

# amarillo mpo

## inter-agency memo

**TO:** MPO Policy Committee Members  
**FROM:** Travis Muno, Senior Transportation Planner  
**DATE:** April 12, 2018  
**SUBJECT:** MPO Policy Committee Workshop

The Amarillo Metropolitan Planning Organization Policy Committee will meet **Thursday, July 19, 2018**, at **1:30 P.M.**, in **Conference Room 275 of Simms Municipal Building, 808 S. Buchanan St.** I am sending you the agenda and information packet for the meeting.

For information about the current meeting, call the Amarillo Metropolitan Planning Organization at (806) 378-4219.

# AMARILLO METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE MEETING

## AGENDA

**PLACE:** Room 275, Simms Municipal Building, 509 808 S. Buchanan St

**DATE:** April 19, 2018

**TIME:** 1:30 PM

**ITEMS:**

- Item 1: Open Forum, time reserved for anyone to speak on any transportation related item, however, no action can be taken on items not on the agenda
- Item 2: Discuss and Consider Approval of the April 2018 meeting minutes
- Item 3: Discuss and Consider Approval of Revisions to the 2018 UPWP
- Item 4: Discuss and Consider Approval of the 2019 UPWP
- Item 5: Discuss and Consider Approval of the Transit Asset Management Performance Measures
- Item 6: Discuss and Consider Approval of the Planning Agreement between MPO and TxDOT and City of Amarillo
- Item 7: Discuss and Consider letter of support for City of Amarillo BUILD grant application
- Item 8: Update on TxDOT 2019 Unified Transportation Program
- Item 9: Update on MPO Bylaws and MAB Expansion
- Item 10: Adjournment.

For information about the meeting,  
Call the Amarillo Metropolitan Planning Organization at 806 378-4219.

The Amarillo Metropolitan Planning Organization Policy Committee reserves the right and hereby gives notice that it may conduct an executive session, as the Amarillo Metropolitan Planning Organization Policy Committee may find necessary, on any item of business listed in this agenda for which state law authorizes an executive session, even if such item is not specifically designated to be an executive session item.

The Simms Municipal Building is accessible by individuals with disabilities through its main entry on the east side (S Buchanan St) of the building. An elevator leading to the second floor is at the center of the building. Parking spaces for individuals with disabilities are available in the parking lot. The Simms Municipal Building is equipped with restroom facilities, communication equipment, and elevators that are accessible. Individuals with disabilities, who require special accommodations or a sign language interpreter, must make a request with the Planning Department, two business days before the meeting, by telephoning 378-4219, or the City TDD number at 378-4229.



## MINUTES

### AMARILLO METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE MEETING

The Policy Committee for the Amarillo Metropolitan Planning Organization met at 1:30 p.m., April 18, 2017, in Room 275 of the Simms Building, 808 South Buchanan, Amarillo, Texas. Voting members present were: Jared Miller, Kit Black, Kyle Ingham, Mark Benton, Brian Crawford, Ernie Houdashell, HR Kelly, Ginger Nelson, and Nancy Tanner.

Voting members not present were: Eddie Sauer, Dick Davis,

Ex Officio Members present: Randy Criswell, Gary Hinders

Non Members Present were: Mansour Shiraz, Bill Frawley, Dustin Diaz, Sonja Gross, Dan Reese, Marita Wellage – Reilley, Alex Guerrero, Floyd Hartman, Jamie Hall, Charles Bufford, Russell Salzan, Matt Miller, Terry Nix, Leslie Schmidt

Staff coordinators were: Travis Muno, and Devin Jones.

#### **Item 2. Consider approval of the January 18, 2018 meeting minutes.**

Mayor Nelson opened the meeting with a vote for approval of the January 18, 2018 minutes. Kyle Ingham moved to accept the minutes as they were written. Mark Benton seconded the motion. The minutes were approved unanimously.

#### **Item 3. Discuss and Consider the Memorandum of Understanding (MOU) for Performance Measures.**

Travis Muno, MPO Senior Planner explained what the Memorandum of Understanding (MOU) is, and the process we came to have it completed. Mayor Nelson asked if this has ever been done before in Amarillo, and Travis explained that it has never been required before. Kyle Ingham asked what the repercussions of not meeting the requirements of the MOU are. Travis then explained that nothing will happen at the state level, but there would be a movement of money, but that none would be taken away. Brian Crawford, TxDOT District Engineer also mentioned that the MOU was a formal agreement for roles and responsibilities already in place, that it was just a formal document stating that all parties understood their positions and responsibilities within the MPO. Kyle Ingham asked what would happen if the Policy Board did not vote in the MOU. Travis explained that the TIP and MTP documents would be held up at the Federal level, so the signing of the MOU was required. HR Kelly made a motion to approve, and Jared Miller seconded. The MOU was voted in with a unanimous vote.

#### **Item 4. Discuss and Consider the Approval of the FY18 List of Priority Projects.**

Kit Black made a short presentation to show the priority projects. He explained that the Priority Project List had been adopted last year, and that TxDOT was hoping that the Policy Board would approve the updated list again this year. Mark Benton asked if the projected costs included the steel cost increase with the new tariff being put into place. Kit explained, that no that increase had not been calculated. Kyle Ingham asked what percentage of our funding was from the commission awarded funding. Kit explained that it was almost half of our current budget for funded projects. Mark Benton asked about the right of way acquisition, and Kit explained that the process was almost complete. Kyle Ingham asked about direct access to frontage roads, and Kit explained that yes there would be direct access, and that it would not be an issue long term. Kit explained that the amount of money we have is more than usual, but the MPO's priority list helps by lining up projects that are

ready to go, and only awaiting funding. Kyle Ingham asked if a letter from the policy board would be beneficial to acquiring more funding. Brian Crawford acknowledged that anything would help. Jared Miller asked if any of the current projects would meet a 'shovel ready' requirement that comes with many grants that the MPO can apply for. Brian Crawford explained that when a project has a let date, that means that project is shovel ready. The Mayor asked Bill Frawley for possible ideas of what the MPO could do to procure possible funding for the MPO's projects, and explain the importance of them. Bill suggested a resolution, and letters from the separate bodies included within the MPO but not from the MPO Policy Board itself, as the MPO can not lobby for funding. Jared Miller explained, that there were visits planned for himself and the Mayor to make visits to the Texas Legislature, and that they would mention the need in talking with them. Kit asked Bill to explain to the Policy Board what a priority list tells those who decide on funding. Bill explained that it shows good merit for additional funding. Judge Ernie Houdashell asked if new relationships have been established with the new commission chair. Brian explained that Mayor Nelson had talked to the chair and new commissioners and asked about an update. Mayor Nelson and Jared Miller went to Austin and spoke with the new chair trying to establish a relationship. Mark Benton made a motion to approve the new Priority Project List, Nancy Tanner Seconded. The Project Priority List was approved with a unanimous vote.

**Item 5. Discuss and Consider Adoption of the 2019-22 Draft Transportation Improvement Program (TIP) Document.**

Travis Muno gave a presentation on what projects are listed in the Draft TIP. He explained that it had been updated with the safety measures approved in January, the new cost estimates from the Project Priority List, and the added appendix for the Fast Act Requirements. Judge Houdashel asked about the I-27 construction and Terry Nix explained that this project was a previous project that had already been started so it was no longer in the TIP. Jared Miller motioned to approve the TIP, and Judge Houdashell seconded. The Draft TIP document was approved with a unanimous vote.

**Item 6. Discuss and Consider Approval of Expansion of the Metropolitan Area Boundary and Suggested Improvements**

Travis Muno gave a presentation over the Metropolitan Area Boundary (MAB) showing where it is now, the original boundary change that the TAC brought to the policy board as well as their final recommendation asking for approval. He showed where the urban areas are and where development is. He explained the pros of expanding the boundary, including getting ahead of the MPO's TMA status that was due with the 2020 census, that it could affect funding, and that it would allow the use of funds on I-27 through to the city of Canyon and further for if the city decides to expand it to a 6 lane road. He explained that the MPO would need to update the Bylaws to include new voting members. Judge Houdashell asked if federal approval was needed for the changes. Travis explained that yes, and there were several other things that needed to be done before the MAB could be submitted to be changed, and that the full process took 2-3 months. Kyle Ingham asked if we will have increased funds, or if we should have Canyon pulled in. He worried that pulling in Canyon would detract from either of our current funding. Travis explained that this would not impact the funding in a negative way. Travis also explained that currently, there are about 40,000 cars traveling between Amarillo and Canyon every day. Mayor Nelson spoke about the fact that Amarillo and Canyon are very much thought as together, that most people speak of the two cities together, and that they are thought as one region rather than two separate places.

Kyle Ingham asked how the Canyon Ex Officio representatives felt about the MAB expansion. Gary Hinders, Mayor of Canyon said he viewed it very positively, and that he thinks the expansion is a good idea. Randy Criswell, Canyon City Manager also expressed his positive thoughts, saying that the connectivity between Canyon and Amarillo could not be denied. Jared Miller asked about any cons for expanding the MAB, and Bill and Travis explained there really are none. Jared worried about how this might change our population density, but it was explained that there would be no real change. Judge Houdashell motioned to approve, Judge Nancy Tanner seconded, and the expansion of the MAB was approved with a unanimous vote. Mayor Nelson thanked Randy and Gary for attending. Gary expressed his appreciation for the acceptance of Canyon into the Amarillo MPO MAB.

**Item 7. Presentation of the City of Amarillo Capital Improvement Plan.**

Kyle Schniederjan, Amarillo City Engineer gave a presentation on Amarillo's Capital Improvement Plan. He explained how working together on sequencing started by sharing information, and encouraged everyone to work together so as best to utilize each other and their resources to do jobs quickly and efficiently. He explained that he wanted to show how ready the city of Amarillo was to work together.

**Item 8. Update on MPO Administrator.**

Travis explained that AJ, Planning Director of the City of Amarillo had met with a group from the Policy Board to make up the interview panel, and that they had interviews scheduled for the next week. Randy Criswell was added to the group, and the Policy Board members were asked to send their input in on what they'd like from a MPO Administrator as soon as possible.

**Item 9. Update on MTP Public Meetings.**

Travis updated the policy board on the public meetings, with their dates and times, encouraging them to attend if they could. The MPO would be holding five meetings, four in Amarillo, and one in Canyon. Travis explained that these meetings were purely for information gathering. He also gave an update on the Ad Hoc Committee effort. He said that several candidates had been submitted, but no committee had been selected yet, and asked for any more people the Policy Board could recommend.

**Item 1. Open Forum, time reserved for anyone to speak on any transportation related item, however, no action can be taken on items not on the agenda.**

Terry Nix brought to the Policy Board that the following week the request for section B-2 of the Loop 335 project would go before the transportation commission to designate B-2 as the South Loop, and that Soncy would be renamed FM 2590.

**Item 10. Adjournment.**

The meeting was adjourned with no further business to discuss.

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Ginger Nelson, Chairman  
Amarillo MPO



## Agenda Item 3 – Briefing

### Presentation: Travis Muno, MPO Administrator

The 2018 Unified Planning Work Program is the MPO's program of work that includes goals, objectives and tasks. The UPWP is prepared for a period of one year. It reflects only work that can be accomplished during the fiscal year. The UPWP becomes effective on October 1<sup>st</sup> each year.

The UPWP is broken down into task and subtask. Each task or subtask has a dollar amount assigned to it. This year due to the retirement of the MPO administrator there is a need to redistribute some funds. When the Administrator retired, as per city policy his unused sick leave and annual leave was paid out in a lump sum. This lump sum is paid out under the program administration task. This along with the search for a new Administrator has caused the funds in the program administration task to be exhausted. I would suggest moving the following amounts from the listed tasks to the Program Administration task:

Task	Amount Redistributed	Amount Remaining
2.1 Socio-Economic Data	\$15,000	\$10,000
3.1 TIP Development	\$20,000	\$14,000
3.2 UPWP Development	\$10,000	\$15,000
4.1 Maintain MTP	\$5,000	\$32,000
	\$50,000	\$71,000

This item will required committee action.





## **Agenda Item 4 – Briefing**

### **Presentation: Travis Muno, MPO Administrator**

Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) planning dollars fund the MPO activities. Each of the State's 25 MPO's are required to develop and submit an approved Unified Planning Work Program (UPWP) to the Federal Highway Administration and to the Federal Transit Administration. The UPWP serves as the MPO's financial plan for the administration of transportation-related planning activities. It is a complete planning strategy containing an outline of the MPO's transportation planning activities for the next fiscal year. These planning dollars may not be used for actual construction.

The Draft FY 2019 Unified Planning Work Program document was submitted for comment to the public and the Texas Department of Transportation (TxDOT). The 30-day public comment period was from June 11, 2018 to July 12, 2018. MPO staff received no comments related to the document.

This Draft UPWP document will require consideration by the MPO Policy Committee. Upon approval, the UPWP document will be submitted to FHWA, FTA, and TxDOT for further review.

This agenda item will require formal action by the Committee.

**FY 2019**

**UNIFIED PLANNING WORK PROGRAM**

**AMARILLO  
URBAN TRANSPORTATION STUDY**

**DRAFT**

**ADOPTED BY MPO POLICY COMMITTEE ON: July**

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Amarillo MPO ofrece servicios de traducción de idiomas a todos los no-clientes de habla Inglés llame al 378-6293.

## **INTRODUCTION**

The Governor of the State of Texas has designated the City of Amarillo as the fiscal agent for the Amarillo Metropolitan Planning Organization (MPO). Acting through its Transportation Policy Board, the MPO, in cooperation with the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Potter and Randall Counties, the Panhandle Regional Planning Commission, and the City of Amarillo, administers the transportation planning process in the Amarillo urbanized area. This designation was renewed by contract with TxDOT and executed in May 2012. The contract reflects changes in planning processes brought about by the Fixing America's Surface Transportation Act (FAST) and previous federal transportation legislation, such as ISTEA, TEA-21, SAFETEA-LU, and MAP-21.

The FY 2019 UPWP was developed in accordance with regulations set forth in the FAST Act, which was signed into law on December 4, 2015. The MPO is responsible, together with the State of Texas, for carrying out the provisions of the FAST Act.

### **A. Unified Planning Work Program Purpose**

1. Each year the MPO shall submit to TxDOT for approval a program of work which includes goals, objectives and/or tasks required by each of the several agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP) or any name that may be specified in later federal or state regulations.
2. The UPWP will be prepared for a period of one year only. The UPWP shall reflect only that work that can be accomplished during the fiscal year.
3. The effective date of each UPWP will be October 1 of each fiscal year or the date of department approval, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.
4. The UPWP shall comply with all applicable federal and state requirements and will describe metropolitan transportation and transportation-related planning activities anticipated in the area during the next one-year period.
5. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation-related (e.g., air quality) planning funds.
6. The use of federal metropolitan transportation planning funds shall be limited to transportation planning work conducted inside the Metropolitan Area Boundary.
7. The use of federal transportation planning funds shall be limited to corridor/sub-area level planning (major investment studies and environmental studies are considered corridor level planning). The use of such funds beyond the environmental document preparation or for specific project level planning and engineering (efforts directly related to a specific project instead of a corridor) is not allowed.
8. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., add new work tasks or change the scope of existing work tasks) prior to receiving approval from the department. Any costs incurred prior to receiving department approval shall not be eligible for reimbursement from federal transportation planning funds.

The UPWP work elements are developed to meet the goals, planning factors, and planning emphasis areas of the FAST Act.

The planning factors are:

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

The seven national goals of the FAST Act and listed in 23 USC §150 are:

1. Safety: To achieve a significant reduction in traffic fatalities and serious injuries on all public roads
2. Infrastructure condition: To maintain the highway infrastructure asset system in a state of good repair
3. Congestion reduction: To achieve a significant reduction in congestion on the National Highway System
4. System reliability: To improve the efficiency of the surface transportation system
5. Freight movement and economic vitality: To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development
6. Environmental sustainability: To enhance the performance of the transportation system while protecting and enhancing the natural environment
7. Reduced project delivery delays: To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices

Environmental mitigation efforts are assured at the planning stage for transportation improvements by the use of tools similar to the Geographic Information System Screening Tool (GISST) and the Texas Ecological Assessment Protocol (TEAP), maps, and the cooperative exchange of information with Federal, State, Tribal, and Local agencies related to or interested in transportation planning.

Citizen involvement is assured in the Amarillo Urban Transportation Study (AUTS) through an adopted Public Participation Plan. MPO staff sends notification of all Policy Committee, TIP, or MTP meetings to a mailing list comprised of citizens, businesses, Federal, State, Tribal, and

local agencies related to or interested in transportation planning. These meeting notices and local newspaper and media coverage encourage all citizens to attend.

## B. Definition of Area

The transportation planning process in the AUTS is limited to the boundaries illustrated by the map in Appendix B. The boundary includes the City of Amarillo and portions of Potter and Randall counties. It corresponds to that area of the region, which is likely to become urbanized in the next 20 years. These boundaries are within the limits of the Travel Forecasting Model prepared by the Texas Department of Transportation.

## C. Organization

The City of Amarillo, in cooperation with TxDOT, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Potter, and Randall Counties, and the Panhandle Regional Planning Commission carries out the urban transportation planning process. The MPO staff manages the AUTS in cooperation with TxDOT. Staff members of these two agencies work closely with the Policy Committee of the AUTS. The committee is composed of 11 voting members, 7 ex-officio members, and 7 non-voting / non-member staff advisors.

Appendix A illustrates the membership of the Policy Committee. The Policy Committee ensures that transportation plans and programs are consistent with the objectives and goals of the overall urban transportation planning process. The committee is charged with providing guidance and technical assistance for multi-modal transportation planning, reviewing recommended transportation plans and programs, and appointing technical committees as appropriate. The Policy Committee approves specific planning functions, including agency responsibility and related costs.

A Technical Advisory Committee is also composed of representatives from the City of Amarillo, City of Canyon, TxDOT, and Potter and Randall counties. The Technical Advisory Committee reviews the status of all projects within the Amarillo Study Area and performs other duties as assigned by the Policy Committee.

## D. Private Sector Involvement

The MPO seeks input from the private sector on local and regional transportation issues. All civic and professional groups are encouraged to participate in the planning process.

Public involvement is assured in the Amarillo Urban Transportation Study (AUTS) area through an adopted Public Participation Plan. MPO staff sends notification of all Policy Committee, TIP, MTP, or public meetings related to transportation planning to a mailing list comprised of individuals and businesses related to or interested in the transportation industry, including appropriate federal, state, tribal, and local agencies. Developers and agencies that promote economic development are encouraged to participate. Meeting notices, mailings, and local newspaper and media coverage encourage all citizens to attend. These meeting notices, agendas, and minutes are available on the MPO webpage: [www.amarillompo.org](http://www.amarillompo.org). To aid in identifying and dispersing information to disadvantaged citizens, MPO staff produces and makes use of maps showing the relation of current and future transportation projects to minority and low-income populations.

The MPO will maintain and utilize plans developed in compliance with the FAST Act for public participation. Public access to MPO documents, maps, and other visualization techniques are provided on the MPO webpage, the MPO offices, the Amarillo Public Libraries, at City Hall, or upon request by direct mail.

## E. Planning Issues and Emphasis

The FY 2019 UPWP addresses an integrated multimodal transportation system which strives to increase mobility and emphasize the preservation of the existing transportation infrastructure.

The Planning Emphasis Areas (PEA) for Federal FY2019 include:

1. *The FAST Act Implementation*

*Transition to Performance Based Planning and Programming.* The development and implementation of a performance management approach to transportation planning and programming that supports the achievement of transportation system performance outcomes.

This PEA emphasizes the transition that all MPOs must make to performance based planning and programming. The FAST Act requires the development of performance measures on the national, state and MPO level. MPOs must create systems of planning and programming that direct local efforts to achieving established performance measures. The Amarillo MPO will address this effort through the development and maintenance of the 2040 Metropolitan Transportation Plan (Work Element 4.1), which was adopted in early FY 2015. The guidance from that plan will then be implemented throughout the MPO's planning and programming operations. The MPO is currently working on the 2045 MTP which will continue the implementation of the performance measures.

2. *Models of Regional Planning Cooperation*

*Promote cooperation and coordination across MPO boundaries and across State boundaries where appropriate to ensure a regional approach to transportation planning.* This is particularly important where more than one MPO or State serves an urbanized area or adjacent urbanized areas. This cooperation could occur through the metropolitan planning agreements that identify how the planning process and planning products will be coordinated, through the development of joint planning products, and/or by other locally determined means. Coordination across MPO and across State boundaries includes the coordination of transportation plans and programs, corridor studies, and projects across adjacent MPO and State boundaries. It also includes collaboration among State DOT(s), MPOs, and operators of public transportation on activities such as: data collection, data storage and analysis, analytical tools, and performance based planning.

The MPO must promote cooperation and coordination across MPO boundaries and across State boundaries where appropriate to ensure a regional approach to transportation planning. It is important for the MPO to foster strong working relationships with its regional partners in pursuit of seamless, mutually beneficial transportation planning and policies. The MPO will continue to be a transportation planning leader in the region and will work to coordinate transportation needs among its planning partners. This activity will be a common thread throughout the tasks and responsibilities proposed in this UPWP.

3. *Ladders of Opportunity*

*Access to essential services - as part of the transportation planning process, identify transportation connectivity gaps in access to essential services.* Essential services include housing, employment, health care, schools/education, and recreation. This emphasis area could include MPO and State identification of performance measures and analytical methods to measure the transportation system's connectivity to essential services and the use of this information to identify gaps in transportation system connectivity that preclude access of the public, including traditionally underserved populations, to essential services. It could also involve the identification of solutions to address those gaps.

The MPO must, as part of the planning process, identify transportation connectivity gaps in access to essential services. These essential services include housing, employment, health care, schools/education, and recreation. Identification of these deficiencies can be made through the creation of performance measures used to specifically gauge such gaps. This is



accomplished primarily through the public transportation work elements (subtasks 3.6, 3.7, and 3.8) and will take another step forward through the advancement of the 2015-40 Metropolitan Transportation Plan (Work Element 4.1).

FY 2019 UPWP Work Elements	Planning Factors and Emphasis Areas										
	Economic	Safety	Security	Access Mobility	Environment Energy, Livability	Modal Integration	Operations Management	System Preservation	FAST Act Implementation	Regional Cooperation	Ladders of Opportunity
Task 1 Administration & Management	X	X	X	X	X	X	X	X	X	X	X
Task 2 Data Development & Maintenance		X		X			X	X	X	X	X
Task 3 Short Range Planning	X	X		X	X	X	X	X	X	X	X
Task 4 Metropolitan Transportation Plan	X	X	X	X	X	X	X	X	X	X	X

## TASK 1.0 - ADMINISTRATION/MANAGEMENT

### **Objective:**

To provide for the daily operation, organization, and coordination of the transportation planning process;

To provide administrative oversight that will focus on planning for a multi-modal transportation system that promotes interagency and citizen participation in the planning process;

To provide MPO staff the opportunity for professional development through attendance of training workshops, courses, and meetings.

### **Expected Work Products:**

Prepare PL and FTA Section 5303 accounting reports; grant applications and reports for FTA Section 5307 and Texas Public Transportation Funds (PTF); Annual Listing of Projects; Annual Performance & Expenditure Report; coordination of MPO Policy Committee and Technical Subcommittee; update and maintain records in accordance with federal and state regulations.

### **Previous Work:**

Coordinated MPO Policy Committee and Technical Subcommittee; prepared PL and FTA Section 5303 accounting reports, grant applications, and reports for FTA Section 5307 and Texas Public Transportation Funds (PTF); Annual Performance & Expenditure Report; Annual Listing of Projects; maintained the MPO Project Tracking Database; maintained a FAST Act compliant Public Participation Plan (PPP); maintained the Limited English Proficiency Plan; updated and maintained state and federal records in accordance with federal and state regulations.

### **Subtask:**

#### **1.1 Program Administration:**

Activities under this element will provide oversight and coordination of the various programs contained in the work program. Accounting records of state and federal funds will be updated and maintained in accordance with federal and state regulations. Daily functions include correspondence; record keeping, public relations, meeting preparation, advertisement preparation, etc. Incorporate all FAST Act provisions into existing MPO documents to insure all MPO documents are FAST Act compliant as required by FHWA.

#### **1.2 Office Equipment and Supplies:**

Office supplies, postage fees, public notifications, and printing required for planning activities are charged to this element. Office furnishings, computers, support hardware, and software to facilitate work performed will be purchased by the MPO, as needed. Traffic counting equipment and/or aerial maps will be replaced, as needed.

*Equipment purchases – \$200.2 Acquisition cost – means the net invoice price of the equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. If equipment would, in combination, function as a unit and total costs would exceed \$5000, prior approval is needed.*

#### **1.3 Professional Development:**

The costs of attending approved urban transportation planning workshops, conferences, technical workgroups, and MPO related meetings are charged to this element. FHWA and/or TxDOT–TPP must approve all out-of-state travel prior to any expenditure for same.

#### **1.4 Public Involvement and Title VI Civil Rights Evaluation:**

The MPO will periodically review and update its public involvement procedures for effectiveness in soliciting public comment and will make appropriate changes when necessary.

The MPO will conduct public meetings and hearings in accordance with its established policies and governing regulations. The MPO will post and advertise public notices of meetings as required. The purpose for this will be to inform the general public and receive their input on multi-modal transportation planning efforts in the Amarillo metropolitan area. When appropriate, MPO staff will prepare and present briefings and presentations on transportation issues. The MPO staff, as requested, will attend planning and zoning commissions meetings, transportation advisory groups meetings, stakeholders meetings, and meetings of municipalities, providers of transportation, business associations, and other developers to keep informed about trends and activities in the region that will impact the transportation network. The MPO staff may also provide data and technical support as needed to organizations participating in the MPO transportation planning process to facilitate their making informed decisions about their development needs and the impact on the transportation network. The MPO will also consult “as appropriate” with “State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation” in developing long-range transportation plans.

The MPO will seek out and consider the needs of those traditionally underserved by existing transportation systems. The MPO staff will maintain public involvement procedures with the goal of ensuring that citizens from minority ethnic or racial backgrounds or citizens with low incomes in the Amarillo metropolitan area have an opportunity to participate in the planning process and to meet the requirements of U.S. Title VI compliance.

The MPO will maintain a Limited English Proficiency (LEP) Plan, wherein MPO information and documents are made available in other languages at no cost to the public. The MPO will provide information to the public as requested.

The MPO will maintain and utilize the Public Participation Plan developed in compliance with the FAST Act. Public access to MPO documents, maps, and other visualization techniques are provided at the MPO offices, the Amarillo Public Libraries, at City Hall, or upon request by direct mail.

The MPO will maintain a website to further capabilities of disseminating information to the public. Meeting notices and agenda are available on the website. In addition, UPWP, MTP, TIP, Public Participation Plan, and other documents are available for the public review and comment. The website offers easy accessibility for MPO documents as part of our public outreach efforts.

The MPO staff will periodically review the public involvement procedures to monitor its effectiveness in obtaining input from citizens with minority, ethnic, racial, or low-income backgrounds. The MPO will revise the public involvement procedures as necessary based on these reviews. The MPO will monitor and review citizen participation and attendance related to Title VI and will base community engagement strategies on performance outcomes.

The MPO will continue to analyze existing procedures for Title VI compliance using performance measures and indicators, including the following:

- Displacement of businesses or residents allocated by groups and communities;
- Eminent domain actions allocated by groups and communities;
- Availability of scheduled transit service to minority and low-income areas;

- Availability of demand-response transit service to minority and low-income groups and communities;
- Availability of alternative transportation systems, such as pedestrian and bicycle routes, allocated by groups and communities;
- Disruption or improvement of neighborhood connectivity created by proposed transportation investments allocated by groups and communities; and
- Disruption or improvement of safety or physical design and operation of system created by proposed transportation investments allocated by groups and communities

Potential analysis tool(s) will be integrated into project selection for the development of the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP) and any subsequent revisions. Utilize a GIS mapping system to evaluate EJ and Title VI issues as part of the metropolitan area planning process. Utilize methods to show how effective the efforts to include low-income and EJ communities in the public involvement process for the MTP and TIP planning are addressed. As needed, the MPO will revise the public involvement procedures as necessary.

**Funding Summary – Task 1.0  
Amarillo MPO – FY 2019**

Subtask	Responsible Agency	TPF <sup>1</sup>	FTA Sect. 5307	Local	Total
1.1	MPO	\$ 138,500	\$ 0	\$ 0	\$ 138,500
1.2	MPO	\$ 6,000	\$ 0	\$ 0	\$ 6,000
1.3	MPO	\$ 8,000	\$ 0	\$ 0	\$ 8,000
1.4	MPO	\$ 10,000	\$ 0	\$ 0	\$ 10,000
<b>Total</b>		\$ 162,500	\$ 0	\$ 0	\$ 162,500

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

## TASK 2.0 - DATA DEVELOPMENT AND MAINTENANCE

### Objective:

Collect, maintain, and forecast socio-economic, land use, roadway, transit, and travel data. Utilize collection and analysis efforts to assist in developing and enhancing transportation policies and programs.

### Expected Work Products:

Update socio-economic data, land use data, and transit data. Continued updates for the transportation model are expected.

### Previous Work:

Various highway and transit data collection efforts including: update and maintain traffic-link count database; maintain collision database; update high collision intersection analyses; analyze census data for socio-economic groupings within the MPO boundary and urbanized area boundary.

### Subtask:

#### 2.1 Socio-economic Data:

Population, housing, employment, and land use data will be collected and maintained. Information from census data, building permits data, environmental mitigation sources, and employment data will be distributed by traffic analysis zone over the transportation planning study area. Data collected on disabled, minority, and low-income groups within the MPO boundary will be evaluated with emphasis on transit analysis, transit ridership applications, and identification of trends dealing with Title VI needs. Any information collected will be utilized to expand and maintain mailing lists for public participation needs also. Efforts during FY 2019 will focus on updates for the 2020-45 MTP and maintenance of existing information.

#### 2.2 Automated Transportation Planning Data Base (Modeling):

Data collected in subtask 2.1 will be provided to TxDOT for input into a transportation model. Information from the model will be used to project future congestion on the current roadway system.

## Amarillo MPO – FY 2019

### Funding Summary - Task 2.0

Subtask	Responsible Agency	TPF <sup>1</sup>	FTA Sect. 5307	Local	Total
2.1	MPO	\$ 15,500	\$ 0	\$ 0	\$ 15,500
2.2	MPO	\$ 10,000	\$ 0	\$ 0	\$ 10,000
<b>Total</b>		\$ 25,500	\$ 0	\$ 0	\$ 25,500

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

## TASK 3.0 – SHORT-RANGE PLANNING

### **Objective:**

Develop and submit to TxDOT for approval, a program of planning work including goals, objectives, and tasks required by each of the several agencies involved in the urban transportation planning process. Submit performance reports as required to TxDOT.

Continue the development of a program of projects that will be implemented in the Transportation Improvement Program over the next four years.

Maintain and improve a program of short-range transportation planning activities that promote improvements to the overall transportation system.

### **Expected Work Products**

FY 2020-2022 TIP Revisions as needed

FY 2020 ADA Update

FY 2020 UPWP

FY 2018 Annual Listing of Projects

FY 2019 UPWP Revisions as needed

### **Previous Work:**

FY 2019-2022 TIP, UPWP, and performance reports from previous years, various traffic studies, analysis of citizen requests, annual listing of projects, functional classification updates, urban area boundary updates, and annual high collision intersection analysis. Continuing efforts toward increasing service efficiencies via provider certification and training disabled transit riders to utilize fixed-route bus system; annual ADA update.

### **Subtask:**

#### **3.1 TIP Development:**

Revise the FY 2019-2022 TIP, as may be required by TxDOT, FHWA, and FTA. Give consideration to corridor planning, environmental justice, bicycle/pedestrian facilities, and safety issues on all transportation projects in the TIP.

#### **3.2 UPWP Development:**

Develop planning programs, revise FY2019 UPWP as needed, and prepare FY2020 UPWP.

#### **3.3 Analysis of Citizen Requests:**

Citizen complaints and requests related to transportation problems are examined. Give consideration to environmental justice concerns. Necessary studies are conducted and recommendations are made with regard to all complaints and requests. Develop measures of effectiveness to show that low-income and EJ communities are included in the public involvement process for the MTP and TIP planning initiatives.

#### **3.4 Plat Review and Right-of-Way Review:**

An organized review process is used for all subdivision plats and right-of-way vacations to ensure that proper right-of-way widths are maintained as land is developed or vacated. Staff will not approve any action until it meets the prescribed functional classification right-of-way width and all necessary rights-of-way are obtained. This process will also provide up to date information relating to changes in land use that could affect the transportation system. This task is important as the AUTS area continues to expand its access management practices. Recognition of changes in land use patterns will assist staff in identifying locations where appropriate transportation needs are not being met. This activity is ongoing.

**3.5 Transit Studies:**

The MPO will coordinate and provide local planning assistance to Amarillo City Transit related to study and coordination of options for the multimodal center, connectivity with other transportation modes, such as rail, commercial bus and air; assistance with the fixed route transit system and review of bus routes, fixed route expansions, bus stops, handicapped ramps, bus shelters; safety planning for transit passengers, review of underserved populations such as low income, minority, elderly, disabled; assistance with transit ridership studies to determine system deficiencies and assess customer needs; and provide assistance with transit studies.

MPO staff will coordinate and provide regional public transportation planning through participation in the Panhandle Regional Organization to Maximize Public Transportation (PROMPT). to create and connect a comprehensive, flexible and sustainable public transportation throughout the Texas Panhandle. Coordinate and assist with regional project submissions to TxDOT’s Coordinated Call for Projects. Due to the multiple funding sources of this subtask and the inclusion of work activities beyond planning, the FHWA PL planning funds will be used for those eligible planning activities and other Federal Transit Administration funding will be used for other activities.

The Amarillo MPO is an active member of regional public transportation planning efforts. In support of collaborative, regional public transportation activities, MPO staff members serve on the Panhandle Regional Organization to Maximize Public Transportation (PROMPT). This regional service planning promotes and coordinates ways to share ridership among various community service agencies and transit partnerships in the Texas Panhandle. The MPO supports PROMPT in its examination of new initiatives promoting job accessibility and access of public transportation within the region by elderly and disabled populations.

The MPO will participate in this collaboration to implement recommendations in the regional plan and to keep the planning process current. The MPO will also participate in PROMPT’s planning effort to assure coordination with the regional plan. This is an ongoing activity.

**Funding Summary – Task 3.0**

**Amarillo MPO – FY 2019**

<b>Subtask</b>	<b>Responsible Agency</b>	<b>TPF<sup>1</sup></b>	<b>FTA Sect. 5307</b>	<b>Local</b>	<b>Total</b>
3.1	MPO	\$ 32,500	\$ 0	\$ 0	\$ 32,500
3.2	MPO	\$ 21,500	\$ 0	\$ 0	\$ 21,500
3.3	MPO	\$ 10,000	\$ 0	\$ 0	\$ 10,000
3.4	MPO	\$ 8,000	\$ 0	\$ 0	\$ 8,000
3.5	MPO	\$ 30,000	\$ 0	\$ 0	\$ 30,000
<b>Total</b>		\$ 102,000	\$ 0	\$ 0	\$ 102,000

<sup>1</sup> TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply

transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.



## **TASK 4.0 - METROPOLITAN TRANSPORTATION PLAN**

### **Objective:**

Maintain and update the Amarillo Metropolitan Transportation Plan (MTP). Maintain and update corridor and regional transportation planning in the MTP.

Maintain and update the Thoroughfare Plan for the Amarillo Urban Transportation Study area.

### **Expected Work Products:**

Review of projects to be implemented throughout the 2015 – 2040 MTP. Ensure projects proposed for inclusion in the TIP are referenced in the plan. Revise the 2015 - 2040 MTP, as required. Development and implementation of the 2020-2045 MTP.

Maintain the Amarillo Urban Transportation Study Area Thoroughfare Plan.

Participate in corridor and regional transportation planning.

### **Previous Work:**

During FY 2018 the MPO Policy Committee revised the 2015 – 2040 MTP as needed. Development and revision of this long-range planning document continued as needed for FAST Act compliance. Projects proposed for inclusion in the TIP were reviewed for consistency with the MTP.

Staff continued re-development and update of a thoroughfare plan for the Amarillo Urban Transportation Study area.

The MPO participated in corridor and regional planning associated with the Panhandle Rural Planning Organization (PRPO), the Panhandle Regional Organization to Maximize Public Transportation (PROMPT) and the Ports-to-Plains Trade Corridor.

### **Subtask:**

#### **4.1 Maintain MTP:**

Revise and maintain the 2015–2040 MTP document as needed. Ensure projects proposed for inclusion in the TIP are referenced in the plan. Update the MTP with highway and transit-related O&M revenues and expenditures. Identify UTP funding categories for regionally significant highway projects identified in the MTP.

Collect and maintain data from environmental mitigation resources, i.e. GISST and TEAP. Develop GIS mapping tools to identify congestion problems and areas of high volume peak travel in the study area. As requested the MPO will utilize GIS to show areas of motorized and non-motorized accident rates, fatalities, & injuries. Participate in corridor and regional transportation planning activities to gauge impact on the MTP.

The MPO staff will continue public outreach utilizing alternative print media, the MPO website, and radio in disseminating information about the metropolitan transportation planning process. MPO staff will incorporate public outreach tools and techniques to enhance public involvement and in particular, to focus on involving the Title VI target population. This will allow informed transportation decision-making by the MPO Technical Advisory and Policy Committees.

Develop and draft a new 2020–2045 MTP. Development will include, informing the public about the MTP, seeking potential projects, and soliciting comments during the process.

MTP development will take place throughout the entire regional community: general population, traditionally underserved populations, local officials, transportation providers, freight haulers, and transportation stakeholders. The MPO staff will be enhancing public outreach techniques utilizing alternative print media, the MPO website, video presentations, and radio in disseminating information about the metropolitan transportation planning process. MPO staff will incorporate public outreach tools and techniques to enhance public involvement and in particular, to focus on involving the Title VI target population. This will allow more informed transportation decision-making by the technical and policy committees.

Participation by all media formats will be encouraged to reach every transportation stakeholder. The MTP development process supports and seeks all public involvement in accordance with the adopted Public Participation Plan. Various public meetings, including specific public meetings for MTP development and MPO Policy Advisory Committee meetings, will be held during the development process. Financial development and project selection will be made observing total project costs, year of expenditure (YOE), fiscal constraints, safety considerations, regional needs, and public demand. A 30-day public comment period for the draft 2020–2045 MTP will notify stakeholders and seek their involvement regarding the plan. Finally, the draft 2020–2045 MTP will be presented to the MPO Policy Advisory Committee for approval.

A proposed timeline for the MTP 2020-45 development follows:

April 2018

Announce to MPO policy board regarding MTP 2020-45, plan update, & procedures.

Notify MPO policy board of staff consultation with locals regarding MTP development.

May-June 2018

Advertise MTP 2020-45 Public Meetings Notice in newspaper.

Public Meetings to solicit comments and projects for MTP 2020-45.

Post Public Meeting Notices: City Hall & Library branches, County Courthouses, and TxDOT.

October 2018

MPO policy board meeting.

January 2019

MPO policy board meeting.

Make announcement about plans to update the MTP 2020-45.

Make copies of the MTP 2015-40 available for review.

February 2019

Advertise MTP 2020-45 Public Meeting Notice in newspaper.

Post Public Meeting Notices: City Hall, County Courthouses, TxDOT, and City Library branches.

March 2019

Second Public Meeting to solicit comments and projects for MTP 2020-

45.  
Continue MTP process; make revisions of draft MTP 2020-45 now through mid June.

April 2019

Solicit public comments & projects this month.

MPO policy board meeting.

Continue MTP process; make final revisions of draft MTP 2020-45 now through mid June.

July 2019

MPO policy board meeting.

Update the MPO policy board on draft MTP 2020-45 progress.

August 2019

Make draft 2020-45 MTP available for public comment.

Send out notices to stakeholders.

Place copies of the draft 2020-45 MTP in Public Library branches.

Advertise MTP 2020-45 Public Comment Period in newspaper.

MTP 2020-45 Public Comment begins.

MTP 2020-45 Public Meeting.

September 2019

MTP 2020-45 Public Comment period end.

Revise draft MTP 2020-45 to reflect comments.

October 2019

MTP 2020-45 Update must be complete before 10/21/14!

Submit draft MTP 2020-45 to MPO policy board for review.

MPO policy board meeting and formal adoption of draft MTP 2020-45.

Submit the MTP 2020-45 to TxDOT-TPP w/ minutes from MPO policy board meeting.

#### **4.2 Maintain Thoroughfare Plan:**

Revise and maintain a transportation thoroughfare plan for the Amarillo Urban Transportation Study area. Provide for the orderly development of an adequate transportation network as land development occurs or as traffic increases. Ensure a continuous review of current and future planned projects within the area; maintain a thoroughfare plan map, including standard cross section by classification and local roadway guidelines for development. The thoroughfare plan will provide a long term vision of the major transportation network necessary to meet future travel needs and aid the identification of projects in the MTP.

### Funding Summary – Task 4.0

#### Amarillo MPO – FY 2019

Subtask	Responsible Agency	TPF <sup>1</sup>	FTA Sect. 5307	Local	Total
4.1	MPO	\$ 100,000	\$ 0	\$ 0	\$ 100,000
4.2	MPO	\$ 10,000	\$ 0	\$ 0	\$ 10,000
<b>Total</b>		\$ 110,000	\$ 0	\$ 0	\$ 110,000

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

Amarillo MPO – FY 2019

[Budget Summary](#)

UPW P Task	FTA Task	Description	TPF <sup>1</sup>	FTA Sect. 5307	Local Fund s	Total Funds
1.0	4 4 .2 1 .0 0 4 4 .2 2 .0 0	ADMINIST RATION MANAGE MENT	162,500 \$	\$ 0	\$ 0	162,500 \$
2.0	4 4 .2 2 .0 0 4 4 .2 7 .0 0	DATA DEVELOP MENT & MAINTEN ANCE	25,500 \$	\$ 0	\$ 0	25,500 \$
3.0	4 4 .2 4 .0 0 4 4 .2 5	SHORT RANGE PLANNIN G	102,000 \$	\$ 0	\$ 0	102,000 \$

UPW P Task	FTA Task	Description	TPF <sup>1</sup>	FTA Sect. 5307	Local Fund s	Total Funds
	. 0 0					
4.0	4 4 .2 3 .0 1 4 4 .2 3 .0 2	LONG RANGE PLANNIN G	110,000 \$	\$ 0	\$ 0	110,000 \$
<b>TOTAL</b>			<b>400,000 \$</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>400,000 \$</b>

<sup>1</sup> Transportation planning funds

TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

FHWA (PL-112) & FTA (Sec. 5303) <sup>2</sup>	\$ 414,654.
Estimated Unexpended Carryover	<u>\$ 284,521</u>
<b>TOTAL TPF</b>	<b>\$ 699,175.</b>

<sup>2</sup> Estimate based on prior years authorizations

**APPENDIX A**  
**POLICY COMMITTEE MEMBERSHIP**

**AMARILLO METROPOLITAN PLANNING ORGANIZATION**  
**Amarillo MPO Policy Committee – FY 2019**

<b>Voting Members</b>		
Ginger Nelson, Chairman	Mayor	City of Amarillo
Eddy Sauer	City Council	City of Amarillo
Jared Miller	City Manager	City of Amarillo
Brian Crawford, P.E.	District Engineer	TxDOT
Kit Black, P.E.	Dir. of Transportation Planning & Development	TxDOT
Judge Nancy Tanner	County Judge	Potter County
H.R. Kelly	County Commissioner	Potter County
Judge Ernie Houdashell	County Judge	Randall County
Mark Benton	County Commissioner	Randall County
Kyle Ingham	Local Government Services Director	PRPC
Dick Davis		Amarillo C of C
<b>Ex-Officio Members</b>		
The Honorable Mac Thornberry	U. S. Representative	13th Congressio nal District of Texas
The Honorable Kel Seliger	State Senator	31st Texas State Senatorial District
The Honorable Walter T. Price	State Representative	87th Texas State Representat ive District
The Honorable John Smithee	State Representative	86th Texas State Representat ive District
Kyle Ingham	Dir. of Panhandle Regional Planning Commission	PRPC
Gary Hinders	Mayor	City of Canyon
Randy Criswell	City Manager	City of Canyon
<b>Non-Member Advisors and Staff Coordinators</b>		



Travis Muno	MPO Director	MPO
Vacant	Senior Transportation Planner	MPO
Brianna Mills	Management Analyst	MPO
Kirk Fauver	Urban Transportation Planner	FHWA
Vacant	Planning Director	City of Amarillo
Mansour Shiraz	Transportation Planning & Program Division	TxDOT
Terry Nix	Transportation Planner	TxDOT
Richard Neill	Public Transportation Coordinator	TxDOT

## **APPENDIX B**

### **METROPOLITAN AREA BOUNDARY MAP (GOVERNOR OR GOVERNOR'S DESIGNEE APPROVED)**



## **APPENDIX C**

### ***DEPARTMENT CERTIFICATION***

**DEBARMENT CERTIFICATION  
(Negotiated Contracts)**

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

*\*federal, state or local*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Policy Board Chairperson  
Title

\_\_\_\_\_  
Date

**APPENDIX D**  
**LOBBYING CERTIFICATION**

## **CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS**

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

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

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

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Signature

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Policy Board Chairperson

Title

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Amarillo Metropolitan Planning Organization

Agency

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Date

**APPENDIX E**  
**CERTIFICATION of COMPLIANCE**



## Certification of Compliance

I, Ginger Nelson, Chairperson, MPO Policy Committee, a duly authorized officer/representative of the Amarillo Metropolitan Planning Organization do hereby certify that the contract and procurement procedures that are in effect and used by the forenamed MPO are in compliance with 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, Audit Requirements for Federal Awards," as it may be revised or superseded.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature - Policy Board Chairperson

Attest:

\_\_\_\_\_  
Name

Secretary, City of Amarillo  
\_\_\_\_\_  
Title

## Certification of Internal Ethics and Compliance Program

I, Ginger Nelson, Chairperson, MPO Policy Committee a duly authorized officer/representative of the Amarillo Metropolitan Planning Organization, do hereby certify that the forenamed MPO has adopted and does enforce an internal ethics and compliance program that is designed to detect and prevent violations of law, including regulations and ethical standards applicable to this entity or its officers or employees and that the internal ethics and compliance program satisfies the requirements of by 43 TAC § 31.39. "Required Internal Ethics and Compliance Program" and 43 TAC § 10.51 "Internal Ethics and Compliance Program" as may be revised or superseded.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature - Chairperson, MPO Policy Board

Attest:

\_\_\_\_\_  
Name

Secretary, City of Amarillo  
\_\_\_\_\_  
Title

### Limited English Proficiency (LEP) Certification

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination. It directs each federal agency to publish guidance for its' respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including transit providers and Lead Agencies which receive federal assistance through the Texas Department of Transportation (TxDOT).

The Limited English Proficiency Plan prepared by the Amarillo MPO {Agency} addresses responsibilities as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et se, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

The undersigned, known as the Amarillo MPO {Entity}, hereby certifies that it has adopted the Amarillo MPO {Agency} LEP Plan and will take responsible steps to carry out said Plan to all counties served by entity, ensure meaningful access to the benefits, services, information and activities for individuals who are Limited English Proficient (LEP). The undersigned has agreed to work together formally with the Amarillo MPO {Agency} to coordinate activities and prevent violations of the law, including regulations applicable to this entity or its officers or employees and that the LEP program satisfies the requirements of Executive Order 13166.

Amarillo MPO  
Name of entity

By: \_\_\_\_\_

Title: Policy Board Chairperson

Date: \_\_\_\_\_

List of Counties served: Amarillo MPO jurisdiction in Potter and Randall Counties

# Transit Asset Management (TAM) Performance Measures

## Agenda Item 5 – Briefing

### Presentation: Travis Muno, MPO Administrator

The Fixing America's Surface Transportation (FAST) Act, which is the current transportation law, has placed some new requirements on MPOs. One of these requirements is to set performance targets. The first performance targets that the MPO set was the Safety Performance Measures. These were addressed back in January. The next set of performance targets the MPO is required to set is for Transit Asset Management. Amarillo City Transit developed their targets in early June. That gives the MPO 180 days to adopt their targets. A target is a goal associated with the performance that is used to track the progress of a capital asset toward achieving a state of good repair. These performance measures track the percentage of assets past their useful life. Amarillo City Transit has established three targets, one for rolling stock, one for equipment and one for facilities. The targets are shown in the table below:

FY 18/19		
	Performance Measure	Target
Rolling Stock	10%	0%
Equipment	43%	22%
Facilities	33%	0%

Amarillo City Transit (ACT) has plans in place to reach these goals. For Rolling stock they plan to purchase six buses to replace three that have passed their useful life and add three additional buses to their fleet. For equipment ACT plans to replace one maintenance truck and purchase two additional vehicles. On the facilities measure ACT plans to renovate their bus wash facility. With this plan ACT should be able to reach their targets.

**RESOLUTION NO. 19-7-2018-2**

**A RESOLUTION ADOPTING THE TRANSIT ASSET MANAGEMENT  
PERFORMANCE TARGETS ESTABLISHED BY  
AMARILLO CITY TRANSIT**

**WHEREAS**, Moving Ahead for Progress in the 21st Century Act and subsequent Fixing America's Surface Transportation Act require the implementation of Performance Measures to assist in the transportation planning process; and

**WHEREAS**, Amarillo City Transit has established targets for three Transit Asset Management Performance Measures:

1. Rolling Stock,
2. Equipment, and
3. Facilities

**WHEREAS**, the Amarillo City Transit has officially established Transit Asset Management targets dated May 16, 2018, and as shown in APPENDIX A, attached hereto.

**NOW, THEREFORE, BE IT RESOLVED, BY THE AMARILLO MPO THAT:**

**The Policy Committee hereby adopts the City of Amarillo's Transit Asset Management Performance Targets within the Metropolitan Area Boundary, this the 19<sup>th</sup> day of July 2018.**

**BE IT FURTHER RESOLVED, that the Policy Committee will plan and program projects that contribute to the accomplishments of said targets.**

---

Ginger Nelson, Policy Board Chair  
Mayor, City of Amarillo

**APPENDIX A**  
**Amarillo City Transit FY 2018**  
**Transit Asset Management Performance Targets**

	<b>Performance Measure</b>	<b>Target</b>
Rolling Stock	10%	0%
Equipment	43%	22%
Facilities	33%	0%



## Transit Asset Management (TAM) Performance Measures and Targets for Fiscal Year 18/19

### Background

In 2012, Moving Ahead for Progress in the 21st Century Act (MAP-2) mandated Federal Transit Administration (FTA) to develop a rule establishing a strategic and systematic process of operating, maintaining, and improving public capital assets effectively through their entire life cycle. The TAM Final Rule 49 USC 625 became effective Oct. 1, 2016 and established four performance measures. The performance management requirements outlined in 49 United States Code (USC) 625 Subpart D are a minimum standard for transit operators.

### Performance Measures

Rolling Stock: The percentage of revenue vehicles (by type) that exceed the Useful Life Benchmark (ULB).

Equipment: The percentage of non-revenue service vehicles (by type) that exceed the ULB.

Facilities: The percentage of facilities (by group) that are rated less than 3.0 on the Transit Economic Requirements Model (TERM) Scale.

### Targets

A target is a goal associated with performance that is used to track the progress of capital assets towards achieving a state of good-repair. Targets connect a provider's strategic goals to the actions that the provider will take to reach those goals.

The TAM Final Rule defines a performance target as a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by FTA.

FY 18/19		
	Performance Measure	Target
Rolling Stock	10%	0%
Equipment	43%	22%
Facilities	33%	0%

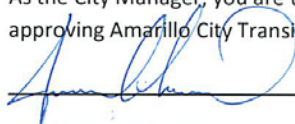


**Rolling Stock:** For FY 18/19, ACT has set a target of 0%. To reach this target ACT plans to receive and purchase at least 6 additional buses to replace 3 buses that have surpassed their ULB, and add 3 additional buses to their fleet.

**Equipment:** For FY 18/19, ACT has set a target of 22%. To reach this target, ACT plans to replace one maintenance truck and purchase two additional support vehicles.

**Facilities:** For FY 18/19, ACT has set a target of 0%. To reach this target, ACT plans to renovate their bus wash facility.

As the City Manager, you are the CEO for Amarillo City Transit. By signing below, you are approving Amarillo City Transit's FY 18/19 targets.

  
\_\_\_\_\_  
Jared Miller, City Manager

  
\_\_\_\_\_  
Date



## **Agenda Item 6 – Briefing**

### **Presentation: Travis Muno, MPO Administrator**

Each of the twenty-five Texas Metropolitan Planning Organization's has an individual agreement with the State of Texas to provide transportation planning strategies. The existing contracts will expire September 30, 2018. The State Department of Transportation and the MPO's have been working on updates to these existing contracts.

Recently, a new agreement was issued by the State of Texas. MPO staff and the City of Amarillo Legal Department reviewed the content of the new document. The revised agreement is included on the following pages.

This agreement establishes the duties and responsibilities of the MPO, its staff, the fiscal agent (the City of Amarillo), and the State of Texas. The new agreement continues to address the business topics which each of the identified parties have always been responsible: planning documents, compliance reporting, reimbursement compensation, penalties, and termination of the agreement.

The terms of this new agreement will begin upon execution by the parties: the MPO, City of Amarillo, and TxDOT. These terms will remain in force for a six year period. Today's action, upon approval, will allow the Amarillo MPO transportation planning initiative to continue without interruption. Upon approval this document will be forwarded to the City of Amarillo for City Council approval, once approved by Council it will be forwarded on to TxDOT.

This agenda item will require formal action by the Policy Committee.

STATE OF TEXAS       §

COUNTY OF TRAVIS    §

## **AGREEMENT WITH METROPOLITAN PLANNING ORGANIZATION**

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

### **W I T N E S S E T H**

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

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

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

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

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

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

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

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

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

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

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

**NOW THEREFORE**, it is agreed as follows:

## **A G R E E M E N T**

### **Article 1. Agreement Period**

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

### **Article 2. Responsibilities of the Department**

The responsibilities of the Department are as follows:

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

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

### **Article 3. Responsibilities of the MPO**

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

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

## **Article 4. Responsibilities of the MPO Policy Committee**

The MPO Policy Committee is the policy body that is the forum designated under 23 USC §134 with the responsibility for establishing overall transportation policy for the MPO and for making required approvals. The MPO Policy Committee is comprised of those governmental agencies identified in the original designation agreement and those agencies or organizations subsequently added to the membership of the committee. The responsibilities of the MPO, acting through its Policy Committee, are as follows:

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

#### **Article 5. Responsibilities of the Fiscal Agent**

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

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

#### **Article 6. Responsibilities of the MPO Transportation Planning Director**

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

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

#### **Article 7. Unified Planning Work Program**

- A. Each year the MPO shall submit to the Department a program of work that includes goals, objectives, and tasks required by each of the several agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP), or any successor name. The UPWP shall be approved by the MPO Policy Committee, in accordance with 23 CFR §450.314.
- B. The UPWP will be prepared for a period of one (1) year or two (2) years unless otherwise agreed to by the Department and the MPO. The UPWP shall reflect only that work that can be accomplished during the time period of the UPWP, in accordance with TAC §16.52.

- C. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation related (e.g. air quality) planning funds. The budget and statement of work will be included in the UPWP. The MPO may not incur costs until final approval of the UPWP is granted. The maximum amount payable will not exceed the budget included in the UPWP.
- D. The effective date of each UPWP will be October 1st of each year or the date of approval from the appropriate oversight agency, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.
- E. The UPWP shall comply with all applicable federal and state requirements and will describe metropolitan transportation and transportation-related planning activities anticipated in the area.
- F. The use of federal metropolitan transportation planning funds shall be limited to transportation planning activities affecting the transportation system within the boundaries of a designated metropolitan planning area. If an MPO determines that data collection and analysis activities relating to land use, demographics, or traffic or travel information, conducted outside its boundaries, affects the transportation system within its boundaries, then those activities may be undertaken using federal planning funds, if the activities are specifically identified in an approved UPWP. Any other costs incurred for transportation planning activities outside the boundaries of a designated metropolitan planning area are not eligible for reimbursement.
- G. Travel outside the State of Texas by MPO staff and other agencies participating in the MPO planning process must be approved by the Department if funded with federal transportation planning funds. The MPO must receive approval prior to incurring any costs associated with the actual travel (e.g., registration fee). This provision will not apply if the travel is at the request of the Department. Travel to the State of Arkansas by the Texarkana MPO staff and travel to the State of New Mexico by the El Paso MPO staff shall be considered in-state travel.
- H. The cost of travel incurred by elected officials serving on the MPO Policy Committee is eligible for reimbursement with federal transportation planning funds in accordance with 43 TAC §16.52.
- I. The use of federal transportation planning funds is limited to corridor/subarea level planning or multimodal or system-wide transit planning studies. Major investment studies and environmental studies are considered corridor level planning. Unless otherwise authorized by federal law or regulation, the use of such funds beyond environmental document preparation or for specific project level planning and engineering (efforts directly related to a specific project instead of a corridor) is not allowed.
- J. Failure to adhere to the time line developed by the Department may result in a delay in the authorization to the MPOs to proceed in incurring costs.
- K. A UPWP will not be approved if it is submitted in a format other than the standard format developed by the Department. The UPWP and subsequent amendments may be submitted electronically.
- L. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., adding new work tasks or changing the scope of existing work tasks) prior to receiving approval from the Department. Any costs incurred prior to receiving Department approval are not eligible for reimbursement from federal transportation planning funds.
- M. Costs incurred by the MPO shall not exceed the total budgeted amount of the UPWP without prior approval of the MPO Policy Committee and the Department. Costs incurred on individual work tasks shall not exceed that task budget by 25 percent without prior approval of the MPO Policy Committee and the Department. If the costs exceed 25 percent of the task budget, the UPWP shall be revised, approved by the MPO Policy Committee, and submitted to the Department for approval.



- N. The MPO Policy Committee must approve the UPWP and any subsequent revisions, and shall not delegate the approval authority, except for corrective actions. Corrective actions do not change the scope of work, result in an increase or decrease in the amount of task funding, or affect the overall budget. Examples include typographical, grammatical, or syntax corrections.
- O. Should any conflict be discovered between the terms of this agreement and the UPWP, the terms of this agreement shall prevail.
- P. The MPO is not authorized to request payment for any work it may perform that is not included in the current UPWP.

#### **Article 8. Compensation**

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

- A. Federal funds are available to the Department in a sufficient amount for making payments.
- B. The incurred cost is authorized in the UPWP. The maximum amount payable under this agreement shall not exceed the total budgeted amount outlined in the UPWP in accordance with 43 TAC §16.52.
- C. The cost has actually been incurred by the MPO and meets the following criteria:
  - 1. Is verifiable from MPO records;
  - 2. Is not included as match funds for any other federally-assisted program;
  - 3. Is necessary and reasonable for the proper and efficient accomplishment of program objectives;
  - 4. Is the type of charge that would be allowable under 2 CFR 200 Revised, "Cost Principles for State, Local, and Indian Tribal Governments" and the state's UGMS; and
  - 5. Is not paid by the Department or federal government under another assistance program unless authorized to be used as match under the other federal or state agreement and the laws and regulations to which it is subject.
- D. After October 1st of each year, the Department will issue a work order to the MPO establishing the effective date of work and the total funds authorized. If the UPWP is subsequently revised, necessitating a revision to the original work order, or the Department deems a revision necessary, a revised work order may be issued at any time throughout the fiscal year. If the amount in the UPWP differs from the amount in the work order, the amount in the work order prevails.
- E. The MPO is authorized to submit requests for payment of authorized costs incurred under this agreement on a semi-monthly basis, but no more than twenty four (24) times a year and no less than monthly as expenses occur. Each request for payment shall be submitted in a manner acceptable to the Department, which includes, at a minimum, the following information:
  - 1. UPWP budget category or line item;
  - 2. Description of the cost;
  - 3. Quantity;
  - 4. Price;
  - 5. Cost extension; and
  - 6. Total costs
- F. The MPO shall submit the final bill from the previous fiscal year to the Department no later than December 31<sup>st</sup> of the calendar year in which that fiscal year ended. Any bills submitted after December 31 for a fiscal year in which the funds have been de-obligated will be processed against the current year's UPWP.
- G. Payment of costs is contingent upon compliance with the terms of Article 3 (Responsibilities of the MPO) of this agreement. Noncompliance may result in cancellation of authorized

work and suspension of payments after a thirty (30) day notification by the Department to the MPO.

#### **Article 9. Reporting**

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

#### **Article 10. Indemnification**

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

#### **Article 11. Inspection of Work and Retention of Documents**

- A. The Department and, when federal funds are involved, the U. S. Department of Transportation (USDOT), and their authorized representatives shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises on which it is being performed.
- B. If any inspection or evaluation is made on the premises of the MPO or a subcontractor, the MPO shall provide or require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.
- C. The MPO agrees to maintain all books, documents, papers, computer generated files, accounting records, and other evidence pertaining to costs incurred and work performed under this agreement, and shall make those materials available at its office during the time period covered and for seven (7) years from the date of final payment under the UPWP. Those materials shall be made available during the specified period for inspection by the Department, the USDOT, and the Office of the Inspector General of the USDOT and any of their authorized representatives for the purpose of making audits, examinations, excerpts, and transcriptions.
- D. The state auditor may conduct an audit or investigation of any entity receiving funds from the Department directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit under the state's UGMS.

#### **Article 12. Work Performance**

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

### **Article 13. Disputes**

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

### **Article 14. Non-Collusion**

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

### **Article 15. Subcontracts**

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

### **Article 16. Termination**

- A. The Department may terminate this agreement at any time before the date of completion if the Governor withdraws his designation of the MPO. The Department or the MPO may seek termination of this agreement pursuant to Article 13 (Disputes) if either party fails to comply with the conditions of the agreement. The Department or the MPO shall give written notice to all parties at least ninety (90) days prior to the effective date of termination and specify the effective date of termination.
- B. The Department may terminate this agreement for reasons of its own, subject to agreement by the MPO.
- C. The parties to this agreement may terminate this agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the parties shall agree upon the termination conditions.
- D. Upon termination of this agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc., prepared by the MPO shall, at the option of the Department, be delivered to the Department.

- E. The Department shall reimburse the MPO for those eligible expenses incurred during the agreement period that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The MPO shall not incur new obligations for the terminated portion after the effective date of termination.

#### **Article 17. Force Majeure**

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

#### **Article 18. Remedies**

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

#### **Article 19. Gratuities**

- A. Employees of the Department or the MPO shall not accept any benefits, gifts, or favors from any person doing business with, or who may do business with the Department or the MPO under this agreement.
- B. Any person doing business with, or who may do business with the Department or the MPO under this agreement, may not make any offer of benefits, gifts, or favors to Department or the MPO employees. Failure on the part of the Department or the MPO to adhere to this policy may result in termination of this agreement.

#### **Article 20. Compliance with Laws**

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

#### **Article 21. Successors and Assigns**

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

#### **Article 22. Debarment Certifications**

The MPO is prohibited from making any award or permitting any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in federal

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

### **Article 23. Equal Employment Opportunity**

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

### **Article 24. Pertinent Non-Discrimination Authorities**

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

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.

- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

#### **Article 25. Nondiscrimination on the Basis of Disability**

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

#### **Article 26. Disadvantaged Business Enterprise (DBE) Program Requirements**

If federal funds are used:

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The MPO shall adopt, in its totality, the State's federally approved DBE program.
- C. The MPO shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The MPO shall submit its proposed scope of services and quantity estimates to the State to allow the State to establish a DBE goal for each MPO contract with a subprovider. The MPO shall be responsible for documenting its actions.
- D. The MPO shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address [http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou\\_attachments.pdf](http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf).
- E. The MPO shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The MPO shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the MPO of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the MPO signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts.*

*Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.*

#### **Article 27. Procurement and Property Management Standards**

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

#### **Article 28. Environmental Protection and Energy Efficiency**

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

#### **Article 29. Federal Reimbursement**

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

#### **Article 30. Control of Drug Use**

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

#### **Article 31. Lobbying Certification**

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

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the MPO shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **Article 32. Amendments**

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

### **Article 33. Distribution of Products**

- A. The MPO shall provide a number of copies to be specified by the Department of all information, reports, proposals, brochures, summaries, written conclusions, graphic presentations, and similar materials developed by the MPO and financed, in whole or in part, as provided in this agreement. All reports published by the MPO shall contain the following prominent credit reference to the Department, USDOT, FHWA, and FTA: *Prepared in cooperation with the Texas Department of Transportation and the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration.*
- B. Upon termination of this agreement, all documents prepared by the MPO or furnished to the MPO by the Department, shall be delivered to the Department. All documents, photographs, calculations, programs, and other data prepared or used under this agreement may be used by the Department without restriction or limitation of further use.

### **Article 34. Legal Construction**

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

### **Article 35. Sole Agreement**

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

### **Article 36. Copyrights**

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

### **Article 37. Federal Funding Accountability and Transparency Act Requirements**

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B. The MPO agrees that it shall:



1. Obtain and provide to the Department a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR web-site at <https://www.sam.gov/portal/public/SAM/>;
2. Obtain and provide to the Department a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website at <http://fedgov.dnb.com/webform>; and
3. Report the total compensation and names of its top five (5) executives to the Department if:
  - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
  - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

**Article 38. Single Audit Report**

If federal funds are used:

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

**Article 39. Notices**

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

<b>MPO:</b>	Chairperson Amarillo MPO PO Box 1971 Amarillo TX 79105-1971
<b>Fiscal Agent:</b>	City Manager City of Amarillo PO Box 1971 Amarillo TX 79105-1971
	Director, Transportation Planning & Programming Division

<b>Department:</b>	Texas Department of Transportation 125 E. 11 <sup>th</sup> Street Austin, Texas 78701
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All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided in this agreement. Any party may change the above address by sending written notice of the change to the other parties. Any party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other parties.

**Article 40. Signatory Warranty**

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

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

**THE MPO**

**THE FISCAL AGENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Ginger Nelson  
Typed or Printed Name

\_\_\_\_\_  
Chairman  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Jared Miller  
Typed or Printed Name

\_\_\_\_\_  
City Manager  
Title

\_\_\_\_\_  
Date

**THE DEPARTMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

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

\_\_\_\_\_  
Date

**Presentation of City of Amarillo Capital Improvement  
Plan**

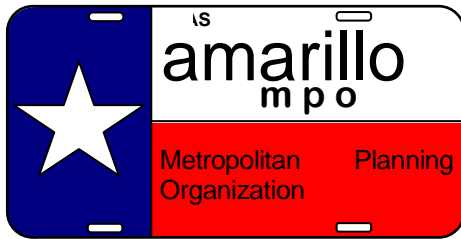
## **Agenda Item 7 – Briefing**

### **Presentation: Kyle Schniederjan, Director of Capital Project and Development Engineering**

The funding program formerly known as Transportation Investment Generating Economic Recovery (TIGER) has now been replaced with the program Better Utilizing Infrastructure to Leverage Development (BUILD). Projects for BUILD will be evaluated based on merit criteria that include safety, economic competitiveness, quality of life, environmental protection, state of good repair, innovation, partnership, and additional non-Federal revenue for future transportation infrastructure investments.

The City of Amarillo will submit an application for improvements for the downtown area. The project will be submitted for 2018 BUILD funding. Details of the project and a letter of support will be offered in the meeting.

This agenda item will require formal action by the Committee



. . . . intermodal transportation planning

July 19, 2018

Elaine Chao  
Secretary of Transportation  
US Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

RE: BUILD 2018 Grant Application: Downtown Amarillo Complete Streets Initiative

Dear Secretary Chao,

The City of Amarillo is submitting an application to the FY 2018 Better Utilizing Infrastructure to Leverage Development (BUILD) Grant Program. This project proposes to revitalize Polk Street and SW 6th Avenue in Amarillo's Central Business District. This Complete Streets Design project creates inviting, pedestrian safe corridors connecting Amarillo's downtown neighborhoods to retail shopping and regional medical facilities via the local transportation network and the Amarillo Rock Island Rail Trail.

Members of the Amarillo MPO Policy Committee generally support the project as one that will enhance the quality of life for a wide range of multi-modal transportation users. We urge your favorable consideration of this application.

---

Ginger Nelson, Mayor, City of Amarillo  
Chair, Amarillo MPO Policy Advisory Committee



## **Agenda Item 8 – Briefing**

### **Presentation: Terry Nix, TxDOT Planner**

Texas Department of Transportation – Amarillo District staff will present an update for the 2019 Unified Transportation Program.

This agenda item will not require formal action by the Committee.

# Amarillo District

## 2019 Unified Transportation Program (UTP)

Occupying much of the Texas Panhandle and bordering two states, the Amarillo District's northern location and high elevation sets it apart from the rest of Texas. Outside the city of Amarillo, the district is primarily rural with an economy that depends on farming, ranching, oil, gas, and tourism. Our district includes counties that are among the state's top producers for beef, swine, corn, and wheat. The success of these industries depends on the state's transportation network.



### Did You Know?

- Though located in the High Plains, the Amarillo District is home to the Palo Duro Canyon, the second-largest canyon in the United States.
- On a majority of nights during the winter months, the low temperature falls below the freezing point. This freeze/thaw cycle creates unique maintenance challenges for our district.

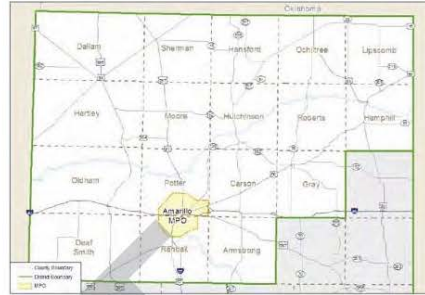
### ★ DISTRICT HIGHLIGHTS

As growth continues in Amarillo, our team is working to address increasing transportation demands through an expansion of State Loop (SL) 335, a 40+ mile loop around the city. Today, the loop is a combination of rural and urban sections. Some sections have limited room for widening, while some are similar to city streets with intersections and driveways for homes and businesses.

Upgrading the entire loop to a freeway with frontage roads continues to be a priority for the city and our district. This is a significant effort that is being planned and constructed in phases. Since the southwest quadrant section of the loop is experiencing greater traffic demands than the others, it is the first section to be planned and construction is underway on the first phase. The next major phase will include relocating a section on a new alignment. Public involvement will continue in planning for the remaining segments of the SL 335 freeway.

### Planning and Programming

The framework for planning, funding, and delivering projects in our district comes from TxDOT's 12 funding categories. We work closely with our local partners at the Amarillo Metropolitan Planning Organization (MPO) in selecting projects and assigning funding in the urban area. We also coordinate with cities, counties, and the Panhandle Regional Planning Commission to gain a better understanding of transportation needs throughout the district. These efforts allow our team to maintain regular and meaningful dialogue with local communities, which provides valuable feedback in planning for short- and long-term needs.



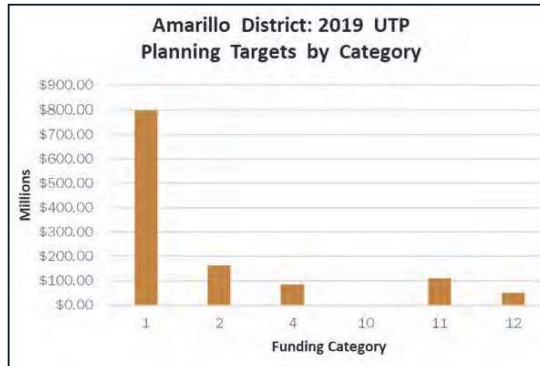
### FAST FACTS

<b>Population</b>	More than 385,00
<b>Square Miles</b>	17,800
<b>Daily Vehicle Miles</b>	More than 10.5 million
<b>Lane Miles</b>	More than 9,400
<b>Registered Vehicles</b>	400,000

### How to Stay Involved

- Amarillo TxDOT District [page](#)
- District Projects and Studies [page](#)
- TxDOT Hearings and Meetings [schedule](#)
- **Amarillo Metropolitan Planning Organization** (click on "Public Participation" to get involved with regional transportation plans)
- **Panhandle Regional Planning Commission**: see a calendar of meetings for the rural planning organization
- Contact the district by [email](#)





**Priorities**

The key factors driving project prioritization in our district are safety, maintaining and preserving existing infrastructure, enhancing connectivity, improving mobility, and working collaboratively with our local partners to understand their needs.

Reflecting the rural nature of our district and focusing on maintaining the existing transportation system, Category 1 funding typically accounts for more of our budget than all other categories combined. Projects in this category are prioritized based on pavement scores, traffic counts, truck percentages, the age of the roadway, and input from local maintenance supervisors. Annually, our team spends several days driving the priority project areas to gain first-hand knowledge of the road conditions, which directs our four-year maintenance plans. With extreme heat in the summer and sub-freezing temperatures in the winter, along with major snow and ice events, maintenance priorities must be reviewed regularly and adjusted for a safe and functional network.

Highlighting our district’s emphasis on safety, all of the discretionary Category 11 funds are being applied to safety-related projects. We are utilizing the Energy Sector funds in Category 11 to preserve and protect roadways in the Anadarko Basin oil field located in the northeast portion of our district. These funds are currently focused on the US 60 corridor, which is a vital link to and within the Anadarko Basin.

We partner and coordinate with the Amarillo MPO to prioritize projects for Categories 2 and 4. For example, the upgrade of SL 335 to a freeway is one of our district’s highest-priority projects. The Texas Transportation Commission recognized the importance of the SL 335 corridor and awarded Category 12 funds to the project. Once complete, the upgrade to SL 335 will enhance local and regional connectivity by creating new freeway connections between I-40, I 27, and US 87, reducing the need for freight shipments through downtown and providing new options for commuters and travelers in Amarillo.



Make sure to visit TxDOT’s Project Tracker website to view up-to-date information transportation projects: [www.txdot.gov/pt](http://www.txdot.gov/pt)

**12**

**TXDOT FUNDING CATEGORIES**

- 1 Preventive Maintenance and Rehabilitation
- 2 Metropolitan and Urban Area Corridor Projects
- 3 Non-Traditionally Funded Transportation Projects
- 4 Statewide Connectivity Corridor Projects
- 5 Congestion Mitigation and Air Quality Improvement
- 6 Structures Replacement and Rehabilitation
- 7 Metropolitan Mobility and Rehabilitation
- 8 Safety
- 9 Transportation Alternatives Program
- 10 Supplemental Transportation Projects
- 11 District Discretionary
- 12 Strategic Priority



Public meeting for State Loop 335

**KEY DISTRICT PROJECTS & PROGRESS**

**Long Term (Five or more years)**

- SL 335 Segment C-1, Potter County: Phase 1 of freeway conversion – estimated \$40 million
- SL 335 Segment B-2, Randall County: Phase 2 freeway conversion – estimated \$101 million
- I-27, Randall County: widen to 6 lanes in phases from Western Street in Amarillo to North of Canyon – estimated \$150 million

**Short Term (Four or fewer years)**

- SL 335 Segments B-1 & B-2 Phase 1, Potter and Randall Counties: freeway conversion – estimated \$150 million (letting 2017-2021)
- I-40 at Whitaker Road, SL 335 East, & FM 1258, Potter County: bridge replacement and frontage road operational improvements – estimated \$50 million (letting 2018)
- US 54, Hartley County: Addition of Super-2 Lanes, improving connectivity from New Mexico to Dalhart – estimated \$39 million (letting 2020)
- US 87/US 287, Moore County: pavement rehabilitation through the City of Dumas – estimated \$27 million (letting 2020)

**2019 Unified Transportation Program** Amarillo

**Hartley County**

<b>CSJ</b> <b>0238-01-032</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>HARTLEY</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>US 54</b>	<b>Ranking Tier</b> <b>2</b>
Limits From	MIDDLEWATER					
Limits To	NEW MEXICO STATE LINE					<b>Previously Authorized</b>
Project Description	CONVERT TO SUPER 2 HIGHWAY					Est Const Cost: \$19,000,000
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	RURAL CONNECTIVITY	\$19,000,000	\$0	\$19,000,000		
	<b>Total</b>	<b>\$19,000,000</b>	<b>\$0</b>	<b>\$19,000,000</b>		

<b>CSJ</b> <b>0238-02-038</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>HARTLEY</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>US 54</b>	<b>Ranking Tier</b> <b>2</b>
Limits From	RITA BLANCA CREEK BRIDGE					
Limits To	MIDDLEWATER					<b>Previously Authorized</b>
Project Description	CONVERT TO SUPER 2 HIGHWAY					Est Const Cost: \$20,000,000
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
4	RURAL CONNECTIVITY	\$20,000,000	\$0	\$20,000,000		
	<b>Total</b>	<b>\$20,000,000</b>	<b>\$0</b>	<b>\$20,000,000</b>		

**Potter County**

<b>CSJ</b> <b>2835-06-001</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>1</b>
Limits From	RANDALL COUNTY LINE					
Limits To	IH 40					<b>Previously Authorized</b>
Project Description	B-2 PHASE I: CONSTRUCT FRT RDS FOR FUTURE FREEWAY					Est Const Cost: \$1,040,000
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
12	STRATEGIC PRIORITY	\$1,000,000	\$0	\$1,000,000		
2U	URBAN CORRIDOR	\$40,000	\$0	\$40,000		
	<b>Total</b>	<b>\$1,040,000</b>	<b>\$0</b>	<b>\$1,040,000</b>		

<b>CSJ</b> <b>0275-01-199</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>IH 40</b>	<b>Ranking Tier</b> <b>1</b>
Limits From	BI 40 D					
Limits To	FM 2590 (SONCY ROAD)					<b>Previously Authorized</b>
Project Description	B-2 PHASE II RECONSTRUCT IH 40 2ND LEVEL MAINLANE BRIDGE AT SL 335 AND FRONTAGE ROAD BOX					Est Const Cost: \$23,200,000
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
12	STRATEGIC PRIORITY	\$6,000,000	\$0	\$6,000,000		
4	URBAN CONNECTIVITY	\$11,000,000	\$0	\$11,000,000		
2U	URBAN CORRIDOR	\$6,200,000	\$0	\$6,200,000		
	<b>Total</b>	<b>\$23,200,000</b>	<b>\$0</b>	<b>\$23,200,000</b>		

<b>CSJ</b> <b>2835-04-037</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>3</b>
Limits From	FM 2590 NORTH					
Limits To	SW 9TH					<b>Previously Authorized</b>
Project Description	B-2 PHASE II CONSTRUCT FRT RDS FOR FUTURE FREEWAY					Est Const Cost: \$9,070,000
Programmed Construction Funding						
Category	Description	Authorized	Other	Total		
2U	URBAN CORRIDOR	\$9,070,000	\$0	\$9,070,000		
	<b>Total</b>	<b>\$9,070,000</b>	<b>\$0</b>	<b>\$9,070,000</b>		

**2019 Unified Transportation Program**

Amarillo

Project Listing  
Page 2 of 3

<b>CSJ</b> <b>2635-06-002</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>3</b>
Limits From IH 40						
Limits To FM 2590 NORTH						
Project Description B-2 PHASE II: CONSTRUCT FRT RDS FOR FUTURE FREEWAY						
						<b>Funding Adjustment</b>
						Est Const Cost: \$13,130,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$7,000,000	\$0	\$7,000,000
4	URBAN CONNECTIVITY	\$3,000,000	\$0	\$3,000,000
2U	URBAN CORRIDOR	\$3,130,000	\$0	\$3,130,000
<b>Total</b>		<b>\$13,130,000</b>	<b>\$0</b>	<b>\$13,130,000</b>

<b>CSJ</b> <b>2635-04-031</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Develop</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>2</b>
Limits From SW 9TH						
Limits To FM 1719						
Project Description C-1 PHASE I: CONVERT SECTION FROM 2-LANE TO 4-LANE DIVIDED, CONVERT SECTION FROM 2-LANE TO FREEWAY						
						<b>Funding Adjustment</b>
						Est Const Cost: \$82,500,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
4	URBAN CONNECTIVITY	\$25,210,000	\$0	\$25,210,000
2U	URBAN CORRIDOR	\$33,030,000	\$0	\$33,030,000
Remaining Funding to be Determined				
<b>Total</b>		<b>\$58,240,000</b>	<b>\$0</b>	<b>\$58,240,000</b>

<b>CSJ</b> <b>2635-06-003</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>POTTER</b>	<b>UTP AUTHORITY</b> <b>Develop</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>3</b>
Limits From RANDALL COUNTY LINE						
Limits To 4 MILES NE IF BI 40-D						
Project Description B-2 PHASE III: CONSTRUCT SL 335 3RD LEVEL MAINLANE BRIDGE AT IH 40, RAMPS, AND BI 40-D GRADE SEP						
						<b>Funding Adjustment</b>
						Est Const Cost: \$43,500,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
4	URBAN CONNECTIVITY	\$9,510,000	\$0	\$9,510,000
2U	URBAN CORRIDOR	\$33,990,000	\$0	\$33,990,000
<b>Total</b>		<b>\$43,500,000</b>	<b>\$0</b>	<b>\$43,500,000</b>

**Randall County**

<b>CSJ</b> <b>2494-02-010</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>RANDALL</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>1</b>
Limits From FM 2590						
Limits To FM 2186						
Project Description B-2 PHASE I: CONSTRUCT FRT RDS FOR FUTURE FREEWAY						
						<b>Previously Authorized</b>
						Est Const Cost: \$11,000,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
2U	URBAN CORRIDOR	\$11,000,000	\$0	\$11,000,000
<b>Total</b>		<b>\$11,000,000</b>	<b>\$0</b>	<b>\$11,000,000</b>

<b>CSJ</b> <b>2635-05-001</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>RANDALL</b>	<b>UTP AUTHORITY</b> <b>Let</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>1</b>
Limits From FM 2186						
Limits To POTTER COUNT LINE						
Project Description B-2 PHASE I: CONSTRUCT FRT RDS FOR FUTURE FREEWAY						
						<b>Funding Adjustment</b>
						Est Const Cost: \$35,700,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$30,000,000	\$0	\$30,000,000
2U	URBAN CORRIDOR	\$5,700,000	\$0	\$5,700,000
<b>Total</b>		<b>\$35,700,000</b>	<b>\$0</b>	<b>\$35,700,000</b>

<b>CSJ</b> <b>2635-03-024</b>	<b>District</b> <b>AMARILLO</b>	<b>COUNTY</b> <b>RANDALL</b>	<b>UTP AUTHORITY</b> <b>Construct</b>	<b>TOLL</b> <b>No</b>	<b>SL 335</b>	<b>Ranking Tier</b> <b>3</b>
Limits From FM 2590						
Limits To WEST OF COULTER						
Project Description B-1 PHASE II (TIE-IN) CONSTRUCT MAINLANES, GRADE SEP, RAMPS, AND FRONTAGE ROADS						
						<b>Funding Adjustment</b>
						Est Const Cost: \$26,100,000

Programmed Construction Funding				
Category	Description	Authorized	Other	Total
12	STRATEGIC PRIORITY	\$7,000,000	\$0	\$7,000,000
2U	URBAN CORRIDOR	\$19,100,000	\$0	\$19,100,000
<b>Total</b>		<b>\$26,100,000</b>	<b>\$0</b>	<b>\$26,100,000</b>

2019 Unified Transportation Program		Amarillo			Project Listing
CSJ <b>2635-05-002</b>	District <b>AMARILLO</b>	COUNTY <b>RANDALL</b>	UTP AUTHORITY Develop	TOLL No	Page 3 of 3
					<b>SL 335</b>
					Ranking Tier <b>3</b>
Limits From	.2 MILES NORTH OF 34TH				<b>Previously Authorized</b>
Limits To	POTTER COUNTY LINE				
Project Description	B-2 PHASE III: CONSTRUCT MAINLANES AND RAMPS				Est Const Cost: \$1,400,000
Programmed Construction Funding					
Category	Description	Authorized	Other	Total	
2U	URBAN CORRIDOR	\$1,400,000	\$0	\$1,400,000	
	<b>Total</b>	<b>\$1,400,000</b>	<b>\$0</b>	<b>\$1,400,000</b>	

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## **Agenda Item 9 – Briefing**

### **Presentation: Travis Munro, MPO Administrator**

The MPO Policy Committee (PC) in April approved the expansion of the Metropolitan Area Boundary (MAB). As part of this process the MPO will have to update its Bylaws. The Technical Advisory Committee (TAC) has been examining and evaluating the MPO's around the state to determine best practices. During this evaluation the committee looked at many aspects of the MPO, including Policy and Technical Advisory Committee structure, how the MPOs functioned in relation to their fiscal agents, Director Duties, quorums, and voting. Since the Amarillo MPO is currently a small MPO but will soon become a larger MPO or Transportation Management Area (TMA) we did not limit ourselves to just one but rather viewed the makeup of both small and large MPOs.

The MPO Bylaws revisions have been moved to the September workshop. The Technical Advisory Committee is still in the process of addressing items in the bylaws that deal with the Metropolitan Area Boundary expansion. Given the magnitude of this document it was felt that it is better to take our time and not rush it. The TAC has worked on this document at each of its monthly meetings and the subcommittee has met twice. The TAC felt it would be better to work out the remaining issues and present the bylaws at the workshop, where the Policy Committee could then discuss and ask questions before approval is sought. After this is presented at the workshop it will be brought back to the Policy Committee in October for action.