) on pedestrian and bicycle issues to address safety, completion of the system, cultural change, and health-related behaviors.
- Promote the importance of pedestrian and bicycle planning by leveraging Federal, State, local, and private funding sources.

10.5 Freight Planning

This section provides information about the consideration of freight in the metropolitan transportation planning process.

10.5.1 Freight Planning Requirements and Guidelines

MPOs are not required to develop a metropolitan freight plan. However, Federal transportation and State law and regulations do require that MPOs address freight in the planning process. These requirements include:

- MPOs must carry out a multimodal transportation planning process that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight. [\[23 C.F.R. 450.300\(a\)\]](#)
- The planning process must provide for consideration and implementation of projects, strategies, and services that will increase accessibility and mobility of people and

freight [\[23 C.F.R. 450.306\(b\)\(4\), s.339.175\(6\)\(b\)\(3\)\]](#) and enhance the integration and connectivity of the transportation system, across and between modes, for people and freight [\[23 C.F.R. 450.306\(b\)\(6\), s.339.175\(6\)\(b\)\(5\)\]](#).

- MPO must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in the appropriate (metropolitan) portions of the State freight plan. [\[23 C.F.R. 450.306\(d\)\(4\)\(vi\)\]](#)
- MPOs must provide public ports, freight shippers, and providers of freight transportation services, among others, with reasonable opportunities to be involved in the metropolitan transportation planning process [\[23 C.F.R. 450.316\(a\)\]](#) and comment on the LRTP. [\[23 C.F.R. 450.324\(j\)\]](#)
- When developing the LRTP and TIP, the MPO should consult with agencies and officials responsible for other planning activities within the metropolitan area that are affected by transportation, including freight movement activities, or coordinate its planning process, to the maximum extent practicable, with such planning activities. [\[23 C.F.R. 450.316\(b\)\]](#)
- When developing the LRTP and the TIP, each MPO must provide freight shippers and providers of freight transportation services with a reasonable opportunity to comment on the LRTP. [\[s.339.175\(7\)\(e\), F.S., s.339.175\(8\)\]](#)

10.5.2 Freight Performance Management

[23 U.S.C. 150](#) describes the national goals and performance management measures, which are also described in more detail in Chapter 8. It specifies seven national goal areas, one of which addresses freight movement and economic vitality:

- Improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development. [\[23 U.S.C. 150\(b\)\(5\)\]](#)

Freight is addressed more specifically in FHWA's performance measures regulations.

- [23 C.F.R. 490.607](#) establishes that the performance measure to assess freight movement on the Interstate System is the Truck Travel Time Reliability (TTTR) Index, referred to as the Freight Reliability measure.
- [23 C.F.R. 490.609](#) requires State DOTs, in coordination with MPOs, to define reporting segments.
- [23 C.F.R. 490.105](#) requires MPOs to establish performance targets for the performance measure no later than 180 days after the State DOT establishes performance targets.
- [23 C.F.R. 490.107](#) provides the reporting requirements for States and MPOs.

10.5.3 Florida Freight Planning

FDOT's key transportation plans that address freight planning include the [Florida Transportation Plan](#) (FTP) and the [Freight Mobility and Trade Plan](#) (FMTP).

The [FTP](#) contains a Policy element organized around seven goals. One goal is efficient and reliable mobility for people and freight, which represents a shift from a focus on reducing travel time and delay to making the entire transportation system more efficient and reliable, including all modes as well as supporting regulatory processes. Another FTP goal focuses on more transportation choices for people and freight. This goal recognizes widespread partner and public input on the need for a fuller range of options for moving people and freight, with emphasis on walking, bicycling, transit, and rail, as well as emerging mobility options such as shared and automated vehicles. The FTP also identifies emphasis areas, one of which is increasing the safety and security of freight movement using all modes, including safe and secure truck parking and other logistics facilities, and separation of or reduced conflict between freight and passenger vehicles.

The [FMTP](#) is a comprehensive plan developed by FDOT with private and public sector partners. The FMTP identifies objectives and strategies for improving freight mobility and trade activity in Florida, along with more than 700 identified freight investment needs with a total cost of \$32 billion. In support of the FMTP, FDOT established an Office of Freight, Logistics, and Passenger Operations, appointed a freight coordinator for each district, and established a Trade and Logistics Academy to train FDOT and partner staff on freight-related issues. The FMTP is being closely coordinated with regional freight plans developed by FDOT Districts, MPOs, and other partners across the state.

10.5.4 Florida MPOAC Freight Advisory Committee

The [MPOAC Freight Advisory Committee](#) was created in April 2013 to serve as a clearinghouse of actionable ideas that allow Florida’s MPOs to foster and support sound freight planning and freight initiatives. The members of the Freight Advisory Committee seek to understand the economic effects of proposed freight-supportive projects, foster relationships between public agencies with responsibilities for freight movement and private freight interests, and reduce policy barriers to goods movement to, from, and within Florida.

The [Freight Advisory Committee MPOAC webpage](#) lists Committee members, Committee meeting summaries, and other resources, including links to MPO freight webpages and reports.

10.6 References

This section provides references related to safety, congestion management, bicycle and pedestrian planning, and freight planning.

Table 10.1 References

Reference	Description
Florida Transportation Plan	Florida’s Long-Range Statewide Transportation Plan.
Strategic Highway Safety Plan	Florida’s statewide-coordinated safety plan.
Highway Safety Plan	Serves as a state’s application to the National Highway Traffic Safety Administration for Federal funds.
Florida’s Highway Safety Improvement Program	Florida’s program of highway safety improvement projects.
Bicycle and Pedestrian Partnership Council	Provides policy recommendations to FDOT and its partners on the State’s walking, bicycling, and trail facilities.
Pedestrian and Bicycle Strategic Safety Plan	Supports the SHSP with a more detailed focus on pedestrian and bicycle safety.

Reference	Description
FHWA Congestion Management Process Guidebook	Provides guidance for conducting a CMP.
FDOT Complete Streets Policy	Specifies FDOT's approach and policy for a statewide Complete Streets policy.
FDOT Complete Streets Implementation Plan	Provides a detailed description of actions FDOT will undertake to implement this policy.
Florida Greenbook	Provides design standards and criteria for state and local roads.
Freight Mobility and Trade Plan	Identifies objectives and strategies for improving freight mobility and trade activity in Florida.