Florida Metropolitan Planning Partnership
FMPP Statewide Collaboration Meeting

Day 2: UPWP & Other Topics

presented to

FMPP
Florida Metropolitan Planning Partnership

presented by

Alex Gramovot
Statewide Metropolitan Planning Coordinator
Florida Department of Transportation

Office of Policy Planning

December 1, 2017
Agenda for the Day

- UPWP Kick-Off Presentation
- UPWP Discussion
- Other Topics & Discussion
  - MPOAC Leadership
  - TIP Discussion
  - Certification/Risk Assessment
  - Other Issues for Discussion
- Wrap-Up
Objectives for the Day

- Provide an interactive forum to engage, ask questions, and offer ideas
- Discuss the respective roles of and expectations for Central Office, Districts, and MPOs
- Discuss on-going efforts and obtain feedback
- Evaluate meeting value to participants
Unified Planning Work Program

Florida Metropolitan Planning Partnership

December 1, 2017
What is Planning Grants Administration?

- **Policies and procedures** for the administration of activities undertaken by State departments of transportation and their sub-recipients, including metropolitan planning organizations (MPOs), with FHWA planning and research funds.

- **Two types of planning grants:**
  - **SPR Work Program** - State planning and research (SPR) funds
  - **Unified Planning Work Program** - Metropolitan planning (PL) funds
Federal-aid Highway Program

- Federally Assisted, State Administered, Locally Driven Program
- State Transportation Department
- Matching Requirements
- Reimbursement
- Contract Authority
Planning Grants Administration: What’s Our Role?

• Provide technical assistance
• Review State/MPO’s work program and Ensure compliance with federal requirements
• Consistency in reviews, technical assistance, and maximize reimbursement of federal funds
• Help to determine “reasonableness” of funding requests
Planning Grants Administration: What’s Our Role?

APPROVE your UPWP and amendments
UPWP/SPR Review Change

- Scope and Planning Contract Reviews
  - Who will perform the work
  - the schedule for completing the work
  - the resulting products
  - the proposed funding by activity/task.
  - Identification of total amounts and sources of Federal and matching funds

- Goal: Provide enough detail so no need to review scopes later.
UPWP/SPR Review Change

- Approval letter changes
  - List of tasks needing further review and approval

- Starting with the new 2-year UPWP/SPR Programs
And just as a Reminder
Eligible Costs: 23 CFR 420.113

Costs will be eligible for FHWA participation provided that the costs:

1. Are for work performed for activities **eligible** under the section of title 23, U.S.C.,
2. Are **verifiable** from the State DOT's or the sub recipient's records;
3. Are **necessary** and **reasonable** for proper and efficient accomplishment of project
4. Are **included** in the approved budget, or amendment
5. Were not incurred prior to FHWA authorization.
TEAMWORK
Together Each Achieves More
Questions?

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FMPP Statewide Collaboration Meeting

UPWP Kick-Off - FDOT

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December 1, 2017
The Big Picture

- Compliance with federal and state contracting and grant administration requirements
- Consistency in programming and administration of MPO funds
- Oversight of FHWA funds being provided to the MPOs
- Ability to ensure prompt payment
The UPWP consists of:

- Cover Page
- Introduction
- Organization and Management
- Work Elements and Task Sheets
- Summary Budget Tables
Roles & Responsibilities

**MPOs**
- Sub-recipients to FDOT
- Contractually obligated responsibility for compliance with all federal and state requirements

**MPO Liaisons**
- Grant Managers for MPO grants
- Responsible for programmatic and fiscal oversight of MPO grants

**Statewide MPO Coord.**
- Program Manager for MPO program
- Responsible for statewide oversight, guidance & technical assistance, and support for MPO grant managers
- Responsible for coordination with FHWA, MPOAC, and other FDOT offices on MPO issues
Timeline – UPWP Development, Review, and Approval

- **December/January:**
  - Central Office provides Planning Emphasis Areas
  - Central Office provides the Check PL sheet
  - Districts conduct UPWP kickoff meetings with MPOs
  - MPOs initiate development of their UPWPs

- **No later than March 15:**
  - MPOs transmit draft UPWP according to distribution table in the MPO Handbook
Timeline – UPWP Development, Review, and Approval

- **No later than April 15:**
  - District provides FDOT and other agency comments to the MPO

- **No later than May 15:**
  - MPO addresses comments and adopts final UPWP, with completed cost analysis
  - MPO distributes final UPWP according to distribution table in the MPO Handbook

- **Within 10 working days:**
  - District reviews final UPWP and identifies any outstanding issues
  - District distributes final UPWP according to distribution table in the MPO Handbook
Timeline – UPWP Development, Review, and Approval

**No later than June 1:**
- District transmits final UPWP to FHWA, FTA, and Central Office recommending approval, disapproval, or conditional approval

**No later than June 30:**
- MPO and District must resolve any outstanding issues or risk a delay in funding
- FHWA and FTA approve the UPWP
MPO Agreements

- **FHWA Agreement**
  - MPO Agreement (Form 525-010-02) captures all FHWA funds listed in the UPWP, such as PL and SU, and acts as the basis for the administration of these funds

- **FTA Agreement**
  - Public Transportation Joint Participation Agreement (Form 725-030-06) between the MPO and FDOT to undertake the FTA-funded planning studies and activities in the UPWP

- **Other Agreements:**
  - Transportation Disadvantaged Program Agreement
  - Third-Party Agreements
FHWA Agreement

- MPO Agreement is the standard contract between the MPO and FDOT to undertake FHWA-funded planning studies and activities listed in the UPWP
- MPO Agreement shall be executed every 2 years
- The Agreement was updated for the last UPWP cycle
- No plans to update it for this UPWP cycle
The UPWP acts as the scope of work for the MPO Agreement

Deliverable: progress reports

Progress is determined by completion of the tasks in the UPWP, as documented by the progress report and determined by the MPO Liaison
MPOs must invoice on a monthly or quarterly basis

Itemized Expenditure Report
  » Report of expenditures made during the invoice period, broken out by task and budget category based on the Estimated Budget Detail

Progress Report
  » Report of activities undertaken during the invoice period

Invoice will *not* include specific documentation of costs incurred (such as receipts), although the MPO must retain such documentation
MPO Liaison to use checklist in the Handbook to perform review of draft UPWP

The *cost analysis* must be performed prior to execution of the MPO agreement

After performing review (and prior to execution of the MPO Agreement), the MPO Liaison shall sign the Cost Analysis Certification statement
Monitoring & Oversight: UPWP Review

- **Allowable**
  - Authorized by federal and state law, rule, and/or regulation
  - Where more than one resource differs from another, the more restrictive resource applies

- **Reasonable**
  - Are there less expensive alternatives that would meet the need?
  - Would a prudent person or business pay the same price for similar services?

- **Necessary**
  - Is this crucial to the success of the program?
MPO Liaison initially responsible for determining whether a cost is allowable, necessary and reasonable

Determination of eligible activities:

- 2 CFR §200 Subpart E – Cost Principles
- DFS Reference Guide for State Expenditures

Note: FHWA holds ultimate responsibility for determining allowability, necessity, and reasonableness of costs for FHWA funds.
Monitoring & Oversight: Risk Assessment

- Risk Assessment
  - MPO risk assessed on a scale of low, moderate, elevated, and high
  - Fiscal Monitoring required by 2 C.F.R. §200.331

- Part of the Joint Certification Process
De-obligation

- MPOs only need to de-obligate/close-out funds at the end of the UPWP’s 2nd year
- If MPOs have a balance in year 1 that they want to use in year 2 (for same task) – leave balance in year 1 – funds will be available on July 1 of the second fiscal year
Closeout

- FDOT has until Sept 30 to have final invoices and close out documents to FHWA
- If MPO anticipates it won’t have final invoices submitted in time, MPO must notify the District
- If District anticipates it won’t have its close-out memo completed before Sept 30, the District must request an extension from FHWA
- As of July 11, 2016, the process for closing projects has been revised
  » See Federal Aid Technical Bulletin 16-03
Contact Information

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Introduction

**June 1 Presentation:**
- Risk Assessment
  - Issues identified

**Since June:**
- Need for consistent Joint Certification process
- Incorporate Risk Assessment into Joint Certification

**Where We Are Now:**
- Joint Certification includes Risk Assessment
  - One streamlined, consistent process
  - Value added
  - Benefits the MPO, MPO Liaison, and Central Office
Joint Certification - Timeline

- **January**
  - District and MPO conduct Certification Review

- **February 15**
  - District and MPO develop Preliminary Joint Certification Package

- **June**
  - Final Joint Certification Package signed. During UPWP update years, it is submitted with the UPWP

- **July 31**
  - Final Certification Package must be sent to FHWA and OPP
Risk Assessment - Timeline

January 1, 2017  December 31, 2017  July 1, 2018  June 30, 2019

- Calendar Year 2017
- Year reviewed for Certification
- Fiscal Year 2018
- Risk Assessment monitoring from CY 17 Certification in effect
Joint Certification

https://fms.fdot.gov/Form/ConsolidatedForm?formId=2678
Section 1: MPO Overview

1. Does the MPO have up-to-date agreements such as the interlocal agreement that creates the MPO, the intergovernmental coordination and review agreement; and any other applicable agreements? Please list all agreements and dates that they need to be readopted.

[23 C.F.R. 450.314(a) and (e)]

Please Check: Yes [ ] No [ ]

PLEASE EXPLAIN

2. Does the MPO coordinate the planning of projects that cross MPO boundaries with the other MPO(s)?

[23 C.F.R. 450.314(e)]

Please Check: Yes [ ] No [ ]

PLEASE EXPLAIN
Section 12: Attachments

Please attach any documents required from the sections above, or other certification related documents here. (Link to MPO Joint Certification Statements and Assurances)
JOINT CERTIFICATION STATEMENT ON THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the [blank] with respect to the requirements of:

2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;
3. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) of the FAST Act and 49 C.F.R. Part 26 regarding the use of disadvantaged business enterprises in USDOT projects;
5. 23 C.F.R. Part 230 regarding the implementation of an equal opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in 49 C.F.R. Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on [insert date].

Based on a joint review and evaluation, the Florida Department of Transportation and the [blank] recommend that the Metropolitan Planning Process for the [blank] be Select option.

[Form with date and signature fields]

Date
District Secretary (or designee)

Date
MPO Chairman (or designee)
Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Metropolitan Planning Organization (MPO) with respect to the requirements of:

2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;
3. 42 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) of the FAST Act and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in 49 C.F.R. Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender;

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on insert date.

Based on a joint review and evaluation, the Florida Department of Transportation and the Bay County MPO recommend that the Metropolitan Planning Process for the Bay County TPO be

Select option:
- certified
- certified with conditions

Name: [Insert Name]
Title: [Insert Title (if applicable)]

Date: [Insert Date]

Questions?
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