

# MPO Program Management Handbook

**Florida Department of Transportation**

**Office of Policy Planning**

**Revised: August 2023**

The purpose of the MPO Program Management Handbook, hereafter referred to as the Handbook, is to provide guidance to the Florida Department of Transportation (FDOT) and Florida's Metropolitan Planning Organizations (MPO) staff for carrying out their metropolitan transportation planning responsibilities. The Handbook presents procedures, policies, and timelines for the purpose of developing MPO planning and programming products that are required by Federal and State laws, as well as the related administrative requirements MPOs and FDOT must meet.

The Handbook is developed and maintained by FDOT staff in the Office of Policy Planning (OPP) and is a living document. The OPP will update the Handbook, as necessary, to reflect changes to Federal or State legislation, regulation, or policy. This version of the Handbook, in concert with the MPOs, was finalized on June 6, 2017, and was revised by OPP on April 26, 2018, October 31, 2018, March 8, 2019, July 22, 2019, November 6, 2019, February 21, 2020, July 10, 2020, October 30, 2020, January 29, 2021, April 30, 2021, November 15, 2022, and March 3, 2023. New chapters have been added to address public involvement, compliance, performance management, and other planning topics and products.

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

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# Key Chapter Changes

## All Chapters

- Updated hyperlinks of Federal and State requirements including the United States Code (U.S.C.), Code of Federal Regulations (C.F.R.), and Florida Statute (F.S.). (November 15, 2022)
- Replaced any mention of the Bipartisan Infrastructure Law (BIL) with the Infrastructure Investment and Jobs Act (IIJA). (November 15, 2022)

## Chapter 1 – Introduction

- Section 1.3 (Florida’s MPOs) – Inserted updated version of Florida MPO/TMA Areas map. (August 4, 2023)
- Section 1.3.5 (Florida MPO Advisory Council) – Removed reference to MPOAC’s responsibility to lobby on behalf of the MPOs. (July 20, 2023)

## Chapter 2 - Metropolitan Planning Organization Formation and Modification

- Chapter 2 (Metropolitan Planning Organization Formation and Modification) – Updated chapter to remove the term “urbanized area (UZA)”, based on updated criteria from the 2020 Census. (November 15, 2022)
- Section 2.3 (Census Designation of Urban Areas) – Definition of urban area updated to reflect 2020 Census methodology. (June 6, 2023)
- Section 2.4 (MPO Designations) - Updated Census data distribution/sharing processes to reflect current practices. (June 6, 2023)
- Section 2.5.5 (Membership Apportionment Plan Content) - Updated contents of MPO Apportionment Plan. (June 6, 2023)
- Section 2.6.1 (MPA Boundary Maps) - Updated requirements for MPA Boundary maps. (June 6, 2023)
- Section 2.7 (Redesignation and Reapportionment) - Updated contents of MPO Reapportionment Plan. (June 6, 2023)

- Section 2.9.5 (Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement) - Added section describing the Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement (ICAR). (March 3, 2023)
- Section 2.6 (Metropolitan Planning Area Boundaries) – Updated urban area boundary information based on the 2020 Census. This includes changing the numbers of calendar days the MPO has to create or revise a final map in consultation with the District showing the MPA boundaries from 120 days to 180 days. The MPO will adopt the MPA Boundary Map when it adopts its Membership Apportionment Plan. (March 3, 2023)

### **Chapter 3 - Unified Planning Work Program**

- Section 3.9.1 (Types of UPWP Revisions) – provided the distinction between financial and non-financial UPWP amendments, including examples of non-financial amendments. (November 15, 2022)

### **Chapter 4 - Long-Range Transportation Plan**

- Section 4.2.1 (Federal Requirements for the LRTP) – added information on federal requirements for LRTP documents from the IIJA. (November 15, 2022)

### **Chapter 5 – Transportation Improvement Program**

- Section 5.2 (Transportation Improvement Program Authority) – revised outdated reference on signature delegation authority on TIPs in footnote to table 5.1. (July 20, 2023)

### **Chapter 6 - Public Involvement**

- Section 6.4.8 (FDOT Resources) – changed reference from the Public Involvement Handbook to the Public Involvement Resource Guide. (November 15, 2022)

### **Chapter 7 - Certification of the Metropolitan Transportation Planning Process**

- Section 7.4.1 (Joint Certification Review) – added information on how the District should provide preliminary results to the MPO by **February 15**. (March 3, 2023)

# 1 Introduction

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## 1.1 What is an MPO?

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

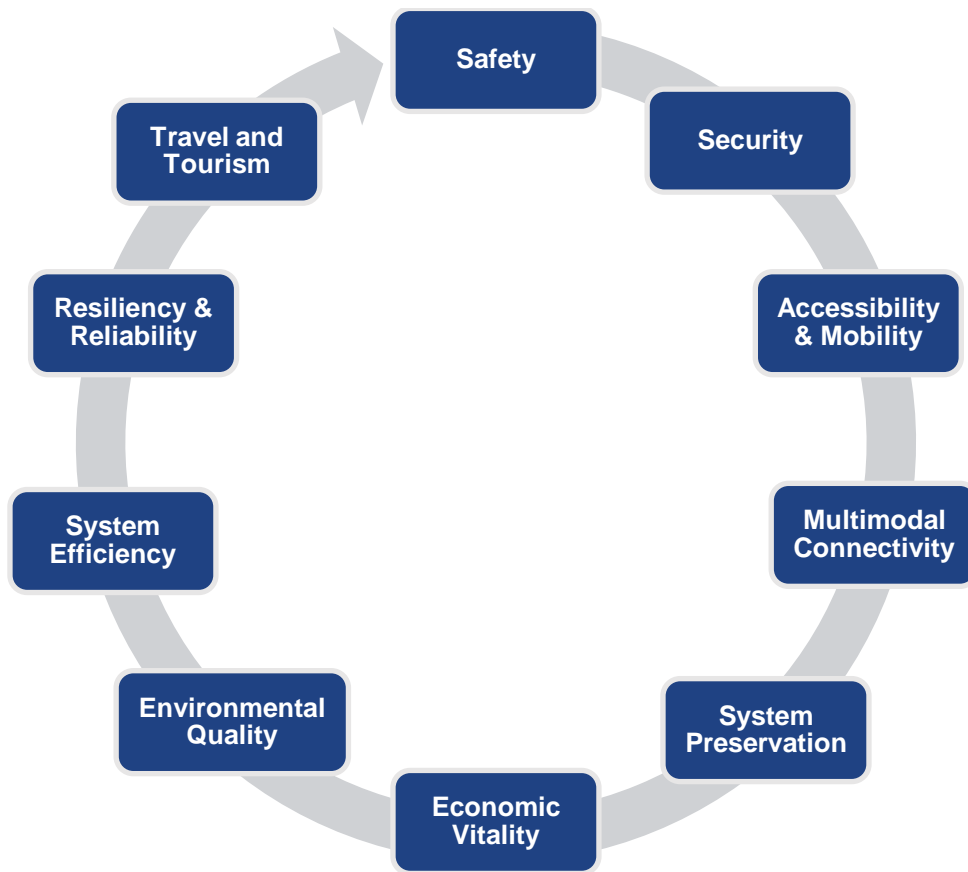
Federal transportation planning requirements for metropolitan areas have been in place for several decades. In 1962, the United States Congress passed the Federal-Aid Highway Act; this provided Federal-Aid highway funding to areas with populations greater than 50,000 contingent on the establishment of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

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

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



Figure 1.1 Federal Planning Factors



## 1.2 What Does the MPO Do?

The MPO carries out four primary activities:

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

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

These activities, presented in [Figure 1.2](#) below, are required for the MPO to qualify for and receive Federal transportation funds.

**Figure 1.2 MPO Primary Activities**



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

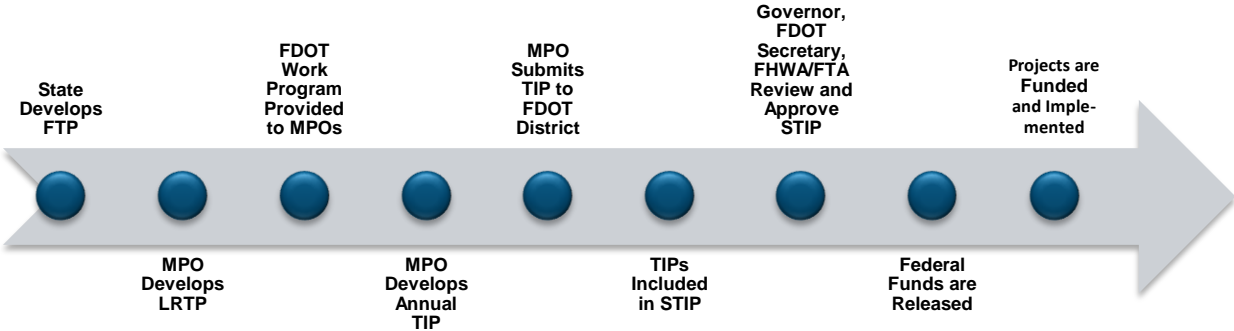
Each MPO’s LRTP must consider the goals and objectives identified in the [Florida Transportation Plan](#) (FTP), which is the Long-Range Transportation Plan for the State [\[s.339.175\(7\)\(a\), F.S.\]](#). The current FTP outlines the transportation vision for the State over the next 40 plus years and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

An MPO’s TIP reflects the short-term transportation investment priorities established in the MPO’s current LRTP. It includes surface transportation projects within the boundaries

of the MPO that receive Federal funds. Federal law requires the TIP to cover a period of no less than four years and must be updated at least every four years. If the TIP covers more than four years, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) will consider the projects in the additional years as informational [23 C.F.R. 450.326(a)]. However, s.339.175(8)(a), F.S., requires that MPOs develop an annual TIP that identifies projects to be carried out over the next five years. The schedule for the development of the TIP must be compatible with the schedule for the development of FDOT’s Work Program [s.339.175(8)(c)(1), F.S.]. Since the five-year work program is adopted annually, the TIP covers five years instead of four. This fifth year is considered “illustrative” for planning purposes. This process involves solicitation of project requests from agencies responsible for providing transportation services and facilities, cooperatively ranking the projects, and selecting the highest priority projects that can be implemented with the estimated available funding. Each MPO’s TIP is included in Florida’s Statewide Transportation Improvement Program (STIP). **Chapter 5: Transportation Improvement Program** discusses the TIP process in detail. Due to the important relationship between the TIP and the STIP, additional information on the STIP can be found in the [Work Program Instructions Part IV, Chapter 5: Statewide and Local Transportation Improvement Programs](#).

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

**Figure 1.3 Statewide and Metropolitan Planning Processes**



Each MPO, in cooperation with the State and public transportation operator(s), must develop a UPWP that includes a discussion of the planning priorities for the MPO’s planning area [23 C.F.R. 450.308(c)]. The UPWP identifies work proposed for the next

one- or two-year period. In Florida, the MPOs currently are on a two-year UPWP schedule. FDOT Central Office provides the Districts and the MPOs with a UPWP balance sheet, which includes a year one allocation and, for illustrative purposes, the anticipated year two allocation. Prior to development of the UPWP, the Districts are provided Federal and State Planning Emphasis Areas (PEA) that are to be considered by the MPO when developing UPWP tasks. [Chapter 3: Unified Planning Work Program](#) discusses the UPWP process in greater detail.

Each MPO must develop and use a PPP that defines a process for providing individuals;

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

The MPO must develop the PPP, in consultation with all interested parties, and describe explicit procedures, strategies, and desired outcomes for public participation. It must also periodically review the effectiveness of the procedures and strategies. [Chapter 6: Public Involvement](#) provides more details about the PPP.

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

**Table 1.1 Statewide and MPO Transportation Planning Products**

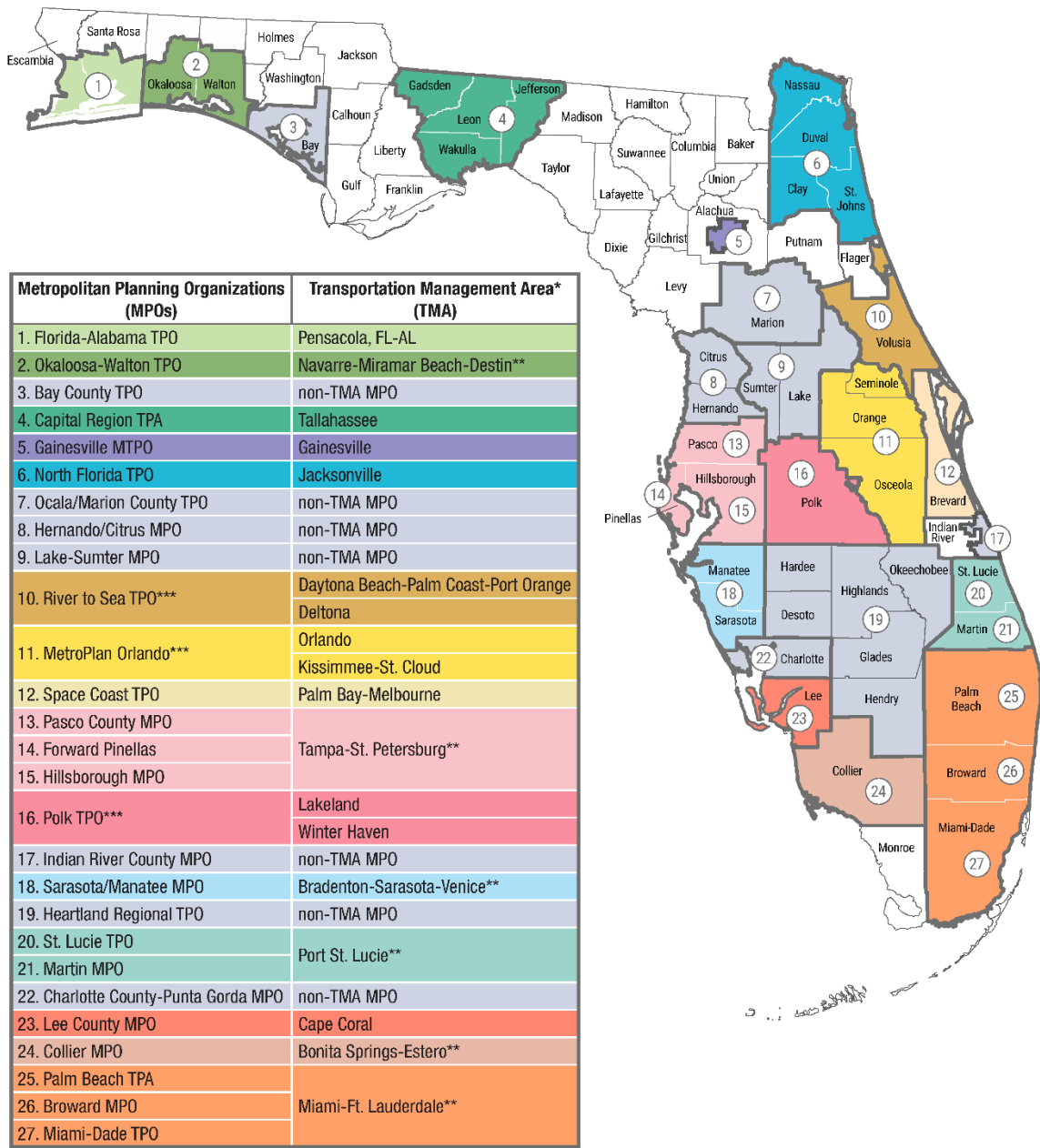
Planning Product	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
<b>TIP</b>	MPO	MPO/ Governor	<u>Federal</u> 4 Years <u>Florida</u> Illustrative 5 <sup>th</sup> year	Transportation improvements	<u>Federal</u> Every 4 years <u>Florida</u> Annual
<b>STIP</b>	FDOT	FHWA and FTA	<u>Federal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

## 1.3 Florida's MPOs

Florida has 27 MPOs serving metropolitan areas with a wide range of population sizes, from just over 135,000 people to more than 2,500,000 people. MPOs are categorized as either a Transportation Management Area (TMA) MPO or a Non-TMA MPO. FHWA designates a TMA for urban areas with populations of 200,000 people or more. In Florida there are 15 TMAs that encompass 18 MPOs (the Tampa-St. Petersburg, Port St. Lucie, and Miami TMA's contain multiple MPOs). The planning requirements for TMA MPOs and non-TMA MPOs are slightly different. [Figure 1.4](#) presents a map of the TMA and non-TMA MPOs throughout Florida. [Table 1.5](#) contains a listing of all Florida MPOs and related contact information.

Figure 1.4 Florida MPO/TMA Areas

# Florida MPO/TMA Areas



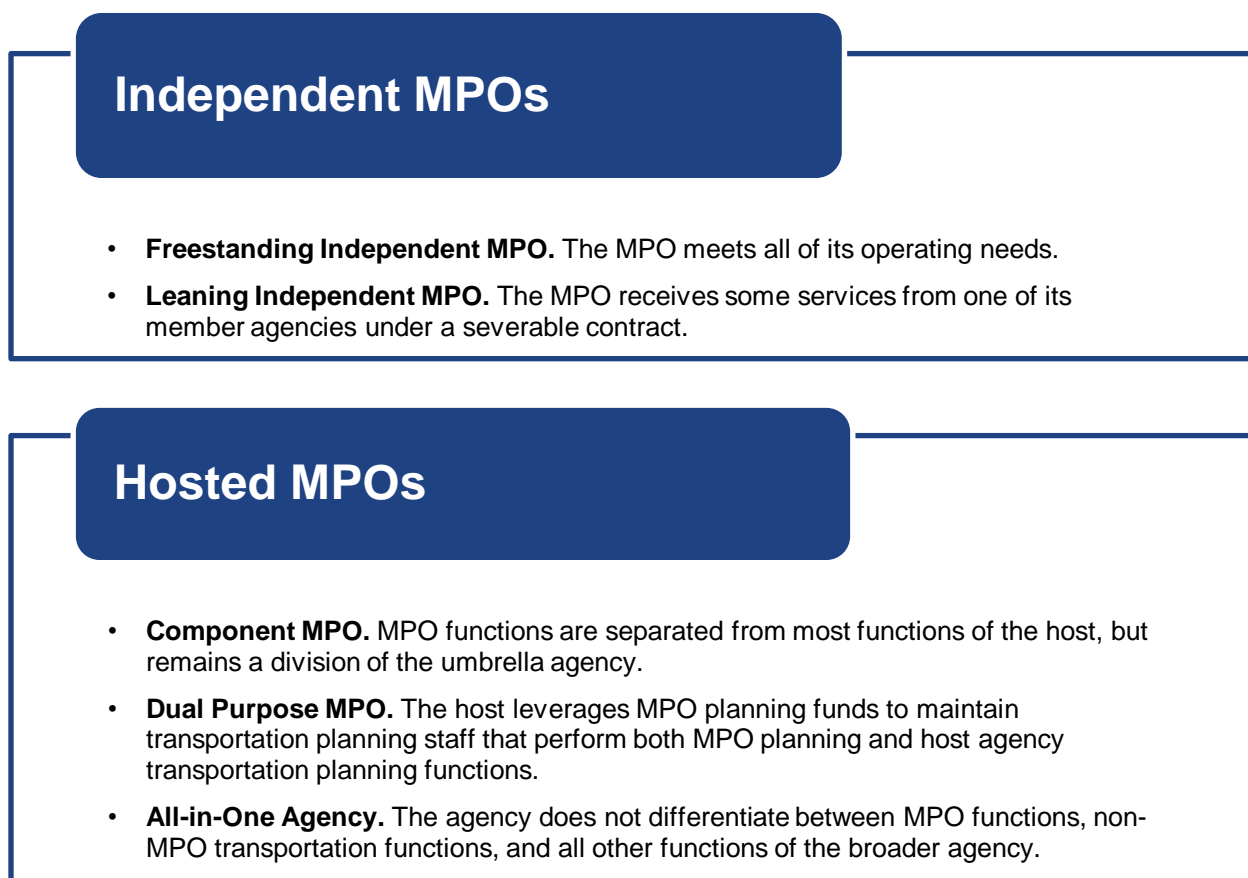
\* Urban area population over 200,000  
 \*\* Navarre-Miramar Beach-Destin, Tampa-St. Petersburg, Bradenton-Sarasota-Venice, Port St. Lucie, Bonita Springs-Estero, and Miami-Fort Lauderdale TMAs are within multiple MPOs.  
 \*\*\* River to Sea TPO, MetroPlan Orlando, and Polk TPO contain multiple TMAs



### 1.3.1 MPO Organizational Structure

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

Figure 1.5 MPO Organizational Structures



### 1.3.2 MPO Agreements, Statements & Assurances

MPOs enter into agreements with FDOT, other parties or agencies, and local governments. In addition, MPOs are required to make certain statements and assurances related to Debarment and Suspension; Disadvantaged Business Enterprise; Lobbying Certification for Grants, Loans and Cooperative Agreements; and Title

VI/Nondiscrimination. [Table 1.2](#), [Table 1.3](#), and [Table 1.4](#) include all required and optional agreements, statements, and assurances:

- Agreements Between FDOT and MPOs;
- Agreements Between MPOs and Other Parties; and
- MPO UPWP Statements & Assurances.

**Table 1.2 Agreements Between FDOT and MPOs**

Name	Location in Handbook	Form #	Length
<b>Interlocal Agreement for Creation of the MPO</b>	<u><a href="#">Sections - 2.7, 2.11</a></u>	<u><a href="#">Form No. 525-010-01</a></u>	Five Years (concurrent with the decennial census and/or concurrent with Federal Reauthorization)
<b>Metropolitan Planning Organization Agreement</b>	<u><a href="#">Sections - 2.8.1, 2.11, 3.5.1, 3.6, 3.19</a></u>	<u><a href="#">Form No. 525-010-02_1</a></u>	Two Years (concurrent with the 2-year UPWP)
<b>Amendment to Metropolitan Planning Organization Agreement</b>	<u><a href="#">Section 3.12.3</a></u>	<u><a href="#">Form No. 525-010-02A</a></u>	
<b>Public Transportation Grant Agreement</b> <b>Public Transportation Grant Agreement Exhibits</b> <b>Amendment to the Public Transportation Grant Agreement</b> <b>Amendment for Extension of Public Transportation Grant Agreement</b>	<u><a href="#">Sections - 2.8.2, 2.11, 3.3.2, 3.5.2, 3.19</a></u>	<u><a href="#">Form No. 725-000-01</a></u> <u><a href="#">Form No. 725-000-02</a></u> <u><a href="#">Form No. 725-000-03</a></u> <u><a href="#">Form No. 725-000-04</a></u>	Annual

**Table 1.3 Agreements Between MPOs and Other Parties**

Name	Location in Handbook	Form #	Length
<b>Multiple MPOs in One Urban Area</b>	<a href="#"><u>Section 2.8.4</u></a>	There is no official form since this an agreement between an MPO and a third party.	N/A
<b>Commission for Transportation Disadvantaged Joint Participation Agreement</b>	<a href="#"><u>Section 3.5.3</u></a>	There is no official form since this an agreement between an MPO and the Florida Commission for the Transportation Disadvantaged.	N/A
<b>Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement</b>		<a href="#"><u>Form No. 525-010-03</u></a>	Five Years

**Table 1.4 MPO UPWP Statements & Assurances**

Name	Location in Handbook	Form #	Length
<b>These 4 Statements and Assurances are required to be included in each MPO's UPWP</b>			
1. Debarment and Suspension	<a href="#">Section 3.7.7</a>	<a href="#">Form No. 525-010-08</a>	Two Years (concurrent with the 2-year UPWP)
2. Disadvantaged Business Enterprise			
3. Lobbying Certification for Grants, Loans and Cooperative Agreements			
4. Title VI/Nondiscrimination Assurance			
<b>These 3 forms create the MPO Joint Certification package</b>			
MPO Joint Certification Part 1 – FDOT District	<a href="#">Section 7.4</a>	<a href="#">Form No. 525-010-05a</a>	Annual
MPO Joint Certification Part 2 – MPO		<a href="#">Form No. 525-010-05b</a>	
MPO Joint Certification Statements		<a href="#">Form No. 525-010-05c</a>	

### 1.3.3 Florida MPO Board Composition

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

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

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

### 1.3.4 Florida MPO Committees

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

Pursuant to [s.339.175\(6\)\(d\), F.S.](#), each MPO appoints a TAC whose members serve at the pleasure of the MPO. The TAC consists of transportation professionals working for government agencies, who review plans, projects, and programs from a technical

perspective. The members of the TAC “must include, whenever possible, planners, engineers, representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments; as applicable, the school superintendent of each county within the jurisdiction of the MPO or the superintendent’s designee; and other appropriate representatives of affected local governments.” Federal and State agency representatives whose actions are transportation related should also serve on the committee.

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

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

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

### **1.3.5 Florida MPO Advisory Council**

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) assists MPOs in carrying out the metropolitan transportation planning process by serving as the principal forum for collective policy discussion. The MPOAC was created by the Florida Legislature as a statewide transportation planning and policy organization to augment the role of individual MPOs in the cooperative transportation planning process [\[s.339.175\(11\) F.S.\]](#).

According to its mission statement, the MPOAC improves transportation planning and education by engaging and equipping its members to deliver results through shared

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

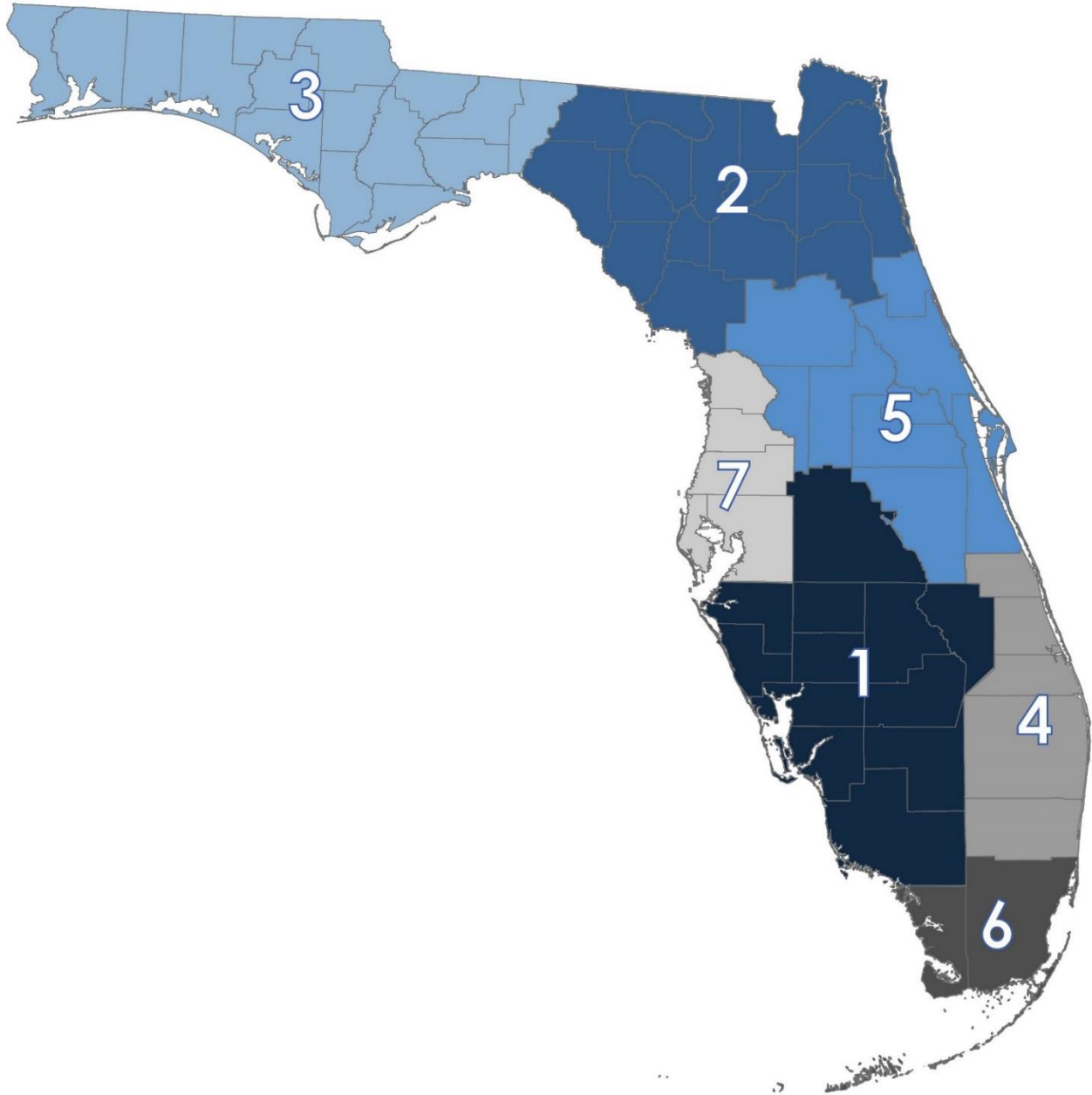
The MPOAC Governing Board and Staff Directors Advisory Committee typically meet quarterly. The Policy and Technical Subcommittee meets between the quarterly MPOAC meetings. More information is available on the [MPOAC website](#).

## **1.4 Florida MPO Contact Information**

FDOT is a decentralized State agency in accordance with legislative mandates. There are seven FDOT Districts throughout Florida, and each is managed by a District Secretary. Coordination between FDOT and the MPOs occurs mainly through the cooperative planning efforts of the MPOs and FDOT District offices. [Figure 1.6](#) highlights the geographical area for each FDOT District. [Table 1.5](#) presents contact information by FDOT District for each of the 27 MPOs.



Figure 1.6 FDOT Districts



**Table 1.5 Florida MPO Contact Information by FDOT District**

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

# 2 Metropolitan Planning Organization Formation and Modification

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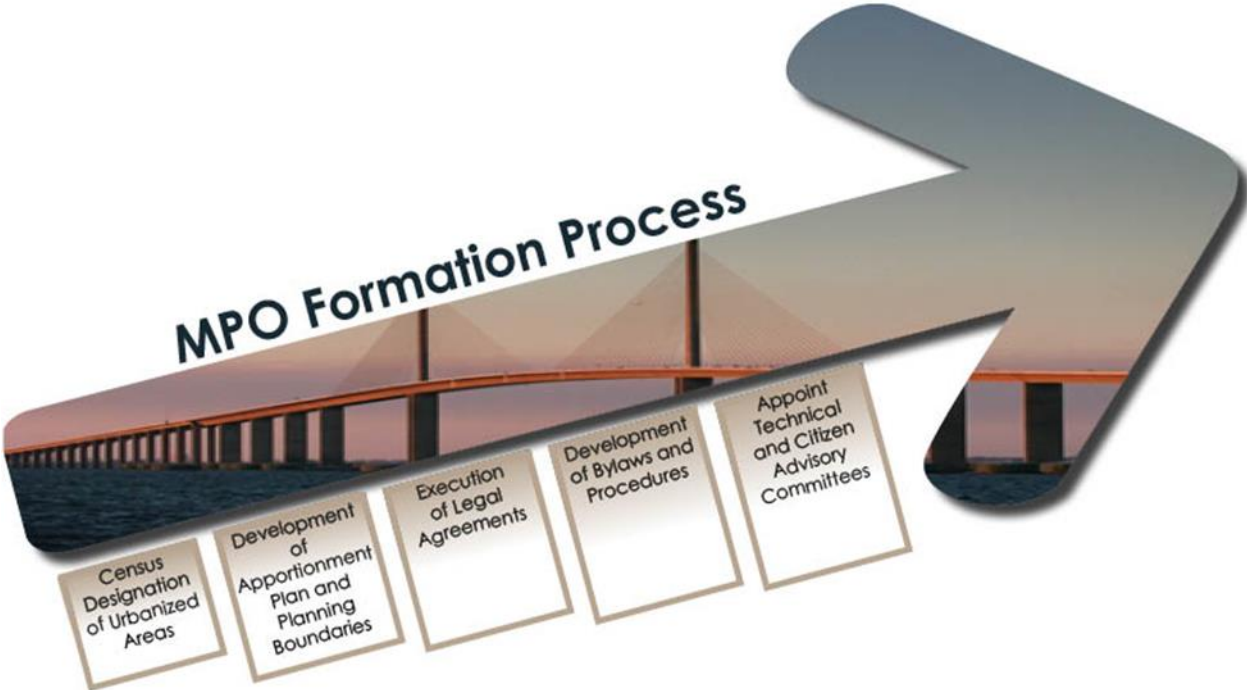
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## 2.1 Purpose

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

**Figure 2.1 MPO Designation and Formation**



## 2.2 Authority

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

**Table 2.1 Federal and State Statutes and Codes**

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

Citation	Description
<b>Census</b>	
<a href="#">Urban Area for the 2020 Census-Final Criteria</a>	Census Bureau, Department of Commerce, Federal Register March 24, 2022, pages 16706-16715
<a href="#">2020 Census Qualifying Urban Areas and Final Criteria Clarifications</a>	Census Bureau, Department of Commerce, Federal Register December 29, 2022, pages 80114-80154

### 2.3 Census Designation of Urban Areas

The United States Census Bureau conducts a census of the population and housing of the United States of America every 10 years. Approximately two years after the census, the Census Bureau designates Urban areas throughout the United States. For the 2020 Census, urban areas are defined as areas that comprise a densely settled core of census blocks that encompass at least 2,000 housing units or has at least 5,000 people.

The Census Bureau used to designate Urbanized Areas (UZA) as urban areas with 50,000 residents or more. Additionally, the Census used to define urban clusters as densely settled cores created from census tracts or blocks and contiguous qualifying territory that together have at least 2,500 residents but fewer than 50,000 residents. The 2020 Census no longer distinguishes between urbanized areas and urban clusters. All qualifying areas are now designated as urban areas. [\[Urban Area Criteria for the 2020 Census-Final Criteria\]](#)

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



## 2.4 MPO Designations

UAs are the building blocks of MPO formation. Federal law and regulations require an MPO to be designated for each UA with a population of 50,000 or more, or group of contiguous UAs. [\[23 C.F.R 450.310\(a\)\]](#) The designation must be made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population, including the largest incorporated city, or according to procedures established by State or local law. [\[23 C.F.R 450.310\(b\)\]](#)

To the extent possible, only one MPO shall be designated for each UA or group of contiguous UAs. More than one MPO may be designated to serve a UA only if the Governor and the existing MPO determine that the size and complexity of the UA makes designation of more than one MPO appropriate. [\[23 C.F.R. 450.310\(e\), s.339.175\(2\)\(a\)\(2\), F.S.\]](#) If more than one MPO is designated for a UA, the MPOs must establish an official written agreement that identifies the areas of coordination and division of responsibilities between MPOs.

Each designated MPO carries out the metropolitan transportation planning process within a defined Metropolitan Planning Area (MPA). The MPA must encompass the entire UA plus the contiguous area expected to become urban within a 20-year forecast period. An MPA boundary may encompass more than one UA. See [Section 2.6: Metropolitan Planning Area Boundaries](#) for more information about establishing and reviewing MPA boundaries.

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

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

An existing MPO should review new census data to assess potential changes in its boundaries or Governing Board membership. When the Census Bureau releases UA designations, FDOT's Office of Policy Planning (OPP) will review and transmit the information to MPOs, including applicable UA boundaries and population information. This information will be used by MPOs to develop apportionment plans, as well as to assist in potential MPO redesignation and/or reapportionment. OPP shall keep the MPOs informed on all census information affecting new and existing UAs.

Existing MPOs must review the information to determine whether the membership on the MPO policy body and other committees maintains the appropriate level of representation. If the census information indicates that UAs of separate existing MPOs have become a single UA, the affected MPOs should consider consolidating into a single MPO. If the MPOs and Governor agree the MPOs will remain separate, the affected MPOs must develop and implement a coordinated planning process. This process must result in, but not be limited to, the following: a regional Long-Range Transportation Plan (LRTP) covering the combined MPA that will serve as the basis for the Transportation Improvement Programs (TIP) of each MPO, a coordinated project prioritization and selection process, a regional public involvement process, and a coordinated air quality planning process if in a nonattainment area.

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

- Census population.
- The process the MPO uses for submitting a Membership Apportionment Plan for review and approval/disapproval by the Governor and subsequent designation (or redesignation) of an MPO by the Governor.
- The required legal agreements for formation, organization, transportation planning, and funding.
- The establishment of bylaws and procedures.
- Delineation of boundaries for the MPA.
- Types of funding available to an MPO. This will include an explanation that an emerging MPO is not eligible to receive Federal planning funds to establish an

MPO. The District also should explain what funding is available after designation: Metropolitan Planning (PL) Funds and FTA Section 5305(d) funds.

- All Federal regulations concerning the formation and responsibilities of an MPO.
- All State laws and rules that govern the organization, operation, and responsibilities of MPOs.
- All procedures, handbooks, and manuals used by FDOT to assist MPOs in meeting the requirements for Federal and State funding purposes and fulfilling the requirements of the transportation planning process in an MPA.
- All FDOT procedures, software, and user manuals concerning the development and validation of travel demand forecasting models using the Florida Standard Urban Transportation Model Structure (FSUTMS) or any other FDOT-approved travel demand forecasting model.
- The overall role of FDOT, including any pertinent planning documents (e.g., Florida Transportation Plan, Strategic Intermodal System, Strategic Highway Safety Plan, and the Annual Performance Report) and specific District contact persons.
- The role of the MPO and its intergovernmental relationships with State and local governments, regional planning councils or agencies, and other transportation and land use agencies.

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

## **2.5 Membership Apportionment Plan**

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

MPO must submit a Membership Apportionment Plan that meets the requirements of [s.339.175\(3\), F.S.](#), [s.339.175\(4\), F.S.](#), and [23 C.F.R. 450.310](#).

## 2.5.1 Voting Membership

The MPO voting membership, as reflected in the Membership Apportionment Plan, must consist of between 5 and 25 apportioned members; the exact number is to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general purpose local government, as required by Federal rules and regulations. [\[s.339.175\(3\)\(a\), F.S.\]](#) In determining the composition of the MPO Board:

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

- Any authority or agency created by law to perform transportation functions that is not under the jurisdiction of a local government represented on the MPO may be provided voting membership on the MPO. [\[s.339.175\(3\)\(b\), F.S.\]](#)

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

Any county chartered under [Subsection 6\(e\), Article VIII](#) of the Constitution of the State of Florida may elect to have its county commission serve as the MPO Board if the MPO jurisdiction is wholly contained within the county. In addition to the entire county commission, the MPO established under this provision must include four additional voting members to the MPO: one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a nonelected individual residing in the unincorporated portion of the county, and one of whom must be a school board member. [\[s.339.175\(3\)\(d\), F.S.\]](#)

In addition, the voting membership of any MPO, whose geographical boundaries include any “county” as defined in [s.125.011\(1\), F.S.](#), [a county chartered under Subsection 6(e) Article VIII of the Constitution of the State of Florida (Miami-Dade County)], must include an additional voting member appointed by that city’s governing body for each city with a population of 50,000 or more residents. [\[s.339.176, F.S.\]](#)

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

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

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

## 2.5.2 Nonvoting Advisors

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

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

## 2.5.3 Alternate Members

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

## 2.5.4 Board Member Terms

The MPO Board members shall serve four-year terms. The membership of any public official automatically terminates upon the member leaving his or her elected or appointed office for any reason or may be terminated by a majority vote of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing

entity. A member may be reappointed for one or more additional four-year terms. The MPO Board members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the MPO may serve terms up to four years, as provided in the MPO interlocal agreement, operating procedures, or bylaws. [\[s.339.175\(4\)\(b\), F.S.\]](#)

## **2.5.5 Membership Apportionment Plan Content**

The MPO Membership Apportionment Plan shall include the following:

- 2010 and 2020 Census population data for the total MPO area
- Current MPO membership (local governments and agencies)
- Proposed MPO membership (local governments and agencies)
- The methodology used to determine the proposed MPO membership changes (if there are proposed changes)
- MPA Boundary map
- MPO Board resolution adopting the Apportionment Plan

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

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

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

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

## 2.5.6 Membership Apportionment Plan Review

The MPO submits the Membership Apportionment Plan and MPA Boundary Map (see page 2-15) to OPP's MPO Statewide Coordinator. The MPO shall at the same time provide copies of the Plan to the District Planning Manager or designee. The District planning staff and OPP will have 30 calendar days from the date of receipt to concurrently review the MPO Membership Apportionment Plan for consistency with Federal and State requirements. At the end of the 30-day review period, the District will provide comments to OPP. Within 30 calendar days after the end of the 30-day review period, FDOT will provide a recommendation to the Policy Coordinator in the Transportation Unit of the Executive Office of the Governor (EOG). The recommendation will be for the Governor to either approve or disapprove the proposed Membership Apportionment Plan. The Governor's approval of the Apportionment Plan constitutes official designation of the MPO, as required by [23 U.S.C. 134\(d\)\(5\)](#), [s.339.175\(3\), F.S.](#), and [s.339.175\(4\), F.S.](#)

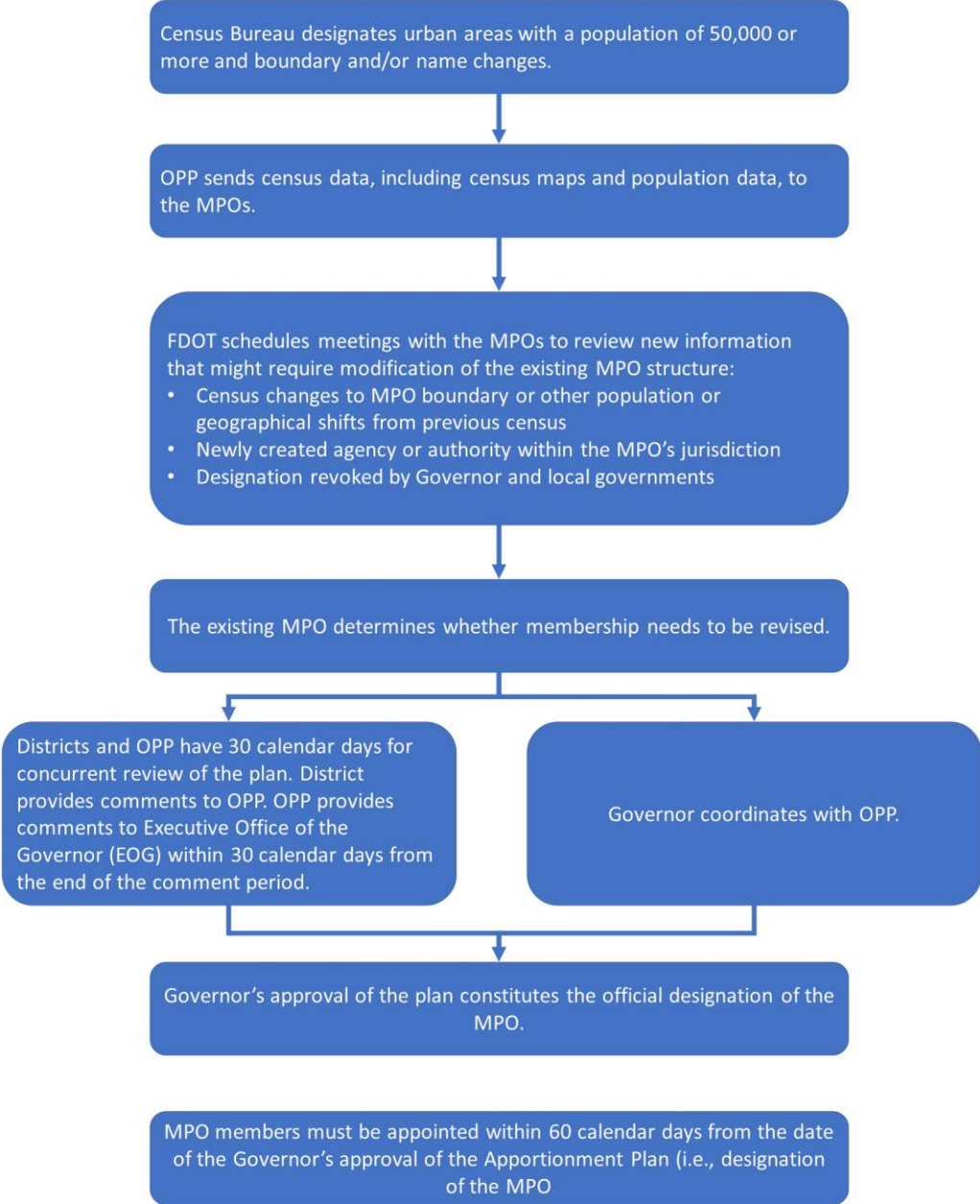
## 2.5.7 Governor's Action on Membership Apportionment Plan

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

[Figure 2.2](#) shows the process for developing the MPO Membership Apportionment Plan.



Figure 2.2 Developing the MPO Membership Apportionment Plan



## 2.6 Metropolitan Planning Area Boundaries

The Federal requirements for establishing and adjusting MPA boundaries are set out in [23 C.F.R 450.312](#). The boundaries of an MPA must be determined by agreement between the MPO and the Governor. At a minimum, the MPA boundaries must

encompass the entire existing urban area of 50,000 people plus the contiguous area expected to become part of the urban area within a 20-year forecast period. An MPA boundary may encompass more than one UA and may be established to coincide with regional economic development and growth forecasting areas, as well as with a Metropolitan Statistical Area or Combined Statistical Area, as defined by the U.S. Office of Management and Budget. In addition, MPA boundaries must not overlap with each other.

If more than one MPO is designated within an urban area with a population of 50,000 or more, the Infrastructure Investment and Jobs Act (IIJA) requires MPOs to ensure, to the maximum extent practicable, consistency of any data used in the planning process. The IIJA also clarifies that MPOs are not required to jointly develop planning documents (i.e., a unified LRTP or unified TIP). [\[23 U.S.C. 134\(g\)\(4\) and \(5\)\]](#)

Where part of a UA that is served by one MPO extends into an adjacent MPA, the MPOs must, at a minimum, establish written agreements that clearly identify areas of coordination and the division of transportation planning responsibilities among and between the MPOs. Alternatively, the MPOs may adjust their existing boundaries so the entire UA lies within only one MPA. Boundary adjustments that change the composition of the MPO may require redesignation of one or more of the MPOs. [\[23 C.F.R. 450.312\(h\)\]](#)

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

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

## **2.6.1 MPA Boundary Maps**

OPP provides 2020 Census urban area boundaries and population data to MPOs for the purpose of establishing or updating existing MPA boundaries. These data can be found on the [Urban Area Boundary and Functional Classification Data Hub](#).

Within 180 calendar days of receipt of the decennial census information, the MPO shall create or revise a final map showing the MPA boundaries. Information used to develop the map shall include, but not be limited to, the following:

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

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

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

- 2020 urban areas with 50,000+ people
- Graphic scale and north arrow
- Legend, including the date the map was initially approved and the date of revision(s)
- Major city or county-designated roadways
- Interstates, U.S., and State highways
- Transit/intermodal facilities and airports
- MPA Boundary

## 2.6.2 Modification of MPO Boundary Maps

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

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

## 2.7 Redesignation and Reapportionment

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

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

The following changes to an MPO do not require a redesignation if the changes do not trigger a substantial change as described in 23 C.F.R. 450.310(j):

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

An MPO seeking redesignation must submit a Reapportionment Plan that meets the same requirements and must go through the same review and approval process as

outlined in [Section 2.5: Membership Apportionment Plan](#). The District shall assist the MPO and provide the MPO with guidance as the proposed MPO Reapportionment Plan must include the following:

- 2010 and 2020 Census population data for the total MPO area
- Current MPO membership (local governments and agencies)
- Proposed MPO membership (local governments and agencies)
- The methodology used to determine the proposed MPO membership changes (if there are proposed changes)
- MPA Boundary map
- MPO Board resolution adopting the Apportionment Plan

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

## **2.8 Execution of an Interlocal Agreement**

The responsibilities of each agency involved in carrying out the metropolitan transportation planning process shall be clearly identified by written agreement between the parties. [\[23 C.F.R. 450.314\(a\), s.339.175\(2\)\(b\), and s.339.175\(10\)\(a\), F.S.\]](#) This is accomplished through the execution of an interlocal agreement [\[Form No. 525-010-01\]](#) pursuant to the Florida Interlocal Cooperation Act of 1969 [\[s.163.01, F.S.\]](#). This form should be used for the creation of a new MPO, as well as for the re-designation of an existing MPO. This form is available for download from the [FDOT Procedural Document Library](#).

The interlocal agreement is a standard document drafted specifically to address the metropolitan transportation planning requirements identified in Federal and State law and regulations. The parties to this interlocal agreement shall be FDOT and the governmental

entities designated by the Governor for MPO membership, including nonvoting members. [\[s.339.175\(2\)\(b\), F.S.\]](#)

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

The interlocal agreement should indicate if a member government is to represent other local governments on the MPO and whether the voting membership is to rotate annually. The District shall request its legal staff to review the agreement before forwarding it to the MPO for execution. The text of all standard interlocal agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the MPO.

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

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

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

## **2.9 Execution of Other Required Agreements**

The District shall meet with the MPO to develop each of the standard agreements discussed below. The District shall process each standard agreement after approval by all parties and approved by the MPO through a resolution. The District shall coordinate the

review of the agreement with District legal staff and FDOT's Comptroller's Office, if needed, before transmitting it for execution. The language contained in all standard agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the MPO. The District shall request the MPO approve each agreement and provide an appropriate number of copies of the agreement to FDOT. The MPO will return all signed versions to the District for FDOT approval. The District Secretary (or designee) must sign each agreement, thereby, executing the agreement for FDOT.

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

### **2.9.1 MPO Agreement**

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

The standard MPO Agreement is [Form No. 525-010-02 1](#) and is available for download from the [FDOT Procedural Document Library](#). **Note:** The Central Office General Counsel Office must review all proposed changes to the standard MPO Agreement.

### **2.9.2 Public Transportation Grant Agreement**

To fund its public transportation programs using FTA planning funds, the designated MPO may choose to enter into a Public Transportation Grant Agreement with FDOT. This agreement provides "State funding" to the MPO to assist in meeting FTA local match requirements. It outlines certain administrative and program requirements that must be met to receive State funds for FTA match purposes. These agreements are executed annually and differ in how FDOT chooses to provide the "State match," which may be

cash, in-kind services, or both. At this time, the soft-match option used for FHWA Metropolitan Planning (PL) funds is not applicable for FTA planning funds. The Public Transportation Grant Agreement, including exhibits, extensions, and amendments ([Form No. 725-000-01](#), [Form No. 725-000-02](#), [Form No. 725-000-03](#), and [Form No. 725-000-04](#)) are available for download from the [FDOT Procedural Document Library](#).

### **2.9.3 Interstate Compact**

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

### **2.9.4 Multiple MPOs in One Urban Area**

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

### **2.9.5 Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement**

The Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement (ICAR) is an agreement that promotes cooperation between FDOT, the MPO, the regional planning council(s) (RPC), and local government agencies to optimize the planning and programming of the transportation system within the Metropolitan Planning Area (MPA). This agreement ensures cooperation between these



agencies on the UPWP, TIP, LRTP, and any applicable corridor or subarea studies. This agreement also provides a process through the RPC(s) for intergovernmental coordination and review and identification of inconsistencies between proposed MPO transportation plans and local government comprehensive plans. [\[s. 163, F.S.\]](#) Furthermore, the agreement provides a process for conflict and dispute resolution through the RPC. The ICAR has a term of five years. At the end of each term, the agreeing parties review the ICAR, where they will reaffirm the agreement unless the parties agree on changes to the provisions. If changes are agreed upon, the ICAR is amended. The standard MPO Agreement is [Form No. 525-010-03](#) is available for download from the [FDOT Procedural Document Library](#).

## **2.10 Appointment of Technical and Citizens' Advisory Committees**

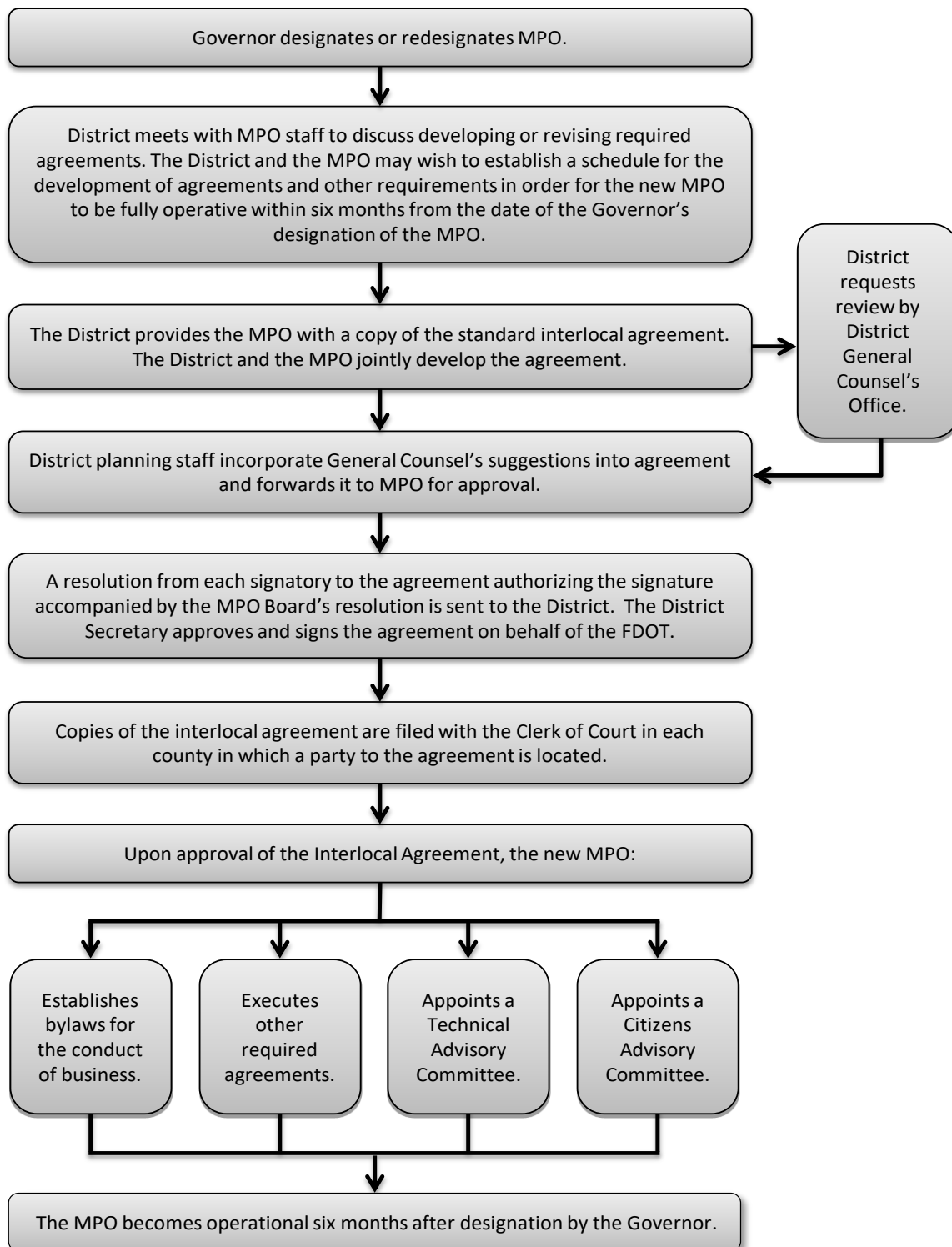
Florida Statute requires that each MPO appoint a Technical Advisory Committee (TAC) and a Citizens' Advisory Committee (CAC), the members of which shall serve at the pleasure of the MPO. The District shall assist the MPO, as requested in the appointment of a TAC and CAC. [\[s.339.175\(6\)\(d\) and \(e\),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

The TAC, when possible, must include planners, engineers, representatives of local aviation authorities, port authorities, public transit authorities or representatives of aviation departments, seaport departments, public transit departments of municipal or county governments, the school superintendent (or designee) of each county covered by the MPO, as well as other appropriate representatives of affected local governments. While not required by State law, Federal and State agency representatives, whose actions are transportation related, may also serve on the TAC. [\[s.339.175\(6\)\(d\), F.S.\]](#)

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

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

**Figure 2.3 Agreement Development Process**



## 2.11 References

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

**Table 2.2**    **References**

Reference	Description
<b>Florida Constitution</b>	
<a href="#">Article VIII of the Florida Constitution Section 6(e)</a>	Provides for home rule and charter counties
<b>Florida Statutes</b>	
<a href="#">s.125.011(1), F.S.</a>	Defines “county”
<a href="#">Section 163.01, F.S., The Florida Intergovernmental Cooperation Act of 1969</a>	Provides for interlocal agreements
<a href="#">Section 339.175, F.S.</a>	Florida’s MPO Statute
<b>FDOT Procedures</b>	
<a href="#">Procedure No. 525-020-311</a>	FHWA Urban Boundary and Federal Functional Classification, defines the procedures and responsibilities for designating urban boundaries and determining Federal functional classification designations for all public roads
<i>(The language in the samples may be adjusted with the advice and guidance of the District general counsel to address an individual MPO’s needs.)</i>	
<a href="#">Form No. 525-010-01</a>	Interlocal Agreement for Creation of the MPO
<a href="#">Form No. 525-010-02</a>	Metropolitan Planning Organization Agreement

Reference	Description
<a href="#">Procedure No. 725-000-005-i</a> <a href="#">Form No. 725-000-01</a>	Public Transportation Grant Agreement
<a href="#">Form No. 725-000-02</a>	Public Transportation Grant Agreement Exhibits
<a href="#">Form No. 725-000-03</a>	Amendment to the Public Transportation Grant Agreement
<a href="#">Form No. 725-000-04</a>	Amendment for Extension of the Public Transportation Grant Agreement
<a href="#">Form No. 525-010-03</a>	Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement

# 3 Unified Planning Work Program

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### 3.1 Purpose

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

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

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

### 3.2 Authority

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

**Table 3.1 Federal and State Statutes and Codes**

Citation	Description
<b>Planning and Research Program Administration</b>	
<a href="#">23 C.F.R. 420</a>	Describes the policies and procedures for the administration of activities undertaken by State departments of transportation (State DOTs) and their subrecipients, including MPOs, with Federal Highway Administration (FHWA) planning and research funds.

Citation	Description
<b>Unified Planning Work Programs</b>	
<a href="#">23 C.F.R. 450.308</a>	Describes the funding for transportation planning and the development of UPWPs.
<b>Metropolitan Transportation Planning</b>	
<a href="#">23 U.S.C. 134</a>	Describes the transportation planning process for MPOs.
<b>Statewide Planning</b>	
<a href="#">23 U.S.C. 135</a>	Describes the transportation planning process for State DOTs.
<b>Efficient Environmental Reviews for Policy Decision-Making</b>	
<a href="#">23 U.S.C. 139</a>	Describes the environmental review process for transportation projects.
<b>Financial Management</b>	
<a href="#">31 U.S.C. Subtitle III</a>	Describes the financial management of Federal funds.
<b>Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards</b>	
<a href="#">2 C.F.R. 200</a>	Establishes uniform administrative requirements, cost principles, and audit requirements for Federal awards to non-Federal entities.

Citation	Description
<b>Program Guidance for Metropolitan Planning and State Planning and Research Program Grants</b>	
<a href="#">Federal Transit Administration (FTA) Circular 8100.1D</a>	Program guidance and application instructions for applying for grants under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP) authorized under <a href="#">49 U.S.C. 5305</a> . The circular provides guidance for the Consolidated Planning Grant (CPG) Program.
<b>Florida Single Audit Act</b>	
<a href="#">s.215.97, F.S.</a>	Establish uniform State audit requirements for State financial assistance provided by State agencies to non-State entities to carry out State projects.
<b>Agreements Funded with Federal or State Assistance</b>	
<a href="#">s.215.971, F.S.</a>	Discusses requirements for an agency agreement that provides Federal or State financial assistance to a recipient or subrecipient.
<b>Metropolitan Planning Organizations</b>	
<a href="#">s.339.175(9), F.S.</a>	Describes the transportation planning process for MPOs in Florida.
<b>Credit for Non-Federal Share</b>	

Citation	Description
<a href="#">23 U.S.C 120</a>	Permits a state to use certain toll revenue expenditures “soft match” as a credit toward the non-federal matching share of all programs authorized by Title 23 (with the exception of Emergency Relief Programs) and for transit programs authorized by Chapter 53 of Title 49, U.S.C.

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

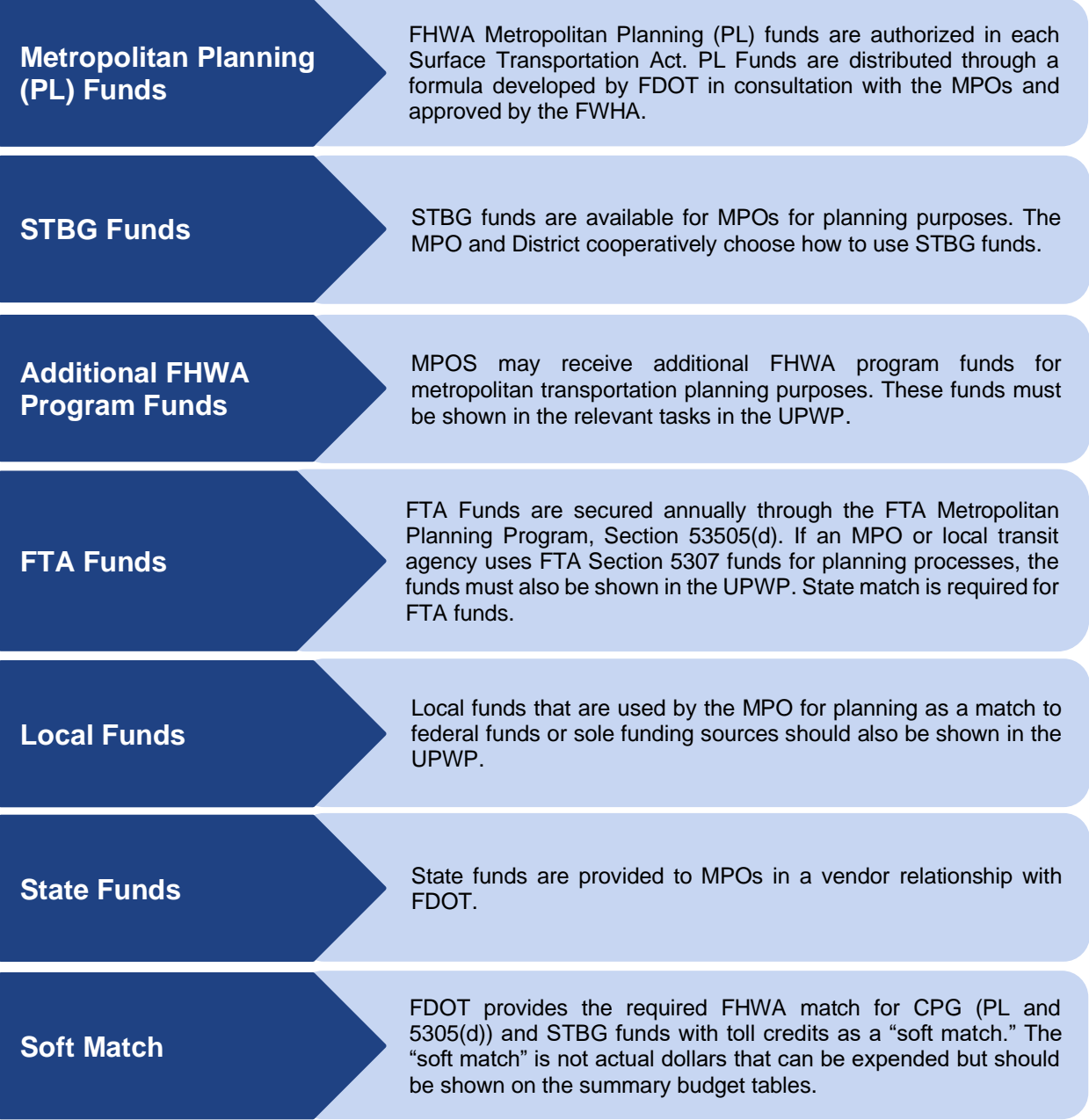
### 3.3 UPWP Funding

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

UPWPs also may be funded by funds from the Florida Commission on the Transportation Disadvantaged (TD) and Local funds. State funds may be used only to provide the State

match for Federal funds or with MPOs for a vendor relationship. [Figure 3.1](#) illustrates the types of funds included in a UPWP.

**Figure 3.1 UPWP Funds**



## 3.3.1 FHWA Planning Funds & Agreements

### 3.3.1.1 Consolidated Planning Grant Program

FDOT is electing to participate in the Consolidated Planning Grant (CPG) Program, starting July 1, 2022, for the 23/24 UPWP cycle. The Consolidated Planning Grant (CPG) is offered by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) to state Departments of Transportation (DOTs) that allows for the consolidation of FTA 5305(d) funds and FHWA Metropolitan Planning (PL) funds into a single coordinated grant. Allocation formulas for FHWA PL and FTA 5305(d) funds are not changing with the implementation of the CPG.

Moreover, implementation of the CPG does not impact the MPO's role and responsibility in supporting and assisting in the delivery of transit planning services. The FTA will retain their responsibility to review the UPWP and UPWP Amendments. FHWA as the lead grant administrator is responsible for coordinating FTA document review.

The CPG eliminates FDOT's responsibility to annually develop and issue the Public Transit Grant Agreement (PTGA) to the MPO for new 5305(d) funds. FDOT will program FTA 5305(d) funds as PL in the Work Program and funding will be authorized through the MPO Agreement. New FTA 5305(d) funds and FHWA PL funds should be shown in one column in the UPWP, labeled as PL. See the [Work Program Instructions](#) for more information regarding programming for the CPG.

FTA 5305(d) funds will be matched with toll credits at the same ratio as FHWA PL funds. FDOT Districts are not required to program a match for the CPG. The Federal Aid Management System (FAMS) calculates and records the non-federal share as a "soft-match" in the subsidiary ledger of the database established for this purpose. See [Section 3.3.4.1: Soft Match](#) for a discussion of soft match.

MPO allocation totals fluctuate between initial and final federal authorizations. For the UPWP and MPO Agreement to reflect the actual CPG allocation, MPO's are required to reconcile each document to reflect the MPO's actual CPG federal apportionment. Adjustments to the MPO Agreement and UPWP are made by the MPO via an UPWP Amendment. See [Section 3.7.2: Initial Authorization of FHWA Planning Funds](#) and [Section 3.7.3: Remaining Authorization and Encumbrances](#) for more information.

### 3.3.1.1.1 Metropolitan Planning Funds

FHWA Metropolitan Planning (PL) funds are provided in each federal surface transportation act, the most recent being the Infrastructure Investment and Jobs Act (IIJA). PL funds are to be used to carry out the metropolitan transportation planning process as described in [23 U.S.C. 134](#). As such, PL funds have a wide range of uses; however, the use of these funds by the MPO must be for allowable, necessary, and reasonable purposes that are described in both Federal and State requirements. It is the responsibility of the District MPO Liaison to ensure that the MPO is using PL funds in accordance with Federal and State requirements. **PL funds cannot be advanced and are distributed on a reimbursable basis only.**

The distribution of PL funds is accomplished through a formula developed by FDOT, in consultation with the MPOs, and must be approved by FHWA. [\[23 C.F.R. 420.109\(a\)\]](#) In developing the formula for the distribution of PL funds, various factors must be considered; these would include population, status of planning, attainment of air quality standards, and metropolitan area transportation needs. [\[23 C.F.R. 420.109\(b\)\]](#) The formula is updated as needed, such as when there are significant changes in Federal law. MPOs may contact their District MPO Liaison for information regarding the current formula.

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

FDOT's Work Program and Budget Office – PL Funds Coordinator is responsible for applying the PL distribution formula to the annual PL allocation, and for tracking the available PL balance for each MPO. The PL Funds Coordinator provides the District MPO Liaisons with a *PL Balance MADDOG* report that shows each MPO's PL balance. The funding balance shown on the report includes:

- Current allocation, based on allocation formula
- Available funds, if applicable, funds that have not been obligated/authorized in prior years.



- Close-out funds, if applicable, funding balance on prior year contracts when closed
- Unencumbered funds, if applicable, funds that were unencumbered prior to the prior year contract end – to use in year 1 of the MPO's new UPWP.

If the MPO **transfers PL Funds to FDOT** to complete work, FDOT needs to include these funds in the State Planning and Research (SPR) Report. The MPO and FDOT task descriptions and names in their respective plans must match. MPOs contributing PL funds to FDOT need to show the funds in their UPWP as being transferred to FDOT. The amount of PL funds transferred need to be shown as a reduction to the MPO's PL budget as it will not be included in the total funds approved and authorized for the MPO. Please work with OPP to coordinate this effort.

Any tasks where participating MPOs will be **using PL funds to support regional planning activities** that will be **invoiced** from a **lead MPO** will need to uniformly show funding and activity description in the UPWPs. The lead MPO, or the MPO receiving the funds, must show these funds in a clearly marked Regional Activities Table and Regional Accounting Table. The MPOs contributing funds to regional activities must also show the funds being transferred in their UPWP. All MPOs, including the lead MPO, need to show the same End Product summarizing the planning activities and show the amount on a separate line item on the Regional Activities Table and Regional Accounting Table with a uniform short description that identifies the lead MPO. Please work with OPP to coordinate this effort. See the [UPWP Guide for Development](#) for a detailed discussion on how to represent regional activities that involve a transfer of funds in the UPWP.

### 3.3.1.1.2 FTA 5305(d) Funds

[49 U.S.C. 5303](#) establishes the FTA Section [5305\(d\) grant](#) to support metropolitan transportation planning. These funds are apportioned to the MPOs in accordance with the rules established in [49 U.S.C. 5305\(d\)](#). In addition to Section 5305(d) funds, FTA Section 5307 grant funding may be used for planning purposes. FTA 5305(d) funds are part of the CPG Program.

FDOT recommends that MPOs close out open, existing Public Transportation Grant Agreements (PTGAs). Any pre-existing PTGAs at the start of the 23/24 UPWP cycle will remain open until the funds are spent, and these PTGAs need to be shown separately by contract in the UPWP. This is consistent with [FTA Circular 8100.1D](#) which states “The

FTA will work with States that elect to participate in the CPG on a case-by-case basis to close out previous FTA planning grants without the lapsing of funds”.

### **3.3.1.2 Surface Transportation Block Grant Program Funds**

The Surface Transportation Block Grant Program (STBG) is a Federal-aid highway flexible funding program that funds a broad range of surface transportation capital needs; these needs include roads, transit, seaport and airport access, vanpool, and bicycle and pedestrian facilities. STBG funds are allocated based on population. Urban (SU) funds are allocated specifically to urban areas with populations of 200,00 or more. For more information regarding the Surface Transportation Block Grant Program, see Part IV, Chapter 1, of FDOT’s [Work Program Instructions](#) and Federal Aid Technical Bulletin 20-01 from FDOT’s Federal Aid Management Office, available on the [Federal Aid Tech Bulletin Internal SharePoint Site](#).

As per [23 U.S.C. 133](#), “surface transportation planning” is also an eligible use of STBG funds. The decision to provide the MPO with STBG funds for metropolitan planning purposes must be made in accordance with the guidelines in the [Work Program Instructions](#), Part III, Chapter 22. It is the responsibility of the District MPO Liaison to ensure the MPO uses STBG funds in accordance with Federal and State requirements.

An MPO, with district work program office concurrence, may use Surface Transportation Block Grant (STGB) funds to supplement the PL allocations for planning tasks identified in an MPO UPWP. These funds must be identified for a task in the UPWP and shown on the Task Budget and Summary Budget Tables. It is at the discretion of the Department to decide whether the funds will be allocated to the MPO and the amount of the allocation. Each MPO requesting STBG funds to supplement planning will be subject to the following as per the Work Program Instructions:

- If the PL balance plus de-obligations at the end of the UPWP cycle exceeds 20% of an MPO’s PL approved allocations for the 2-year UPWP cycle, then STBG funds will not be authorized in the new UPWP until the MPO is in compliance with this policy.
- If the MPO prioritizes updating their Long-Range Transportation Plan (LRTP) in their List of Priority Projects (LOPP) for the year(s) that the update will occur, the District may make STBG funds available to the MPO to the cost of the LRTP update.

- A matrix showing the PL balance from the previous UPWP, a short description of work tasks and all funding sources for the 2-year period of the UPWP must be submitted to demonstrate the shortfall without the requested STBG funding. The District Work Program Office and the District MPO Liaison will determine the validity of the request and decide whether approval is granted.
- All attempts to fund project phases leading to construction shall be exhausted prior to allowing the use of STBG funds for planning projects in MPOs with urban area populations of under 200,000 people.
- If STBG funds are being programmed for a model validation project, the project may be programmed at 100% of the project cost regardless of the status of PL funds.

A UPWP amendment is required if an MPO adds STBG funds to an adopted UPWP and it must be uploaded to [MPO Document Portal](#). [Section 3.9: UPWP Revisions](#) provides information on UPWP amendment and modification thresholds. These funds shall be programmed in a manner consistent with the instructions in Part III, Chapter 22 of the [Work Program Instructions](#).

STBG funds given to an MPO for planning purposes must be reflected in the same MPO Agreement with PL funds.

For additional information on the use, programming, and de-obligation of STGB funds, please consult the most recent version of the Department's [Work Program Instructions](#), Part III – Chapter 22: Planning.

The PL Funds Coordinator also provides the PL Balance Compliance Spreadsheet that tracks MPO balances and spending to confirm compliance with the “80/20 Rule,” which permits the authorization of STBG funds. All funds included in the CPG (FHWA PL and FTA 5305(d)) are subject to the 80/20 Rule. Per Chapter 22, Section A.3.c.1. of the FDOT Work Program Instructions: *If the PL balance plus de-obligations at the end of the UPWP cycle exceeds 20% of an MPO’s PL approved allocations for the 2-year UPWP cycle, then State Transportation Block Grant (STBG) funds will not be authorized on the new UPWP until the MPO is in compliance with this policy.*

Exclusions for 80/20 compliance includes:

- STBG funds are being programmed for model validation project.
- STBP funds are being programmed for an MPO's Long Range Transportation Plan (LRTP) – the LRTP must be included in the MPO's List of Priority Projects.

Any tasks where participating MPOs will be **using STBG funds to support regional planning activities** that will be **invoiced** from a **lead MPO** will need to uniformly show funding and activity description in the UPWPs. The lead MPO, or the MPO receiving the funds, must show these funds in a clearly marked Regional Activities Table and Regional Accounting Table. The MPOs contributing funds to regional activities must also show the funds being transferred in their UPWP. All MPOs, including the lead MPO, need to show the same End Product summarizing the planning activities and show the amount on a separate line item on the Regional Activities Table and Regional Accounting Table with a uniform short description that identifies the lead MPO. Please work with OPP to coordinate this effort. See the UPWP Guide for Development for a detailed discussion on how to represent regional activities that involve a transfer of funds in the UPWP.

### **3.3.1.3 Additional FHWA Program Funds**

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

Any additional FHWA program funds provided to the MPO for the purpose of metropolitan transportation planning shall be captured in and administered through the MPO Agreement and uploaded to the [MPO Document Portal](#).

### **3.3.1.4 MPO Agreement**

The MPO Agreement is the standard contract between the MPO and FDOT to undertake the FHWA planning studies and activities listed in the UPWP. The standard MPO Agreement is [Form No. 525-010-02\\_1](#) and is available for download from the [FDOT Procedural Document Library](#). **Note:** The Central Office General Counsel Office must review/approve all proposed changes to the standard MPO Agreement.

The MPO Agreement captures all FHWA and CPG program funds listed in the UPWP (i.e., PL, 5305(d), STBG, CMAQ), and acts as the basis for the administration for these funds. The MPO Agreement contains a body of standardized legal language and three Exhibits:

- Exhibit A is the Adopted UPWP, which acts as the Scope of Work for the MPO Agreement;
- Exhibit B, [Form No. 525-010-02B](#), titled Federal Financial Assistance (Single Audit Act), shall include the Federal award amount for the MPO Agreement, which is the two-year total for all FHWA program funds in the UPWP (PL, SU, etc.); and
- Exhibit C, [Form No. 525-010-02C](#), titled Title VI Assurances, includes the Title VI compliance requirements for the MPO and shall be included in any third-party agreements the MPO enters into.

The MPO Agreements must be setup as a “Funding Term 3” which states:

- A maximum contract amount (budgetary ceiling)
- Agreement does not guarantee funding
- Work cannot begin until the Letter of Authorization is received
- MPO to use unexpended funds from year one in year two

## **3.3.2 FTA Funds & Agreements**

### **3.3.2.1 FTA 5307(d) Formula Grants**

When FTA Section 5307 funds are used by the local transit agency (direct recipient) for planning purposes, the funds must be shown in the UPWP. The local transit agency should coordinate with the MPO on funding amounts and tasks.

### **3.3.2.2 FTA – Public Transportation Grant Agreement**

The Public Transportation Grant Agreement, including the exhibits, extensions, and amendments (Form No. 725-000-01, Form No. 725-000-02, Form No. 725-000-03, Form No. 725-000-04) is the standard contract between the MPO and FDOT to undertake the FTA-funded planning studies and activities listed in the UPWP. A PTGA does not need to be executed for FTA 5305(d) funds. These funds are captured in the MPO Agreement.

FTA Grants are managed through the *TransCIP* Transit Data Management System. TransCIP is a secure, web-based system that automates and manages FTA funding grants, including the creation of the Public Transportation Grant Agreements (PTGA). Non-editable version of the PTGA [Form No. 725-000-01](#), and Exhibits [Form No. 725-000-02](#) are available in the FDOT Forms Library.

### **3.3.3 State Funds**

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

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

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

#### **3.3.3.1 Florida Commission for the Transportation Disadvantaged (CTD)**

MPOs may receive State Transportation Disadvantaged (TD) grant funding from the Florida Commission for the Transportation Disadvantaged (CTD), an entity created within FDOT, but which functions independently of FDOT. These funds are administered to the MPO through the use of a CTD Joint Participation Agreement; this agreement is jointly executed between the MPO and the CTD. It describes the activities required by the MPO for carrying out the CTD program. If these funds are used for planning purposes, they must be reflected in the UPWP Task Budget and Summary Budget Tables.

### **3.3.4 Matching Funds**

#### **3.3.4.1 Soft Match**

Currently, the State provides the required match to secure FHWA and CPG funds, including PL, 5305(d), and STBG funds, with toll credits as a “soft match”. The “soft match” is not actual dollars that can be expended, and the soft match credits do not appear in the Work Program. However, the MPO must show the soft match amount in the UPWP. Soft match values must not be reflected on the individual UPWP tasks; rather, the soft match amount should be shown on the [Summary Budget Tables](#) and must be described in the UPWP. See [Section 3.5.2: Introduction](#) for more details.

The Department uses the U.S. Department of Transportation sliding scale federal/non-federal match ratio for metropolitan planning funds. This ratio is 81.93 percent federal and 18.07 percent non-federal. It is the policy of the Department to use a “soft match” using toll credits as authorized by [Title 23 U.S.C. \(Section 120\)](#) for the non-federal share for all FHWA sliding scale eligible funding programs.

### **3.3.4.2 Cash Match**

In order to secure FTA 5307(d) funds, the State and local government must place matching funds on a project. The State and local funds that are used as a match must be shown in FDOT’s Work Program. For 5307(d) funds, FTA provides 80 percent with a required 20 percent non-Federal match. The 20 percent match is 10 percent State funds and 10 percent Local funds.

All Federal and matching funds for metropolitan planning purposes, including State/local match, must be shown in the Task Budget Tables and Summary Budget Tables in the UPWP.

### **3.3.5 Local Funds**

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

## **3.4 Third-Party Agreements**

Third-party agreements occur when the MPO enters into an agreement with a party other than FDOT to perform UPWP work activities, such as a planning consultant. Consultant contracts shall be procured, developed, and executed in accordance with the applicable

Federal and State requirements outlined in the MPO Agreement, [Form No. 525-010-02.1](#).

In order for MPOs to reimburse a third party, an agreement will be required to incorporate the terms and conditions of MPO funding and interlocal agreements. Prior to execution, a draft scope of work and the consultant contract agreement shall be reviewed within the consultative process by FDOT and the FHWA. The scope of work shall reference the task number within the UPWP where the funds are identified. Approval of requests for disbursements from third-party agreements shall be contingent upon submittal of satisfactory backup and supporting material, including progress reports and technical reports. This requirement shall be clearly stated in the agreement.

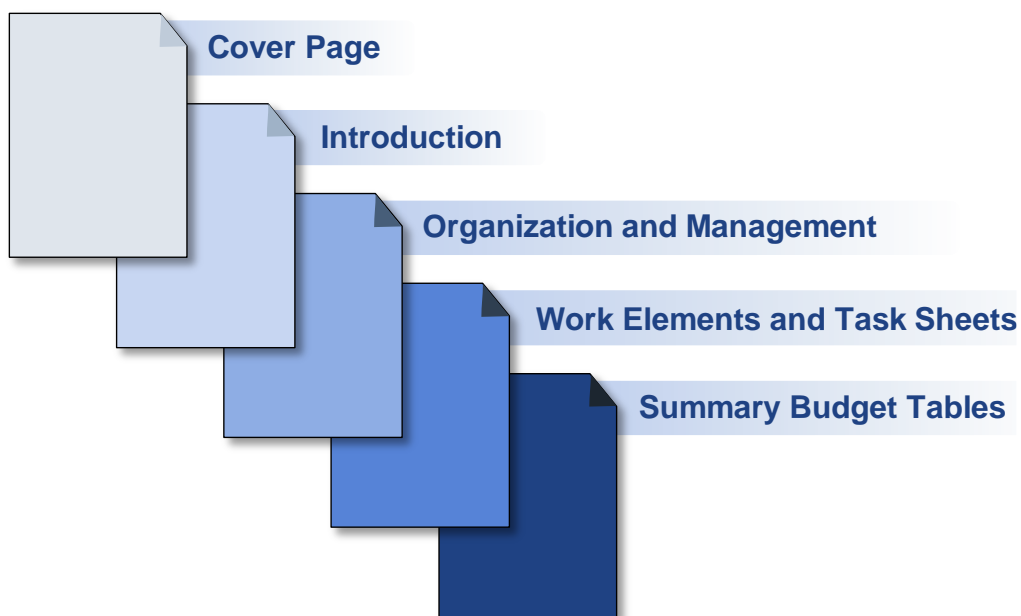
## **3.5 UPWP Content and Format**

The proposed use of all federal, state, and local planning funds must be documented in a biennial UPWP that is acceptable to the FHWA and FTA. The general format and content for UPWP development, as outlined below, is acceptable to FHWA and FTA. FDOT developed a UPWP template that includes budget tables and a Guide for UPWP Development. These resources are available in the Partner Library on the [MPO Partner Site](#). This section along with the UPWP template provide guidance for MPOs to develop a UPWP. Other UPWP formats may also be acceptable provided they meet all Federal requirements and provide the information listed in the next several sections.

The UPWP must include a Cover Page and an Introduction. It is recommended that at least three (3) sections be used, including Organization and Management, Work Elements/Tasks, and Summary Budget Tables. [Figure 3.2](#) illustrates a general list of items that need to be included in a UPWP.



Figure 3.2 UPWP Content



The UPWP shall include a description of the work to be accomplished and the cost estimates for each activity. [\[23 C.F.R. 420.111\(b\)\]](#) The cost estimates must be broken out by fiscal year. An example UPWP task is shown in [Table 3.3](#) in [Section 3.12: Sample Task Work Sheets](#)

MPOs are encouraged (and MPOs in TMAs are **required**) to include cost estimates for transportation planning, research, development, and technology transfer-related activities funded with local, State, or Federal funds other than those authorized under Title 23. [\[23 C.F.R. 420.111\(e\)\]](#) This information shall be provided as an informational item, and may be obtained from the members of the MPO's Technical Advisory Committee. The following information must be provided for each planning study:

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

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

If an MPO is transferring FHWA funds to an agency/local government to be used for a planning study, this must be reflected as a **task** in the UPWP and uploaded through the [MPO Document Portal](#).

The UPWP may be modified to add these additional planning studies not carried out by the MPO (see [Section 3.10: MPO Invoicing](#)). PD&E studies are not considered planning studies; however, they are contained in the MPOs TIPs.

[Table 3.2](#) provides an example of a matrix to record these additional planning activities in the MPO area.

**Table 3.2 Planning Studies in MPO Areas**

Name and Study Description	Lead Agency	Fiscal Year	Cost (in Thousand Dollars)	Source of Funds
<b>SR 42/Briarcliff Road Corridor Study.</b> Study includes traffic analysis, review of operations conditions on the corridor from Clifton Road to Druid Road	Nassau County	2012	850	Local

Name and Study Description	Lead Agency	Fiscal Year	Cost (in Thousand Dollars)	Source of Funds
<b>Lehigh Valley Bus Rapid Transit Analysis.</b> Determine feasibility of bus rapid transit lanes on U.S. 41 from Lehigh Avenue to Belmont Avenue	Lehigh Transit	2013	360	FTA-Section 5305(d)

### 3.5.1 Cover Page

The Cover Page must include:

- MPO name, address, and website
- CFDA number (FHWA – PL & SU: 20.205, FTA 5305: 20.505)
- Identification of agencies providing funds for the UPWP
- Financial Project Number (FPN) for each contract shown in UPWP
- Federal Award Identification Number (FAIN) for FHWA contracts (or the Federal Aid Project Number [FAP])
- State Fiscal Years the UPWP covers
- Statement of nondiscrimination
- DRAFT UPWP: Space for adoption date and revision dates
- FINAL UPWP: Adoption date and space for revision dates

The UPWP must include a Cost Analysis Certification Statement ([Form No. 525-010-06](#)), which is signed by the District MPO Liaison to attest to the allowability, reasonableness, and necessity of the costs presented in the UPWP. This form is available for download from the [FDOT Procedural Document Library](#).

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

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

The date of signature on this statement must align with the date of the last action taken on the UPWP. MPOs and District MPO Liaisons are responsible for maintaining records related to all actions taken on the UPWP, including completed cost analyses. These documents should be uploaded through the [MPO Document Portal](#).

### **3.5.2 Introduction**

The Introduction section must include the following items:

- A brief definition and purpose of the UPWP.
- A current overview of the status of comprehensive transportation planning activities.
- A discussion of the planning priorities for the metropolitan planning area that also identifies local priorities. For example, if a metropolitan planning area is experiencing a significant rate of growth, appropriate planning priorities must be identified to address increased development, traffic volumes, and planning for the area's future transportation system.

- A statement of CPG participation: “The FDOT and the (insert organization name) participate in the Consolidated Planning Grant (CPG). The CPG enables FDOT, in cooperation with the MPO, FHWA, and FTA, to annually consolidate Florida’s FHWA PL and FTA 5305(d) metropolitan planning fund allocations into a single grant that is administered by the FHWA Florida Division. These funds are annually apportioned to FDOT as the direct recipient and allocated to the MPO by FDOT utilizing formulas approved by the MPO, FDOT, FHWA and FTA in accordance with 23 CFR 420.109 and 49, U.S.C. Chapter 53. The FDOT is fulfilling the CPG’s required 18.07% non-federal share (match) using Transportation Development Credits as permitted by 23 CFR 120(i) and FTA C 8100.1D”.
- A description of the metropolitan transportation and transportation related air quality planning activities (if applicable) anticipated in the nonattainment or maintenance area regardless of funding sources or agencies conducting air quality activities.
- Planning tasks to be performed with funds under [Title 23, U.S.C](#) and [49 U.S.C. 53](#).
- A discussion and definition of “soft match” and the amount (both as a total and the percent) of the “soft match” for the Federal funds in the UPWP (the soft match percentage can be found in Part III, Chapter 23 of the Work Program Instructions).
- A description of the public participation process used in the development of the UPWP.
- Federal Planning Factors.
- A matrix that identifies how each task relates to the Federal and/or State Planning Emphasis Areas, if applicable.

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

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

Programs) and for transit programs authorized by Chapter 53 of Title 49, U.S.C. This is in essence a "soft-match" provision that allows the Federal share to be increased up to 100% to the extent credits are available. The "soft match" amount being utilized to match the FHWA funding in the UPWP is \_\_\_\_\_% of FHWA program funds for a total of \$\_\_\_\_\_.

### 3.5.3 Organization and Management

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

- Identification of participants and a brief description of their respective role(s) in the UPWP metropolitan area transportation planning process;
- Discussion of appropriate MPO agreements, including date executed;
- Identification and discussion of operational procedures and bylaws, including date executed;
- Any required forms, certifications, and assurances; and
- The MPO's approved indirect cost rate (if applicable).

### 3.5.4 UPWP Work Elements/Tasks

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

- **Administration and Management.** Tasks required to manage the transportation planning process on a continual basis including program administration, development, review and reporting, anticipated staff development and an annual single audit. This task can also include addressing a Federal TMA, conducting the FDOT annual certifications, or participating in US Census activities. **For ease of budgeting, fund encumbering, and invoicing, MPOs are highly recommended to include all administrative costs for the entire UPWP in one administrative task (or group of subtasks).** See [Table 3.3](#) through [Table 3.9](#) in [Section 3.12: Sample Task Work Sheets](#) for examples of UPWP tasks.

- **Data Development and Management.** Tasks to monitor area travel characteristics and factors affecting travel such as socioeconomic, community and land use data, transportation system data, natural, physical, and human environmental concerns and issues.
- **Short Range Planning.** Tasks for the development and management of the Transportation Improvement Program (TIP). This task could also include asset management plans or performance management.
- **Long Range Planning.** Tasks for development of the Long Range Transportation Plan (LRTP). This task could also include comprehensive plan elements, congestion management plans, or mode specific plans.
- **Special Studies.** Tasks related to non-recurring planning projects or activities that do not fit easily into other categories, e.g., feasibility studies, corridor studies, municipal plans, mode specific plans, or resiliency/sustainability studies.
- **Public Outreach.** Tasks to implement the MPO's public participation program during the development of the UPWP, LRTP, TIP, and other plans and programs as required.
- **MPO Regional Activities.** Tasks that involve a transfer of funds between MPOs and/or FDOT to conduct regional planning activities.

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

### 3.5.5 Task Sheets

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

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

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



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

- Personnel Services;
- Consultant Services;
- Travel;
- Other Direct Expenses; and
- Indirect Expenses (only applicable to MPOs being reimbursed for indirect costs using an indirect rate).

**Note:** This Estimated Budget Detail replaces the individual task budgets that were previously required. Examples of the Estimated Budget Details are presented in [Table 3.3](#) through [Table 3.9](#) in [Section 3.12: Sample Task Work Sheets](#).

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

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

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

An example of a task sheet for an MPO charging all actual costs incurred is shown in [Table 3.3](#) and [Table 3.7](#) in [Section 3.12: Sample Task Work Sheets](#). An example of a task sheet for an MPO charging an indirect rate is shown in [Table 3.5](#) and [Table 3.9](#) in [Section 3.12: Sample Task Work Sheets](#). Please note that the indirect rates, budget line items, and costs presented in these examples are for **illustrative purposes** only. MPOs should align the content of the Estimated Budget Details with their existing accounting systems and budget.

If an MPO is transferring funds to FDOT or another MPO for work to be conduct on their behalf, please see [Section 3.3.1: FHWA Planning Funds](#) for guidance on the transfer process. Please contact Central Office to coordinate this effort.

### 3.5.6 Summary Budget Tables

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

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

[Section 3.13: Summary Budget Tables Example](#) contains examples of the Summary Budget Tables (See [Table 3.12](#) and [Table 3.13](#)). **Note:** The summary budget tables must show funds by each fiscal year.

### 3.5.7 MPO Regional Activities

The MPO Regional Activities and All Regional Accounting tables should be used to show incoming and outgoing funds for regional tasks that involve the transfer of funds between MPOs. These table are only for tasks that require the physical transfer of funds. This does not include shared costs (e.g., health benefits for MPO staff) or activities that do not result

in the transfer of funds or participation of a single MPO in coordination with other regional entities (e.g., attendance at MPOAC or FTC meetings, or MPOAC dues). All participating MPOs shall use consistent descriptions of the activities to be completed. Task name and activity description must be consistent between MPOs. Regional tasks must be supported by a MOU signed by all participating MPOs. Funds are authorized in the UPWP but are encumbered via contracts. Depending on the source, funds may need to be on separate contracts.

### **3.5.7.1 MPO Regional Activities Table**

This table is for the MPO's funds for regional tasks that include the transfer of funds. The MPO shall list funds it is transferring to other agencies (e.g., other MPOs, FDOT) and funds it is receiving from other agencies for regional activities. The table summarizes the total amount of funds by source and what activities the funds are to be used for. Purple highlights indicate incoming funds, while orange highlights indicate outgoing funds. Within the UPWP document, include a legend or footnote for the table stating how the incoming funds and outgoing funds are formatted.

### **3.5.7.2 All Regional Accounting Table**

This table summarizes the lead agency for regional tasks and all funding contributed to regional activities by fund source. Purple highlights indicate funds transferred to the lead agency. This table must be consistent for all MPOs participating in the regional activities. Within the UPWP document, include a legend or footnote for the table stating how the incoming funds and outgoing funds are formatted.

## **3.5.8 Attachments**

### **3.5.8.1 Statements and Assurances**

The UPWP must include several statements and assurances that must be signed and submitted with the final UPWP. These statements cover the areas of debarment, disadvantaged business enterprises, lobbying, and Title VI/nondiscrimination, as described below. The UPWP Statements and Assurances ([Form No. 525-010-08](#)) are available through the [FDOT Procedural Document Library](#).

- **Debarment and Suspension Certification.** This statement assures that FHWA funds have not been used for procurement from persons who have been debarred

or suspended in accordance with the provisions of [C.F.R. 32.630](#). It is recommended that each MPO coordinate with their legal counsel on this item.

- **Lobbying Certification for Grants, Loans, and Cooperative Agreements.**

Pursuant to [31 U.S.C. 1352](#), the MPO must annually certify to the FHWA that no appropriated Federal funds are being used to influence, or attempt to influence (lobby), any member of Congress or their employees in connection with the awarding of any contract, grant, loan, cooperative agreement, or the extension, continuation, renewal, amendment or modification of any existing contract, grant loan or cooperative agreement.

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

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

- **Disadvantaged Business Enterprise Utilization.** This statement certifies the MPO and its consultants will comply with Federal requirements pertaining to participation of DBEs in Federally awarded contracts.
- **Title VI/Nondiscrimination Assurance.** As a subrecipient of FDOT, each MPO is required to sign a Title VI/Nondiscrimination Assurance with the State to ensure Title VI and other nondiscrimination authorities' compliance. The Nondiscrimination Agreement acts as the MPO's Title VI Plan pursuant to [23 C.F.R. 200](#) and the Federal Highway Administration's Title VI Implementation Guide. It includes all Title VI requirements that an MPO agrees to take on in return for receiving Planning (PL) funds from the State. The Title IV Nondiscrimination Assurance is included in the UPWP Statements and Assurances ([Form No. 525-010-08](#)), and is available through the [FDOT Procedural Document Library](#). The Title IV/Nondiscrimination Assurance must be signed every two years with the

other UPWP Statements and Assurances, or when the MPO undergoes a change in executive leadership.

### **3.5.8.2 MPO Adopted Travel Policy**

If the MPO has adopted a travel policy other than the FDOT travel policy, the MPO must include the policy as an appendix to the UPWP. This provides the MPO Liaison with information needed to review and process invoices. Travel policies must be approved by the MPO Board. [\[s.112.061\(14\), F.S.\]](#)

If the MPO follows the FDOT travel policy, refer to the [Disbursement Handbook for Employees and Managers](#).

### **3.5.8.3 Cost Allocation Plan and Certificate of Indirect Costs**

If the MPO has an approved cost allocation plan, the MPO must include the plan as an appendix to the UPWP. This provides the MPO Liaison with information needed to review and process invoices. Please see [Section 3.11.2: Atypical Expenses](#)

MPOs shall reflect equipment and supplies purchases, as well as travel such as that associated with training and conferences in the UPWP. Equipment purchases may include items of large value such as specialty printers and computer software. Further guidance can be found in Technical Memorandum 20-01, which defines capital expenditures, identifies federally eligible expenditures and purchases, federal and state purchasing thresholds, and provides guidance related to obtaining purchase authorizations.

The supporting narrative for direct cost line items in task tables should provide sufficient detail and cost information to determine eligibility, necessity, and reasonableness of the purchases. If this information is not included in the UPWP, then the MPO must submit a separate formal request for approval to FHWA prior to purchase. The following sections define typical and atypical equipment, supplies, and travel and provide guidance on how these items should be reflected in the UPWP.

### **3.5.8.4 Typical v. Atypical Expenditures**

Typical and atypical expenditures must be reflected in the UPWP task tables and supporting narrative. Atypical expenditure requests must be summarized as a separate

line item from typical expenditures in the task table and be clearly identified to the FDOT and federal agencies for eligibility determinations. Atypical expenditure requests should also include justification and technical specifications in the UPWP. This information can be provided in the UPWP or can be provided separately. If justification is not provided for an atypical line item in the UPWP, then the purchase will require additional review and approval from FHWA and/or FTA and FDOT. The list of examples below are not comprehensive or all inclusive.

Equipment should be scrutinized as atypical as follows:

- Typical: The equipment is less than \$5,000 per unit and affiliated with a project or deliverable (can include executing business or normal operations and management of the MPO). In other words, the equipment can be tethered to project work. Technical specifications or justification is not required to be included in the UPWP. Examples include but are not limited to the following:
  - Example 1: A new laptop computer
  - Example 2: A standing desk
  - Example 3: An office chair
- Atypical: If the cost does not fit in the typical category or is equal to or greater than \$5,000 per unit, then it is considered atypical. Atypical expenditure requests should include justification and technical specifications in the UPWP, if the MPO is seeking FHWA and/or FTA and FDOT approval of the item in the UPWP. Examples include but are not limited to the following:
  - Example 1: Software and modeling programs
  - Example 2: Security systems
  - Example 3: Plotting printers
  - Example 4: Real estate or real property

Supplies should be scrutinized as atypical as follows:

- Typical: Supplies required for an office that are less than \$1,000 per unit. This can include but is not limited to the following:

- Example 1: Notepads, pens, and paper clips
- Atypical: If the cost does not fit in the typical category or is equal to or greater than \$1,000 per unit, then it is considered atypical. This can include but is not limited to the following:
  - Example 1: Plotter paper and foam boards

Travel should be scrutinized as follows:

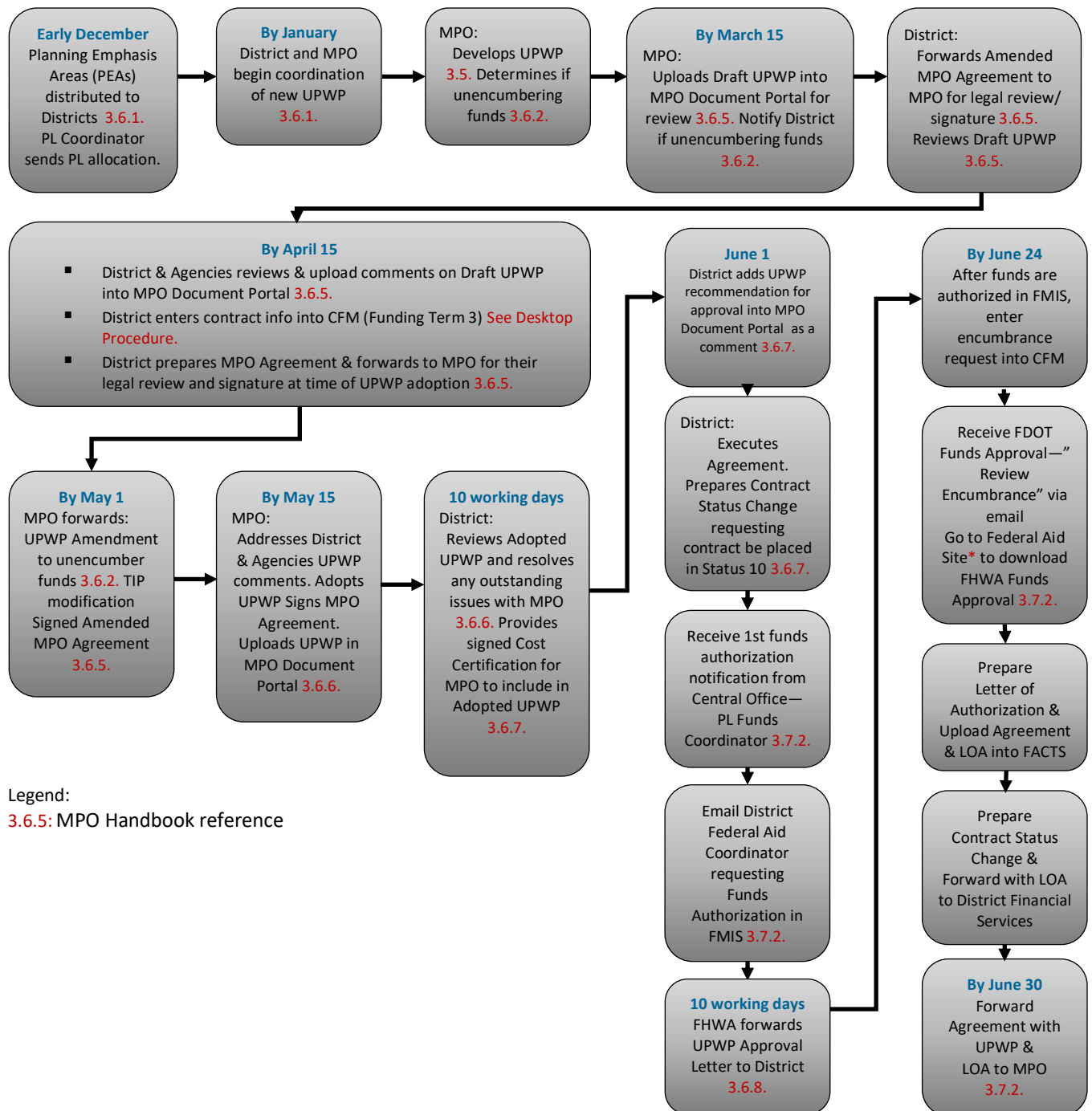
- Typical travel: Training in the United States that helps you do your job. This can include but is not limited to the following: AMPO, NARC, TRB, model or other training
- Atypical travel: Training outside of the United States, or travel in the United States that includes peer exchange and facility or system tours.

Indirect Cost Rate for details on cost allocation plans.

## 3.6 UPWP Development, Review, and Approval Process

The steps involved in the UPWP development, review/approval, execution of the MPO Agreement, and initial encumbrance are illustrated below and described in the following sections.

**Figure 3.3 UPWP Development, Review, and Approval**



Legend:  
3.6.5: MPO Handbook reference



### 3.6.1 Early Steps in UPWP Development

Every other **December**, Office of Policy Planning (OPP) and/or the Public Transit Office (PTO) will send statewide and/or regional tasks and/or Planning Emphasis Areas they have identified to the District MPO Liaisons. The PL Funds Coordinator will provide the District MPO Liaisons with the *PL Balance MADDOG* report for the UPWP budget development. The *PL Balance MADDOG* sheet will include the year one CPG allocation and, for illustrative purposes, the anticipated year two CPG allocation.

No later than **January**, during new UPWP development years, the District MPO Liaison will begin early coordination and technical assistance to the MPOs on preparation of the UPWP. At that time, the Districts will provide to the MPOs Planning Emphasis Areas, PL Balances, and most recent estimates of available for FTA Metropolitan Planning funds. The Districts are encouraged to initiate a “kickoff” meeting with their respective MPOs. If schedules and time permits, it is also a best practice to include FHWA, FTA, and other transportation partners to attend the kickoff meeting.

The MPO must develop the UPWP in accordance with the process documented in its Public Participation Plan consistent with [23 C.F.R. 450.316](#).

### 3.6.2 Notice of Intent to Unencumber Funds

Unencumbering is the Department’s process for freeing up funds and budget that were programmed on a project. De-obligating is the permission given by the federal agency to remove unexpended, authorized funds. The Department must unencumber funds before the federal agency can de-obligate the funds. By **March 15**, the MPO must notify the District MPO Liaison how much money the MPO plans to de-obligate.

Unencumbering releases authorized funds that the MPO is not anticipating spending by the end of the two-year UPWP. The process starts six months prior to the end of a UPWP, releasing funds from the existing UPWP, then adds the unencumbered/de-obligated funds to year 1 of the new two-year UPWP, but is not part of the initial authorization. If the MPO does not unencumber funds, the unspent FHWA funds go through the close-out process and are available to the MPO during year two of the new UPWP.

By **March 15**, the MPO shall notify the District MPO Liaison in writing if they intend to unencumber funds from their CURRENT UPWP for use in year one of their NEW UPWP. The unencumbered/de-obligated funds are typically available after October in year one.

Care should be taken to ensure that the MPO has adequate funding for the remainder of the year, before unencumbering funds. The District MPO Liaison will need to prepare the Amended Agreement and return to the MPO for signature with the UPWP Amendment at the April MPO board meeting.

By **April 15**, the MPO shall prepare UPWP Amendment with supporting documents (see [Section 3.10.2: Itemized Expenditure Detail Report](#)) and obtain approval as directed by the MPO's Public Participation Plan. All documents shall be submitted to the District MPO Liaison by **May 1**.

### 3.6.3 Unencumbering and De-Obligating PL Funds

The MPO should ensure that there is sufficient funding for the remainder of the UPWP before they unencumber funds. The MPO need to notify the District MPO Liaison in writing by **March 15** if they intend to unencumber funds from the current UPWP. The MPO board needs to approve/sign the items below by **April 15**, and forward to the District MPO Liaison no later than **May 1**:

- **UPWP Amendment:** Refer to [Section 3.12: Sample Task Work Sheets](#) for additional information on UPWP Amendments
- **TIP Revision:** Refer to [Section 5.8.1: TIP and STIP Revisions](#) for additional information on TIP Revisions.
- **Amended MPO Agreement:** with updated amounts, signed by MPO representative.

MPOs cannot include anticipated de-obligated funds in the draft UPWP. De-obligated funds can only be included in the draft UPWP once an amendment has been processed. Refer to [Figure 3.3](#) for the unencumbrance and de-obligation process and how it fits in with NEW UPWP Development.

### 3.6.4 Unencumbering and De-Obligating Other STBG Funds

Currently, each District manages STBG funds (i.e., SU, SL, SN, SA), including programming SU funds for the MPO. If a District allows MPOs to de-obligate STBG funds, the process follows the same guidance as PL funds.

### 3.6.5 Review of the Draft UPWP

By **March 15**, during the new UPWP development years, the MPO should upload the Draft UPWP to the [MPO Document Portal](#), which automatically notifies the appropriate contacts at the agencies listed below:

- District MPO Liaison
- FDOT Central Office OPP
- Federal Highway Administration District Representative
- Federal Transit Administration District Representative
- Florida Commission for the Transportation Disadvantaged
- Florida Department of Economic Opportunity - Bureau of Community Planning (other check box)

If you need to contact a staff person for the agencies listed above, check the current [Metropolitan Planning Program Staff List](#) for contact information.

The District MPO Liaison can distribute the Draft UPWP internally within the District as deemed appropriate.

By **April 15**, the District MPO Liaison and reviewing agencies shall review the Draft UPWP for format and content based on the UPWP Checklist (located on the internal OPP SharePoint Site) and MPO Handbook. Agency and District MPO Liaison comments must be uploaded into the [MPO Document Portal](#). It is a best practice for the District MPO Liaison to work collaboratively with the MPO to resolve comments.

When reviewing the draft and final versions of the UPWP, Districts should employ the following system when providing comments to the MPOs. This will provide the MPOs a level of importance of each comment. This system is graduated from editorial, to enhancement, and finally critical, as shown below.

- **Editorial:** These comments may be addressed, but such corrections would not affect approval of the document. Examples of editorial comments include grammatical, spelling, and other related errors.

- **Enhancement:** These comments may be addressed, but the document already meets the minimum requirements for approval. Enhancement comments would greatly improve the quality of the document and the understanding for the public. These comments may pertain to improving graphics, re-packaging of the document, use of plain language, reformatting for clarity, removing redundant language, suggesting alternative approaches to meet minimum requirements, etc.
- **Critical:** These comments *must* be addressed to meet minimum Federal and State requirements to obtain approval. The reviewer must clearly identify the applicable federal or state policies, regulations, guidance, procedures, or statutes that the document does not conform with.

MPOs cannot include anticipated de-obligated funds in the draft UPWP. De-obligated funds can only be included in the draft UPWP once an amendment has been processed.

Once the District MPO Liaison has confirmed the PL funding amounts against the PL Balance MADDOG report and all funds programmed for planning in the Tentative Work Program, then the District Liaison should set-up the new contract in CFM (see Desktop Procedures) and prepare the new MPO Agreement. It is important to forward the new MPO Agreement to the MPO no later than **April 15** to ensure the MPO has sufficient time for their legal review and signature at their May MPO Board Meeting.

### 3.6.6 Adoption of the Final UPWP

By **May 15**, the MPO must address all critical comments received on the Draft UPWP, adopt the UPWP, and upload into the [MPO Document Portal](#), with notification to review list as Draft UPWP ([Section 3.6.2: Notice of Intent to Unencumber Funds](#)). **The MPO shall sign, but not date, the MPO Agreement** at their May MPO Board meeting. The MPO Agreement will not be fully executed until the FDOT signs and dates the agreement. The signed MPO Agreement should be emailed to the District MPO Liaison.

### 3.6.7 District Final Review of the Adopted UPWP

Within **10 working days** of Adopted UPWP upload in the [MPO Document Portal](#), the District MPO Liaison shall review the document to confirm that all critical comments noted in the Draft UPWP Checklist were addressed. The District shall work cooperatively with the MPO to address any outstanding issues and provide the MPO with the signed Cost Analysis Certification Statement to be added to the Adopted UPWP.

No later than **June 1**, the District shall enter a comment into the [MPO Document Portal](#) that includes language recommending the UPWP for approval, disapproval, or conditional approval.

Next, the District MPO Liaison can forward the MPO Agreement to internal District staff to sign. After the MPO Agreement has been fully executed, the District MPO Liaison must prepare a contract status change form ([Form No. 525-010-02A](#)) and submit to the District Financial Services Office, indicating the contract has been executed, funds will be distributed by a Letter of Authorization, and request that the contract be placed in a Status 10 (executed). The executed Agreement must be uploaded into FACTS (see Desktop Procedures).

The District and MPOs need to be aware that **failure to meet the submittal deadlines or resolve any outstanding issues by June 30 may jeopardize final UPWP approval resulting in funding delays.**

### **3.6.8 FHWA/FTA Approval**

As delegated in the January 2011 Memorandum of Agreement between FHWA, Florida Division and FTA, Region IV for Administration of Transportation Planning and Programming, FHWA coordinates comments with FTA and approves [[23 C.F.R. 420.115\(a\)](#)] the MPO's Adopted UPWP on behalf of FTA. To ensure FHWA approval of the UPWP prior to the beginning of the State fiscal year on July 1, it is critical the Adopted UPWP is upload into the [MPO Document Portal](#) no later than **June 1**.

FHWA will send its approval letter to the District. The District shall forward the approval letter to the MPO within 10 business days.

Should FHWA and FTA conditionally approve the Adopted UPWP due to issues with certain tasks, the MPO cannot receive reimbursement of FHWA funds for those UPWP tasks until FHWA and FTA grant concurrence.

## **3.7 Financial Management of Metropolitan Planning Funds**

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

Central Office’s PL Funds Coordinator who works in the Office of Work Program and Budget will establish financial project numbers for each MPO’s UPWP and program the MPO’s CPG allocation including PL and 5305(d) funds on sequence -01 of these financial project numbers. District staff shall program all non-PL FHWA-program funds (such as SU, TA, or CM) on subsequent sequences beyond -01. **Each fund type shall be programmed on its own sequence.** In other words, an MPO’s entire SU balance shall be programmed on the same sequence, regardless of the number of tasks to be funded by SU funds.

For example, if an MPO is receiving \$500,000 in PL funds in both FY 2020 and 2021, \$15,000 in SU funds in FY 2020 for two tasks, \$10,000 in SU in FY 2021 for one task, and \$12,000 in TA funds in FY 2020 for one task, the programming would reflect the following:

FPN Sequence	Fiscal Year	Fund Type	Amount
-01	FY 2020	PL	\$500,000
-01	FY 2021	PL	\$500,000
-02	FY 2020	SU	\$15,000
-02	FY 2021	SU	\$10,000
-03	FY 2020	TA	\$12,000

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

### 3.7.1 Authorization and Encumbrance Levels

Due to state budgeting restrictions and difference between beginning of Federal and State fiscal years, the MPOs receive UPWP funding through multiple authorizations over the two-year cycle, as directed by the PL Funds Coordinator.

**District MPO Liaisons are responsible for tracking and initializing the authorization and encumbrance of non-PL FHWA funds being provided to the MPO for planning purposes. The process outlined below is the same for non-PL (generally STBG) FHWA funds.**

### 3.7.2 Initial Authorization of FHWA Planning Funds

By **June 1**, the PL Funds Coordinator will email the District MPO Liaison notification for each MPO's first authorization amount. The first authorization is 25 percent of the MPO's annual PL allocation for the new fiscal year. With the CPG, 100 percent of FTA 5305(d) funds will be made available by July 1<sup>st</sup> so long as the funds have been transferred from FTA to FHWA. The District MPO Liaison will need to work with the District Federal Aid Coordinator to request authorization of the first allocation amount.

The District Federal Aid Coordinator cannot request authorization of funds until FHWA and FTA have approved the UPWP.

If FHWA and FTA have not approved an MPO's UPWP by **June 15**, there will not be sufficient time to encumber the funds and issue a Letter of Authorization to the MPO before **June 30**. In this case, work performed by the MPO or contracted out by the MPO prior to the Letter of Authorization date, **cannot be** reimbursed.

Once the funds have been authorized, the District MPO Liaison can encumber the funds in CFM (see desktop procedures). The encumbrance requests must be submitted by **June 15** to allow sufficient time for CFM's review, processing, and approval before **July 1**.

The FDOT Funds approval generated by CFM will show a "REVIEWED" status for the first Letter of Authorization. Subsequent authorization will show "APPROVED". After legislative approval of the budget, the CFM System will automatically encumber funds on projects reviewed during June. A follow-up email will be sent to the originator stating that funds have been approved.

FHWA's Electronic Signature Document (ESD) approval will be posted on the Federal Aid Management Electronic Signature site located at (<https://owpb.fdot.gov/FederalAid/ElectronicSignatures.aspx>).

**By June 30**, District MPO Liaison should have received both FDOT and FHWA's ESD Funds approvals and prepared the Letter of Authorization (with instructions), which is located on the OPP SharePoint site. The Letter of Authorization along with the FDOT Funds approval is forwarded to the MPO. Then, along with an updated Contract Status Change Form, forwarded to District Financial Services. And finally, uploaded into FACTS

(See desktop procedures). It is critical to have the funds encumbered, and Letter of Authorization sent to MPO so that the MPO can continue work on **July 1**.

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

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

### **3.7.2.1 Letter of Authorization**

The Letter of Authorization and instructions to complete the letter are available in the [Liaison Toolkit](#). When entering the Effective Date of Authorization in the letter, see the Notice of Approved Authorization and the FDOT Funds Approval and choose whichever date is the latter. See the Letter of Authorization instructions for an example.

## **3.7.3 Remaining Authorization and Encumbrances**

The second PL authorization will be provided after **October 1** when the official FHWA *Notice of Appropriation* is received for the new Federal fiscal year. The process is similar to the June authorization. As described above, the Central Office PL Funds Coordinator will notify each District MPO Liaison of the amount for authorization. The District MPO Liaison shall then request the District Federal-Aid Coordinator to process an authorization request. Once the District MPO Liaison has been notified the funds have been authorized, they need to enter the encumbrance into CFM (see Desktop Procedures). CFM will automatically email the FDOT Funds approval to the District MPO Liaison, who will then need to go to the Federal Aid Management Electronic Signature site located at (<https://owpb.fdot.gov/FederalAid/ElectronicSignatures.aspx>) to download FHWA's Funds Approval Electronic Signature Document (ESD) from FHWA. Once the funds are District MPO Liaison has received both funds approvals, a second Letter of Authorization, with a copy of the ESD, must be sent to the MPO indicating additional PL funds are now available. The District MPO Liaison will also need to prepare a Contract Status Change form and forward Letter of Authorization and Funds Approvals to District Financial Services. These documents should also be uploaded into FACTS.

## **3.7.4 Additional FHWA Fund Authorizations**

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



First, the District MPO Liaison will coordinate with the Office of Work Program and Budget in Central Office to ensure the availability of funds. Next, the MPO will adopt a UPWP amendment and transmit it to the District (refer to [Section 3.9: UPWP Revisions](#)). The District will forward the amendment to FHWA with a cover letter describing the need for the change and recommending approval.

After FHWA approves the amendment, the District MPO Liaison must authorize the funds in FAMS using the same process described in [Section 3.7.1: Authorization and Encumbrance Levels](#). Once FHWA authorizes the funds, the next step is to encumber them using the same process described in [Section 3.7.2: Initial Authorization of FHWA Planning Funds](#). Upon completion, the District MPO Liaison will send a letter to the MPO authorizing the expenditure of PL funds based on the new budget amount along with a copy of the ESD. UPWP amendments adding funds to the budget must be approved by the MPO no later than **March 15** and submitted to the District no later than **April 1**.

## **3.8 Close-Out of FHWA Funds**

In accordance with [2 C.F.R. 200.344](#), FHWA funds obligated and unexpended in a prior year UPWP must be closed out within **90 days** of the termination of the grant. The grant is based on the Work Program fiscal year (i.e., July 1 to June 30). Based on this timeline, FDOT has until September 30 to have the final invoice and close out documents to FHWA. **It is important to begin this process prior to September 30; do not wait until the deadline to start the process.**

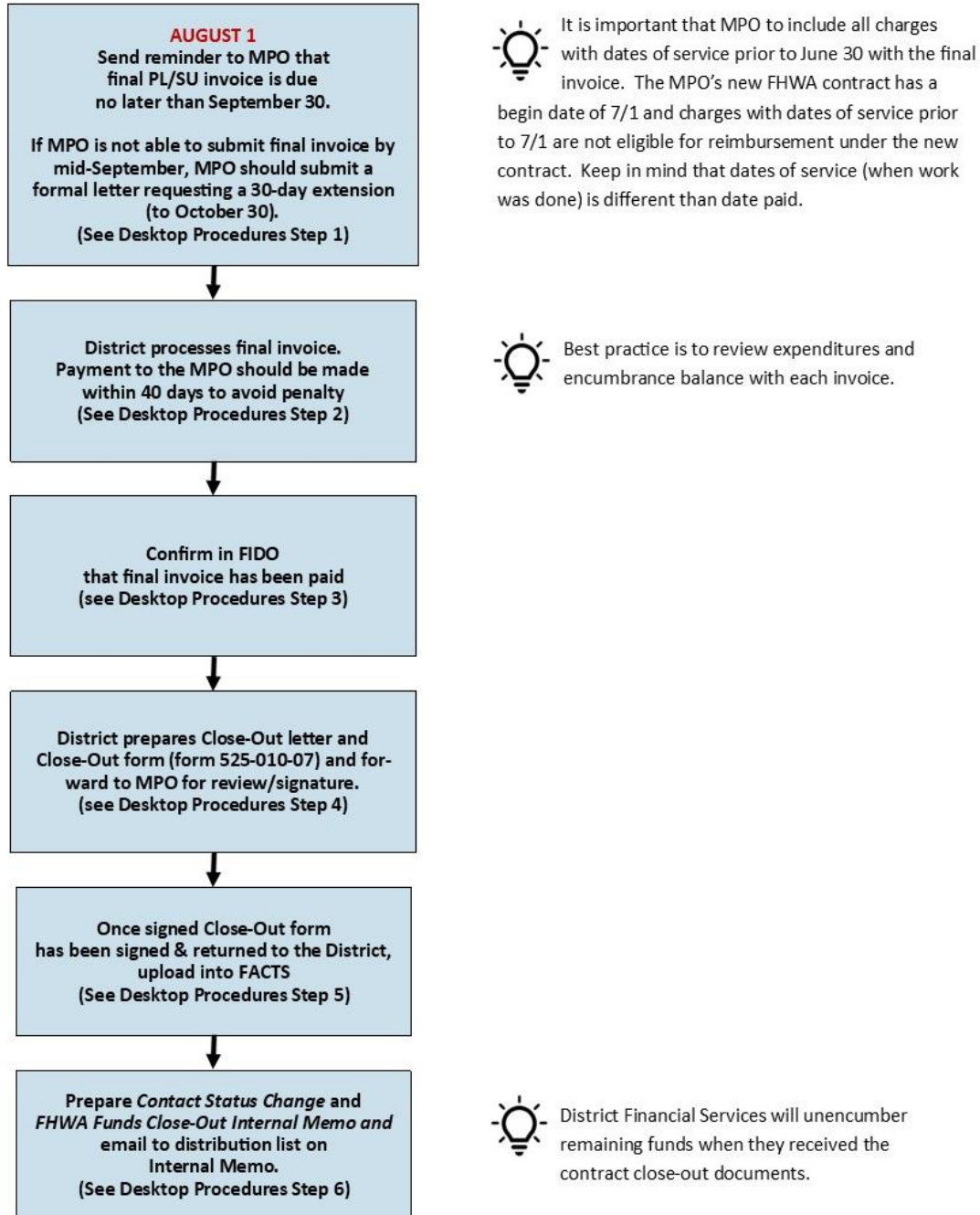
With a two-year UPWP, this termination occurs every other year. Therefore, there is no need to close out the grant between years one and two. The District MPO Liaison initiates the close-out procedures after the final invoice has been submitted for the two-year UPWP. If an MPO anticipates that it will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

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

- After the MPO submits the final invoice, the District MPO Liaison sends a letter to the MPO's staff director stating FDOT's desire to close out the account and requesting the MPO to confirm the amounts expended. This letter includes a confirmation form and provides the authorization and level of reimbursements provided to the MPO for the fiscal year. FHWA Funds Close-Out Letter ([Form No. 525-010-07b](#)) and the FHWA Funds Close-Out Confirmation Form ([Form No. 525-010-07a](#)) are available for download from the [FDOT Procedural Document Library](#).
- Upon receipt of the confirmation letter and form, the MPO must promptly review its financial records. Any discrepancies must be noted and then resolved before signing the confirmation form. The signed confirmation form is then returned to the District.

**Figure 3.4** summarizes the steps in the UPWP close-out process and more information is available in the Desktop Procedure available in the Liaison Toolkit on the [MPO Partner Site](#).

**Figure 3.4 Steps to Close-Out a Two Year UPWP**



Once the signed confirmation form is received from the MPO, the District shall load the confirmation letter and form into FDOT's Enterprise Electronic Document Management System (EEDMS) Work Program Loading Dock and email the forms to the Statewide Metropolitan Planning Coordinator. Access to the EEDMS Work Program Loading Dock can be obtained through the Automated Access Request Form (AARF), as well as through the Federal Aid Management Office.

Once the signed confirmation form is uploaded to EEDMS, the District MPO Liaison writes a closeout memorandum to the following offices requesting:

- The District Federal-Aid Coordinator prepare an Authorization Request to reduce the fund authorization for the MPO's UPWP to the level of reimbursements provided to the MPO for the two fiscal years.
- The District Financial Services Office unencumber any remaining balance. This request must include a completed Contract Status Change Form which reflects the amount to unencumber, a request to change the contract status to 50, and a request to close the contract.
- The Office of Work Program and Budget, PL Funds Coordinator, for informational purposes.
- The Statewide Metropolitan Planning Coordinator, for informational purposes.

Once all these steps are complete, the District Federal-Aid Coordinator notifies the Office of the Comptroller (OOC) the project is ready to advance to Ready Final Voucher project status.

The de-obligation of the remaining authorization follows the process described in [Section 3.8.1: Close-Out of FTA Funds](#). After the de-obligation request has been approved, the Central Office of Work Program and Budget will adjust the MPO's account and increase the MPO's available CPG balance by the de-obligated funds. The District will be responsible for the tracking of non-PL FHWA funds provided to the MPO.

The Central Office PL Funds Coordinator notifies the Statewide Metropolitan Planning Coordinator when the closeout process is complete.

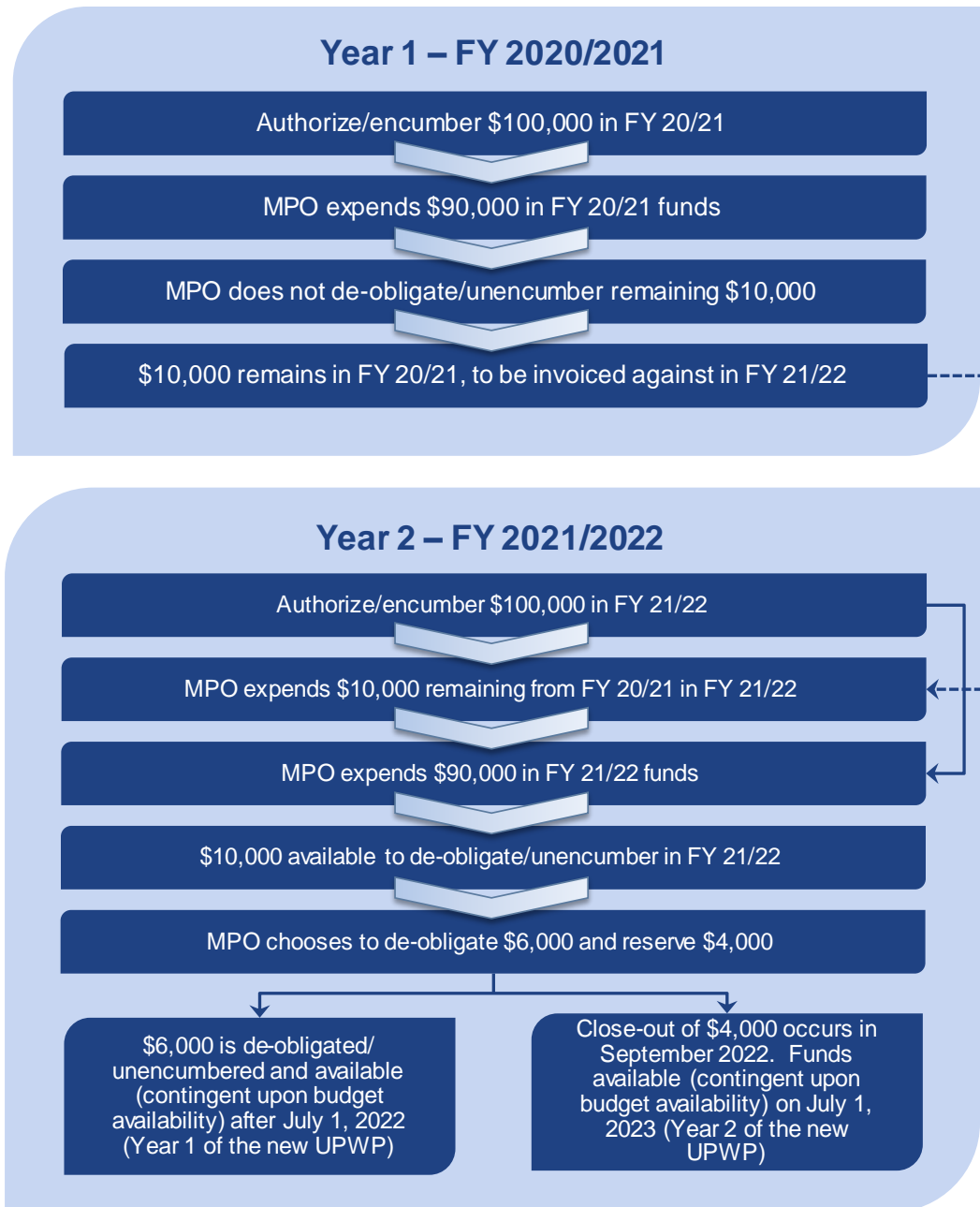
An example timeline of the authorization/encumbrance/de-obligation/close-out process can be found in [Figure 3.5](#). Timelines of key financial administration actions are presented in [Figure 3.6](#) and [Figure 3.7](#).

### **3.8.1 Close-Out of FTA Funds**

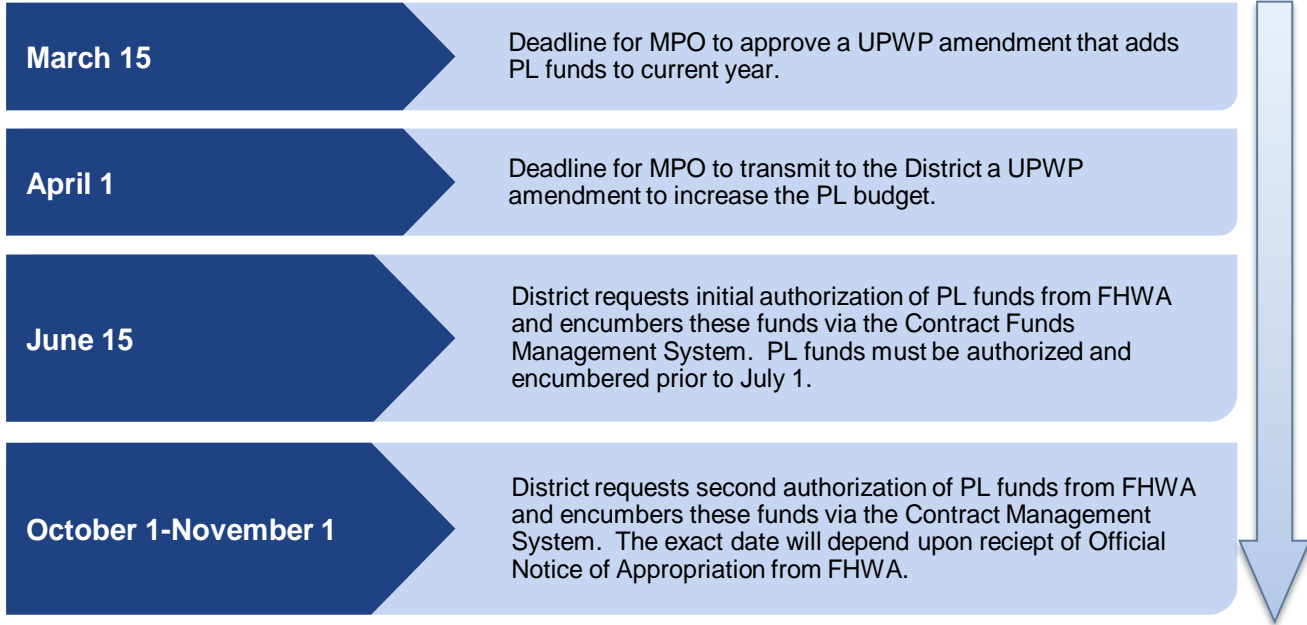
Please note that FTA funds do not undergo the same close out process as FHWA funds. FTA funds are managed as a statewide grant and in turn, are not closed until all work approved under that grant has been completed. Please coordinate with your District

Transit Office to check the status of an FTA grant. Once all work under the FTA grant is completed, the Central Office Transit Office manages the grant close out process.

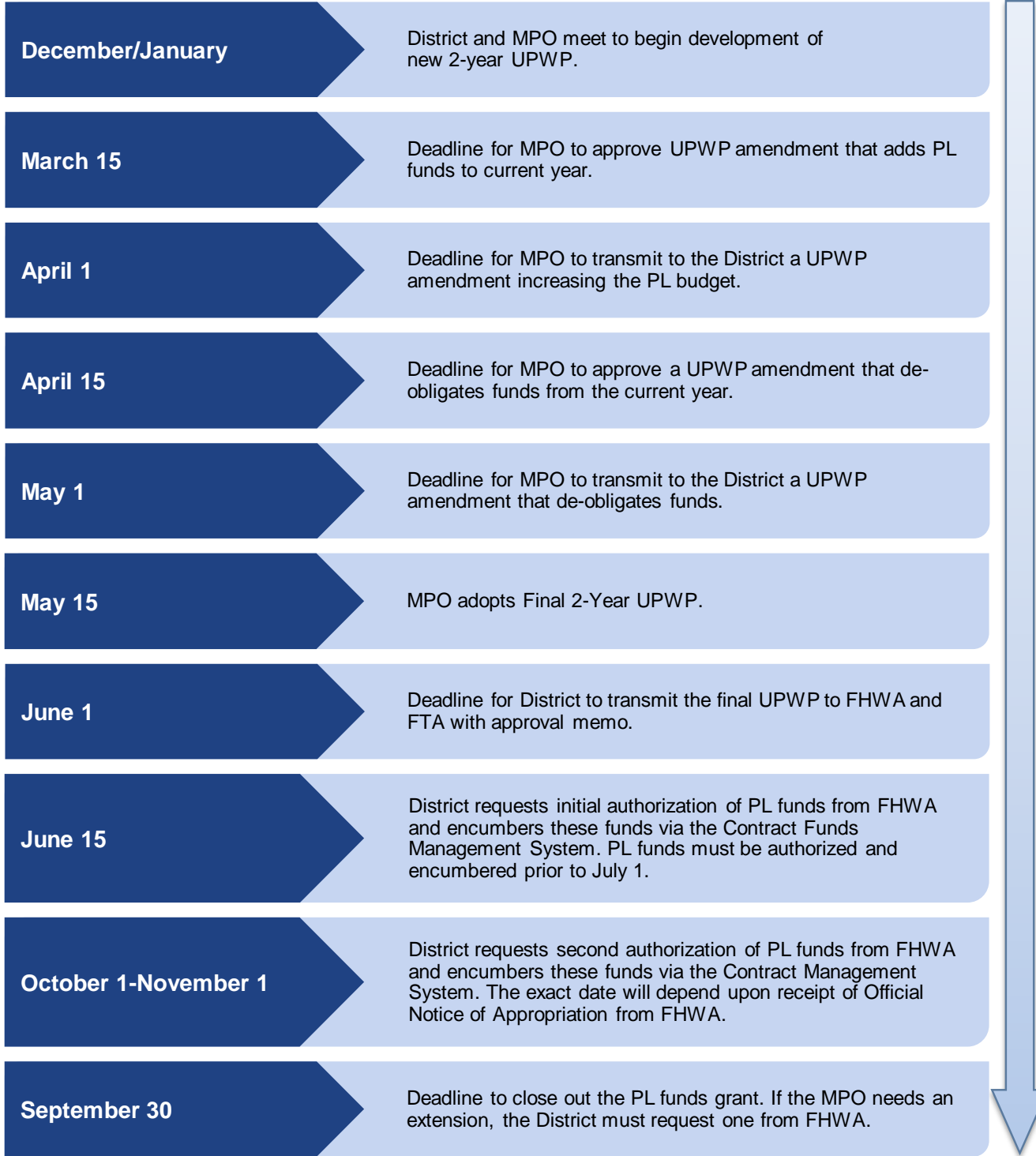
**Figure 3.5 De-Obligation and Close-Out Process Example**



**Figure 3.6 Key Financial Administration Dates and Actions (Year One)**



**Figure 3.7 Key Financial Administration Dates and Actions (Year Two)**



## 3.9 UPWP Revisions

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

### 3.9.1 Types of UPWP Revisions

The following guidance went into effect July 1, 2022.

There may be instances during the two-year UPWP cycle that will require the MPO to revise the UPWP. The type of UPWP revision would depend on whether the revision exceeds the UPWP Amendment threshold as defined in [2 CFR 200.308](#). Revisions may be budgetary, programmatic, or both; and may be major or minor in scale. Minor UPWP revisions would be processed by the MPO as a Modification, whereas more significant or major UPWP revisions would be processed by the MPO as an Amendment. A significant change is defined as a change to the UPWP that alters the original intent of the project or the intended project outcome.

The following section further clarifies the actions necessitating UPWP Amendments, which are thereby defined as significant changes.

#### 1. Amendments

UPWP Amendments are required for the following actions per 2 CFR 200.308 and 49 CFR 18.30:

- a) Any revision resulting in the need to increase the UPWP budget ceiling by adding new funding or reducing overall approved funding;
- b) Adding new or deleting tasks/subtasks;



- c) Change in the scope or objective of the program/task even if there is no associated budget revision (this also applies to when a task scope changes);
- d) A transfer between tasks/sub-tasks that exceeds a combined amount equal or greater than \$100,000 OR 10% of the total budget, whichever is more restrictive;
- e) Reducing the budget of a task/sub-task more than 50 percent, or to the point a task/sub-task could not be accomplished as it was originally approved;
- f) Change in key person;
- g) Extending the period of performance past the approved work program period (i.e., no-cost time extension);
- h) Sub awarding, transferring, or contracting out any of the activities in the UPWP;
- i) The disengagement from a project for more than 3 months, or a 25 percent reduction in time devoted to the project by the approved project director or principal investigator,
- j) The inclusion of costs that require prior approval (e.g. capital and equipment purchases \$5,000 and above per unit cost)

### **Financial v. Non-Financial Amendments**

Both financial and non-financial amendments can occur to the UPWP. Financial amendments can change the total amount of UPWP funding and/or the transfer of funds between tasks, while non-financial amendments will not change funding amounts. Examples of non-financial amendments include the following:

- a) Change in the scope or objective of the program or task;
- b) Change in key person;
- c) Extension of the period of performance past the approved work program period;
- d) Sub awarding, transferring, or contracting out any of the activities in the UPWP;
- e) Disengaging from a project for more than 3 months, or a 25 percent reduction in time devoted to the project by the approved project director or principal investigator;
- f) Including costs that require prior approval (e.g. capital and equipment purchases \$5,000 and above per unit cost)

## 2. Modifications

UPWP changes that do not fall into the above categories may be processed as a Modification.

## 3. Key Person

One question that has arisen is who is considered “key person”? Based upon our review of 2 CFR 200.308 and 49 CFR 18.30 a key person is specified in the application or federal award. For the UPWP, we define a key person as the MPO’s staff director.

### 3.9.2 UPWP Amendments for Obligating and Encumbering PL Funds from a Previous UPWP

#### 3.9.2.1 *UPWP Amendments for PL funds that the MPO chose to De-Obligate before UPWP Close Out*

MPOs initiate de-obligating funds in the spring so that the funds are available in year one of the new UPWP.

- MPOs must process an UPWP amendment which must be approved by FHWA before funds can be de-obligated and un-encumbered. Refer to Technical Memorandum 19-03REV for more information on how to process amendments.
  - MPOs must also process either a TIP modification or TIP amendment for the TIP in the new federal fiscal year.
- Funds will be available after the approval of the roll forward budget amendment, typically September or October.
- If the funds are not included in the final new UPWP by July 1, the MPO must process an amendment to add those funds in the new UPWP.

#### 3.9.2.2 *UPWP Amendment for PL funds that the MPO Closed-Out at the End of the UPWP*

MPOs initiate UPWP close out in the summer. Remaining funds will be available in year two of the new UPWP.

- MPOs must process an UPWP amendment that is approved by FHWA to add the funds to the new UPWP.
- Funds will be available after July 1 in year two.

### **3.9.3 Approval of UPWP Revisions**

**Modifications:** Approval for a **modification** is not required; however, the MPO must advise the District MPO Liaison of any MPO modifications to the UPWP. Modifications need to be uploaded to the [MPO Document Portal](#), which notifies FDOT District MPO Liaison, PL Coordinator, FHWA, and FTA of the modification, even though they do not need to approve the modification. Notification of a modification must occur within the consultative process prior to execution by the MPO. The MPO must submit their modification request on the UPWP Revision form and provide the following support documents:

- Original and proposed Task Pages (including task budget tables)
- Fund Summary Budget Table
- Agency Participation Budget Table
- Signed Cost Certification

**Amendments:** The FHWA and FTA approval process is the same, and each agency must approve their respective UPWP Amendments. The MPO must submit their Amendment request on the UPWP Revision form and provide the following support documents:

- Original and proposed Task Pages (including task budget tables)
- Fund Summary Budget Table
- Agency Participation Budget Table
- Signed Cost Certification
- MPO Meeting Agenda
- TIP modification

- Amended Agreement

The MPO must clearly indicate the total amount of funds being increased or decreased in on the UPWP Revision Form. The UPWP Revision Form and Supporting Documentation must be uploaded into the [MPO Document Portal](#) for FDOT and FHWA and/or FTA approval. All responses should be entered into the MPO Document Portal.

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

### 3.9.4 UPWP and MPO Agreement Revisions

**All amendments to the UPWP involving FHWA funds also prompt an amendment to the MPO Agreement**, as the UPWP acts as the Scope of Work for the MPO Agreement. For this reason, MPO directors and staffs have been advised to seek authority from their Board to amend the MPO Agreement as needed; this is upon approval of UPWP amendments. The MPO and District shall jointly execute **the MPO Agreement Amendment** ([Form No. 525-010-02A](#)) and upload it to the [MPO Document Portal](#).

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

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

**All contract and UPWP change documentation must be uploaded to FDOT's Florida Accountability Contract Tracking System (FACTS).** As stated, amendments that are

prompted from an increase or decrease to the FHWA budget must be recorded in CFM. These amendments will be reflected in FACTS already and the documentation must be uploaded as an amendment (Change Type A).

## **3.10 MPO Invoicing**

The MPO Agreement requires MPOs to submit invoices to FDOT on a quarterly or monthly basis. Quarterly is every three months; for example: July 1 through September 30, October 1 through December 31, January 1 through March 31, and April 1 through June 30. Invoices are due to the District within 90 days after the end of the reporting period, and final reports are due 90 days after the end of the second year of the two-year UPWP. The MPO sends the UPWP Progress Report to the District MPO Liaison. At a minimum, the invoice package shall include:

- An invoice, using the required format reflected in the section below;
- An itemized expenditure detail report; and
- A progress report.

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

### **3.10.1 Invoice**

The Invoice reflects the budgeted amounts and amounts due by task, as well as critical contract information. The Invoice must be built using the required format reflected in the section below. An invoice template is available for download by the FDOT District MPO Liaison in the Liaison Toolkit on the [MPO Partner Site](#). There is a 90-day submittal period after the end of each quarter. The Invoice must include the following:

- MPO Name and contact information, including address, phone, and fax number;
- District contact information;
- Invoice number, using the following format: **FHWA - [Agreement Number]-[Invoice Number]** (for example, FHWA-G001-01, FHWA-G001-02, etc.);
- Invoice period;

- Contract number, including amendment number and modification number;
- Amount due by Financial Project Number;
- A listing of the tasks in the UPWP;
- The amount due by UPWP task and by fund type;
- The amount of FHWA funds due by UPWP task;
- The amount of previous payments of FHWA funds by UPWP task;
- The amount of FHWA funds budgeted by task in the UPWP;
- Column totals; and
- The Request for Payment Certification, signed by an authorized MPO official, and reflecting the location of the supporting documentation for the invoice.

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

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

### 3.10.1.1 Example MPO Invoice

**Metropolitan Planning Organization**

1234 Main Street Parkway East  
 Your Town, Florida 32399-0004

Tel (777) 555-1212  
 Fax (777) 555-2121

**Bill To:**  
 Florida Department of Transportation  
 Office of Policy Planning  
 605 Suwannee Street  
 Tallahassee, FL 32399-0450  
 Tel: (850) 414-4900 Fax: (850) 414-4876  
 Email: Planning@dot.state.fl.us

**Invoice No.:** FHWA-GXXXX-1  
**Invoice Period:** xx/xx/2018 - xx/xx/2018  
**Contract No.:** GXXXX  
**Revision No.:** 1

**Invoice Amounts by FPN**

XXXXXX-1-14-01:	448,043.84
XXXXXX-1-14-02:	253,753.05
<b>Total Invoice Amount:</b>	<b>\$ 701,796.89</b>

**Current Authorization Amount by FPN**

XXXXXX-1-14-01:	-
XXXXXX-1-14-02:	-

2018/2019 Unified Planning Work Program Task	FHWA (PL) Current Amount Due	FHWA (SU) Current Amount Due	Total FHWA Current Amount Due	Total FHWA Previous Payments	Total FHWA Budget Amount	FHWA Remaining Balance
Task 100 - General Office Management	17,805.83	-	17,805.83	18,602.56	71,223.31	34,814.92
Task 110 - UPWP & Financial Management	20,514.98	-	20,514.98	19,512.63	82,059.91	42,032.30
Task 120 - Certification	1,957.88	-	1,957.88	800.77	7,831.53	5,072.88
Task 130 - Board & Committee Support	25,427.98	-	25,427.98	22,654.32	101,711.93	53,629.63
Task 140 - Legal & Legislative Services	-	-	-	-	-	-
Task 150 - Local Match For Program Administration	-	-	-	-	-	-
Task 200 - System Monitoring	31,663.41	-	31,663.41	33,412.85	126,653.65	61,577.39
Task 210 - Transit System Monitoring	-	-	-	-	-	-
Task 220 - Land Use Monitoring	1,125.91	-	1,125.91	999.65	4,503.66	2,378.10
Task 300 - Transportation Improvement Program	9,232.52	-	9,232.52	7,541.26	36,930.09	20,156.31
Task 400 - Long-Range Transportation Plan	25,893.19	-	25,893.19	23,158.95	103,572.76	54,520.62
Task 500 - Special Project Planning	68,750.00	-	68,750.00	67,520.25	275,000.00	138,729.75
Task 600 - Intergovernmental & Interagency Studies	7,325.31	-	7,325.31	4,500.12	29,301.26	17,475.83
Task 610 - Interregional Transportation Planning & Coordination	-	-	-	-	-	-
Task 620 - Intermodal Planning	-	-	-	-	-	-
Task 700 - Community Outreach	26,863.30	-	26,863.30	28,514.57	107,453.19	52,075.32
Task 800 - Land Use Planning	48,535.06	-	48,535.06	47,001.52	194,140.25	98,603.67
Task 810 - Transit Planning	-	-	-	-	-	-
Task 820 - Transportation Systems Management & Operations	86,358.62	66,253.05	152,611.67	165,212.32	785,454.00	467,630.01
Task 821 - Traffic Signal Retiming	-	187,500.00	187,500.00	175,000.62	750,000.00	387,499.38
Task 830 - Goods Movement Planning	1,993.46	-	1,993.46	1,994.25	7,973.84	3,986.13
Task 840 - Smart Growth Planning	40,153.79	-	40,153.79	41,252.02	160,615.16	79,209.35
Task 850 - Transportation Disadvantaged Planning	-	-	-	-	-	-
Task 860 - Air Quality Planning	2,766.81	-	2,766.81	1,959.47	11,067.26	6,340.98
Task 870 - Bicycle & Pedestrian Planning	26,912.31	-	26,912.31	25,856.15	107,649.24	55,080.78
Task 880 - Highway Planning	4,763.48	-	4,763.48	5,015.63	19,053.93	9,274.82
Totals: \$	448,043.84	\$ 253,753.05	\$ 701,796.89	\$ 690,309.91	\$ 2,982,194.97	\$ 1,590,088.17

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

Supporting Documentation is on file at:  MPO  District

(MPO) Authorized Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Note:** An editable template is available for download by the FDOT District MPO Liaison in the Liaison Toolkit on [MPO Partner Site](#).

### 3.10.2 Itemized Expenditure Detail Report

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

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

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

An example of an itemized expenditure detail report is available for download by the FDOT District MPO Liaison in the Liaison Toolkit on the [MPO Partner Site](#).

A micro-purchase is the purchase of supplies or services using simplified acquisition procedures when the aggregate amount does not exceed the micro-purchase threshold. Micro-purchase procedures are used to expedite the purchase of low-dollar transactions and minimize cost and administrative burdens. [2 C.F.R. 200.67] On June 18, 2018, the Office of Management and Budget issued a [memorandum](#) increasing the micro-purchase threshold from \$3,500 to \$10,000. The micro-purchase threshold is set by the Federal Acquisition Regulation and is periodically adjusted for inflation.

### **3.10.3 Progress Report**

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

Invoices are due to the District within 90 days after the end of the reporting period, and final reports are due 90 days after the end of the second year of the two-year UPWP. The MPO sends the UPWP Progress Report to the District MPO Liaison. The District MPO Liaison sends a copy of the progress report to the Statewide Metropolitan Planning Coordinator as well as the FDOT Transit Office mailbox ([Fdot.transit@dot.state.fl.us](mailto:Fdot.transit@dot.state.fl.us)), to satisfy the FTA requirement. This report shall contain the following:

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



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

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

The Statewide Metropolitan Planning Coordinator will compile all of the progress reports for submission to FHWA, at the end of each quarter. If the progress reports are not all available for transmittal by the 90-day deadline, the Statewide Metropolitan Planning Coordinator will notify FHWA that the progress reports have not all been received. Once all of the progress reports have been received, they are to be sent to the FHWA Florida Division.

### **3.10.4 Invoice Review, Payment, and Return**

[Title 23 U.S.C. 104\(d\)\(2\)\(b\)](#) states, "Not later than 15 business days after the date of receipt by a State of a request for reimbursement of expenditures made by a metropolitan planning organization for carrying out section 134, the State shall reimburse, from amounts distributed under this paragraph to the metropolitan planning organization by the State, the MPO for those expenditures." In order to meet this deadline, **District MPO Liaisons shall have five (5) business days to review an MPO invoice and submit to the District Financial Services Office (FSO)** for further processing and submittal to the Department of Financial Services for payment.

Upon receipt of an invoice package from the MPO, the District MPO Liaison must follow the steps outlined in the [District MPO Liaison Invoice Review Checklist](#) prior to submitting to the FSO. This checklist is available for download by the FDOT District MPO Liaison in the Liaison Toolkit on the [MPO Partner Site](#). The checklist outlines a series of yes/no questions the District MPO Liaison must follow as the invoice package is reviewed. This ensures the information presented is both accurate and consistent with the invoice

package and with the UPWP. This review will also ensure the invoice adequately represents the activities of the MPO and does not include unallowable costs or non-budgeted costs.

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

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

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

If an invoice is incomplete or inaccurate, the District MPO Liaison must work with the MPO to correct the issue and receive an updated invoice as soon as possible. If there are specific items of question and the issue cannot be resolved in a timely fashion, the District MPO Liaison may submit the invoice for payment without the items in question. The items in question would be submitted as part of a subsequent invoice.

### 3.11 Eligibility of Project Expenditures

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

- For work performed for activities eligible under the section of [Title 23 U.S. Code](#);
- Verifiable from the State DOT's or subrecipient's (MPO's) records;

- Necessary and reasonable for proper and efficient accomplishment of the project;
- Included in the approved UPWP or amendment; and
- Incurred subsequent to FHWA authorization.

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

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

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

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

Sources available for more information on cost eligibility:

2 C.F.R. 200 Subpart E – Cost Principles:

Provides some basic considerations to be taken into account when reviewing costs for eligibility; includes a definition of “reasonable costs,” as well as guidance on defining direct and indirect costs; also provides examples of select allowable and unallowable costs.

Department of Financial Services (DFS) Reference Guide for State Expenditures:

Provides guidance to State agencies, such as FDOT, regarding requirements for disbursement of funds from the State Treasury; includes provisions for select examples of allowable and unallowable costs.

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

In the instance where a specific cost in question is not adequately addressed in these sources, the [FDOT Disbursement Handbook](#) may be used to provide further clarification. The [Disbursement Handbook](#) similarly includes provisions for select items of cost, as applied to FDOT; however, these standards can generally be applied to the MPOs as well, with discretion. District MPO Liaisons or MPOs may contact the MPO Statewide Coordinator at the FDOT Central Office for more information or for clarification on a cost eligibility.

### 3.11.1 Equipment Purchases Using Federal Funds

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

[Subpart E Cost Principles](#), including [2 C.F.R. 200.439](#). See item three in [Technical Memorandum 20-01](#) for more details regarding purchasing thresholds and the UPWP.

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

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

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

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

- Description of the property;
- Serial or other identification number;
- The source of funding for the property (including the FAIN);
- Title owner;
- Acquisition date;
- Cost of the property;

- Percentage of Federal participation in the project costs for the Federal award under which the property was acquired;
- Location, use, and condition of the property;
- Disposition of the property, including the date of disposal and sale price (if applicable).

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

### 3.11.2 Atypical Expenses

MPOs shall reflect equipment and supplies purchases, as well as travel such as that associated with training and conferences in the UPWP. Equipment purchases may include items of large value such as specialty printers and computer software. Further guidance can be found in [Technical Memorandum 20-01](#), which defines capital expenditures, identifies federally eligible expenditures and purchases, federal and state purchasing thresholds, and provides guidance related to obtaining purchase authorizations.

The supporting narrative for direct cost line items in task tables should provide sufficient detail and cost information to determine eligibility, necessity, and reasonableness of the purchases. If this information is not included in the UPWP, then the MPO must submit a separate formal request for approval to FHWA prior to purchase. The following sections define typical and atypical equipment, supplies, and travel and provide guidance on how these items should be reflected in the UPWP.

#### 3.11.2.1 Typical v. Atypical Expenditures

Typical and atypical expenditures must be reflected in the UPWP task tables and supporting narrative. Atypical expenditure requests must be summarized as a separate line item from typical expenditures in the task table and be clearly identified to the FDOT and federal agencies for eligibility determinations. Atypical expenditure requests should also include justification and technical specifications in the UPWP. This information can be provided in the UPWP or can be provided separately. If justification is not provided for an atypical line item in the UPWP, then the purchase will require additional review and

approval from FHWA and/or FTA and FDOT. The list of examples below are not comprehensive or all inclusive.

Equipment should be scrutinized as atypical as follows:

- Typical: The equipment is less than \$5,000 per unit and affiliated with a project or deliverable (can include executing business or normal operations and management of the MPO). In other words, the equipment can be tethered to project work. Technical specifications or justification is not required to be included in the UPWP. Examples include but are not limited to the following:
  - Example 1: A new laptop computer
  - Example 2: A standing desk
  - Example 3: An office chair
- Atypical: If the cost does not fit in the typical category or is equal to or greater than \$5,000 per unit, then it is considered atypical. Atypical expenditure requests should include justification and technical specifications in the UPWP, if the MPO is seeking FHWA and/or FTA and FDOT approval of the item in the UPWP. Examples include but are not limited to the following:
  - Example 1: Software and modeling programs
  - Example 2: Security systems
  - Example 3: Plotting printers
  - Example 4: Real estate or real property

Supplies should be scrutinized as atypical as follows:

- Typical: Supplies required for an office that are less than \$1,000 per unit. This can include but is not limited to the following:
  - Example 1: Notepads, pens, and paper clips

- Atypical: If the cost does not fit in the typical category or is equal to or greater than \$1,000 per unit, then it is considered atypical. This can include but is not limited to the following:
  - Example 1: Plotter paper and foam boards

Travel should be scrutinized as follows:

- Typical travel: Training in the United States that helps you do your job. This can include but is not limited to the following: AMPO, NARC, TRB, model or other training
- Atypical travel: Training outside of the United States, or travel in the United States that includes peer exchange and facility or system tours.

### 3.11.3 Indirect Cost Rate

The Federal Office of Management and Budget (OMB) published [2 C.F.R. 200](#), “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” effective December 26, 2014, that gives specific duties to the pass-through entity for subrecipient monitoring and management ([2 C.F.R. 200.330-332](#)). Specifically, [2 C.F.R. 200.331\(a\)\(4\)](#), requires that every subaward of federal funds from the pass-through entity (i.e., FDOT) to the subrecipient must include, among other elements, an indirect cost rate.

A subrecipient’s cost allocation plan for direct costs must be maintained and submitted to FDOT as part of the Indirect Cost Rate Proposal. The approved Cost Allocation Plan and Certificate of Indirect Cost must be included as an appendix to the UPWP.

A subrecipient desiring to claim indirect costs under Federal awards must prepare an indirect cost rate proposal and related documentation to support those costs. Proposals must be submitted within six months after the close of its fiscal year unless the subrecipient either has an existing negotiated indirect cost rate from the federal government or elects the de minimis rate. The indirect cost rate proposal must follow the guidelines established by this guidance paper.

#### 3.11.3.1 Method for Calculating Indirect Costs

The Uniform Guidance discusses three methods for allocating and computing indirect cost rates: the simplified allocation method, the multiple base allocation method and the



direct allocation method. FDOT recommends that the simplified allocation method be used because many if not all MPO's major functions benefit from its indirect costs to approximately the same degree.

The allocation of indirect costs may be accomplished by (1) classifying the total costs for the base period as either direct or indirect, and (2) dividing the total *allowable* indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to individual Federal awards.

Both the direct costs and the indirect costs must exclude capital expenditures and unallowable costs. However, unallowable costs must be included in the direct costs *if they represent activities to which indirect costs are properly allocable*.

### **3.11.3.2 Indirect Cost Rate Allocation Bases**

There are two types of acceptable allocation bases: direct salaries and wages (including all, some or no fringe benefits) and modified total direct cost (MTDC); however, an alternative allocation base may be considered depending on a subrecipient's unique circumstances.

The MTDC allocation base includes total direct costs less specified items. ([2 C.F.R. 200.414](#))

### **3.11.3.3 Indirect Cost Rates**

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

A subrecipient that has never had a negotiated indirect cost rate may elect a de minimis rate, currently set at 10% of modified total direct costs which may be used indefinitely ([2 C.F.R. 200.414\(f\)](#)). Should a subrecipient elect the de minimis rate, it must be used consistently for all federal awards until such time a subrecipient chooses to negotiate a rate, which they may apply to do at any time. No indirect cost rate proposal would need to be prepared, but the subrecipient would be required to submit its cost policy statement

and a completed De Minimis Certification form to the FDOT Comptroller's Office for review and approval.

If a subrecipient is submitting an indirect cost rate proposal for approval, FDOT recommends that a "fixed rate with carryforward" be incorporated into the methodology used to develop the rate. At year end, the difference between the actual indirect costs and costs charged based on the fixed rate (whether positive or negative) are carried forward into the next fiscal year as an adjustment to that year's rate.

Subrecipients that do not wish to be reimbursed at the de minimis rate and do not have a Federally or State approved indirect cost rate, will charge all eligible costs as direct costs and will be reimbursed for such. As opposed to charging a rate to cover indirect expenses, all indirect expenses will need to be reflected in the UPWP budget details as direct expenses. To reduce the burden of distributing these costs across the tasks in the UPWP and minimize UPWP amendments and modification, subrecipients are strongly advised to include all administrative and overhead costs in one task or set of tasks in the UPWP (see [Section 3.6: UPWP Development, Review, and Approval Process](#)).

**Note:** Approved rates must be applied to all the direct costs for each task in the UPWP.

### **3.11.3.4 Submission of Indirect Cost Rate Proposal**

Subrecipients should thoroughly review the cost principles at [2 C.F.R. Part 200](#) and the indirect cost rate proposal appendix ([Appendix VII](#)) before submitting an indirect cost proposal.

A final indirect cost rate proposal based on actual costs, together with supporting documentation, must be developed and submitted on an annual basis as soon as possible after the fiscal year-end close, but no later than six months after the end of the fiscal year. The following items must be included in the submission of the Indirect Cost Rate Proposal:

- The rates proposed, including subsidiary work sheets and other relevant data, cross referenced and reconciled to the financial data.
- A copy of the financial data (financial statements, comprehensive annual financial report, executive budgets, accounting reports, etc.) upon which the rate is based.

Adjustments resulting from the use of unaudited data will be recognized, where appropriate, by DOT for indirect costs in a subsequent proposal.

- The approximate amount of direct base costs incurred under Federal awards. These costs should be broken out between salaries and wages and other direct costs.
- An organizational chart showing the structure of the agency during the period for which the proposal applies, along with a Cost Policy Statement. (Once this is submitted, only revisions need be submitted with subsequent proposals.)
- Certificate of Indirect Costs. This certification must be signed by someone at the Chief Financial Officer level or higher.

**3.11.3.5 Approval of Indirect Cost Rate Proposal**

FDOT will negotiate with a subrecipient and approve the indirect cost rate, unless the subrecipient is required to negotiate with the federal government or elects a de minimis rate. Indirect costs can only be charged to an award based on an approved indirect cost rate. The approval will be formalized by a rate agreement signed by a FDOT official (or designee) and the Chief Financial Officer or higher-level official of the subrecipient. Each agreement will include:

- The approved rate and information directly related to the use of the rate, for example, effective period and distribution base;
- General terms and conditions; and
- Special remarks, for example, composition of the indirect cost pool.

It is important to note that the approved rate will become effective at the beginning of the following fiscal year. For example:

Fiscal Year End	Rate Submission Deadline	Effective Date
June 30, 2018	December 30, 2018	July 1, 2019
September 30, 2018	March 30, 2019	October 1, 2019

### 3.11.3.6 Recovery and Final Rate Adjustments of Indirect Costs

Recovery of indirect cost is subject to the submission of an indirect cost rate proposal, availability of funds, statutory and administrative restrictions, and approval by FDOT.

Subrecipients must monitor indirect costs and indirect cost recoveries closely. The indirect cost rate is the subrecipient’s best projection to make the indirect cost recovery equal the indirect cost incurred on a fiscal year basis. Depending on the timing of both indirect costs incurred and direct base costs incurred, there will be over-recoveries in some months and under-recoveries in others. It is important to note that indirect costs cannot be drawn based on cash needs, but only based on the approved indirect rate applied to the applicable direct cost base. Any amounts drawn above those authorized by the indirect rate methodology are unallowable and can result in additional specific conditions as authorized by [2 C.F.R. 200.207](#), as applicable.

**Example of Indirect Cost Recovery:**

After the cost allocation plan is run for the period, typically the month, the intermediate cost pools are cleared resulting in all costs charged to indirect or directly charged to a funding source. A portion of these direct costs will make up the indirect cost base depending on whether salaries and benefits or modified total direct costs is chosen. The table below is hypothetical financial information for a month after the cost allocation plan is run. Total indirect costs and base costs (salaries and benefits in this example) from the ledger have been selected. Assuming a rate of 29.95%, the indirect cost recovery for the month would look like this:

Example MPO								
SAMPLE Application of Rate to Recover Indirect Costs								
Salaries and Benefits Base								
	Indirect	AXXX	BXXX	CXXX	DXXX	EXXX	FXXX	Total
Monthly Indirect Costs	38,213							
Base Expenses:								
Salaries and Benefits		34,963	17,253	17,490	8,678	22,734	17,162	
Indirect Cost Rate (29.95%)		0.2995	0.2995	0.2995	0.2995	0.2995	0.2995	
Indirect Cost Recovery		10,471	5,167	5,238	2,599	6,809	5,140	35,425
Over/(Under) Recovery	(2,788)							

**Note:** That in this month, indirect recovery is less than indirect costs. In other months, recovery will be higher than costs. But on an annual basis, the recovery should (nearly) equal costs.

After year end, the subrecipient will perform a “true-up.” Any difference between actual and recovered indirect costs will be carried forward to the next fiscal year as an adjustment to that year’s rate.

Example True Up Calculation(s) of Indirect Costs at Fiscal Year End						
Actual Costs	Recovered Costs	(Over)/Under	Rate Calculation		Final Adjusted Rate	
458,556	458,556	0	458,556	<i>actual + over/under</i>	32.31%	
			1,419,360	<i>allocation base</i>		
458,556	425,100	33,456	492,012	<i>actual + over/under</i>	34.66%	
			1,419,360	<i>allocation base</i>		
458,556	490,556	(32,000)	426,556	<i>actual + over/under</i>	30.05%	
			1,419,360	<i>allocation base</i>		
*Over/(Under) Amount is added to Actual Costs for rate calculation						

### 3.12 Sample Task Work Sheets

**Table 3.3 Sample Task Work Sheet for "Administration Task" – MPO Charging All Actual Costs**

Task 1.1 Administration
<b>Purpose:</b>
To properly manage and carry out the continuous, cooperative, and comprehensive metropolitan transportation planning process for the MPO area.
<b>Previous Work Completed:</b>
Preparation and distribution of planning documents. Technical assistance and preparation of documents for MPO Board and committee meetings. Coordination with Federal, State, and local partners. Preparation of contracts and agreements. Preparation of certification documents. Attendance at workshops and training sessions.

<b>Required Activities:</b>	
<ul style="list-style-type: none"> <li>• Technical assistance and staff support to MPO Policy Board and committees.</li> <li>• Preparation and distribution of MPO materials (agenda packages, meeting minutes, resolutions, plans, documents, etc.).</li> <li>• Coordination with partner agencies, including FDOT, and provide staff support for joint meetings.</li> <li>• Preparation and participation in annual Joint State-MPO Certification and quadrennial TMA Certification.</li> <li>• Prepare and submit progress reports and invoices.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update agreements and MPO administrative documents.</li> <li>• Maintain financial records and perform an annual single audit.</li> <li>• MPO staff and Board member travel and participation at general trainings, conferences, and meetings, including those of the MPOAC.</li> <li>• Select and manage consultant support.</li> <li>• Purchase office supplies, postage, and equipment.</li> </ul>
<b>End Product:</b>	<b>Completion Date:</b>
MPO Board and committee meetings	Monthly
Joint State-MPO Certification	Jan. 2023; Jan. 2024
Invoices and progress reports	Quarterly
Annual single audit	Nov. 2022; Nov. 2023
MPOAC and General meetings, workshops, trainings	As needed
Maintenance of financial records	Ongoing
<b>Responsible Agency: MPO</b>	

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

<b>Task 1.1. Administration</b>							
<b>2022-2023</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 22-23 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
Consultant	–	–	–	–	–	–	–
Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
Direct Expenses	\$20,000	–	\$5,000	–	–	–	\$25,000
Supplies	–	–	–	–	–	–	–
Equipment	–	–	–	–	–	–	–
<b>Total:</b>	<b>\$135,560</b>	<b>-</b>	<b>\$29,178</b>	<b>\$4,700</b>	<b>\$4,700</b>	<b>\$0</b>	<b>\$174,138</b>
<b>2023-2024</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 23-24 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
Consultant	–	–	–	–	–	–	–
Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
Direct Expenses	\$20,000	–	\$5,000	–	–	–	\$25,000
Supplies	–	–	–	–	–	–	–
Equipment	–	–	–	–	–	–	–
<b>Total:</b>	<b>\$135,560</b>	<b>-</b>	<b>\$29,178</b>	<b>\$4,700</b>	<b>\$4,700</b>	<b>\$0</b>	<b>\$174,138</b>

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

Task 1.1 Administration	
<b>Purpose:</b>	
To properly manage and carry out the continuous, cooperative, and comprehensive metropolitan transportation planning process for the MPO area.	
<b>Previous Work Completed:</b>	
Preparation and distribution of planning documents. Technical assistance and preparation of documents for MPO Board and committee meetings. Coordination with Federal, State, and local partners. Preparation of contracts and agreements. Preparation of certification documents. Attendance at workshops and training sessions.	
<b>Required Activities:</b>	
<ul style="list-style-type: none"> <li>• Technical assistance and staff support to MPO Policy Board and committees.</li> <li>• Preparation and distribution of MPO materials (agenda packages, meeting minutes, resolutions, plans, documents, etc.).</li> <li>• Coordination with partner agencies, including FDOT, and provide staff support for joint meetings.</li> <li>• Preparation and participation in annual Joint State-MPO Certification and quadrennial TMA Certification.</li> <li>• Prepare and submit progress reports and invoices.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update agreements and MPO administrative documents.</li> <li>• Maintain financial records and perform an annual single audit.</li> <li>• MPO staff and Board member travel and participation at general trainings, conferences, and meetings, including those of the MPOAC.</li> <li>• Select and manage consultant support.</li> <li>• Purchase office supplies, postage, and equipment.</li> </ul>
<b>End Product:</b>	<b>Completion Date:</b>
MPO Board and committee meetings	Monthly
Joint State-MPO Certification	Jan. 2023; Jan. 2024
Invoices and progress reports	Quarterly
Annual single audit	Nov. 2022; Nov. 2023
MPOAC and General meetings, workshops, trainings	As needed
Maintenance of financial records	Ongoing
<b>Responsible Agency: MPO</b>	



**Table 3.6 Sample Task Work Sheet for “Administration Task” – MPO Charging 25 Percent Indirect Rate (continued)**

<b>Task 1.1. Administration</b>							
<b>2022-2023</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 22-23 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
Consultant	–	–	–	–	–	–	–
Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
Indirect Expenses	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
Supplies	–	–	–	–	–	–	–
Equipment	–	–	–	–	–	–	–
<b>Total:</b>	<b>\$144,450</b>	<b>\$0</b>	<b>\$30,223</b>	<b>\$5,875</b>	<b>\$5,875</b>	<b>\$0</b>	<b>\$186,423</b>
<b>2023-2024</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 23-24 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$108,360	–	\$22,738	\$4,700	\$4,700	–	\$140,498
Consultant	–	–	–	–	–	–	–
Travel Expenses	\$7,200	–	\$1,440	–	–	–	\$8,640
Indirect Expenses	\$28,890	–	\$6,044.50	\$1,175	\$1,175	–	\$37,284.50
Supplies	–	–	–	–	–	–	–
Equipment	–	–	–	–	–	–	–
<b>Total:</b>	<b>\$144,450</b>	<b>\$0</b>	<b>\$30,223</b>	<b>\$5,875</b>	<b>\$5,875</b>	<b>\$0</b>	<b>\$186,423</b>

**Table 3.7 Sample Task Work Sheet for "Planning Task" – MPO Charging Actual Costs**

Task 4.1 Transportation Improvement Program (TIP) Development	
<b>Purpose:</b>	
To annually update the five-year Transportation Improvement Program (TIP) and amend as needed, consistent with Federal and State requirements.	
<b>Previous Work Completed:</b>	
Development of the FY 22/23-26/27 TIP and FY 23/24-27/28 TIP, and all required amendments.	
<b>Required Activities:</b>	
<ul style="list-style-type: none"> <li>• Annually develop, update, and publish the TIP, a five-year program of transportation improvements in the MPO area, in accordance with Federal and State requirements and the MPO’s Public Participation Plan.</li> <li>• Perform amendments to the adopted TIP as necessary.</li> <li>• Utilize and maintain an interactive TIP tool.</li> <li>• Publish annual listing of previously obligated projects.</li> </ul>	
<b>End Product:</b>	<b>Completion Date:</b>
FY 2022/23 – 2026/27 TIP	Adoption in June 2022
FY 2023/24 – 2027/28 TIP	Adoption in June 2023
TIP Amendments	As needed
<b>Responsible Agency: MPO</b>	

**Table 3.8 Sample Task Work Sheet for “Planning Task” – MPO Charging Actual Costs (continued)**

<b>Task 4.1. Transportation Improvement Program</b>							
<b>2022-2023</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 22-23 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
Consultant	\$5,000	\$5,000	–	–	–	–	\$10,000
<b>Total:</b>	<b>\$20,000</b>	<b>\$5,000</b>	<b>\$10,000</b>	<b>\$1,250</b>	<b>\$1,250</b>	<b>–</b>	<b>\$37,500</b>
<b>2023-2024</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 23-24 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
Consultant	\$5,000	\$5,000	–	–	–	–	\$10,000
<b>Total:</b>	<b>\$20,000</b>	<b>\$5,000</b>	<b>\$10,000</b>	<b>\$1,250</b>	<b>\$1,250</b>	<b>–</b>	<b>\$37,500</b>

**Table 3.9 Sample Task Work Sheet for "Planning Task" – MPO Charging 25 Percent Indirect Rate**

<b>Task 4.1 Transportation Improvement Program (TIP) Development</b>	
<b>Purpose:</b>	
To annually update the five-year Transportation Improvement Program (TIP) and amend as needed, consistent with Federal and State requirements.	
<b>Previous Work Completed:</b>	
Development of the FY 22/23-26/27 TIP and FY 23/24-27/28 TIP, and all required amendments.	
<b>Required Activities:</b>	
<ul style="list-style-type: none"> <li>• Annually develop, update and publish the TIP, a five-year program of transportation improvements in the MPO area, in accordance with Federal and State requirements and the MPO’s Public Participation Plan.</li> <li>• Perform amendments to the adopted TIP as necessary.</li> <li>• Ensure consistency of the TIP with the MPO LRTP and local Capital Improvement Programs.</li> <li>• Publish annual listing of previously obligated projects.</li> </ul>	
<b>End Product:</b>	<b>Completion Date:</b>
FY 2022/23 – 2026/27 TIP	Adoption in June 2022
FY 2023/24 – 2027/28 TIP	Adoption in June 2023
TIP Amendments	As needed
<b>Responsible Agency: MPO</b>	

**Table 3.10 Sample Task Work Sheet for “Planning Task” – MPO Charging 25 Percent Indirect Rate (continued)**

<b>Task 4.1. Transportation Improvement Program</b>							
<b>2022-2023</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 22-23 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
Consultant	\$5,000	\$5,000	–	–	–	–	\$10,000
Indirect Expenses	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
<b>Total</b>	<b>\$25,000</b>	<b>\$6,250</b>	<b>\$12,500</b>	<b>\$1,563</b>	<b>\$1,563</b>	<b>\$0</b>	<b>\$56,250</b>
<b>2023-2024</b>							
<i>Fund Source</i>	<i>FHWA</i>		<i>FTA 5305(d)</i>			<i>Trans Disad.</i>	<i>FY 23-24 Total</i>
<i>Source Level</i>	<i>PL</i>	<i>SU</i>	<i>Federal</i>	<i>State</i>	<i>Local</i>		
<i>Contract Number</i>	<i>GXXXX</i>		<i>GXXXB</i>			<i>XX</i>	
Personnel (salary and benefits)	\$15,000	–	\$10,000	\$1,250	\$1,250	–	\$27,500
Consultant	\$5,000	\$5,000	–	–	–	–	\$10,000
Indirect Expenses	\$5,000	\$1,250	\$2,500	\$312.50	\$312.50	–	\$18,750
<b>Total</b>	<b>\$25,000</b>	<b>\$6,250</b>	<b>\$12,500</b>	<b>\$1,563</b>	<b>\$1,563</b>	<b>\$0</b>	<b>\$56,250</b>

**Table 3.11 Sample Task Work Sheet for “Regional Planning Task” – MPO Charging Actual Costs (continued)**

<b>Task 7.1 MPO Regional Activities</b>		
<b>2023</b>		
<i>Funding Source</i>	<i>FHWA</i>	<i>FY 2023 Total</i>
<i>Contract Number</i>	<i>GXXXX</i>	
<i>Source Level</i>	<i>PL</i>	
<b>Detail</b>	<b>Transfer to MPO 1</b>	
Consultant	\$ 22,000	\$ 22,000
<b>2024</b>		
<i>Funding Source</i>	<i>FHWA</i>	<i>FY 2024 Total</i>
<i>Contract Number</i>	<i>GXXXX</i>	
<i>Source Level</i>	<i>PL</i>	
<b>Detail</b>	<b>Transfer to MPO 1</b>	
Consultant	\$ 22,000	\$ 22,000

<b>Task 7.1 All Regional Accounting</b>				
<b>2023</b>				
<i>Funding Source</i>		<i>Transfer from</i>	<i>FHWA</i>	<i>FY 2023 Total</i>
<i>Source Level</i>			<i>PL</i>	
<i>Regional Task 1</i>				
<i>Lead Agency</i>	<b>MPO 1</b>	<b>No</b>	\$ 5,000	\$ 5,000
<i>(Other contributing Agencies)</i>	MPO 2	Yes	\$ 22,000	\$ 22,000
<b>Total</b>			<b>\$ 27,000</b>	<b>\$ 27,000</b>
<b>2024</b>				
<i>Funding Source</i>		<i>Transfer from</i>	<i>FHWA</i>	<i>FY 2024 Total</i>
<i>Source Level</i>			<i>PL</i>	
<i>Regional Task 1</i>				
<i>Lead Agency</i>	<b>MPO 1</b>	<b>No</b>	\$ 5,000	\$ 5,000
<i>(Other contributing Agencies)</i>	MPO 2	Yes	\$ 22,000	\$ 22,000
<b>Total</b>			<b>\$ 27,000</b>	<b>\$ 27,000</b>

### 3.13 Summary Budget Tables Example

Table 3.12 MPO/TPO Summary Budget Table

Funding Source Contract Fiscal Year Total Budget	CTD XX		FHWA GXXXX		FTA 5305(d) GXXXB	
	2023	2024	2023	2024	2023	2024
	\$ 39,224	\$ 39,224	\$ 590,500	\$ 590,500	\$ 97,784	\$ 97,784
<b>Task 1 Administration and Management</b>						
Personnel (salary and benefits)	\$ -	\$ -	\$ 101,500	\$ 101,500	\$ -	\$ -
Consultant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Travel	\$ -	\$ -	\$ 11,500	\$ 11,500	\$ -	\$ -
Direct Expenses	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ -
Subtotal	\$ -	\$ -	\$ 128,000	\$ 128,000	\$ -	\$ -
<b>Task 2 Data Development and Management</b>						
Consultant	\$ -	\$ -	\$ 138,500	\$ 138,500	\$ 12,000	\$ 12,000
<b>Task 3 Short Range Planning</b>						
Consultant	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ 6,000	\$ 6,000
<b>Task 4 Long Range Planning</b>						
Consultant	\$ -	\$ -	\$ 28,500	\$ 28,500	\$ -	\$ -
<b>Task 5 Special Studies</b>						
Consultant	\$ 39,224	\$ 39,224	\$ 208,500	\$ 208,500	\$ 79,784	\$ 79,784
<b>Task 6 Public Outreach</b>						
Personnel (salary and benefits)	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ -
<b>7 MPO Regional Activities</b>						
Personnel (salary and benefits)	\$ -	\$ -	\$ 22,000	\$ 22,000	\$ -	\$ -
<b>Total</b>	<b>\$ 39,224</b>	<b>\$ 39,224</b>	<b>\$ 590,500</b>	<b>\$ 590,500</b>	<b>\$ 97,784</b>	<b>\$ 97,784</b>

Table 3.13 MPO/TPO Funding Sources Table

Contract	Funding Source	Source Level	2023	2024	FY 2023 Funding Source				FY 2024 Funding Source			
					Soft Match <sup>a</sup>	Federal	State	Local	Soft Match	Federal	State	Local
XX	CTD	State	\$ 39,224	\$ 39,224	\$ -	\$ -	\$ 39,224	\$ -	\$ -	\$ -	\$ 39,224	\$ -
		<b>CTD Total</b>	<b>\$ 39,224</b>	<b>\$ 39,224</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 39,224</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 39,224</b>	<b>\$ -</b>
GXXX	FHWA	PL	\$ 487,500	\$ 487,500	\$ 107,520.14	\$ 487,500.00	\$ -	\$ -	\$ 107,520.14	\$ 487,500.00	\$ -	\$ -
		SU	\$ 103,000	\$ 103,000	\$ 22,717.08	\$ 103,000.00	\$ -	\$ -	\$ 22,717.08	\$ 103,000.00	\$ -	\$ -
		<b>FHWA Total</b>	<b>\$ 590,500</b>	<b>\$ 590,500</b>	<b>\$ 130,237</b>	<b>\$ 590,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 130,237</b>	<b>\$ 590,500</b>	<b>\$ -</b>	<b>\$ -</b>
GXXXB	FTA 5305(d)	Federal	\$ 81,487	\$ 81,487	\$ -	\$ 81,487.00	\$ -	\$ -	\$ -	\$ 81,487.00	\$ -	\$ -
		Local	\$ 8,149	\$ 8,149	\$ -	\$ -	\$ -	\$ 8,148.70	\$ -	\$ -	\$ -	\$ 8,148.70
		State	\$ 8,149	\$ 8,149	\$ -	\$ -	\$ 8,148.70	\$ -	\$ -	\$ -	\$ 8,148.70	\$ -
		<b>FTA 5305(d) Total</b>	<b>\$ 97,784</b>	<b>\$ 97,784</b>	<b>\$ -</b>	<b>\$ 81,487</b>	<b>\$ 8,149</b>	<b>\$ 8,149</b>	<b>\$ 8,149</b>	<b>\$ -</b>	<b>\$ 81,487</b>	<b>\$ 8,149</b>
<b>Total</b>			<b>\$ 727,508</b>	<b>\$ 727,508</b>	<b>\$ 130,237</b>	<b>\$ 671,987</b>	<b>\$ 47,373</b>	<b>\$ 8,149</b>	<b>\$ 130,237</b>	<b>\$ 671,987</b>	<b>\$ 47,373</b>	<b>\$ 8,149</b>

<sup>a</sup> FDOT noncash match.



## 3.14 District MPO Liaison Invoice and Supporting Documentation Review Checklist

The [Invoice Review Checklist](#) and the [Supporting Documentation Checklist](#) are available for download by the FDOT District MPO Liaison in the Liaison Toolkit on the [MPO Partner Site](#). MPO Liaisons should complete the Invoice Review Checklist with every FHWA invoice and save it in the contract file for future reference. The Supporting Documentation Checklist is completed by District MPO Liaison at a frequency determined by the risk assessment in the Annual Joint Certification. When completing the Supporting Documentation Checklist and reviewing direct expenses, the Liaison must select five direct expense line items for review. Direct expenses must be recorded on the Itemized Expenditure Detail Report.

## 3.15 References

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

Table 3.14 References

Reference	Description
<b>Federal Office of Management and Budget</b>	
<a href="#">Form SF-LLL</a>	Disclosure of Lobbying Activities Form.
<b>Federal Office of Management and Budget</b>	
<a href="#">2 C.F.R. 200</a>	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
<b>FDOT Forms and Procedures</b>	
<a href="#">Form No. 525-010-02 1</a>	Metropolitan Planning Organization (MPO) Agreement.
<a href="#">Procedure No. 725-000-005-j</a> <a href="#">Form No. 725-000-01</a>	Public Transportation Grant Agreement Public Transportation Grant Agreement
<a href="#">Form No. 725-000-02</a>	Public Transportation Grant Agreement Exhibits
<a href="#">Form No. 725-000-03</a>	Amendment to the Public Transportation Grant Agreement
<a href="#">Form No. 725-000-04</a>	Amendment for Extension of the Public Transportation Grant Agreement
<b>FDOT Work Program Instructions</b>	
<a href="#">FDOT Work Program Instructions</a>	Describes the procedures for the development of FDOT’s annual five-year Work Program.
<b>Metropolitan Transportation Planning</b>	
<a href="#">23 U.S.C. 134</a>	Describes the transportation planning process for metropolitan planning organizations (MPOs).

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

Reference	Description
<a href="#">29 U.S.C. 794</a>	Nondiscrimination under Federal grants and programs.

# 4 Long-Range Transportation Plan

## Chapter Contents (last updated on November 15, 2022)

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## 4.1 Purpose

This chapter provides guidance to Metropolitan Planning Organizations (MPO) and District MPO Liaison staff of the Florida Department of Transportation (FDOT) to assist in developing, implementing, and managing the MPO’s Long-Range Transportation Plan (LRTP), which is required by Federal and State laws and regulations. MPOs may choose to refer to their LRTP by other names such as Metropolitan Transportation Plan, Regional Mobility Plan, or Regional Transportation Plan; however, the content of the plan does not change. The MPO must develop an LRTP that addresses no less than a 20-year planning horizon. The intent and purpose of the LRTP is to encourage and promote the safe and efficient management, operation, and development of a cost-feasible intermodal transportation system that will serve the mobility needs of people and freight; the system should also foster economic growth and development within and through urban areas with a population of 50,000 or more people in the State, while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas (GHG) emissions. The LRTP must include long and short-range strategies consistent with Federal, State, and local goals and objectives.

## 4.2 Authority

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

**Table 4.1 Federal and State Statutes and Codes**

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

## 4.2.1 Federal Requirements for the LRTP

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

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and freight;
- 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;
- Enhance the integration and connectivity of the transportation system across and between modes for people and freight;
- Promote efficient system management and operations;
- Emphasize the preservation of the existing transportation system;
- Improve the resiliency and reliability of the transportation system, and reduce or mitigate storm water impacts of surface transportation; and
- Enhance travel and tourism.



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

- The current and projected transportation demand of persons and goods in the Metropolitan Planning Area (MPA) over the period of the transportation plan. [\[23 C.F.R. 450.324\(g\)\(1\)\]](#)
- Existing and proposed transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal and intermodal facilities, non-motorized transportation facilities (e.g., pedestrian walkways and bicycle facilities), and intermodal connectors), which should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan. In addition, the locally preferred alternative selected from an Alternative Analysis under the Federal Transit Administration's (FTA) Capital Investment Grant Program needs to be adopted as a part of the plan. [\[23 C.F.R. 450.324\(g\)\(2\)\]](#)
- A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with the required performance management approach. [\[23 C.F.R. 450.324\(g\)\(3\)\]](#) See [Chapter 9: Performance Management](#) for detailed information about the Federally-required performance management approach to metropolitan transportation decision-making.
- A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the required performance targets, including progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data; and, for MPOs that voluntarily elect to develop multiple scenarios, an analysis of how the preferred scenario has improved the conditions and performance of the transportation system, and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. [\[23 C.F.R. 450.324\(g\)\(4\)\]](#) See [Chapter 9: Performance Management](#) for detailed information about the Federally-required performance management approach to metropolitan transportation decision-making.

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

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

- A financial plan that demonstrates how the adopted transportation plan can be implemented. Revenue and cost estimates must use an inflation rate(s) to reflect “year of expenditure dollars,” based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator(s). For illustrative purposes, the financial plan may include additional projects that would be included in the adopted transportation plan if additional resources beyond those identified in the financial plan were to become available. [\[23 C.F.R. 450.324\(g\)\(11\)\]](#)
- Pedestrian walkway and bicycle transportation facilities in accordance with [23 U.S.C. 217\(g\)](#). [\[23 C.F.R. 450.324\(g\)\(12\)\]](#)
- Both long and short-range strategies/actions that provide for the development of an integrated multimodal transportation system (including accessible pedestrian walkways and bicycle transportation facilities) to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand. [\[23 C.F.R. 450.324\(b\)\]](#)
- The MPO, the State(s), and the public transportation operator(s) shall validate data used in preparing other existing modal plans for providing input to the transportation plan. In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The MPO shall approve transportation plan contents and supporting analyses produced by a transportation plan update. [\[23 C.F.R. 450.324\(f\)\]](#)
- Integrate the priorities, goals, countermeasures, strategies, or projects for the MPA contained in the Highway Safety Improvement Program (HSIP), including the Strategic Highway Safety Plan (SHSP) required under [23 U.S.C. 148](#), the Public Transportation Agency Safety Plan required under [49 U.S.C. 5329\(d\)](#), or an Interim Agency Safety Plan in accordance with [49 C.F.R. Part 673](#), as in effect until completion of the Public Transportation Agency Safety Plan; and may incorporate or reference applicable emergency relief and disaster preparedness plans and strategies and policies that support homeland security, as appropriate,

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

Furthermore, the Infrastructure Investment and Jobs Act (IIJA) establishes Federal regulations on LRTP documents. These regulations are summarized in [FHWA's Bipartisan Infrastructure Law Fact Sheets](#) and include the following:

- Fiscal Constraint on Long-Range Transportation Plans: The IIJA requires the United States Department of Transportation to amend Federal regulations to define an LRTP (referred to as a metropolitan transportation plan in federal law and regulation) outer years as beyond the first four years. [\[23 C.F.R. 450.324\(f\)\(11\)\(v\)\]](#)

## 4.2.2 State Requirements for the LRTP

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

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

In addition to these considerations, Florida Statutes require MPOs to develop, in cooperation with the State and public transit operators, transportation plans and programs for each metropolitan area that provide for the development and integrated management and operation of transportation systems and facilities; these include pedestrian walkways

and bicycle transportation facilities, which will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in [s.334.046, F.S.](#) and [s.339.175\(1\), F.S.](#)

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

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

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

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

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

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

The LRTP must, at a minimum:

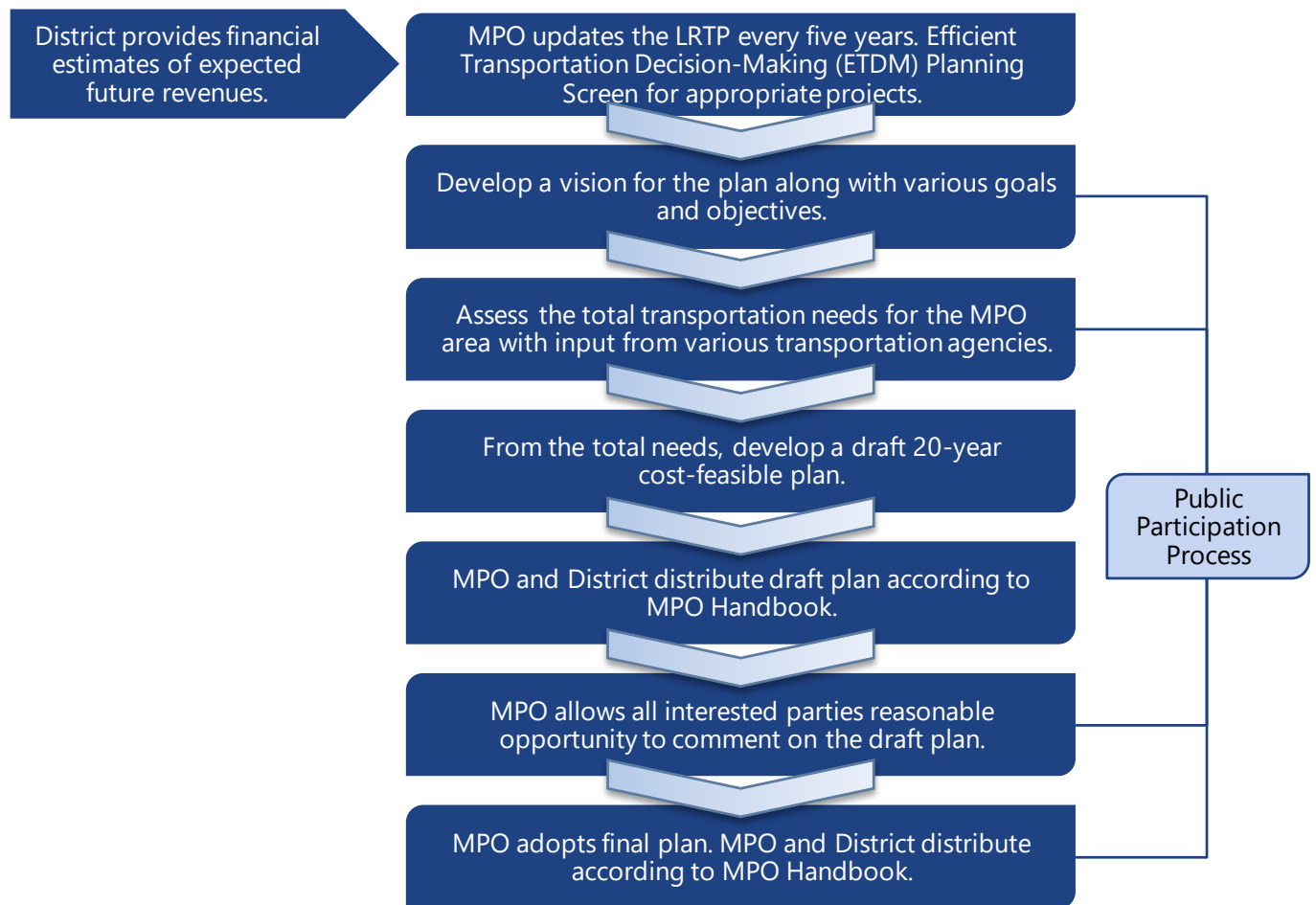
- Identify transportation facilities, including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, transit systems, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system. [\[s.339.175\(7\)\(a\), F.S.\]](#)
- Give emphasis to those transportation facilities that serve national, statewide, or regional functions; and must consider the goals and objectives identified in the Florida Transportation Plan. If a project is located within the boundaries of more than one MPO, the MPOs must coordinate plans regarding the project in their LRTPs. [\[s.339.175\(7\)\(a\), F.S.\]](#)
- Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources that are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted LRTP if reasonable additional resources beyond those identified in the financial plan were available. [\[s.339.175\(7\)\(b\), F.S.\]](#)
- Assess capital investment and other measures necessary to ensure the preservation of the existing metropolitan transportation system, including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities. [\[s.339.175\(7\)\(c\)\(1\), F.S.\]](#)
- Assess capital investment and other measures necessary to make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments. [\[s.339.175\(7\)\(c\)\(2\), F.S.\]](#)
- Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising. [\[s.339.175\(7\)\(d\), F.S.\]](#)

- Be approved by each MPO on a recorded roll-call vote or hand-counted vote of the majority of the MPO membership present. [\[s.339.175\(13\), F.S.\]](#)

## 4.3 Methods for Developing the LRTP

The LRTP must address the Federal and State requirements identified in this chapter, and must consider the goals and objectives identified in the [Florida Transportation Plan \[s.339.175\(7\)\(a\), F.S.\]](#). While no single methodology or process must be used for developing LRTPs, [Figure 4.1](#) shows the basic process for the development and approval of the LRTP. The steps are described below and in the following sections.

**Figure 4.1 LRTP Development and Approval Process**



### 4.3.1 Public Involvement

MPOs are required to develop and use a documented Public Participation Plan that defines a process for providing reasonable opportunities to be involved in the

metropolitan transportation planning process to individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties. [\[23 C.F.R. 450.316\(a\)\]](#)

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

**[Chapter 6: Public Involvement](#)** provides detailed information about MPO public involvement requirements.

#### **4.3.1.1 LRTP-Specific Public Participation Plan (PPP)**

In addition to the Public Participation Plan required for development by the MPOs, each MPO is also recommended to develop an LRTP-specific Public Participation Plan at the outset of the planning process. The LRTP-specific PPP builds off of all the content and assumptions contained within the approved MPO PPP. This document typically provides additional information such as specific stakeholders to be engaged during LRTP development, a listing of proposed engagement activities included within the LRTP development, and an engagement milestone schedule. This document may also contain performance targets related to LRTP participation if the MPO chooses to identify them. The LRTP-specific PPP should guide engagement activities for that document and may also be used as an outline to compile feedback received.

**[Chapter 6: Public Involvement](#)** provides detailed information about LRTP public involvement requirements.



## 4.3.2 Planning Factors & Planning Emphasis Areas

Federal law requires an MPO to address ten Planning Factors as a part of its planning processes. The degree of consideration and analysis of the factors should be based on the scale and complexity of the area's issues and will vary depending on the unique conditions of the area. Of these then, there are two new planning factors that need to be considered in the next LRTPs: (1) improving the resiliency and reliability of the transportation system and reducing or mitigating stormwater impacts of surface transportation; and (2) enhancing travel and tourism. [\[23 C.F.R. 450.306\(b\)\(9\)\]](#)

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

## 4.3.3 LRTP Needs Plan

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

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) adopted the [Financial Guidelines for MPO 2045 Long-Range Plans](#) in July 2017 to improve uniformity in the reporting of financial data and estimating transportation needs in MPO LRTPs. This document provides guidelines for defining and reporting needs in the LRTP. The Needs Plan should include only transportation projects that are necessary to meet identified future transportation demand or advance the goals, objectives, and policies of the MPO, the region, and the state.

## 4.3.4 LRTP Cost Feasible Plan

MPOs will include a cost estimate of the identified needs in the LRTP. The needs estimate should include all costs (operations, maintenance, capacity expansion, etc.) of

all projects associated with all modes; and estimated needs should be reported by mode. Although there is no Federal or State requirement to include an estimate of needs, the MPOAC agreed to include this information in their respective MPO LRTPs.

The LRTP must demonstrate fiscal constraint, which means the plan includes sufficient financial information for demonstrating that projects in the plan can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance the federally supported transportation system is being adequately operated and maintained. [\[23 C.F.R. 450.104\]](#)

Projects from the TIP must be incorporated directly into the LRTP and should not be incorporated by reference. The reason for this is that if the TIP was incorporated by reference and later amended, the LRTP would also be amended without its required public engagement process. See Technical Memorandum 21-02 FDOT LRTP Fiscal Constraint Guidance on the [MPO Partner Site](#).

Revenue and cost estimates that support the LRTP must use an inflation rate(s) to reflect “year of expenditure dollars,” based on reasonable financial principles and information, developed cooperatively by the MPO, State(s), and public transportation operator. [\[23 C.F.R. 450.324\(g\)\(11\)\(iv\)\]](#) Inflation factors and guidance for converting project costs estimates to year of expenditure dollars are provided in [Financial Guidelines for MPO 2045 Long-Range Plans](#).

Additional guidance is provided in the [2045 Revenue Forecasting Guidebook](#). This Handbook includes program estimates for the expenditure of Federal and State funds expected from current revenue sources; it also provides guidance for using this forecast information in updating LRTPs. FDOT developed metropolitan estimates from the 2045 Revenue Forecast for certain capacity programs for each MPO.

#### **4.3.4.1 Consistency between Planning Documents**

In order to effectively develop the cost feasible plan for an LRTP, the MPO must coordinate between several planning activities. The following sections provide more details on these coordination efforts.

##### **4.3.4.1.1 Relationship of the LRTP to the Transportation Improvement Program (TIP)/State Transportation Improvement Program (STIP)**

An approved, or properly amended, LRTP must be in place at the time the MPO submits the annual TIP to FDOT for the Secretary's approval. The TIP must be incorporated into the STIP to ensure continued Federal funding for the metropolitan area. The Secretary cannot approve a TIP for inclusion in the STIP that does not come from a currently approved LRTP or a TIP that includes projects that have not been properly amended into the LRTP and approved by the MPO. This effort should include projects funded using all of the available federal and state funding sources, including the Strategic Intermodal System (SIS).

#### **4.3.4.1.2 L RTP and NEPA Consistency (Planning Consistency)**

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

Pursuant to [23 U.S.C. 327](#), FDOT has assumed FHWA's responsibilities under the National Environmental Policy Act (NEPA) for highway projects on the State Highway System (SHS) and Local Agency Program (LAP) projects off the SHS. In general, FDOT's assumption includes all highway and roadway projects in Florida whose source of federal funding comes from FHWA or which constitute a federal action through FHWA. This includes responsibilities for environmental review, interagency consultation and other regulatory compliance-related actions pertaining to the review or approval of NEPA projects. Whereas FHWA was previously identified as the Lead Federal Agency, this function is now served by FDOT with approval authority resting in the Office of Environmental Management (OEM). FDOT's guiding documents for Planning Consistency include [Section 1. Florida LRTP Amendment Thresholds](#) and [Section 2. Meeting Planning Requirements for NEPA Approval](#).

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

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

- If a project is planned to be fully funded through construction during the life of the LRTP (e.g., by 2045), the cost of and source of funding for each phase (Preliminary Engineering, Right of Way, and Construction) needs to be documented in the LRTP. It is not necessary to document the costs of each segment (e.g., three 10-mile segments) individually. PE can be addressed in the LRTP as a phase, or PD&E and Design can be shown as separate phases.
- If a project is not planned to be fully funded through construction during the life of the LRTP, the LRTP must document the length and phases of the project that can be funded (e.g., 20 miles) and the cost of and source of funding for each phase (PE, Right of Way, Construction) that is funded in the plan. The LRTP should reference, for informational purposes, a written description of any project segments and the associated phases that could not be funded in the LRTP with a reference to the overall project in the Needs Plan. If the MPO does not develop a Needs Plan, it should be discussed elsewhere in the LRTP documentation. The written description should include an estimate of the cost of any unfunded phases, expressed as the “year of expenditure cost” equal to the last period of the planning period (e.g., 2041-2045).
- When undertaking a PD&E phase, the project must be described in the LRTP by the time the approval for the environmental document is requested in order to obtain the environmental document approval for the entire project. This may require early coordination with the MPO to process an amendment to the LRTP and this effort should be incorporated into the project schedule.

Emergency relief (ER) projects (except those involving substantial functional, locational, or capacity changes) may be exempt from planning consistency documentation requirements [\[23 CFR 450.218\]](#).

#### **4.3.4.1.3 Major Project Guidance**

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

It is important that any Major Projects be identified as such in the MPO's LRTP. FHWA has issued [Major Project Financial Plan Guidance](#) requesting the cost estimates reported for Major Projects in the first five years of the LRTP be based on more precise cost estimate information than a project reflected in the latter years of the LRTP. MPOs should also consider the locally relevant Comprehensive Plan(s) to identify consistencies or provide guidance into resolving inconsistencies.

### **4.3.5 Social and Environmental Screening**

Social and environmental considerations are an important element of the development of a LRTP. The following sections provide more information on key components that will shape the development and documentation of the LRTP.

#### **4.3.5.1 Efficient Transportation Decision-Making (ETDM) Planning Screen**

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

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

The ETDM process is composed of two project-screening events: 1) Planning and 2) Programming. During the Planning Screen, comments received help FDOT and MPOs identify environmental considerations that assist in assessing projects for inclusion or advancement in the LRTP. During the Programming Screen, qualifying projects are reviewed when being considered for funding in the FDOT Five-Year Work Program or MPO Transportation Improvement Program (TIP), or if already funded, before advancing to the PD&E phase.

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

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

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

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

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

To the extent possible, MPOs should notify their various committees, other local municipalities, and the general public once projects are uploaded into the Planning Screen. In addition, the public can comment on projects through the traditional public involvement activities coordinated by the MPO or the Community Liaison Coordinator.

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

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

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

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



**Figure 4.2 ETDM Screening Matrix for Qualifying Projects**

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

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

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

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

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

#### **4.3.5.2 Sociocultural Effects (SCE) Evaluations**

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

- Social;
- Economic;
- Land use;
- Mobility;
- Aesthetics; and
- Relocation.

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

#### **4.3.5.3 Addressing Environmental Mitigation in the LRTP**

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

Federal, State, and Tribal land management, wildlife, and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation. [\[23 C.F.R. 450.324\(g\)\(10\)\]](#)

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

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

The ETDM EST, discussed in [Section 4.3.5.1: Efficient Transportation Decision-Making \(ETDM\) Planning Screen](#), can be used to map and provide inventories for a majority of these resources. The EST database provides access to maps and inventories of natural and historic resources that also are used to support resource agency comments on project reviews. There are over 500 data layers in the EST available for these purposes. Examples of available data layers that can be mapped include conservation lands, wetlands, priority habitat, historical/archaeological sites, socioeconomic characteristics, and future land use designations.

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

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

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

### **4.3.6 Performance Measurement**

The Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) federal legislation established performance-driven and outcome-based requirements to align Federal transportation funding with national goals and track progress towards achievement of these goals. As a result, states, MPOs, and public transportation providers must establish performance targets for each measure to be achieved within a specified time period, and must monitor and periodically report on progress toward achievement of the targets.

[Chapter 9: Performance Management](#) discusses this topic in more detail.

#### **4.3.6.1 System Performance Report**

The LRTP must include a description of all applicable performance measures and targets used in assessing the performance of the transportation system in the MPO planning area. [\[23 C.F.R. 450.324\(f\)\(3\)\]](#)

The LRTP must also include a system performance report. For more details on the content of the system performance report, refer to [Section 9.7.1: TPM Reporting Requirements in the MPO LRTP](#).

### 4.3.7 Documentation

The LRTP development process concludes with the preparation of the document. The documentation should summarize the major elements noted in this chapter and address federal and state requirements. MPOs may choose to include supporting material used to satisfy these requirements within the main document itself or within supporting appendices. LRTP documents can be organized in whatever manner the MPO finds to be best suited to their needs. However, the document should contain all of the elements in the LRTP Checklist, described in more detail in [Section 4.3.8.1: LRTP Checklist](#).

### 4.3.8 Publication and Distribution of the LRTP

The MPO must publish its LRTP and make it available to the public for review including, to the maximum extent practicable, in electronically accessible formats and means, such as the Internet. [\[23 C.F.R. 450.316\(a\)\(1\)\(iv\)\]](#) The draft and final versions of the LRTP will be uploaded to the [MPO Document Portal](#) by the MPO and District. The [MPO Document Portal](#) facilitates agency review by notifying the following partners for review at the appropriate time:

- FDOT – District Staff
- FDOT – Central Office Planning
- Florida Commission for the Transportation Disadvantaged
- Florida Department of Economic Opportunity - Bureau of Community Planning
- Federal Transit Administration Region IV
- Federal Highway Administration

If you need to contact a staff person, check the latest [Metropolitan Planning Program Staff List](#) in the Liaison Toolkit on the [MPO Partner Site](#) for their contact information.

The MPO should provide access to public review of the draft LRTP for a length of time equal to or greater than the amount specified in their adopted MPO Public Participation Plan. The state review of the document (and if applicable, the initial federal agency review) should take place concurrently with the public review of the draft LRTP. The Districts shall review the draft MPO LRTPs for consistency with Federal and State regulations using the LRTP Checklist that is available for download by the District MPO

Liaison in the Liaison Toolkit on the [MPO Partner Site](#). The Districts will coordinate with the MPO regarding comments on the draft LRTP. Following the conclusion of this public and agency review period, the MPO should allow a minimum of **14 days** to respond to any public or agency comments before proceeding to their MPO Board for adoption.

**Note:** The MPO must have a completed LRTP report available for adoption by their MPO Board. However, the MPOs has up to **90 days** following adoption to furnish supporting documentation such as appendices and model documentation to FHWA.

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

### **4.3.8.1 LRTP Checklist**

The Long-Range Transportation Plan (LRTP) Checklist is not required to be used when reviewing the LRTP. This is simply a tool for Districts and MPOs to use when reviewing or drafting the LRTP to assist in meeting requirements in Federal and State regulation and statute for LRTPs. If the checklist is used, MPOs should address any critical comments. The LRTP Checklist can be found in the Liaison Toolkit on the [MPO Partner Site](#). It is best practice to provide a comment if checking “no” to a question and to categorize all comments. In addition, the following documents are available for MPOs and Districts to consult when developing and reviewing a LRTP:

- Technical Memorandum 21-02 FDOT LRTP Fiscal Constraint Guidance
- FHWA LRTP Expectations Letters (2008, 2012, and 2018)
- FHWA Fiscal Constraint White Paper

The LRTP checklist references the letters, which are available in the Partner Library on the [MPO Partner Site](#).

## **4.4 LRTP Administration**

The LRTP process is directed by a series of federal requirements that dictates how it is updated and maintained. The following sections detail these requirements.

## 4.4.1 LRTP Update Frequency and Planning Horizon

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

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

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

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

## 4.4.2 LRTP Revisions

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

- An **administrative modification** is a minor revision to the LRTP (or TIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not

require public review and comment, a redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas). [\[23 C.F.R. 450.104\]](#)

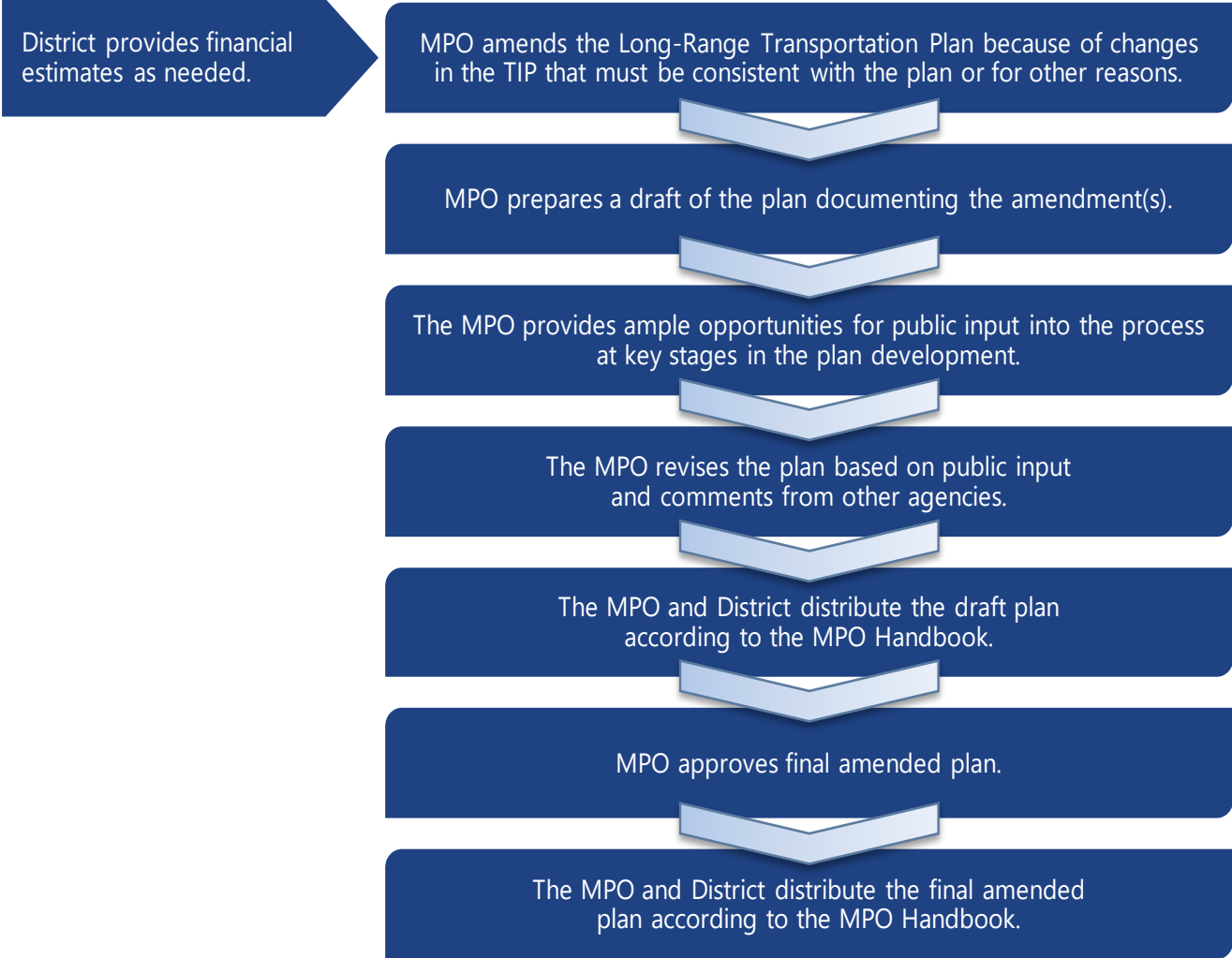
- An **amendment** means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP, that involves a major change to a project included in a LRTP, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation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

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

Florida Statute requires the MPO Board adopt any amendments to the LRTP by a recorded roll-call vote or hand-counted vote of the majority of the membership present. This guidance [\[s.339.175\(13\), F.S.\]](#) **Figure 4.3** shows the LRTP amendment process.



Figure 4.3 LRTP Amendment Process



### 4.4.3 LRTP Approval and Distribution

The MPO Board must approve the final LRTP by a recorded roll-call vote or hand-counted vote of the majority of the membership present. [\[s.339.175\(13\), F.S.\]](#) Although the LRTP does not require approval by the FHWA or the FTA, these agencies must be involved during the development of the plan and be provided an opportunity to comment on the draft plan.

The plan is reviewed by FHWA and FTA during the quadrennial TMA certification for areas classified as TMAs (urban area population in excess of 200,000), or as part of the MPO self-certification process for non-TMA areas. Copies of any new and/or revised plans must be provided to each agency as well as FDOT. [\[23 C.F.R. 450.324\(d\)\]](#)

Distribution of the draft and final adopted LRTP is facilitated through the [MPO Document Portal](#). Through the [MPO Document Portal](#), new or revised plans are provided to the FHWA, the FTA, and the appropriate FDOT Central and District offices prior to the MPO’s annual self-certification.

## 4.5 References

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

**Table 4.2**    **References**

Reference	Description
<a href="#">42 U.S.C. 2000d et. seq.</a>	Title VI of the Civil Rights Act of 1964, as amended
<a href="#">Florida Transportation Plan</a>	The single overarching statewide plan guiding Florida's transportation future
<a href="#">FDOT's Efficient Transportation Decision-Making (ETDM) Manual</a> , December 2021	For use in reviewing qualifying transportation projects during the Efficient Transportation Decision Making (ETDM) Process Planning and Programming Screens
<a href="#">Practical Application Guides for SCE Evaluations: ETDM Phase</a>	Describes the process for evaluating sociocultural effects (SCE) for projects undergoing Planning screen or Programming screen reviews as part of Florida’s Efficient Transportation Decision Making (ETDM) Process
<a href="#">Florida MPOAC</a>	Metropolitan Planning Organization Advisory Council

Reference	Description
<a href="#">Florida Standard Urban Transportation Model Structure (FSUTMS) Web Portal</a>	Used to determine current and forecasted transportation and land use conditions and trends for this 20-year planning horizon
<a href="#">2045 Revenue Forecasting Guidebook</a>	Documents the State’s long-range transportation revenue forecast
<a href="#">MPO Document Portal</a>	Portal through which MPOs upload draft and adopted LRTPs

# 5 Transportation Improvement Program

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## 5.1 Purpose

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

## 5.2 Authority

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

**Table 5.1 Federal and State Statutes and Codes**

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

**Note:** The Governor of the State of Florida has delegated the authority to review and approve MPO TIPs and TIP amendments to the Secretary of the FDOT.

## 5.2.1 Federal and State Requirements for Developing the TIP

MPOs are required by [23 U.S.C. 134\(j\)](#) to develop a TIP. The Code of Federal Regulations (C.F.R.) defines the TIP as a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the LRTP, and required for projects to be eligible for funding under [Title 23 U.S.C.](#) and [49 U.S.C. Chapter 53 \[23 C.F.R. 450.104\]](#). State law requires the TIP to cover an additional year, for a total of five years. [\[s.339.175\(8\)\(c\)\(1\), F.S.\]](#) The fifth year of the TIP is considered illustrative for Federal purposes. The TIP is developed by MPOs in cooperation with FDOT and public transportation operators. [\[23 C.F.R. 450.326\(a\)\]](#) The following sections present the Federal and State requirements for developing the TIP.

### 5.2.1.1 TIP Schedule

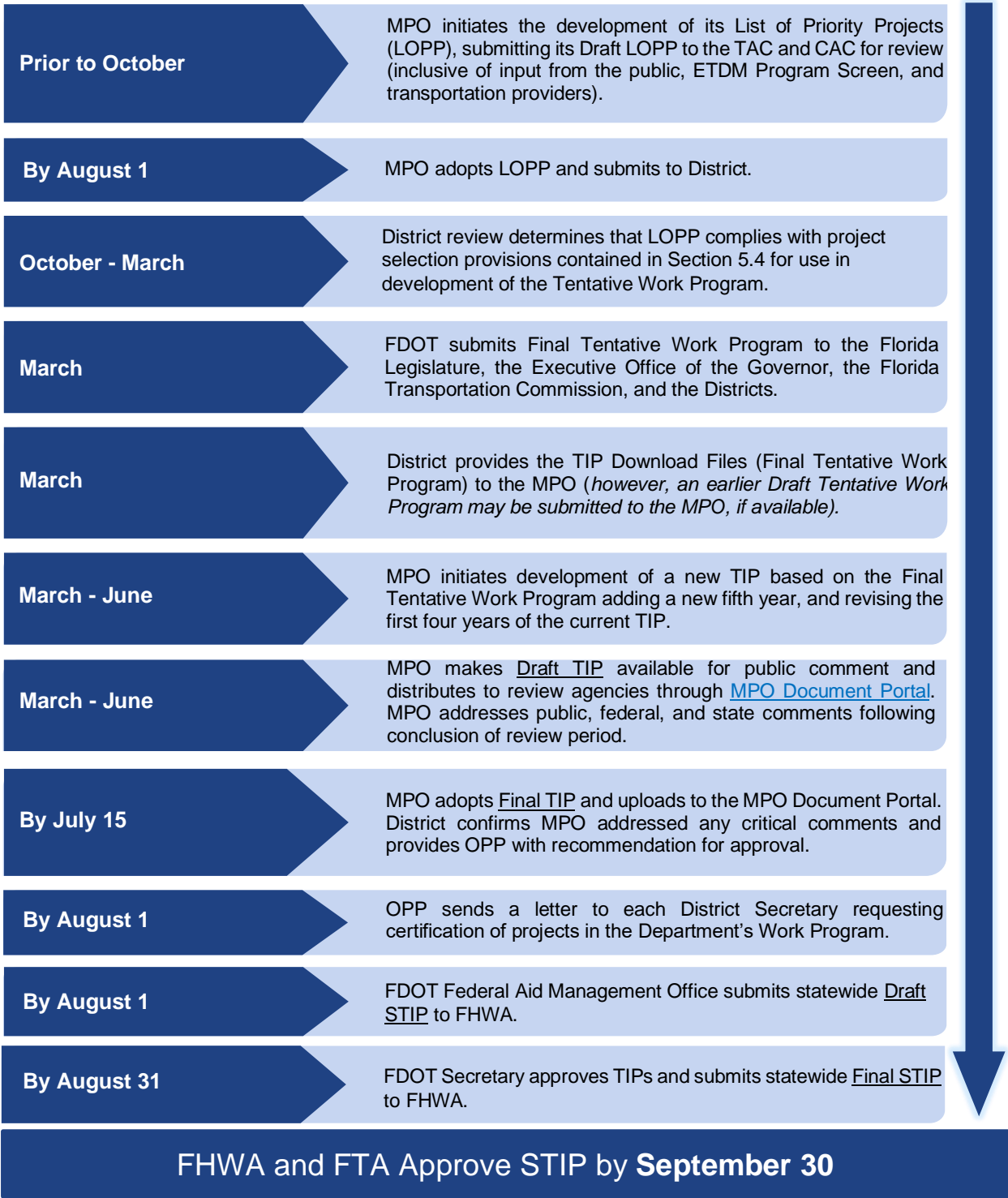
By State law, the TIP is updated annually and approved by the MPO and the Governor or the Governor's delegate. The FDOT Secretary has been delegated the authority to review and approve TIPs in Florida (see note on the preceding page). [\[23 U.S.C. 134\(j\)\(1\)\(D\); 23 C.F.R. 450.326\(a\); s.339.175\(8\)\(a\) and \(f\), F.S.\]](#) The schedule for the development of the TIP must be compatible with the schedule for the development of FDOT's Work Program and the State Transportation Improvement Program (STIP) since the TIP is based on FDOT's Work Program and is incorporated into the STIP. [\[23 U.S.C. 135\(g\)\(5\)\(D\)\(i\); 23 C.F.R. 450.218\(b\)\]](#) For a discussion on how projects are selected and incorporated into the STIP, refer to [Section 5.2.1.2: TIP Project Selection and Implementation Process](#).

By **September 30** of each year, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) make a joint finding that each MPO's TIP is consistent with their Long-Range Transportation Plan (LRTP). The finding is based on the self-certification statement, submitted by the State and the MPO, on their review of the LRTP and on other reviews deemed necessary. [\[23 C.F.R. 450.330\(a\)\]](#) [Figure 5.1](#) shows the key deadlines for development of the TIP/STIP (which includes the MPOs List of Priority Projects (LOPP) and FDOT's Work Program) when the Florida legislative session begins in March. The Florida Legislature meets starting in March of each odd-numbered year and in January of each even-numbered year. [Figure 5.2](#) shows the key deadlines for when the Florida legislative session begins in January (accelerated

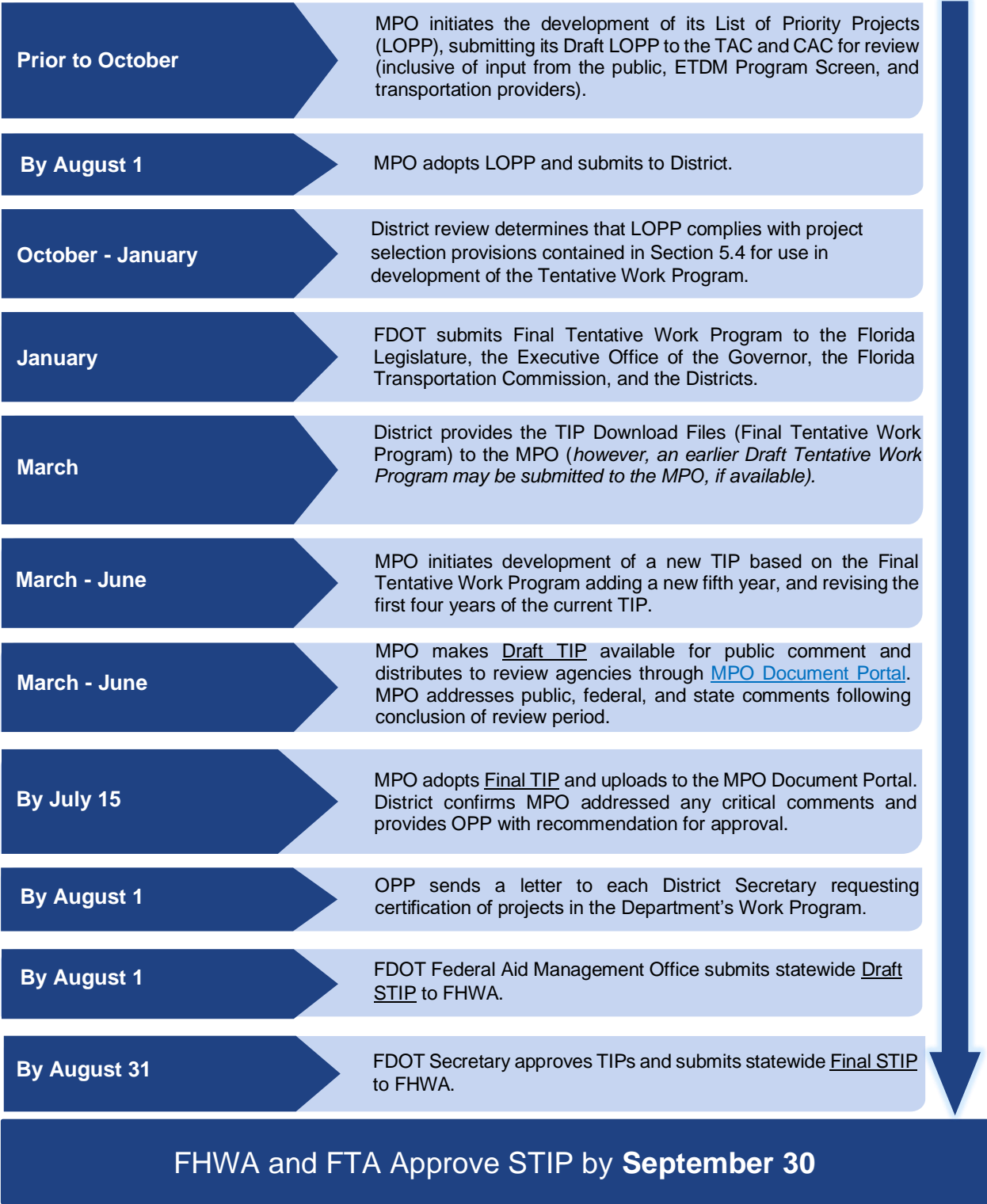


schedule). During this accelerated schedule, it is best practice to submit the LOPP prior to August 1<sup>st</sup> to avoid delays when developing the Tentative Work Program.

**Figure 5.1 TIP Development Schedule – Odd Years**



**Figure 5.2 TIP Development Schedule – Even Years (Accelerated Schedule)**



### **5.2.1.2 TIP Project Selection and Implementation Process**

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

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

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

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

- [Title 23 U.S.C. 134](#) and [23 C.F.R. 450.326](#) requires each MPO to develop a TIP in cooperation with the State DOT and any affected public transportation operator.
- [Section 339.175, F.S.](#) requires each MPO, in cooperation with FDOT and affected public transportation operators, develop an annually updated TIP for the area of jurisdiction of the MPO. Each year this is accomplished by having each MPO

prepare a List of Project Priorities (LOPP), which are submitted to the appropriate FDOT District office for inclusion in the new fifth year of the work program (see [Section 5.3: List of Priority Projects \(LOPP\)](#)). These LOPPs are used by the District in developing the District Work Program (to become part of the Statewide Work Program), and also are used by the MPO in developing its TIP.

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

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

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

- [Title 23 C.F.R. 450.326](#) states that an MPO TIP may be revised at any time under procedures agreed to by the State, MPOs, and public transportation operators, consistent with TIP development procedures established in that section of Federal regulations.

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

See [Section 5.8.1: TIP and STIP Revisions](#) for more information on TIP revisions, including both modifications and amendments.

### **5.2.1.3 Projects to Be Included in the TIP**

The TIP must include:

- Capital and noncapital surface transportation projects (or phases of projects) within the boundaries of the metropolitan planning area proposed for funding under [23 U.S.C.](#) and [49 U.S.C. Chapter 53](#) (including transportation alternatives<sup>2</sup>; associated transit improvements; Tribal Transportation Program, Federal Lands Transportation Program, and Federal Lands Access Program projects; HSIP projects; trails projects; accessible pedestrian walkways; and bicycle facilities). [\[23 C.F.R. 450.326\(e\)\]](#)
- All regionally significant projects requiring an action by FHWA or FTA, regardless of funding source. [\[23 C.F.R. 450.326\(f\)\]](#)
- For information purposes, all regionally significant projects proposed to be funded with Federal funds other than those administered by the FHWA or FTA, as well as all regionally significant projects to be funded with non-Federal funds. [\[23 C.F.R. 450.326\(f\)\]](#)

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<sup>2</sup> The Fixing America's Surface Transportation (FAST) Act replaced the Transportation Alternatives Program (TAP) with a set-aside of funds under the Surface Transportation Block Grant Program (STBG). For administrative purposes, FHWA still refers to these funds as the TA Set-Aside.

The following types of projects may be included in the TIP, but are not required: [\[23 C.F.R. 450.326\(e\)\]](#)

- Safety projects funded under [23 U.S.C. 402](#) and [49 U.S.C. 31102](#);
- Metropolitan planning projects funded under [23 U.S.C. 104\(d\)](#), and [49 U.S.C. 5305\(d\)](#);
- State planning and research projects funded under [23 U.S.C. 505](#) and [49 U.S.C. 5305\(e\)](#);
- Metropolitan planning projects funded with Surface Transportation Program funds, if available to the MPO;
- Emergency relief projects (except those involving substantial functional, locational, or capacity changes);
- National planning and research projects funded under [49 U.S.C. 5314](#); and
- Project management oversight projects funded under [49 U.S.C. 5327](#).

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

- Sufficient descriptive material (i.e., type of work, termini, and length) to identify the project or phase.
- Estimated total project cost, which may extend beyond the four years of the TIP.
- The amount of Federal funds proposed to be obligated during each program year for the project or phase (for the first year, this includes the proposed category of Federal funds and source(s) of non-Federal funds. For the second, third, and fourth years, this includes the likely category or possible categories of Federal funds and sources of non-Federal funds).
- Identification of the agencies responsible for carrying out the project or phase.

- In nonattainment and maintenance areas, identification of those projects that are identified as Transportation Control Measures (TCM) in the applicable State Implementation Plan (SIP).
- In nonattainment and maintenance areas, included projects shall be specified in sufficient detail (design concept and scope) for air quality analysis in accordance with the Environmental Protection Agency (EPA) transportation conformity regulations ([40 C.F.R. Part 93, Subpart A](#)).
- In areas with [Americans with Disabilities Act \(ADA\)](#) required paratransit and key station plans, identification of those projects that will implement these plans.

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

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

### 5.3 List of Priority Projects (LOPP)

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

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

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

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

### **5.3.1 Efficient Transportation Decision-Making (ETDM) Screening Process**

All major capacity projects included in the LOPP, with the exception of Strategic Intermodal System (SIS) and bridge replacement projects, should be screened through the ETDM process (programming screen) prior to being transmitted.<sup>3</sup> MPOs are encouraged to screen State- and locally-funded projects not on the State Highway System. The ETDM review period is **45 calendar days** and may be extended an additional 15 days based upon a written request. MPOs should build sufficient time into their existing process to conduct a programming screen review before approving the LOPP. Refer to the [ETDM Manual](#) for specific information about the ETDM programming screen.

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

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

The intent of the ETDM programming screen is to identify significant environmental and social issues pertaining to priority projects and to develop a methodology for focused technical studies to address potentially significant issues. Examples of significant issues

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<sup>3</sup> SIS and bridge replacement projects are screened by FDOT.



would include a project that does not conform to a resource agency’s statutory requirements, or a project that has a severe negative impact on an affected community.

TIP priority projects are included in the Work Program to the maximum extent feasible (see FDOT’s [Work Program Instructions](#) for a description of the State prioritization and project selection criteria). Any significant disputes identified during the ETDM programming screen must be resolved prior to adding a priority project into the Work Program. The District will coordinate with the MPO to resolve any significant issues pertaining to projects on the MPO priority list pursuant to the ETDM dispute resolution process. (Refer to Chapter 2 of the [ETDM Manual](#) for a detailed description of the dispute resolution process including formal and informal issue resolutions.)

### **5.3.2 District Review of Priority Projects**

The District’s review of the MPO’s LOPP should ascertain that, at a minimum, it is based on the project selection criteria listed in [Section 5.3: List of Priority Projects \(LOPP\)](#). [\[s.339.175 \(8\)\(b\), F.S.\]](#) Furthermore, the District should ensure the projects in the priority list have been screened under the ETDM programming screen process. [Figure 5.1](#) provides an overview of the TIP development process, beginning with the development of the LOPP to approval, and incorporation of the TIP into the STIP.

#### **5.3.2.1 Coordination with MPOs**

[Florida Statute 339.175\(8\)](#) requires each MPO to cooperatively develop, with its partners, a list of priority projects (LOPP). In this context “cooperation” means that “the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.” The LOPP is submitted by the MPO to the appropriate FDOT District Office consistent with Florida Statutes. This list serves as the foundation for each MPO’s TIP and the District’s annual work program. Other factors considered during the project selection and programming process include project readiness, cost, schedule, and funding availability.

It is assumed by the Department that the projects listed on each LOPP are in sequential order of priority; and will be programmed in priority order by the District’s Office of Work Program to the maximum extent possible. If the District or MPO expresses concern, the parties will consult to ensure projects programmed in the TIP reflect the MPO’s top priorities. In this context “consult” is defined as “the party confers with other identified

parties in accordance with an established process and, before acting, considers the views of the other parties and periodically informs them about the action taken.”

For more information regarding coordination with MPOs, see the [FDOT OPP Memorandum on Programming STBG Urban Funds \(SU\)](#).

## 5.4 Relationship of the LRTP to the TIP/STIP

The TIP must be incorporated into the STIP to ensure continued Federal funding for metropolitan areas. An adopted LRTP must be in place at the time the MPO submits the annual TIP to FDOT for the Secretary’s approval and for inclusion in the STIP. The Secretary cannot approve a TIP for inclusion in the STIP that does not come from a currently adopted LRTP, or a TIP that includes projects that have not been properly amended into the LRTP and adopted by the MPO. In other words, there must be a clear and identifiable link between projects included in the TIP and LRTP.

### 5.4.1 TIP/STIP Inclusion and NEPA Approval

As previously stated in [Chapter 4: Long-Range Transportation Plan](#) (Section pursuant to [23 U.S.C. 327](#), FDOT has assumed FHWA’s responsibilities under the [National Environmental Policy Act \(NEPA\)](#) for highway projects on the State Highway System (SHS) and Local Agency Program (LAP) projects off the SHS. In general, FDOT’s assumption includes all highway and roadway projects in Florida whose source of federal funding comes from FHWA or which constitute a federal action through FHWA. This includes responsibilities for environmental review, interagency consultation and other regulatory compliance-related actions pertaining to the review or approval of NEPA projects. Therefore, whereas FHWA was previously identified as the Lead Federal Agency, this function is now served by FDOT with approval authority resting in the [Office of Environmental Management \(OEM\)](#). OEM’s guiding document for NEPA approval is [Section 2. Meeting Planning Requirements for NEPA Approval](#).

For an environmental document to be approved by FHWA, the TIP/STIP funding for the “entire project length and termini” must be consistent with what is described in the LRTP. The “project” includes the entire project length (e.g., 30 miles) studied in the Project Development and Environment (PD&E) phase. If the project is to move forward in segments, then the first segment (e.g., a 10-mile segment) must be funded for design in the TIP/STIP before the Environmental Document can be approved. If funding for the design of the project is outside of the current adopted TIP/STIP at the time the

Environmental Document is complete, there should be a written explanation in the current adopted TIP/STIP indicating the design for the project falls outside the current TIP/STIP; this explanation should indicate when funding will be in the TIP/STIP, and explain what the source of funding is expected to be. All of this should be discussed on a case-by-case basis with FHWA. The remaining phases for the segment(s) (i.e., right of way and construction) would be discussed in the TIP/STIP for information purposes, including when they are generally expected to be funded.

As previously stated in [Chapter 4: Long-Range Transportation Plan](#) Emergency relief (ER) projects (except those involving substantial functional, locational, or capacity changes) may be exempt from planning consistency documentation requirements [\[23 CFR 450.218\]](#).

## **5.5 Relationship between Work Program and TIP**

The Work Program is FDOT's list of programmed projects. The TIP is the MPO's federal list of programmed projects.

The Tentative Work Program is cooperatively developed with public (and MPO) input. It is then submitted to the Governor and the Legislature in March. At this time, it is provided to the MPOs for development of the new draft TIP. On **July 1**, the Legislature approves the budget (minus project phases that were deferred from last fiscal year). The Tentative Work Program becomes the Adopted Work Program; the MPO's adopt their TIPs, which become effective October 1. In August, the Legislature amends the budget to approve project phases that were deferred from last fiscal year. These projects are automatically "rolled forward" in the Work Program, but not in the TIP. The MPOs must process a "Roll Forward" TIP Amendment for these types of projects. This process is discussed in [Section 5.8.1.2: Roll Forward Amendment \(Authorization of Roll Forward Projects\)](#). Although the newly Adopted Work Program is effective July 1 at the start of the state fiscal year, the newly adopted TIP becomes effective October 1 at the start of the federal fiscal year.

## 5.6 Methods for Developing the TIP

### 5.6.1 Format and Content of the TIP

While no format for the TIP is specified in Federal or State laws or rules, the following outline meets legal requirements and is acceptable to the FHWA and the FTA. A checklist to assist in review of the TIP can be found in the Liaison Toolkit on the [MPO Partner Site](#).

#### 5.6.1.1 *Introductory Materials*

The introduction should include:

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

#### 5.6.1.2 *Narrative*

The narrative should include:

- Begin with a Statement that the purpose of the TIP is to provide a prioritized listing of transportation projects covering a period of five years that is consistent with the metropolitan LRTP. It should be indicated that the TIP contains all transportation projects within the designated metropolitan planning area to be funded by [23 U.S.C.](#) and [49 U.S.C. Chapter 53](#) funds and includes all regionally significant projects regardless of funding source.
- Discuss the TIP's financial plan.

- Explain that the TIP is financially constrained for each year.
- Provide a financial plan that demonstrates how the TIP can be implemented. The plan needs to indicate the public and private financial resources that are reasonably expected to be available in order to accomplish the program. Innovative financing techniques that may be used to fund needed projects and programs should be identified. Additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available may be identified pursuant to [s.339.175\(8\)\(c\)\(3\), F.S.](#)
- State that the TIP is developed by the MPO in cooperation with the State and the public transit operator, who will provide the MPO with estimates of available Federal and State funds in order for the MPO to develop the financial plan. [\[23 C.F.R. 450.326\(a\) and s.339.175\(8\), F.S.\]](#)
- Describe the project selection process and state that it is consistent with the Federal requirements in [23 C.F.R. 450.332\(b\)](#) for non-TMA MPOs or [23 C.F.R. 450.332\(c\)](#) for TMA MPOs.
- Describe how projects are consistent with the MPO's LRTP and, to the maximum extent feasible, with port and aviation master plans, public transit development plans, and the approved local government comprehensive plans for those local governments located within the metropolitan area. [\[s.339.175\(8\)\(c\)\(7\), F.S.\]](#) When possible, the TIP should cross-reference projects with the corresponding LRTP project. [\[s.339.175\(8\)\(a\), F.S.\]](#)
- Identify the MPO's criteria and process for prioritizing implementation of the transportation plan elements (including multimodal tradeoffs) for inclusion in the TIP and explain any changes in priorities from the previous TIP. [\[23 C.F.R. 450.326\(n\)\(1\)\]](#) The MPO's TIP project priorities must be consistent with the LRTP.
- FDOT produces the annual listing of projects for which FHWA funds have been obligated in the preceding year. The annual listing of projects for which FTA funds have been utilized in the preceding year needs to be cooperatively developed with the appropriate transit agencies. The MPO should either include this list in the TIP or State in the TIP that it has been published and otherwise made available for public review. [\[23 C.F.R. 450.334 and s.339.175\(8\)\(h\), F.S.\]](#)

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

### **5.6.1.3 Detailed Project Listings for Five Fiscal Years**

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

- Sufficient descriptive material (i.e., type of work, termini, and length) to identify the project or phase.
- Financial Project Number (FPN).
- FDOT Work Program fund code.
- Estimated total project cost.
- Year of anticipated funding.
- Summary tables showing the financial constraint of the program.
- Page number or identification number where it can be found in the LRTP.
- Category of Federal funds and source(s) of non-Federal funds.
- The FTA section number should be indicated for FTA projects. This is accomplished by putting the section number in the description line of the work program for the project.

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

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

## 5.6.2 Public Involvement

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

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

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

**Chapter 6: Public Involvement** provides detailed information about MPO public involvement requirements and practices.

## 5.6.3 Performance Management

Federal statute establishes national performance goals for Federal-aid highway programs and directs U.S. Department of Transportation (U. S. DOT) to establish performance measures for fatalities and serious injuries on all public roadways, pavement conditions on the Interstate and non-Interstate National Highway System (NHS), bridge conditions on the NHS, freight movement on the Interstate system, traffic congestion, on-road mobile source emissions, and transit state of good repair/asset management relating to transit services. [\[23 U.S.C. 150\]](#) U.S. DOT has finalized the rulemaking for these performance measures. States will set performance targets for the measures within one year of the



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

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

See [Chapter 9: Performance Management](#) for detailed information about the Federally required performance management approach to metropolitan transportation decision-making.

## **5.6.4 Financial Constraint**

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

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

## **5.6.5 TIP Submittal and Review Process**

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

The MPO must circulate the TIP for review and comment to a variety of local, State, and Federal agencies. The [MPO Document Portal](#) facilitates the TIP submittal and review process and houses all documents and comments. MPOs upload the TIP and associated documents to the [MPO Document Portal](#), which then notifies the following agency contacts for review:

- FDOT – District Staff
- FDOT – Central Office Planning
- Florida Commission for the Transportation Disadvantaged
- Florida Department of Economic Opportunity - Bureau of Community Planning
- Federal Transit Administration Region IV
- Federal Highway Administration

If you need to contact a staff person, check the latest [Metropolitan Planning Program Staff List](#) for their contact information.

The steps involved in the submittal, review, and approval of the TIP are summarized below. [Figure 5.1](#) presents the more detailed schedule for this process.

- MPO submits draft TIP through the [MPO Document Portal](#)
- FDOT, FCTD, DEO, FHWA, and FTA review the draft TIP in the [MPO Document Portal](#). The District MPO Liaison completes the TIP checklist during this review and uploads it to the Portal.
- MPO addresses comments and uploads the final TIP.
- District confirms critical comments were addressed and provides recommendation for approval to OPP.
- Central Office Federal Aid Management Office submits draft STIP to FHWA.
- FDOT Secretary approves all TIPs and submits final STIP to FHWA.

### **5.6.5.1 Review by the Department of Economic Opportunity**

The MPO must submit the adopted TIP to the Department of Economic Opportunity (DEO) at least **45 days** before FDOT submits the STIP to the FHWA and the FTA for approval. This submittal date may vary if FDOT, DEO, and the MPO agree in writing to an alternative submittal date. [\[s.339.175\(8\)\(f\), F.S.\]](#) This review does not have to be completed in the [MPO Document Portal](#).

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

### **5.6.5.2 Submittal to the District**

MPOs must submit the draft TIP to the District and other parties through the [MPO Document Portal](#) between March and June. The District will review the draft TIP using the TIP checklist and prepare comments within **14 calendar days** of receipt from the MPO. The District will upload the TIP checklist and comments to the [MPO Document Portal](#).

#### **5.6.5.2.1 District TIP Review Criteria**

Using the TIP checklist, the District review should assess the draft TIP's consistency with:

- Federal and State laws and regulations, including [23 C.F.R. 450](#) and [s.339.175, F.S.](#), and the authorities listed in this chapter.

- FDOT's Work Program, including changes in priorities, phasing, project cost estimates, and funding resources and categories, as required by [23 C.F.R. 450.326](#) and [s.339.175\(8\), F.S.](#)
- The LRTP's priorities, projects, funding and policy, goals, and objectives, as required by [23 C.F.R. 450.326\(i\)](#) and [s.339.175\(8\)\(c\)\(5\), F.S.](#)

District review should verify:

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

When reviewing the draft and final versions of the TIP, Districts should employ the following system when providing comments to the MPOs. This will provide the MPOs a level of importance of each comment. This system is graduated from editorial, to enhancement, and finally critical, as shown below.

- **Editorial:** These comments may be addressed, but such corrections would not affect approval of the document. Examples of editorial comments include: grammatical, spelling and other related errors.
- **Enhancement:** These comments may be addressed, but the document already meets the minimum requirements for approval. Enhancement comments would greatly improve the quality of the document and the understanding for the public. These comments may pertain to improving graphics, re-packaging of the document, use of plain language, reformatting for clarity, removing redundant language, suggesting alternative approaches to meet minimum requirements, etc.
- **Critical:** These comments must be addressed to meet minimum Federal and State requirements to obtain approval. The reviewer must clearly identify the applicable federal or state policies, regulations, guidance, procedures or statutes that the document does not conform with.

If the District cannot recommend approval upon review of the TIP, the District should coordinate with the MPO to resolve deficiencies and issues before any other party reviews the TIP. A checklist to assist in review of the TIP can be found in Liaison Toolkit on the [MPO Partner Site](#). The [MPO Document Portal](#) will notify all parties involved in the

review process once everyone reviews and approves the document. This will initiate OPP's process for having the TIPs approved with the STIP.

#### **5.6.5.2.2 TIP Checklist**

Federal or State laws and rules do not specify a particular format for the TIP. The TIP Checklist is provided to assist in review of the TIP. This checklist should be used to review the draft TIP, and MPOs must address critical comments for the District to recommend approval to OPP. The TIP Checklist can be found in the Liaison Toolkit on the [MPO Partner Site](#). It is best practice to provide a comment if checking "no" to a question and to categorize all comments.

#### **5.6.5.3 Coordination by the Office of Policy Planning**

OPP will coordinate with the Districts, FHWA, and FTA in their review of all draft and final TIPs for compliance with Federal and State laws and regulations. Once the final TIP is distributed by the MPO to all review agencies, all issues are resolved, and the Districts have formally recommended approval of all TIPs, OPP prepares all TIPs for approval by the Secretary and incorporation into the STIP by reference.

#### **5.6.5.4 Review by Federal Agencies**

Through the [MPO Document Portal](#), OPP will request the FHWA and the FTA review the TIPs and provide written comments within **30 calendar days** of receipt. Once the FHWA Florida Division Office provides the OPP written comments on the TIPs, the OPP will prepare all TIPs for approval by the Secretary and incorporation into the STIP by reference. The approval of the STIP by **September 30** ensures continued Federal-aid funding for projects and programs.

Through the [MPO Document Portal](#), the FHWA or the FTA will notify OPP and the District in the event they find any TIP to be deficient or incomplete. The District will coordinate with the MPO to resolve issues as soon as possible since Federal-aid funding cannot be approved until the TIP is approved and incorporated into the STIP by **September 30** of each year. Upon resolution of deficiencies, the MPO will resubmit the corrected TIP to the District. The District will then advise the OPP of the correction. OPP will notify the FHWA Florida Division Office. Upon confirmation that the issues have been resolved to the

satisfaction of the FHWA and the FTA, OPP will recommend the TIP to the Secretary for approval and incorporation into the STIP.

### **5.6.5.5 Approval by the Secretary of Transportation**

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

## **5.7 Federal Authorization Requests**

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

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

A properly filed Federal Authorization Request (FAR) will generally be approved by the FHWA within **two weeks** of submission by FDOT's Federal Aid Management Office. However, if the project is not properly listed in the TIP/STIP, a TIP amendment requiring MPO Board action may be required to obtain initial Federal Authorization. This could delay commencement of work by weeks or months. A STIP amendment request generally needs to accompany the TIP amendment.

For this reason, District staff (e.g., Planning, Work Program, Estimates, Right of Way) must verify the project is properly listed in the TIP/STIP prior to submitting initial Federal Authorization Request to the Federal Aid Management Office. The project must be properly listed in the federally mandated four-year STIP and, if the project is located within the MPO's boundary, it must be listed in the first four years of the MPO's five-year TIP. For more information about the FAR process, refer to [Part IV Chapter 6: Authorizing Federal Projects With Federal Highway Administration](#).

This verification should take place at least **two months** in advance of the District's submission of the federal authorization request to the Federal Aid Management Office to

ensure adequate time to process a TIP/STIP amendment if required. If a project has undergone a change that falls within the formal TIP/STIP amendment criteria, District planning staff will notify the MPO of the need to process a TIP amendment; the District staff will notify OPP/FAMO of the need to process a STIP amendment. Following approval of the TIP amendment, OPP will review the submitted STIP amendments with the Federal Aid Management Office for electronic transmission to FHWA and/or FTA for review and approval. For more information on the TIP/STIP amendment process, see [Work Program Instruction Part IV, Chapter 5](#) and [Section 5.6.5.2.2: TIP Checklist](#).

For advanced warning on projects that may need TIP/STIP amendments the following reporting tool has been developed: <https://owpb.fdot.gov/federalaid/stip.aspx>.

## 5.8 TIP Administration

### 5.8.1 TIP and STIP Revisions

At times, TIPs and the STIP may require revisions. These revisions can be processed in the form of either a *TIP/STIP amendment* or an *administrative modification*. TIP/STIP amendments are processed for project changes that meet the thresholds for a TIP/STIP amendment, as described below, and generally require MPO Board approval for the TIP amendment and FHWA/FTA approval for the STIP amendment. TIP administrative modifications are minor changes that do not meet the threshold for an amendment and can generally be performed by the MPO Executive Director; TIP modifications do not require an amendment to the STIP. TIP/STIP amendments and TIP administrative modifications are the most common types of TIP revisions. Roll Forward TIP Amendments and Administrative TIP Amendments may occur between the start of the new State fiscal year and the end of the old Federal fiscal year (July 1<sup>st</sup> – September 30<sup>th</sup>). Copies of any updated TIPs must be provided to FHWA and FTA through the [MPO Document Portal](#).

Figure 5.3 Types of TIP Revisions

<p><b>TIP Modification</b></p>	<ul style="list-style-type: none"> <li>• Minor changes to project costs (i.e., less than 20 percent and \$2 million), funding sources of previously included projects, and project initiation dates.</li> </ul>
<p><b>TIP/STIP Amendment</b></p>	<ul style="list-style-type: none"> <li>• Major change including addition or deletion of a project, project cost increase (more than 20 percent and \$2 million), or design concept or scope (i.e., changing project termini - increase or decrease of 1/2 mile and 20%, or the number of through traffic lanes)</li> <li>• TIP/STIP Amendment requests that are received by OPP/FAMO for review by the 10th of each month will be included in the STIP Amendment for that month. This will enable FHWA to routinely approve the amendment by the end of the month.</li> </ul>
<p><b>Roll Forward Amendment</b></p>	<ul style="list-style-type: none"> <li>• If there was a project in any of the four Federally recognized years of the old TIP that did not get authorized by <b>June 30</b>, the project can still be authorized based on the old TIP, as long as the request is made between <b>July 1</b> and <b>September 30</b>.</li> <li>• There is a need to ensure such projects are in the new TIP if the projects are to be authorized after <b>September 30</b>. This is accomplished through the Roll Forward TIP Amendment and must occur before <b>October 1</b>.</li> </ul>
<p><b>Administrative TIP Amendment</b></p>	<ul style="list-style-type: none"> <li>• <i>During the Tentative Work Program development cycle</i>, if a new project is added to Year One, this project will appear in the new TIP, but it is not recognized by FHWA until <b>October 1</b>. This becomes an issue between <b>July 1</b> and <b>September 30</b>, when FHWA does not yet recognize the new TIP as being in effect and the <b>project requires federal authorization prior to October 1</b>.</li> <li>• FHWA and FTA allows Administrative TIP/STIP Amendments during the three-month gap between the start of the new State fiscal year and the beginning of the new Federal fiscal year, without the requirement of full Board Action. The Administrative amendment takes place between <b>July 1</b> and <b>August 31</b> only.</li> </ul>

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

In many cases, projects that require TIP amendments also require FDOT Work Program amendments. The Work Program amendment process is authorized by [s.339.135\(7\), F.S.](#), and outlined in FDOT’s [Work Program Instructions](#). STIP actions take place on the Adopted Work Program; therefore, any TIP/STIP amendments that require a Work Program Amendment cannot be processed until the Work Program Amendment has been approved. This entire amendment process may require two months or more. TIP/STIP



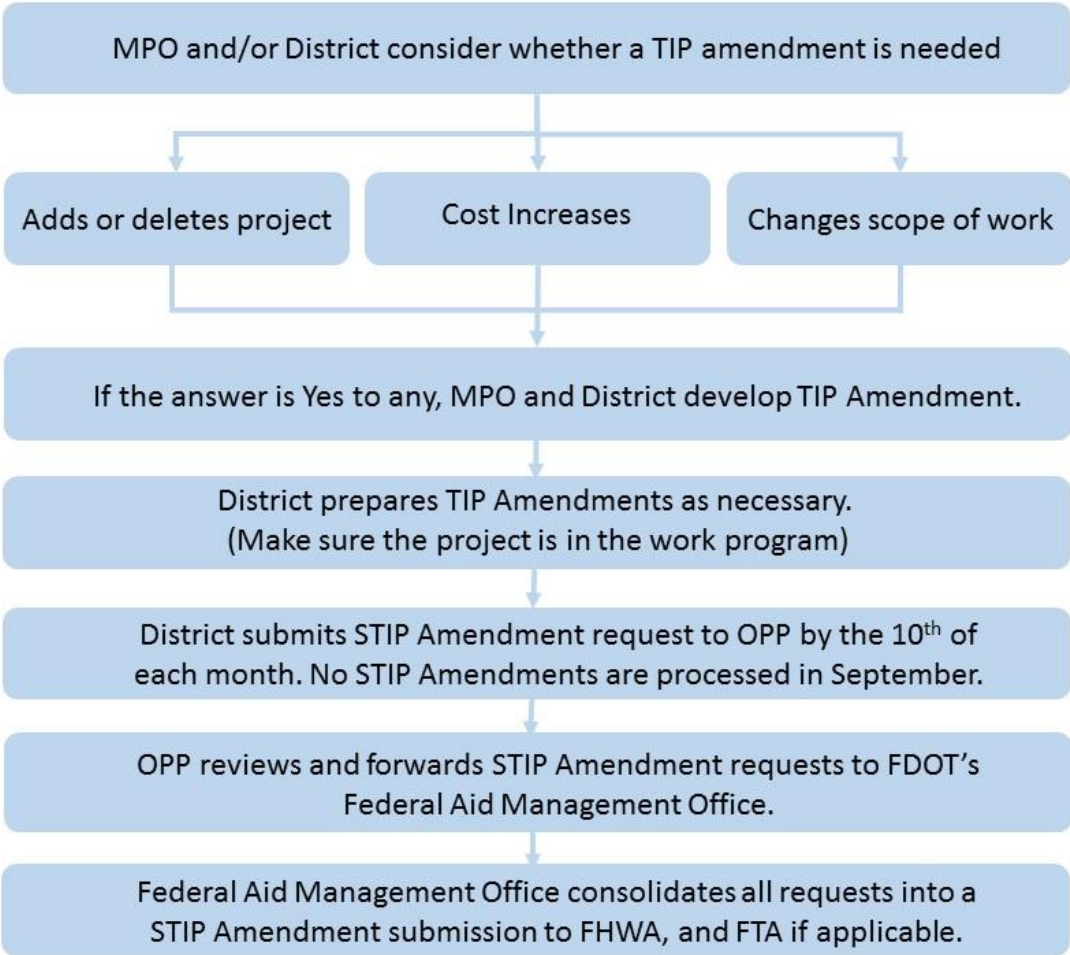
amendments that require Work Program Amendments shall be held in the District and will only be forwarded to Central Office for processing when the work program actions have been completed. **Note: No STIP amendments are processed in the month of September due to a new Federal fiscal year.**

For information about the amending the STIP, see the [Work Program Instructions Part IV, Chapter 5](#) Section E for further details. This section includes information outlining TIP/STIP amendment requirements, minimum federal criteria, content of the TIP/STIP amendment package, and the routing of STIP amendment requests.

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

**Figure 5.4** shows the process for amending the MPO's approved TIP.

Figure 5.4 TIP Amendment Process



**5.8.1.1 Determining if a TIP/STIP Amendment Is Required**

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

**The “Work Program Amendment” process must not be confused with the “TIP/STIP Amendment” process described herein.** The two processes are not the same, and one cannot be substituted for the other. Different criteria apply to each process; the reporting, notification, and approval provisions for Work Program amendments are very different from those governing TIP/STIP amendments. Please refer

to FDOT's [Work Program Instructions](#) for a detailed explanation of the Work Program and the Work Program Amendment process.

#### **5.8.1.1.1 Determining if a Change Is an Amendment or Modification**

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

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

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

TIP Amendment requests are made by the District to the MPO and require MPO Board approval. TIP Amendments being brought before the MPO Board that affect projects in the first three years of the TIP must be approved by the MPO with a recorded roll call vote of a majority of the membership present. [\[s. 339.175, F.S.\]](#) TIP modifications or amendments will be processed through the [MPO Document Portal](#), which then notifies the appropriate agency contacts for review.

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

The following five subsections describe common scenarios that result in a TIP/STIP Amendment.

#### **5.8.1.1.1.1 The Change Adds a New Individual Project**

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

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

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

Any “regionally significant” project, as defined by [23 C.F.R. 450.104](#) and requires FHWA or FTA approval, must have a TIP/STIP amendment regardless of the funding source. See [Section 5.2.1.3: Projects to Be Included in the TIP](#) of this chapter.

#### **5.8.1.1.1.2 The Change Adversely Impacts Financial Constraint**

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

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

#### **5.8.1.1.1.3 The Change Results in Major Scope Changes**

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

- Any material changes to project length exceeding 20 percent, positive or negative, of the original project length;
- Any material changes to capacity (e.g., adding additional lanes);
- Any material changes to type of work (e.g., adding bridge repairs to resurfacing job, or changing modes from highway to transit); and
- Any scope change that is significant enough to affect the priority order of projects in the TIP/STIP, or to affect consistency with the MPO's LRTP.

#### **5.8.1.1.1.4 The Change Deletes a Project**

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

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

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

### **5.8.1.2 Roll Forward Amendment (Authorization of Roll Forward Projects)**

During the three-month gap between the start of the State fiscal year (**July 1**) and the start of the Federal fiscal year (**October 1**), FHWA and FTA regard the old STIP and TIPs as being in effect. Therefore, if there was a project in any of the four Federally recognized years of the old TIP that did not get authorized by **June 30**, the project can still be authorized based on the old TIP, as long as the request is made between **July 1** and

**September 30. There is no need to amend the old TIP.** There is still a need, however, to ensure such projects are in the new TIP if the projects are to be authorized after **September 30**. This is accomplished through the Roll Forward TIP Amendment mentioned below and must occur before **October 1**.

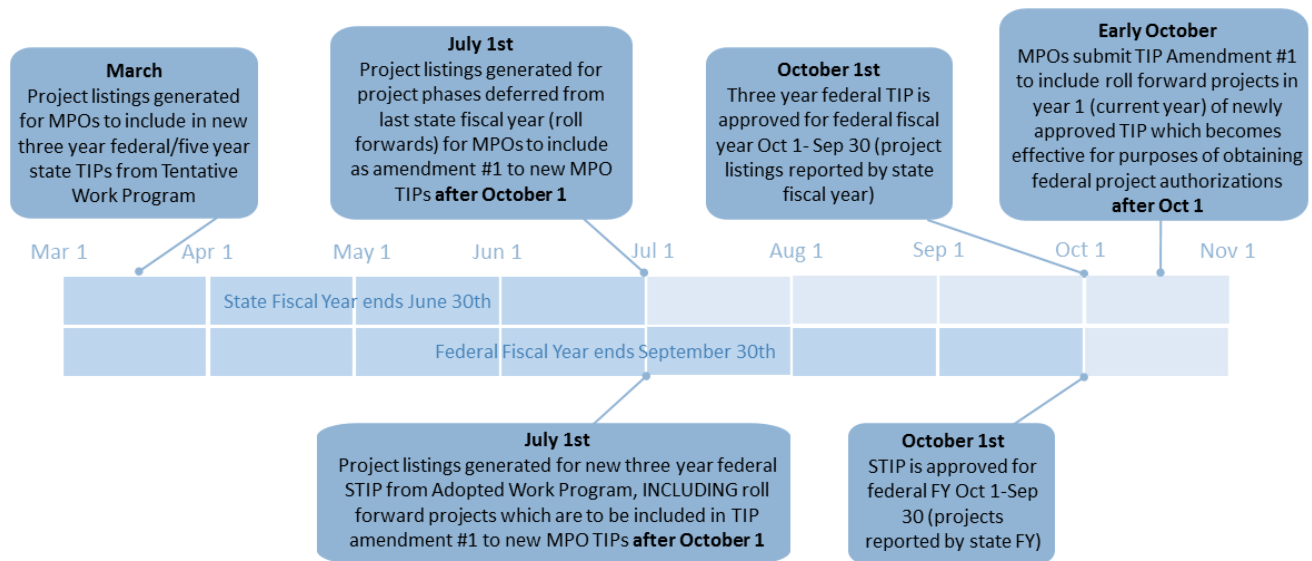
#### **5.8.1.2.1 Roll Forward TIP Amendments (FHWA Projects)**

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

Following the adoption of the Work Program, the Work Program Office posts the Roll Forward Report on-line. This report lists, by District, those projects which did not get authorized by the end of the last fiscal year and have been rolled forward in the newly adopted Work Program. The Districts provide this list to the MPO, and the MPO uses this list to process a Roll Forward TIP Amendment.

**Figure 5.5** presents the roll forward amendment process. An MPO can process a Roll Forward TIP Amendment as soon as the Roll Forward Report is published. However, FHWA will not recognize the approval of the Roll Forward TIP Amendment until after **October 1**, the effective date of the new MPO TIP. **Please note there is no need for the MPOs to request a Roll Forward STIP Amendment because these Roll Forward projects are included in FDOT's submittal of the STIP on August 31.**

**Figure 5.5 Process Flow for Roll Forward Amendments**



### 5.8.1.2.2 Roll Forward TIP Amendments (FTA Projects)

Unlike all other projects, FTA projects do not automatically roll forward in the Work Program. Non-budgeted projects that utilize 49 U.S.C. Sections [5307](#), [5337](#), and [5339](#) funds, that are not obligated in the previous year, will not roll forward. A limited number of budgeted projects will roll forward into the new STIP. Unless District MPO Liaisons and the Public Transportation Office are mindful to roll forward FTA funded projects, there is a risk that they could mistakenly drop out of the Work Program, and consequently, the STIP. If that happens, the project will not be eligible for FTA funding when the time comes to authorize it, and a STIP Amendment will have to be executed to put the project back in. **Therefore, special care must be taken to ensure the Roll Forward TIP Amendment includes FTA-funded projects.** The District Public Transportation Office (PTO) should work in cooperation with the Central Office PTO and the respective transit agencies to identify these projects. The District MPO Liaison must work closely with the District Public Transportation Office (PTO) to ensure all projects not previously obligated are in the new STIP. See the [Work Program Instructions Part IV, Chapter 5](#) Section F for further details about Roll Forward TIP/STIP Amendments.

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

An administrative TIP Amendment is an amendment that does not have to go to the full MPO Board for approval. FHWA and FTA will allow an administrative TIP Amendment

during the three-month gap between the start of the new State fiscal year and the end of the old Federal fiscal year (**July 1** to **September 30**) for new projects that were added during the Tentative Work Program development cycle.

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

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

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

It is important that District and MPO staff do not confuse the administrative amendment process with the administrative modification process, as these processes are unique and have different approval requirements. Doing so may result in miscommunication regarding the process for changing a project in the TIP, which could result in project delays. More information on the Administrative TIP/STIP Amendment process can be found in Federal Aid Technical Bulletin 10-03 and 20-02 from FDOT's Federal Aid Management Office, available on the [Federal Aid Tech Bulletin Internal SharePoint Site](#).

#### **5.8.1.4 Emergency TIP/STIP Amendments**

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



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

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

## **5.8.2 Contents of TIP/STIP Amendment Package**

TIP Amendment packages must include specific documents and information regarding project changes and must be uploaded to the [MPO Document Portal](#). The accompanying STIP Amendment (prepared by the Federal Aid Office) will draw upon the contents of individual TIP Amendments as the basis for its preparation.

TIP Amendments must contain the following information:

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

- Project name, limits, length, detailed project description and type of work;
- Financial Project Number (FPN);
- FDOT Work Program fund code;
- For FTA Amendments, the section number needs to be in the description line of the Work Program entry and on the TIP Amendment;
- Estimated cost;
- Phase of work;
- State fiscal year in which work is to commence;
- Reason for the proposed change;
- Effect of the change to financial constraints;

- LRTP page number;
- TIP page number;
- Indication whether a STIP Amendment is required;
- Signature of MPO Chairman or designee (if approval authority has been delegated to MPO staff and documented);
- Signature of FDOT's District representative; and
- Statement that the TIP Amendment was developed and approved in compliance with applicable laws and procedures.

For **existing projects**, include the information listed above, and the following:

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

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

### **5.8.3 Schedule for Processing TIP/STIP Amendments**

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

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

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

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

### **5.8.4 Routing of TIP/STIP Amendment Requests**

STIP Amendment requests within MPO planning areas are generally accompanied by corresponding TIP Amendments already prepared and approved by the various MPOs. However, the need for TIP/STIP Amendments can come from many sources (e.g., Planning, Public Transportation, Program Development, etc.); and can cause a lack of consistency that often results in errors and delays in the authorization of funds.

- STIP Amendment requests for projects within an MPO's planning area (i.e., those requiring TIP Amendments) will be reviewed by OPP in consultation with the District point of contact to ensure they are complete. After completing their review, the STIP Amendment Application forwards these requests to the Federal Aid Management Office.
- STIP Amendment requests for projects outside of MPO planning areas are to be submitted following the same process as above but do not require documentation.

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

### **5.8.5 Close-out of Federal Fiscal Year and TIP Amendments**

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

processed provided the amendments include the full information required in [Section 5.8.2: Contents of TIP/STIP Amendment Package](#).

## 5.9 References

[Table 5.2](#) provides a list of references/definitions from Federal or State law, including key plans and guidance related to MPOs.

**Table 5.2**    **References**

Reference	Description
<a href="#">FDOT Work Program Instructions</a>	Instructions to guide the development of FDOT’s work program
<a href="#">FDOT’s Efficient Transportation Decision-Making (ETDM) Manual</a> , May 2017	For use in reviewing qualifying transportation projects during the Efficient Transportation Decision Making (ETDM) Process Planning and Programming Screens
<a href="#">Practical Application Guides for SCE Evaluations: ETDM Phase</a>	Describes the process for evaluating sociocultural effects (SCE) for projects undergoing Planning screen or Programming screen reviews as part of Florida’s Efficient Transportation Decision Making (ETDM) Process
<a href="#">MPO Document Portal</a>	Portal through which MPOs upload TIPs, TIP modifications, and TIP amendments

# 6 Public Involvement

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## 6.1 Purpose

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

## 6.2 Authority

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

**Table 6.1 Federal and State Statutes and Codes**

Citation	Description
<b>Federal</b>	
<a href="#">23 C.F.R. 450.316</a>	Describes the requirement for MPOs to develop a PPP and provide reasonable opportunities for all parties to participate and comment on MPO planning products.
<a href="#">23 U.S.C. 134</a>	Describes the requirement for MPOs to provide reasonable opportunities for all parties to participate and comment on LRTPs and TIPs.
<a href="#">Title VI of the Civil Rights Act</a>	Prohibits Federally assisted programs from discrimination based on race, color, or national origin.
<a href="#">Executive Order 12898</a>	Describes requirements for Federal actions to address environmental justice concerns for low-income and minority populations.



Citation	Description
<a href="#">Executive Order 13166</a>	Describes requirements to develop plans for people for whom English is not their native language or who have limited ability to read, speak, write, or understand English.
<a href="#">Americans with Disabilities Act (ADA)</a>	Prohibits discrimination and ensures equal opportunity for persons with disabilities.
<b>State</b>	
<a href="#">Government-in-the-Sunshine Law</a> <a href="#">s.286.011, F.S.</a>	Provides the public with basic right of access to most meetings and records of boards, commissions, and other governing bodies of State and local governmental agencies; and requires meeting minutes to be publicly accessible.
<a href="#">s.339.175, F.S.</a>	Describes public involvement requirements for MPO planning activities.
<a href="#">s.1012.465, F.S.</a>	Jessica Lunsford Act, which requires background checks of all persons entering school grounds when children are present.

## 6.3 Federal Requirements for Public Involvement

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

### 6.3.1 Development of a Public Participation Plan

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

on these requirements is contained in the “PY19 Program Accountability Results (PAR) Public Participation Plans,” conducted in August 2019. While this assessment was conducted for non-TMA MPOs, the requirements cited in the assessment apply to all MPO PPPs.

The MPO must develop and use a documented PPP that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

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

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

- Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed LRTP and the TIP;
- Providing timely notice and reasonable access to information about transportation issues and processes;
- Employing visualization techniques to describe LRTPs and TIPs;
- Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the Internet;
- Holding any public meetings at convenient and accessible locations and times;
- Demonstrating explicit consideration and response to public input received during the development of the LRTP and the TIP;

- Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- Providing an additional opportunity for public comment, if the final LRTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
- Coordinating with the statewide transportation planning public involvement and consultation processes; and
- Periodically reviewing the effectiveness of the public involvement procedures and strategies contained in the PPP to ensure a full and open participation process.

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

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

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

In developing LRTPs and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPO area. This consultation should include entities that are affected by transportation, including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental

protection, airport operations, or freight movements. In addition, the MPO must develop the LRTPs and TIPs with due consideration of other related planning activities within the metropolitan area; the process must provide for the design and delivery of transportation services within the area that are provided by: [\[23 C.F.R. 450.316\(b\)\]](#)

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

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

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

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

**Note that MPOs are required to conduct the activities listed in their plans.** If the PPP calls for a public hearing for LRTPs, for instance, that hearing becomes a requirement; this is even if it is not required by law or regulation. Likewise, if the PPP calls for newspaper advertisements, the MPO must publish those advertisements. MPOs should clearly identify the minimum public involvement activities they will undertake for LRTPs, as well as any additional activities they may undertake. MPOs should anticipate the potential for additional meetings beyond the minimum and clearly identify in the PPP how the public will be informed of additional meetings. Please note MPOs are exempt from the state law that requires publishing meeting notices in the Florida Administrative Register (see [Section 120.52, FS](#)), but the MPO must follow the

meeting noticing requirements in their PPP and should provide adequate notice to the public of their meetings.

PPPs are living documents that must be revisited periodically to reflect changing communities and their needs. As such, the MPO should update its PPP at a minimum of once every five years (preferably prior to the initiation of the development of a new LRTP) to ensure that it remains accurate and effective.

The FHWA PPP checklist is available on the [MPO Partner Site](#) to aid in the development and review on MPO PPPs.

### **6.3.2 Federal Public Involvement Requirements Specific to the LRTP**

When developing the LRTP, the MPO must provide interested parties with a reasonable opportunity to comment on it using the strategies identified in the MPO's adopted PPP. In some cases, the MPO may develop a PPP specific to the LRTP as part of the scope of that project. If this is done, the PPP for the LRTP must be consistent with the overall PPP of the MPO. The PPP for the LRTP may provide additional detail about engagement strategies being used or individuals, groups, or agencies being engaged. The PPP for the LRTP may also include outreach opportunities beyond those identified in the MPO's adopted PPP. Parties that should be included in the development of LRTPs include:

- Public agencies,
- Indian Tribal governments,
- Representatives of public transportation employees,
- Public ports and airports,
- Freight shippers,
- Providers of freight transportation services,
- Private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program),
- Representatives of users of public transportation,

- Representatives of users of pedestrian walkways and bicycle transportation facilities,
- Representatives of the disabled, and
- Other interested parties using the participation plan developed consistent with 23 C.F.R. 450.316(a). [\[23 C.F.R. 450.324\(k\)\]](#)

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

### **6.3.3 Federal LRTP Requirements Specific to Florida**

The MPO must be aware of additional requirements or guidance provided by FHWA and FTA when developing the LRTP. For example, in November 2012 and January 2018, the FHWA and FTA developed a summary of “expectations” for the subsequent update of LRTPs, *Federal Strategies for Implementing Requirements for LRTP Update for the Florida MPOs*, which are available in the Partner Library on the [MPO Partner Site](#). This additional guidance states that for LRTPs, MPO Boards, their advisory committees, and the public, should have the opportunity to periodically review the LRTP products, interim tasks, and reports that result in the final LRTP documentation. Furthermore, this guidance also states that final adopted LRTP documentation should be posted to the Internet; it should be available at the MPO offices, no later than 90 days after adoption.

### **6.3.4 Federal Public Involvement Requirements Specific to the TIP**

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

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

### 6.3.5 Public Involvement for the Federal Certification Review

In conducting a certification review for a Transportation Management Area (TMA)/MPO, the FHWA and the FTA provide opportunities for public involvement within the metropolitan planning area under review. The FHWA and the FTA are required to consider the public input received in arriving at a decision on a certification action. This process can be used by the MPOs to improve the overall delivery of future public outreach based on the input received during the certification review process. [\[23 C.F.R. 450.336\(b\)\(4\)\]](#)

### 6.3.6 Americans with Disabilities Act

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

See [Chapter 10: Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations](#) for a discussion of ADA requirements as they pertain to MPOs.

### 6.3.7 Title VI of the Civil Rights Act

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

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

See [Chapter 10: Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations](#) for a discussion of other Title VI requirements as they pertain to MPOs.

### **6.3.8 Executive Order 12898, Environmental Justice**

[Executive Order \(EO\) 12898](#), Environmental Justice (EJ), requires all Federal agencies to identify and address disproportionately high and adverse health or environmental effects of its activities on minority and low-income populations. EO 12898 also promotes access to public information and public participation for minority and low-income communities. MPOs must ensure and document early, continuous, and meaningful opportunities for involvement for these communities.

See [Chapter 10: Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations](#) for a discussion of EJ requirements as they pertain to MPOs.

### **6.3.9 Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency**

[Executive Order 13166](#), Improving Access to Services for Persons with Limited English Proficiency (LEP), requires agencies to develop plans so that people for whom English is not their native language or who have a limited ability to read, speak, write, or understand English can have meaningful access to services provided. Factors for determining when meaningful access is necessary include:

- Number or proportion of LEP persons in the affected area;
- Frequency of contact with LEP persons;
- Importance of the service provided to LEP persons; and
- Resources available.

MPOs must use these four factors to determine when, and to what extent, LEP services are required. Translation of vital documents into languages other than English and oral



interpretation through translators or other interpretive services are methods of communication that may constitute meaningful access.

See [Chapter 10: Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations](#) for a discussion of LEP requirements as they pertain to MPOs.

## 6.4 State Requirements for Public Involvement

State public involvement requirements related to MPOs are described in this section.

### 6.4.1 State Public Involvement Requirements Specific to the LRTP

In the development of its LRTP, each MPO must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the LRTP. [\[s.339.175\(7\), F.S.\]](#)

### 6.4.2 State Public Involvement Requirements Specific to the TIP

During the development of the TIP, the MPO must, in cooperation with FDOT and any affected public transit operation, provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with reasonable notice of and an opportunity to comment on the proposed program. [\[s.339.175\(8\)\(e\), F.S.\]](#)

### 6.4.3 Public Involvement for the Annual List of Prioritized Projects

Each MPO annually must prepare a list of project priorities and submit the list to the appropriate FDOT District by **August 1** of each year. The list must have been reviewed by the technical and citizens' advisory committees and approved by the MPO Board/Commission before submission to the District. The annual list of project priorities must be based upon project selection criteria that consider, among other items, the MPO's public involvement procedures. [\[s.339.175\(8\)\(b\)\(5\), F.S.\]](#)

## 6.4.4 Public Involvement for the Annual List of Federally Obligated Projects

The MPO is required annually to publish or otherwise make available for public review the annual listing of projects for which Federal funds have been obligated in the preceding year. [\[s.339.175\(8\)\(h\), F.S.\]](#)

## 6.4.5 Public Involvement and MPO Committees

Most MPOs consider their standing committees to be a fundamental part of their public involvement activities. The formation of a technical advisory committee (TAC) and citizens' advisory committee (CAC) are required pursuant to [s.339.175\(6\)\(d\), F.S.](#) and [s.339.175\(6\)\(e\), F.S.](#); and formation guidance is provided in [Chapter 2: Metropolitan Planning Organization Formation and Modification](#). As an alternative to the use of a CAC, Florida Statute provides provisions for MPOs to adopt an alternate program or mechanism that ensures adequate citizen involvement in the transportation planning process following approval by FHWA, FTA, and FDOT. MPOs may also consider additional standing committees as a public involvement activity to address specific needs, such as bicyclists, pedestrians, and multiuse trails, safety, goods/freight movement, etc. MPOs must address and include their committee activities in the PPP; they are encouraged to detail how the schedule for meetings, agenda packages, and actions of the committees will be communicated with the public and how the public can participate in those meetings.

## 6.4.6 Government-in-the-Sunshine Law

Florida's Government-in-the-Sunshine Law [\[s.286.011, F.S.\]](#), mandates that all meetings of any board or commission of any state, county, municipal, or political subdivision, agency, or authority conduct business in a transparent manner to provide the public a right of access to proceedings. This includes an MPO's Governing Board, general members (voting and nonvoting members), and any active committees designed to advise the MPO Board such as TACs and CACs. The Sunshine Law provides guidance on how to conduct MPO and the MPO advisory committee meetings and workshops; it also shows how to process public records, communications, notices, minutes, in addition to general ethics issues.

The Sunshine Law secures the public's right to attend or record meetings, for the public to have reasonable opportunity to be heard, and for all meetings to be open to the public. Therefore, MPOs must provide reasonable notice of meetings and make adequate

accommodations to hold open meetings and provide an opportunity for public input. Minutes of meetings must be available for public inspections. MPOs are prohibited from holding public meetings at a facility or location that discriminates on the basis of sex, age, race, creed, color, origin, or economic status; they are also forbidden to hold meetings at places that otherwise restrict public access. The statute establishes penalties for violations of these provisions and exceptions for specific situations. MPOs should consult legal counsel for any questions regarding Florida’s Government-in-the-Sunshine Law.

### 6.4.7 Jessica Lunsford Act

The Jessica Lunsford Act [\[s.1012.465, F.S.\]](#) requires background checks of all persons entering school grounds when children are present. MPOs should consult legal counsel before planning to hold a meeting on school property.

### 6.4.8 FDOT Resources

For more information about public involvement, please consult [FDOT's Public Involvement Resource Guide](#), which includes the Public Engagement Resource Guide. This resource provides in-depth guidance for public involvement activities in general. Other resources include policies, quick references, manuals, and websites covering a range of topics, from guidance on how to host virtual or hybrid (in-person and virtual) public meetings to resources on how to engage people with limited English proficiency.

## 6.5 References

**Table 6.2** provides a list of references/definitions from State law, including key plans and guidance related to MPOs.

**Table 6.2**    **References**

Reference	Description
<a href="#">42 U.S.C. 2000d et. seq.</a>	Title VI of the Civil Rights Act of 1964, as amended
<a href="#">Office of Environmental Management Web Page</a>	FDOT’s Environmental Justice Information.
<a href="#">FDOT Limited English Proficiency Guidance</a>	FDOT’s LEP guidance.

Reference	Description
<a href="#">Public Involvement Resource Guide</a>	FDOT Guidance for public involvement activities

# 7 Certification of the Metropolitan Transportation Planning Process

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## 7.1 Purpose

This chapter provides guidance to the Districts of the Florida Department of Transportation (FDOT) and Metropolitan Planning Organizations (MPO) for the certification of the metropolitan transportation planning process conducted by FDOT, the MPOs, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

Federal law and regulation require FDOT and the MPOs to jointly certify the transportation planning process for each metropolitan planning area concurrent with the submittal of the proposed Transportation Improvement Program (TIP) to FHWA and FTA. Federal law and regulation also require FHWA and FTA to review and evaluate the transportation planning process for MPOs in transportation management areas (i.e., urban areas with Census populations greater than 200,000) no less than once every four years.

## 7.2 Authority

**Table 7.1** presents the Federal and State statutes, regulations, and rules related to MPO certification.

**Table 7.1 Federal and State Statutes and Codes**

Citation	Description
<a href="#">23 U.S.C. 134</a>	Certification of the metropolitan transportation planning process.
<a href="#">49 U.S.C. 5303 (k)(5)</a>	
<a href="#">23 C.F.R. 450.336</a>	Self-certifications and Federal certifications.

## 7.3 Overview of Federal Certification Requirements

The primary purpose of a certification review is to ensure the planning requirements of [23 U.S.C. 134](#) and [49 U.S.C. 5303](#) are being satisfactorily implemented. Per [23 C.F.R. 450.336\(a\)](#), for all metropolitan planning areas (MPA), concurrent with the submittal of the

entire proposed TIP to FHWA and FTA, as part of the State Transportation Improvement Program (STIP) approval, the State and the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements, including the following:

- [23 U.S.C. 134](#), [49 U.S.C. 5303](#), and [23 C.F.R. 450.336](#);
- In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act, as amended; [42 U.S.C. 7504, 7506\(c\) and \(d\)](#), [40 C.F.R. Part 93](#)
- Title VI of the Civil Rights Act of 1964, as amended; [42 U.S.C. 2000d-1](#), [49 C.F.R. Part 21](#)
- [49 U.S.C. 5332](#) prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- [Section 1101\(b\) of the Fixing America's Surface Transportation \(FAST\) Act](#) (Pub. L. 114-357) and [49 C.F.R. Part 26](#) regarding the involvement of disadvantaged business enterprises in DOT-funded projects;
- [23 C.F.R. Part 230](#) regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the Americans with Disabilities Act (ADA) of 1990 [42 U.S.C. 12101 et seq.](#) and [49 C.F.R. Parts 27, 37, and 38](#);
- The Older Americans Act, as amended [42 U.S.C. 6101](#), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- [23 U.S.C. Part 324](#) regarding the prohibition of discrimination on the basis of gender; and
- Section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794](#) and [49 C.F.R. Part 27](#) regarding discrimination against individuals with disabilities.

Per [23 C.F.R. 450.336\(b\)](#) in Transportation Management Areas (TMA), FHWA and FTA jointly shall review and evaluate the transportation planning process for each TMA no less



than once every four years to determine if the process meets the requirements of applicable provisions of Federal law and [23 C.F.R. 450.336](#).

- After review and evaluation of the TMA planning process, FHWA and FTA shall take one of the following actions:
  - If the process meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process;
  - If the process substantially meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process subject to certain specified corrective actions being taken; or
  - If the process does not meet the requirements of this part, jointly certify the planning process as the basis for approval of only those categories of programs or projects that FHWA and FTA jointly determine, subject to certain specified corrective actions being taken.

If, upon the review and evaluation conducted under paragraph (b)(1)(iii) of this section, FHWA and FTA do not certify the transportation planning process in a TMA, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the MPO for projects funded under [Title 23 U.S.C.](#) and [Title 49 U.S.C. Chapter 53](#), in addition to corrective actions and funding restrictions. The withheld funds shall be restored to the MPA when the metropolitan transportation planning process is certified by FHWA and FTA, unless the funds have lapsed.

A certification of the TMA planning process will remain in effect for four years, unless a new certification determination is made sooner by FHWA and FTA, or a shorter term is specified in the certification report.

In conducting a certification review, FHWA and FTA shall provide opportunities for public involvement within the metropolitan planning area under review. FHWA and FTA shall consider the public input received in arriving at a decision on a certification action.

FHWA and FTA shall notify the MPO(s), the State(s), and public transportation operator(s) of the actions taken under paragraphs (b)(1) and (b)(2) of this section.

FHWA and FTA will update the certification status of the TMA when evidence of satisfactory completion of a corrective action(s) is provided to FHWA and FTA.

## **7.4 FDOT Joint Certification Process**

Each year, the District and the MPO must jointly certify the metropolitan transportation planning process. The joint certification begins in January. This allows time to incorporate relevant recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions. The District should also share positive findings and best practices identified during the certification process.

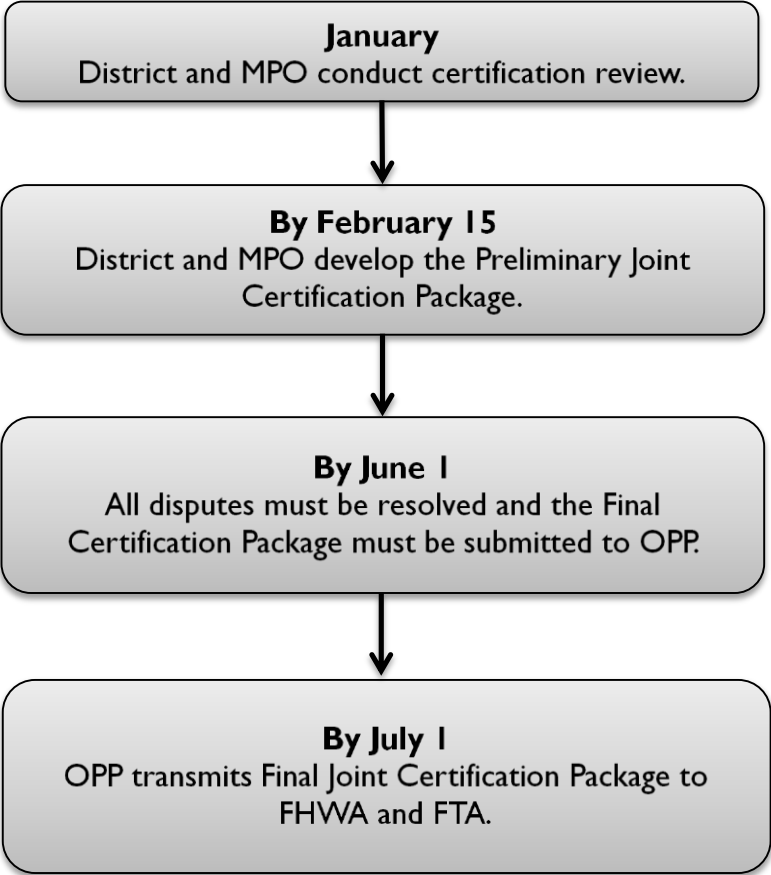
The final certification package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than **June 1**.

Districts no longer have the option of doing a full certification or a modified certification. All certification questions must be answered, every year. The process is presented in [Figure 7.1](#), and is described in the following sections.

Instructions on how to complete the certification are available in the Certification Process Section of the FDOT Joint Certification Document, which is available for download from the [MPO Partner Site](#).

The District shall report the identification of and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board.

Figure 7.1 Joint Certification Process



### 7.4.1 Joint Certification Review

The District should provide preliminary results to the MPO by **February 15**. The review ensures the transportation planning process is being carried out in accordance with the applicable requirements listed in [\[23 C.F.R. 450.336\(a\)\]](#) and referenced in [Section 7.3: Overview of Federal Certification Requirements](#). Issues will be identified and discussed; resolution will be sought by all parties, as appropriate.

During the years when the new two-year UPWP is being developed (i.e. year 2 of the current UPWP), any recommendations from the joint certification review will be incorporated into the draft UPWP. The District will send a Final Joint Certification Package to OPP, then OPP will transmit the package to FHWA and FTA.

If there is a dispute between the District and the MPO regarding the certification, they should refer to the conflict resolution process in [Section 7.4.4: Resolving FDOT/MPO](#)

**Joint Certification Issues.** The District and the MPO have until August 1 to resolve disputes and submit the signed Joint Certification Package to FHWA, FTA, and OPP.

## 7.4.2 Development of the Joint Certification Package

The District must prepare a preliminary copy of the Joint Certification Package for MPO review by **February 15**. This will allow the implementation of recommendations into the draft UPWP that is due on **March 15**.

The preliminary Certification Package must include the following:

- The completed Master Certification Document, which may include:
  - A summary description of any noteworthy achievements by the MPO
  - Any recommendations and/or corrective actions
  - Any relevant attachments
- The un-signed certification statement

## 7.4.3 MPO Review

The MPO has a maximum of **15 calendar days** to respond to the District concerning the contents of the Joint Certification Package. Disagreements between the District and the MPO staff are to be resolved prior to the District's submittal of the Final Joint Certification Package to OPP. Districts are not to include deficiencies or agreements in the Final Joint Certification Package that have not been fully discussed and coordinated with the MPO.

## 7.4.4 Resolving FDOT/MPO Joint Certification Issues

The District will consult with OPP and the MPO if the District cannot certify the metropolitan transportation planning process. Through this three-way consultation process, strategies and actions will be identified to facilitate certification. Should the issue(s) not be resolved within FDOT-MPO consultation process, OPP will arrange consultation with FHWA, FTA, the District, and the MPO to resolve the issue(s).

## 7.4.5 Processing the Final Joint Certification Package

The District must submit a copy of the signed Certification Package by **June 1** to OPP, the Florida Division of FHWA, and FTA (for a total of three copies). Extra time to resolve disputes may be needed; however, the deadline is **August 1**. This will allow OPP ample time for review. All Joint Certifications must be approved before the FDOT Secretary can request approval of the STIP from FHWA and FTA.

The Final Joint Certification Package will include the following:

- The completed Master Certification Document, which may include:
  - A summary description of any noteworthy achievements by the MPO
  - Any recommendations and/or corrective actions
  - Any relevant attachments
- The signed certification statement

## 7.5 Certification Questions

**Section 7.3: Overview of Federal Certification Requirements** stated the planning process must be done in accordance with the 10 applicable areas of law listed in [23 C.F.R. 450.336\(a\)](#). The certification questions identify those minimum tasks that an MPO shall do in order to be fully certified. This list is intended to be as comprehensive as possible. However, additional requirements may be added as Federal guidance or regulations are developed. The certification process underwent a complete update in 2017. The certification questions will be examined and updated after each certification cycle, as necessary. With that being the case, the certification questions will no longer be included in this Handbook. The current certification questions can be viewed in the FDOT Joint Certification Document, available for download from the [MPO Partner Site](#).

If the answer to a question is negative, and if the problem cannot be corrected prior to the signing of the Joint Certification Statement, FDOT has the option of granting conditional certification and including a corrective action in the Joint Certification Statement. The District may also identify recommendations or corrective actions based on any other the information in the review, any critical comments, or to ensure compliance with federal

regulation. The corrective action should include a date by which the problem must be corrected.

## 7.6 Risk Assessment

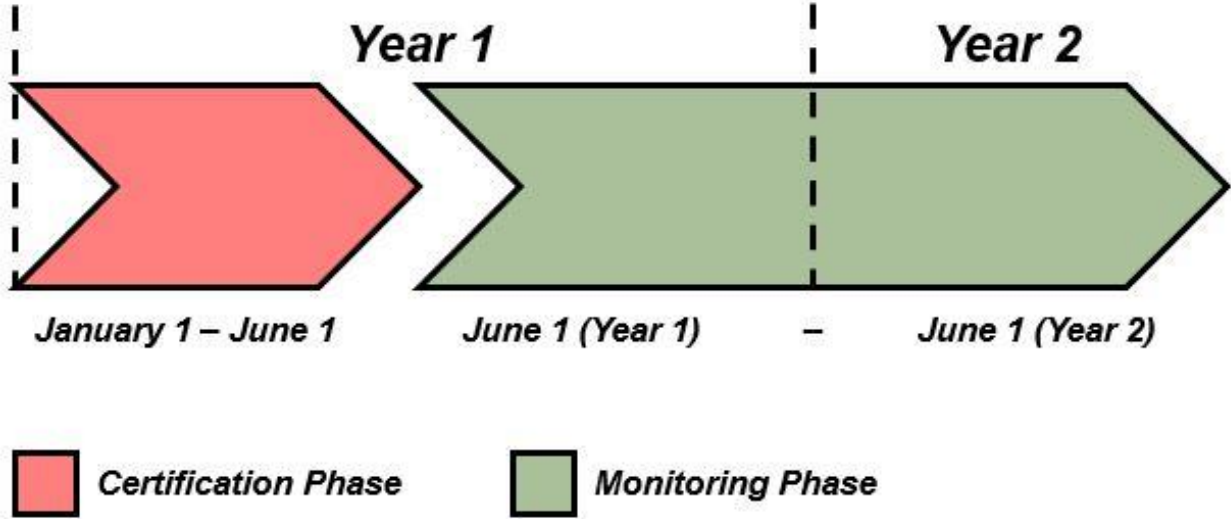
Part 2 Section 1: Risk Assessment of the FDOT Joint Certification Document is intended to satisfy requirements described in [2 CFR §200.206](#). The questions in Part 2 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO’s supporting documentation for their invoices is reviewed by District MPO Liaison for the upcoming year. The frequency of review is based on the level of risk in [Table 7.2](#).

**Table 7.2 Frequency of Review**

Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

The Risk Assessment has two main components – the Certification phase and the Monitoring phase – and involves regular reviewing, checking, and surveillance. The Risk Assessment is conducted in January to review the MPOs processes for the prior calendar year (The red line in [Figure 7.2](#)). Between January and July, the Risk Assessment is reviewed and finalized. Once the Risk Assessment is considered final, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for a 12-month period at a set frequency based on the level of risk. [Figure 7.2](#) summarizes the Risk Assessment timeline and how Risk Assessment phases can overlap from year to year.

Figure 7.2 Risk Assessment: Certification Year vs. Monitoring



## 7.7 Federal Certification Review Process

FHWA and FTA must certify that the metropolitan transportation planning process in TMAs is carried out in accordance with applicable provisions of Federal law at least once every four years [23 U.S.C. 134, 49 U.S.C. 5303, and 23 C.F.R. 450.336]. The schedule for Federal TMA certification reviews, referred to as the quadrennial review, is updated annually and distributed by the FHWA Florida Division. FHWA and FTA will conduct these certifications on a multiyear cycle, thereby, ensuring the MPOs in this category will be Federally certified at least every four years. For any more information on the federal certification process, please contact the FHWA Planner for your District.

### 7.7.1 Purpose of Review

The primary purpose of a certification review is to formalize the continuing oversight and evaluation of the planning process. The FHWA and the FTA work cooperatively with the TMA planning staff on a regular basis. By reviewing and approving planning products, providing technical assistance, and promoting best practices, the formal assessment involved in a certification review provides an external view of the TMA’s transportation planning process. FHWA and FTA utilize a risk-based approach containing various factors to determine which topic areas required additional evaluation during the certification review.

## 7.7.2 Components of the Quadrennial Review

**Eleven months** prior to the quadrennial certification review, FHWA contacts the MPO and the District to schedule the certification review of the metropolitan planning process. FHWA's advance notification letter will be sent to the MPO with copies to the appropriate District liaison and OPP. The Federal review team comprises representatives from FHWA and FTA. In nonattainment or maintenance areas, the Environmental Protection Agency may also participate.

The quadrennial certification review consists of the following four parts:

- The **Document Review** involves a thorough examination of the findings from the Joint Certification questions asked by the FDOT District since the last federal certification review. **FHWA** also will review the MPO's planning documents and work products, such as the LRTP, TIP, UPWP, and the Congestion Management Process (CMP). The Federal Review Team uses a risk based approach to identify focus areas for each TMA certification review.
- During the **Site Visit** to the MPO, the Federal Review Team will conduct meetings with the MPO to discuss the preliminary findings from the Document Review and other areas critical to the planning process, such as those listed at [\[23 C.F.R. 450.336\(a\)\]](#). The Site Visit provides an opportunity for information-sharing and discussion of best planning practices.

The FHWA lead staff person, in consultation with FTA, the MPO, and the District, is responsible for preparing the site visit agenda. The MPO is responsible for distributing the agenda and scheduling and advertising the meeting location and/or other input opportunities for public involvement.

Under [\[23 U.S.C. 134 \(k\)\(5\)\(D\)\]](#), there must be an opportunity for public involvement during TMA certification reviews. If a public meeting is held, it is typically conducted during the Site Visit portion of the certification review.

The public involvement session will include an opportunity for public input through a public meeting and/or virtual public involvement opportunities. The Federal Review Team may also have a dialogue with the MPO staff on the public involvement plan and its implementation. The MPO must provide documentation of its public involvement efforts related to the TMA Certification.



- The **Written TMA Certification Report** documents the findings from the Document Review and Site Visit, comments from the public, and other meetings with members of the MPO and/or its committees, as applicable. A draft of the preliminary report is distributed to the MPO, the District, and the Statewide MPO Coordinator to review for factual accuracy prior to the report being finalized.
- The **Closeout meeting** occurs when the Federal Review Team presents the report findings at an MPO Board meeting.

## 7.8 References

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

**Table 7.3**    **References**

Reference	Description
<a href="#">23 U.S.C. 134</a>	Metropolitan transportation planning
<a href="#">42 U.S.C. 2000d</a> et seq	Title VI of the Civil Rights Act of 1964
<a href="#">42 U.S.C. 12101</a>	ADA of 1990
<a href="#">42 U.S.C. 7504</a> and <a href="#">7506(c) and (d)</a>	Transportation Air Quality Conformity
<a href="#">49 U.S.C. 5303</a> ;	Metropolitan transportation planning
<a href="#">Section 1101(b) of the FAST Act</a>	Disadvantaged Business Enterprise (DBE)
<a href="#">23 C.F.R. 450</a>	Statewide and Metropolitan Planning
<a href="#">49 C.F.R. 26</a>	Participation by Disadvantaged Business Enterprise (DBE)
<a href="#">49 C.F.R. 27</a>	Nondiscrimination on the Basis of Disability in Programs and Activities Receiving Federal Financial Assistance

Reference	Description
<a href="#">49 C.F.R. 37</a>	Transportation Services for Individuals with Disabilities
<a href="#">49 C.F.R. 38</a>	ADA Accessibility Specifications for Transportation Vehicles

# 8 MPO Compliance

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## 8.1 Purpose

This chapter provides guidance to the Districts to assess and review the administration and management of Metropolitan Planning Organizations (MPOs) related to compliance with progress reporting and invoice submittals. MPOs have 90 days after the close of the reporting period to submit invoices as FDOT has extended the submittal period beyond the federally mandated 30-day window.

In addition to all of the planning requirements, MPOs are also expected to comply with federal and state laws and regulations pertaining to the successful administrative operation of the MPO (i.e., the development and timely submittal of progress reports and invoices). Districts will work with their MPOs to establish a process that will result in full compliance with federal and state laws and regulations. To achieve this goal, each District and MPO will follow a series of steps and actions that are clearly understood and adhered to by each MPO and District. As stipulated in [2 C.F.R. 200.208](#), FDOT has the authority to impose additional monitoring requirements.

## 8.2 Authority

**Table 8.1** presents the Federal and State statutes, regulations, and rules related to compliance.

**Table 8.1 Federal and State Statutes and Codes**

Citation	Description
<b>Federal</b>	
<a href="#">18 U.S.C. 1001</a>	Falsifying, concealing, or covering-up, making materially false, fictitious, or fraudulent statements or representations; or making use of false writing or documents knowing that they are materially false, fictitious, or fraudulent information related to federal grants shall be fined or imprisoned.

Citation	Description
<a href="#">23 U.S.C. 104(d)(2)(B)</a>	Not later than 15 business days after the date of receipt by FDOT of a request for reimbursement of expenditures made by an MPO, FDOT shall reimburse the MPO.
31 U.S.C. <a href="#">3729-3730</a> and <a href="#">3801-3812</a>	Falsifying, concealing, or covering-up, making materially false, fictitious, or fraudulent statements or representations; or making use of false writing or documents knowing that they are materially false, fictitious, or fraudulent information related to federal grants shall be fined or imprisoned.
<a href="#">2 C.F.R. 200.208</a>	Allows FDOT to imposed additional reporting and monitoring requirements.
<a href="#">2 C.F.R. 200.415</a>	Assurance that expenditures are proper and in accordance with the terms and conditions of an approved budget.
<a href="#">23 C.F.R. 420.117</a>	Monitoring and reporting requirements of recipients of FHWA planning funds.
<a href="#">FTA Circular C 8100.1C</a>	Program guidance and application instructions for applying for grants under the Metropolitan Planning Program (MPP) and the State Planning and Research Program (SPRP) authorized at 49 U.S.C. 5305.
<b>State</b>	
<a href="#">Section 339.175(5) and (6), Florida Statutes</a>	MPO authorities, powers, duties, and responsibilities.

### 8.3 Steps and Actions to Achieve / Maintain Compliance

Districts will follow the steps below to assist MPOs in maintaining their administrative compliance:

- The District will work with each MPO to establish an ongoing dialogue to discuss issues related to the administrative operations of the MPO. Such dialogue should occur regularly via scheduled meetings, conference calls, and/or through other mutually agreed upon methods of communication.
- Upon receipt of an invoice/progress report from an MPO, the District MPO Liaison will review the invoice and progress report for completeness and adherence to established submittal guidelines. The District MPO Liaison serves as the primary point of contact between the Department and MPO.
- If there is a deficiency with an invoice or progress report, the District MPO Liaison shall notify the MPO so the MPO can address and correct the issue.
- If the re-submittal is still deficient, or if the invoice or progress report are not re-submitted in a timely manner, the District shall notify the MPO, through a letter to the Staff Director, of an *Administrative Corrective Action*. An *Administrative Corrective Action* means that the MPO must undergo a process to correct its actions or practices related to the administrative operations of the MPO.
- Administrative Corrective Actions should be identified by the District for deficiencies found in MPO invoice/progress reports that do not meet requirements. The District will apply the following graduated scale to address and remedy any identified deficiencies:
  1. **Limited Deficiency:** Verbal communications between the District and MPO / consultative meetings between the District MPO Liaison and MPO staff. Deficiencies at this level are limited in nature and should be easily correctable. At this level the *Administrative Corrective Action* does not require formal documentation, since the intent is to advert a formalized process for minor issues.
  2. **Minor Deficiency:** If the issue(s) become slightly more critical than a limited issue but doesn't rise to the level of needing MPO Board involvement, the District will formalize the process by submitting a letter to the MPO Staff Director to address its minor deficiency.
  3. **Moderate Deficiency:** If the deficiency rises to the level of MPO Board involvement, the District will submit a letter to the MPO Staff Director and

MPO Board Chair. The District will then make a formal presentation to the MPO Board at its next regularly scheduled meeting. At this level the MPO must prepare an *MPO Administrative Compliance Plan* (see the section below for details).

4. **Major Deficiency:** The District will start a consultative process that will involve Central Office Management, the District, and the MPO Board to assist in rectifying any/all identified deficiencies. At this level the MPO must prepare an *MPO Administrative Compliance Plan* (see the section below for details).
  5. **Critical Deficiency:** FDOT (Central Office and the District) will contact FHWA to intervene. Additional outside parties may also be contacted and/or consulted, such as the Executive Office of the Governor, individual county and municipal elected officials, and other local representatives. At this level the MPO must prepare an *MPO Administrative Compliance Plan* (see the section below for details).
- The District shall report the findings of, and provide status updates, of the *Administrative Corrective Action(s)* to the MPO Staff Director and MPO Board for Minor, Moderate, Major or Critical Deficiencies.
  - Once the MPO has resolved any *Administrative Corrective Action(s)* to the satisfaction of the District, the District shall report the resolution of the *Administrative Corrective Action(s)* to the MPO Staff Director and MPO Board.

## 8.4 When Deficiencies are not Addressed

In instances where the District determines there has not been sufficient action taken by the MPO to address and resolve its *Administrative Corrective Action(s)*, the following steps will be initiated:

- District staff will hold a meeting with the MPO Staff Director to discuss the District's findings regarding the unresolved *Administrative Corrective Action(s)*.
  - District shall transmit their findings in writing to the MPO Staff Director and to the Chairperson of the MPO.



- The MPO shall coordinate with the District so a meeting can be scheduled to discuss and review the District's findings.
- A copy of the District's findings shall also be transmitted to the FDOT Office of Policy Planning, Statewide Metropolitan Planning Coordinator and Metropolitan Planning Administrator.
- Immediately following the meeting between the MPO and the District, the MPO must prepare a detailed summary of the meeting that includes the meeting's key discussion points as well as the outcomes, expectations and timelines that were agreed upon by the District and MPO to resolve any deficiencies and necessary corrections.
- Continuing or incomplete *Administrative Corrective Action(s)*:
  - The District will notify the MPO Board and the FDOT Secretary of Transportation of any failure by an MPO to meet the outcomes, expectations or timelines as detailed within the summary of the above meeting.
  - At this point, the MPO must develop an *MPO Administrative Compliance Plan* to bring the MPO into compliance with the requirements of the transportation planning process. The District must approve the *MPO Administrative Compliance Plan*. Elements of the *MPO Administrative Compliance Plan* may include, but are not limited, to the following:
    - Technical assistance, training, and workshops by FDOT and FHWA staff and their consultant teams.
    - Peer-to-Peer exchanges and meetings with other MPOs and other FDOT District office representatives.
    - Staffing and organizational evaluations and recommendations for such areas as human resource management, budgeting and financial operations, and employee development and performance.
  - The MPO Staff Director, in cooperation with the District MPO Liaison, will present the MPO Administrative Compliance Plan (which must be approved by the District) to the MPO Board at a regularly scheduled MPO Board meeting. Included will be a presentation on the outcomes, expectations, and

timelines that must be adhered to by the MPO to achieve and maintain compliance with the metropolitan transportation planning process.

## 8.5 References

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

**Table 8.2**    **References**

Reference	Description
<b>Federal Office of Management and Budget</b>	
<a href="#">2 C.F.R. 200</a>	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
<b>Metropolitan Transportation Planning</b>	
<a href="#">23 U.S.C. 134</a>	Describes the transportation planning process for metropolitan planning organizations (MPOs).
<b>Metropolitan Transportation Planning</b>	
<a href="#">49 U.S.C. 5303</a>	Describes the transportation planning process for metropolitan planning organizations (MPOs) – companion to 23 U.S.C. 134.

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## 9.1 Purpose

This chapter provides an overview of the federal Transportation Performance Management (TPM) framework. It provides information on each federal performance measure and highlights requirements for Metropolitan Planning Organizations (MPO) to set performance targets, report performance in Transportation Improvement Programs (TIP) and Long-Range Transportation Plans (LRTP), and integrate TPM into the MPO planning process.

## 9.2 Authority

This section cites Federal laws and regulations related to TPM.

**Table 9.9.1 Federal TPM Laws and Regulations**

Citation	Description
<b>Federal</b>	
<a href="#">23 U.S.C. 150</a>	Describes the national goals, establishment of performance measures and performance targets, and reporting requirements for the Federal-aid highway program.
<a href="#">49 U.S.C. 5301</a>	Describes the national policy and general purposes for funding public transportation systems.
<a href="#">23 U.S.C. 134</a> <a href="#">49 U.S.C. 5303</a>	Describes the metropolitan transportation planning process.
<a href="#">23 C.F.R. 450</a>	Describes planning assistance and standards.
<a href="#">23 C.F.R. 490</a>	Describes national performance measures for highways.
<a href="#">49 U.S.C. 5326</a> <a href="#">49 U.S.C. 5329</a>	Describes national performance measures for transit assets and transit safety.

### 9.3 Performance Management Terminology

**Table 9.9.2** lists key TPM-related terms and definitions as they are defined in federal statutes, regulations, and guidance. Because TPM is a new requirement for all transportation agencies, FDOT, MPOs, and public transportation providers should have a solid understanding of these definitions and how they are applied in the planning process.

**Table 9.9.2 TPM Terminology**

Term	Definition
Goal	A broad statement that describes a desired end state. <sup>4</sup>
Objective	A specific, measurable statement that supports achievement of a goal. <sup>5</sup>
Performance Measure	An expression based on a metric that is used to establish targets and to assess progress toward meeting the established targets. <a href="#">[23 C.F.R. 450.104]</a> and <a href="#">[23 C.F.R. 490.101]</a>
Metric	A quantifiable indicator of performance or condition. <a href="#">[23 C.F.R. 490.101]</a>
Target	A quantifiable level of performance or condition, expressed as a value for a measure, to be achieved within a time period. <a href="#">[23 C.F.R. 490.101]</a>

<sup>4</sup> FHWA Performance-Based Planning and Programming Guidebook. Page 12. [http://www.fhwa.dot.gov/planning/performance\\_based\\_planning/pbpp\\_guidebook/](http://www.fhwa.dot.gov/planning/performance_based_planning/pbpp_guidebook/).

<sup>5</sup> FHWA Performance-Based Planning and Programming Guidebook. Page 12. [http://www.fhwa.dot.gov/planning/performance\\_based\\_planning/pbpp\\_guidebook/](http://www.fhwa.dot.gov/planning/performance_based_planning/pbpp_guidebook/).

## 9.4 Overview – Federal TPM Framework

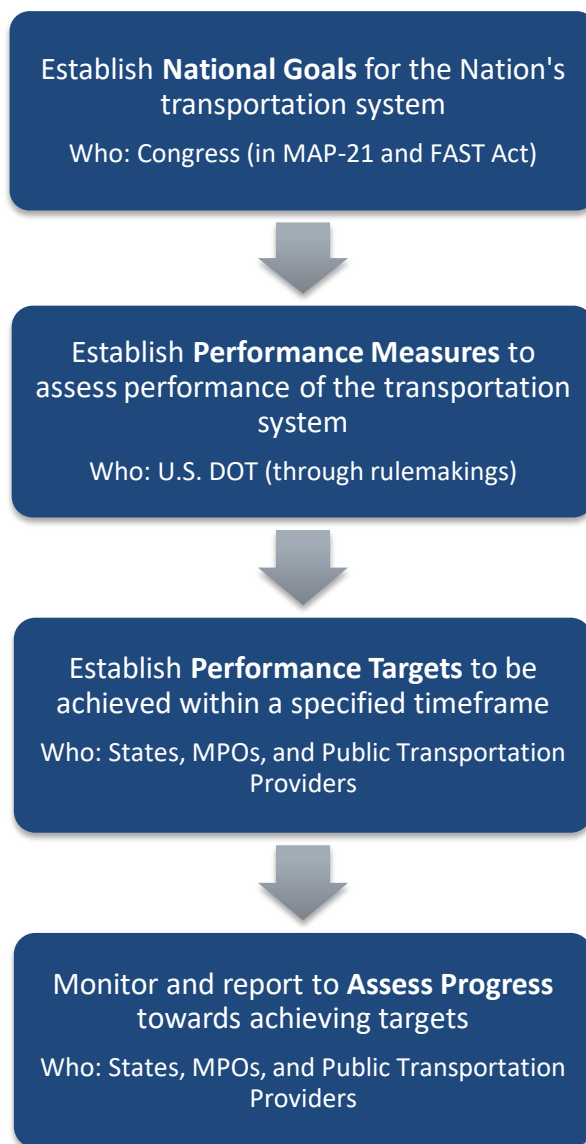
In 2012, Moving Ahead for Progress in the 21st Century (MAP-21) Act ushered in a national TPM framework to strengthen the U.S. transportation system and improve decision-making through better informed transportation planning and programming. MAP-21 established performance-driven and outcome-based requirements to align Federal transportation funding with national goals and track progress towards achievement of these goals. The purpose of this performance-based program is for state departments of transportation, MPOs, and public transportation providers to invest resources in projects that, collectively, make progress toward achievement of the national goals. The Fixing America's Surface Transportation (FAST) Act in 2015 affirmed this TPM approach.

MAP-21 established the framework for TPM. In the legislation, Congress defined national goals and updated general purposes for the transportation system and required the U.S. Department of Transportation (U.S. DOT) to establish performance measures related to those goals and purposes. States, MPOs, and public transportation providers must establish performance targets for each measure to be achieved within a specified time period, and must monitor and periodically report on progress toward achievement of the targets. [Figure 9.3](#) presents the MAP-21 TPM framework and the agencies that lead each step. [Figure 9.4](#) lists the national goals and general purposes defined by MAP-21.

This represents the first time all states, MPOs, and public transportation providers are required to measure, monitor, and report on the performance of the transportation system using a national framework of consistent performance measures. Prior to MAP-21, there were no explicit requirements to do so.



Figure 9.3 Federal Transportation Performance Management Framework



**Figure 9.4 MAP-21 National Goals and General Purposes**

**MAP-21 National Goals** [23 U.S.C. 150(b)]  
and **General Purposes** [49 U.S.C. 5301]

National Goals

**Safety.** Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

**Infrastructure Condition.** Maintain the highway infrastructure asset system in a state of good repair.

**Congestion Reduction.** Achieve a significant reduction in congestion on the National Highway System (NHS).

**System Reliability.** Improve the efficiency of the surface transportation system.

**Freight Movement and Economic Vitality.** Improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.

**Environmental Sustainability.** Enhance the performance of the transportation system while protecting and enhancing the natural environment.

**Reduced Project Delivery Delays.** Reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

General Purposes

- Establish standards for the state of good repair of public transportation infrastructure and vehicles.
- Promote continuing, cooperative, and comprehensive planning that improves the performance of the transportation network.

## 9.5 Federal Performance Measures

As required by MAP-21, U.S. DOT promulgated a series of rulemakings that established performance measures tied to the national goals and general purpose areas. [\[23 U.S.C. 150\(c\), 49 U.S.C. 5301\]](#). The Federal performance measure rules fall into three primary categories – safety, asset maintenance, and system performance.

- Safety performance measures track the number and rate of roadway and transit fatalities and serious injuries, the number of pedestrian and bicyclist fatalities and serious injuries, and transit derailments, collisions, fires, or evacuations.
- Asset management performance measures track the condition of roads, bridges, and transit equipment, vehicles, and facilities to assess how well these assets are being maintained.
- System performance measures track highway travel reliability, freight movement reliability, congestion, and emissions to assess how well a corridor is moving people and freight, not just vehicles.

Between 2016 and 2017, the Federal Highway Administration (FHWA) proposed and finalized three performance measure rules that address highway safety (PM1), highway pavement and bridge condition (PM2), and highway system performance (PM3). The Federal Transit Administration (FTA) proposed and finalized two performance measure rules between 2016 and 2018 that address transit assets and transit safety.

In addition to the performance measure rules, FHWA and FTA issued a final rule for Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning on May 27, 2016. [\[23 C.F.R. 450\]](#) This rule, known as the planning rule, updates state DOT and MPO planning requirements to reflect changes brought about by MAP-21 and the FAST Act, including the performance management framework presented in [Figure 9.3](#) and associated requirements for target setting and reporting.

[Table 9.9.3](#) provides dates and regulatory citations for the planning rule and the five performance measure rules. Each performance measure rule is then described.

**Table 9.9.3 Federal TPM Rules and Regulatory Citations**

Rule	Regulatory Chapter
<p><b>Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning</b></p> <p>Final Rule published May 27, 2016. Effective date June 27, 2016.</p>	<p><a href="#">23 CFR 450</a></p>
<p><b>Highway Safety Performance Management Measures (PM1)</b></p> <p>Final Rule published March 15, 2016. Effective date April 14, 2016.</p>	<p><a href="#">23 CFR 490, Subpart B</a></p>
<p><b>Assessing Pavement and Bridge Condition for the National Highway Performance Program (PM2)</b></p> <p>Final Rule published January 18, 2017. Effective date May 20, 2017.</p>	<p><a href="#">23 CFR 490, Subparts C (pavement) &amp; D (bridge)</a></p>
<p><b>Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program (PM3)</b></p> <p>Final Rule published January 18, 2017. Effective date May 20, 2017.</p>	<p><a href="#">23 CFR 490, Subparts E (NHS), F (Freight), G (CMAQ Congestion), &amp; H (Emissions)</a></p>
<p><b>Transit Asset Management</b></p> <p>Final Rule published July 26, 2016. Effective date October 1, 2016.</p>	<p><a href="#">49 CFR 625</a></p>
<p><b>Public Transportation Agency Safety Plan</b></p> <p>Final Rule published July 19, 2018. Effective date July 19, 2019.</p>	<p><a href="#">49 CFR 673</a></p>

### 9.5.1 Highway Safety Performance Measures (PM1)

The first of the performance measures rules issued by FHWA establishes five performance measures to assess road safety and carry out the Highway Safety Improvement Program (HSIP). The HSIP is a federal-aid funding program intended to

achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The PM1 performance measures are listed in [Table 9.9.4](#).

**Table 9.9.4 Highway Safety Performance Measures (PM1)**

Highway Safety Performance Measures (PM1)
<ul style="list-style-type: none"> <li>• Number of fatalities.</li> <li>• Rate of fatalities per 100 million vehicle miles traveled (VMT).</li> <li>• Number of serious injuries.</li> <li>• Rate of serious injuries per 100 million VMT.</li> <li>• Number of non-motorized fatalities and serious injuries.</li> </ul>

The non-motorized performance measure is one measure. It combines non-motorized fatalities and non-motorized serious injuries.

The Florida Department of Highway Safety and Motor Vehicles (DHSMV) is the official custodian of traffic crash reports for the State of Florida. The following data sources are used to measure performance under the PM1 rule:

- Fatality Data: Fatality Analysis Reporting System (FARS), available from DHSMV.
- Serious Injury Data: State motor vehicle crash database, available from DHSMV.
- Number of Non-motorized Fatalities and Non-motorized Serious Injuries: FARS and State motor vehicle crash database, available from DHSMV.
- Volume Data: State VMT data is derived from the Highway Performance Monitoring System (HPMS), available from the FDOT Transportation Data and Analytics Office. VMT for the MPO planning area, if applicable, is estimated by the MPO.

FDOT has made a commitment to make all the data available to the MPOs.

### **9.5.2 Pavement and Bridge Condition Performance Measures (PM2)**

In January 2017, FHWA published the Pavement and Bridge Condition Performance Measures Final Rule, which is also referred to as the PM2 rule. This rule establishes six performance measures for pavement and bridge condition on Interstate and non-

Interstate National Highway system (NHS) roads in each state. [Table 9.9.5](#) presents the PM2 performance measures.

**Table 9.9.5 Pavement and Bridge Condition Performance Measures (PM2)**

Pavement and Bridge Condition Performance Measures (PM2)
<ul style="list-style-type: none"> <li>• Percent of pavements on the Interstate system in Good condition.</li> <li>• Percent of pavements on the Interstate system in Poor condition.</li> <li>• Percent of pavements on the non-Interstate NHS in Good condition.</li> <li>• Percent of pavements on the non-Interstate NHS in Poor condition.</li> <li>• Percent of NHS bridges (by deck area) classified as in Good condition.</li> <li>• Percent of NHS bridges (by deck area) classified as in Poor condition.</li> </ul>

**9.5.2.1 Pavement Condition**

The PM2 rule defines NHS pavement types as asphalt, jointed concrete, or continuous concrete. The four pavement condition measures represent the percentage of lane-miles on the Interstate and non-Interstate NHS that are in Good condition or Poor condition. Five metrics are used to assess pavement condition:

- International Roughness Index (IRI) – an indicator of roughness; applicable to asphalt, jointed concrete, and continuous concrete pavements.
- Cracking percent – percentage of the pavement surface exhibiting cracking; applicable to asphalt, jointed concrete, and continuous concrete pavements.
- Rutting – extent of surface depressions; applicable to asphalt pavements only.
- Faulting – vertical misalignment of pavement joints; applicable to jointed concrete pavements only.
- Present Serviceability Rating (PSR) – a quality rating applicable only to NHS roads with posted speed limits of less than 40 miles per hour (e.g., toll plazas, border crossings). States may choose to collect and report PSR for applicable segments as an alternative to the other four metrics.

Each pavement metric has a threshold to establish Good, Fair, or Poor condition, as shown in [Table 9.9.6](#).

**Table 9.9.6 Thresholds for Pavement Performance Metrics**

Metric Rating	Good	Fair	Poor
<b>IRI</b> (inches/mile)	< 95	95 – 170	> 170
<b>Cracking Percent</b> (%)	< 5	<ul style="list-style-type: none"> <li>• CRCP: 5 – 10</li> <li>• Jointed: 5 – 15</li> <li>• Asphalt: 5 – 20</li> </ul>	<ul style="list-style-type: none"> <li>• CRCP: &gt; 10</li> <li>• Jointed: &gt; 15</li> <li>• Asphalt: &gt; 20</li> </ul>
<b>Rutting</b> (inches) (for asphalt only)	< 0.20	0.20 – 0.40	> 0.40
<b>Faulting</b> (inches) (for jointed concrete only)	< 0.10	0.10 – 0.15	> 0.15
<b>PSR</b> (0.0-5.0 value)	>=4.0	2.0 – 4.0	<=2.0

Using these metrics and thresholds, pavement condition is assessed for each 0.1 mile section of the through travel lanes of mainline highways on the Interstate or the non-Interstate NHS.

Asphalt pavement is assessed using the IRI, cracking, and rutting metrics, while jointed concrete is assessed using IRI, cracking, and faulting. For these two pavement types, a pavement section is rated Good if the rating for all three metrics are Good, and Poor if the ratings for two or more metrics are Poor.

Continuous concrete pavement is assessed using the IRI and cracking metrics. For this pavement type, a pavement section is rated Good if both metrics are rated Good, and Poor if both metrics are rated Poor.

If a state collects and reports PSR for any applicable segments, those segments are rated according to the PSR scale in Table 9.6.

For all three pavement types, sections that are not Good or Poor are rated Fair.

The Good and Poor performance measures are expressed as a percentage and are determined by summing the total lane-miles of Good or Poor highway segments and dividing by the total lane-miles of all highway segments on the applicable system. Pavement in Good condition suggests that no major investment is needed and should be

considered for preservation treatment. Pavement in Poor condition suggests major reconstruction investment is needed due to either ride quality or a structural deficiency.

**9.5.2.2 Bridge Condition**

The two bridge condition performance measures refer to the percentage of bridges by deck area on the NHS that are in Good condition or Poor condition. Bridge owners are required to inspect bridges on a regular basis. Data from these inspections form the basis for determining condition levels and help determine bridge maintenance needs.

The bridge measures assess the condition of a bridge’s deck, superstructure, substructure, and culverts. Each bridge metric has a threshold to establish Good, Fair, or Poor condition, as shown in [Table 9.9.7](#).

**Table 9.9.7 Thresholds for Bridge Performance Metrics**

Metric Rating	Good	Fair	Poor
<b>Deck</b> (Item 58)	≥ 7	5 or 6	≤ 4
<b>Superstructure</b> (Item 59)	≥ 7	5 or 6	≤ 4
<b>Substructure</b> (Item 60)	≥ 7	5 or 6	≤ 4
<b>Culvert</b> (Item 62)	≥ 7	5 or 6	≤ 4

Each bridge on the NHS is evaluated using these four metrics. If the lowest rating of the four metrics is greater than or equal to seven, the structure is classified as Good. If the lowest rating is less than or equal to four, the structure is classified as Poor. If the lowest rating is five or six, it is classified as Fair.

The performance measures are expressed as the percent of all NHS bridges in Good or Poor condition. The percent is determined by summing the total deck area of Good or Poor NHS bridges and dividing by the total deck area of the bridges carrying the NHS. Deck area is computed using structure length and either deck width or approach roadway width.

Bridges in Good condition suggests that no major investment is needed. Bridges in Poor condition are safe to drive on; however, they are nearing a point where substantial reconstruction or replacement is needed.



MPOs do not need to collect pavement and bridge condition data. FDOT collects pavement and bridge data for the NHS and has made a commitment to make all the data available to the MPOs.

### 9.5.3 Highway System/Freight/CMAQ Performance Measures (PM3)

In January 2017, USDOT published the System Performance/Freight/CMAQ Performance Measures Final Rule to assess passenger and freight travel performance on the Interstate and non-Interstate NHS, and traffic congestion and on-road mobile source emission reductions in areas that do not meet federal air quality standards. The rule, which is referred to as the PM3 rule, defines the six performance measures listed in [Table 9.9.8](#).

**Table 9.9.8 Highway System Performance Measures (PM3)**

Performance Measures
<ul style="list-style-type: none"> <li>• Percent of person-miles traveled on the Interstate system that are reliable (LOTTR).</li> <li>• Percent of person-miles traveled on the non-Interstate NHS that are reliable (LOTTR).</li> <li>• Truck Travel Time Reliability Index (TTTR).</li> <li>• Annual hours of peak-hour excessive delay (PHED) per capita.*</li> <li>• Percent of non-single occupant vehicle travel (non-SOV).*</li> <li>• Cumulative 2-year and 4-year reduction of on-road mobile source emissions.*</li> </ul>

\*Not required in Florida.

Three of the six PM3 measures (PHED, percent non-SOV travel, and cumulative emission reduction) apply only to areas that include any part of a designated air quality nonattainment or maintenance area for ozone, carbon monoxide, or particulate matter. Because all areas in Florida meet the air quality standards for these pollutants, these three measures do not apply to either FDOT or the MPOs.

The data used to calculate the LOTTR and TTTR measures is provided by FHWA via the National Performance Management Research Data Set (NPMRDS). This dataset contains travel times, segment lengths, and Annual Average Daily Travel (AADT) for Interstate and non-Interstate NHS roads. If FDOT and the MPOs wish to use a different dataset for travel times and reporting segments in the future, they would need to coordinate with each other to secure agreement on the alternate data. FDOT would then

need to request FHWA approval for the use of the alternate data no later than October 1st before the beginning of the calendar year in which the alternate data would be used. FHWA must approve the use of the data source(s) prior to FDOT and MPO implementation and use of the data source(s).

### **9.5.3.1 LOTTR Measures**

The LOTTR performance measure assesses the percent of person-miles traveled on the Interstate or the non-Interstate NHS that are reliable. LOTTR is defined as the ratio of longer travel times (80<sup>th</sup> percentile) to a normal travel time (50<sup>th</sup> percentile) over all applicable roads. Travel times are analyzed for each highway segment. The LOTTR is calculated for each segment for four time periods that cover the hours of 6:00 am to 8:00 pm each day:

1. AM Peak 6:00 a.m. – 10:00 a.m. Monday through Friday
2. Mid-day 10:00 a.m. – 4:00 p.m. Monday through Friday
3. PM Peak 4:00 p.m. – 8:00 p.m. Monday through Friday
4. Weekends 6:00 a.m. – 8:00 p.m. Saturday and Sunday

A segment is reliable if its LOTTR is less than 1.5 during all four time periods. If one or more time periods has a LOTTR of 1.5 or above, that segment is unreliable. The two LOTTR measures are expressed as the percent of person-miles traveled on the Interstate or Non-Interstate NHS system that are reliable. Person-miles take into account the number of people traveling in buses, cars, and trucks over these roadway segments. Thus, to translate the LOTTR to the performance measure, the length of each segment is multiplied by its annual average daily traffic (AADT) and average occupancy factor for all vehicles, which results in person-miles. This calculation is done for reliable segments and for all segments. The sum of reliable segment person-miles is divided by the sum of all segment person-miles to calculate the measures. Average vehicle occupancy is obtained from either the most recently available data tables published by FHWA or from other sources chosen by the state, as long as the alternate data is allowed by FHWA. As of April 2018, FHWA provided guidance that an occupancy factor of 1.7 be used.

### **9.5.3.2 TTTR Measure**

The TTTR performance measure assesses the reliability index for trucks traveling on the interstate. A TTTR ratio is generated by dividing the 95<sup>th</sup> percentile truck travel time by a

normal travel time (50<sup>th</sup> percentile) for each segment of the Interstate system over five time periods throughout weekdays and weekends:

1. AM Peak 6:00 a.m. – 10:00 a.m. on Monday – Friday
2. Mid-day 10:00 a.m. – 4:00 p.m. on Monday – Friday
3. PM Peak 4:00 p.m. – 8:00 p.m. on Monday – Friday
4. Weekend 6:00 a.m. – 8:00 p.m. on Saturday – Sunday
5. Overnight 8:00 p.m. – 6:00 a.m. on all days of the week

For each segment, the highest TTTR value among the five time periods is multiplied by the length of the segment. The sum of all length-weighted segments is then divided by the total length of Interstate to generate the TTTR Index.

### **9.5.4 Transit Asset Management Performance Measures**

On July 26, 2016, FTA published the final Transit Asset Management (TAM) rule. This rule applies to all recipients and subrecipients of Federal transit funding that own, operate, or manage public transportation capital assets. The rule defines the term “state of good repair,” requires that public transportation providers develop and implement TAM plans, and establishes state of good repair standards and performance measures for four asset categories: rolling stock, equipment, transit infrastructure, and facilities. Transit asset performance in each category is measured by asset class, which is the subgroup of capital assets within an asset category. [Table 9.9.9](#) lists the asset classes and associated transit asset performance measures.

**Table 9.9.9 Transit Asset Management Performance Measures**

Asset Class	Performance Measures
Equipment: Non-revenue support-service and maintenance vehicles	Percent of non-revenue vehicles that have met or exceeded their Useful Life Benchmark.
Rolling Stock: Revenue vehicles by mode	Percent of revenue vehicles that have met or exceeded their Useful Life Benchmark.
Infrastructure: Only rail fixed-guideway, track, signals and systems	Percentage of track segments with performance restrictions.
Facilities: Maintenance and administrative facilities; and passenger stations (buildings) and parking facilities	Percentage of facilities rated in marginal or poor condition on the Transit Economic Requirements Model (TERM) Scale.

For equipment and rolling stock classes, Useful Life Benchmark (ULB) is defined as the expected lifecycle of a capital asset, or the acceptable period of use in service, for a particular transit provider’s operating environment. ULB considers a provider’s unique operating environment such as geography, service frequency, etc. and is not the same as an asset’s useful life.

The TAM rule also established two tiers of agencies. A Tier I provider is one that owns, operates, or manages either rail or more than 100 vehicles in revenue service during peak regular service across all fixed route modes or in any one non-fixed route mode. A Tier II provider is one that is either a sub-recipient of FTA 5311 funds, or is an American Indian Tribe, or has 100 vehicles or less in revenue service during peak regular service across all non-rail fixed route modes or in any one non-fixed route mode.

A Tier I provider must develop its own TAM plan. Tier II agencies may develop their own plans or participate in a group TAM plan, which is compiled by a group TAM plan sponsor. FDOT is the sponsor of a Group TAM plan for subrecipients of Section 5311 and 5310 grant funds.

### **9.5.5 Public Transportation Agency Safety Measures**

FTA established requirements for Public Transportation Agency Safety Plans (PTASP) and related performance measures in a final rule published on July 19, 2018. This rule requires certain operators of public transportation systems that receive federal financial

assistance under 49 U.S.C. Chapter 53 to develop and implement a PTASP based on a management systems approach. The rule applies to all operators of public transportation that are a recipient or sub-recipient of FTA Formula Grant Program funds under 49 U.S.C. Section 5307, or that operate a rail transit system that is subject to FTA’s State Safety Oversight Program. The rule does not apply to certain modes of transit service that are subject to the safety jurisdiction of another Federal agency, including passenger ferry operations that are regulated by the United States Coast Guard, and commuter rail operations that are regulated by the Federal Railroad Administration.

The PTASP will set targets based on performance measures established by FTA in the National Public Transportation Safety Plan. These transit safety performance measures are based on data transit providers already submit to the National Transit Database (NTD), and are listed in [Table 9.9.10](#).

**Table 9.9.10 Public Transportation Agency Safety Plan (PTASP) Performance Measures**

Performance Measures
<ul style="list-style-type: none"> <li>• Total number of reportable fatalities and rate per total vehicle revenue miles by mode.</li> <li>• Total number of reportable injuries and rate per total vehicle revenue miles by mode.</li> <li>• Total number of reportable safety events and rate per total vehicle revenue miles by mode.</li> <li>• System reliability – mean distance between major mechanical failures by mode.</li> </ul>

Each provider of public transportation that is subject to the rule must develop and certify a PTASP that includes transit safety targets for the above measures. Providers were initially required to certify a PTASP and targets by July 20, 2020. However, on April 22, 2020, FTA extended the deadline to December 31, 2020 to provide regulatory flexibility due to the extraordinary operational challenges presented by the COVID-19 public health emergency. On December 11, 2020, FTA extended the PTASP deadline for a second time to July 20, 2021.

Once completed and certified, transit providers must make their safety plans available to their State and MPO(s) in which their transit services are programmed in the MPO’s Transportation Improvement Program (TIP).

In Florida, each Section 5307 and 5311 transit provider must develop a System Safety Program Plan (SSPP) under Chapter 14-90, Florida Administrative Code. FDOT technical guidance recommends that Florida's transit agencies revise their existing SSPPs to be compliant with the new FTA PTASP requirements.

## **9.6 Establishing Performance Targets**

The next step in the TPM framework is for states, MPOs, and providers of public transportation to set targets for each measure that applies in the planning area. This section discusses the target setting process and highlights key dates and other considerations MPOs should be aware of.

The final Planning rule provides the framework for target setting. Under the rule, states must have established initial performance targets no later than one year after the effective dates of each FHWA final performance measure rule. [[23 C.F.R. 450.206\(c\)\(2\)](#)] The FTA performance measure rules establish the schedule for when public transportation providers must establish targets. The deadline for the TAM rule was January 1, 2017. The deadline for the PTASP rule was July 20, 2020; however, FTA granted a one-time extension of the PTASP deadline to December 31, 2020 due to the COVID-19 national emergency.

MPOs must establish performance targets not later than 180 days after the date on which the State or public transportation provider establishes the performance targets. [[23 C.F.R. 450.306\(d\)\(3\)](#)] There are two ways to do this:

Option 1: The MPO agrees to plan and program projects so that they contribute toward the accomplishment of the relevant state or public transportation provider target for that performance measure. (The MPO numeric target is the same as the relevant state or public transportation provider numeric target.)

Option 2: The MPO evaluates performance data and establishes a numeric target for the MPO planning area that is different than the numeric target established by the state or public transportation provider. (The MPO will plan and program projects that contribute toward the accomplishment of the MPO target for that performance measure.)

When states establish statewide targets for the PM1, PM2, and PM3 measures, they may elect to establish additional targets for portions of the state for any number and combination of urban and non-urban areas. [[23 C.F.R. 490.105\(e\)\(3\)](#)] This approach

provides the state flexibility to account for differences in urban and non-urban areas when establishing targets. In this case, when an MPO chooses to support the state's target, the relevant target the MPO is supporting is the state target that applies to that area. As of the date when this chapter was final, Florida established only one statewide target for each applicable measure.

Because the performance measure rules have different effective dates, deadlines for establishing initial and subsequent targets vary. Annual targets are required for PM1 and transit measures, while two-year or four-year targets are required for PM2 and PM3 measures. [Table 9.9.11](#) summarizes the dates initial targets were or are required to be established by the state or provider of public transportation and the MPO, the frequency with which targets must be established, and target update frequency. This is followed by discussion of each measure area.

Note that for the transit safety targets, FTA granted an extension of the PTASP compliance date from July 20, 2020 to July 21, 2021 due to the COVID-19 national emergency. The 180 day timeframe for MPOs to set targets begins when the MPO receives transit safety targets from the transit providers.

**Table 9.9.11 Initial Target Dates, Target Frequency, and Subsequent Targets**

Perf. Area	Date for Initial State/Transit Targets	Date for Initial MPO Targets	Target Setting Frequency	Date for Ongoing State/Public Trans. Provider Targets
PM1	Aug. 31, 2017	Feb 27, 2018	Annual	Aug. 31, 2018 and each year thereafter
PM2	May 20, 2018	+180 days (Nov. 18, 2018)	Every four years	Oct. 1, 2022 and every four years thereafter
PM3	May 20, 2018	+180 days (Nov. 18, 2018)	Every four years	Oct. 1, 2022 and every four years thereafter
Transit Assets	Jan. 1, 2017	+180 days (June 30, 2018)	Annual	Within 4 months of the end of the provider’s Fiscal Year
Transit Safety	July 21, 2021	+180 days (On or before Jan. 18, 2022)	Annual	On or before July 22, 2022 and each year thereafter

### 9.6.1 Establishing PM1 Targets

Performance for the PM1 measures is assessed on an annual basis. Accordingly, targets for the PM1 safety measures are established annually by FDOT and the MPOs. FDOT reports safety targets in its HSIP Annual Report that is due to FHWA each year by August 31. Targets are applicable to all public roads regardless of functional classification or ownership.

MPOs must then establish PM1 targets within 180 days of the date that the state established targets. If a State submits its HSIP report prior to August 31st, FHWA still considers the PM1 targets as being established and reported on August 31. Therefore, MPOs must establish their HSIP targets no later than February 27 each year.



If an MPO elects to establish a PM1 target specific to the MPO planning area for one of the rate measures, the MPO must report the VMT estimate used for rate target and the methodology used to develop the VMT estimate.

In addition to reporting PM1 targets in the HSIP annual report, FDOT must also describe the progress toward achieving safety outcomes and performance targets, and include an overview of general highway safety trends, a discussion of the basis of each established target and how the established target supports FDOT safety goals established in the Strategic Highway Safety Plan, and a discussion of reasons for differences in the actual outcomes and targets.

**Initial PM1 Targets.** FDOT established and reported Florida's first PM1 targets in the HSIP Annual Report that was due to FHWA on August 31, 2017. Those targets were set for calendar year (CY) 2018. MPOs were then required to establish PM1 targets for CY2018 no later than February 27, 2018.

**Subsequent PM1 Targets.** FDOT and the MPOs establish PM1 targets annually. Each year by August 31, FDOT will establish and report PM1 targets for the following calendar year in the HSIP Annual Report that is submitted to FHWA. MPOs must then establish PM1 targets for the same calendar year by February 27.

## **9.6.2 Establishing PM2 and PM3 Targets**

Performance for the PM2 and PM3 measures is assessed over a four-year performance period. The first performance period runs from January 1, 2018 through December 31, 2021. The second runs from January 1, 2022 through December 31, 2025, and so on. States are required to report on performance at the beginning, midpoint, and end of each performance period (see [Section 9.7: Monitoring and Reporting](#) for more information on reporting).

Targets for the PM2 and PM3 measures are established every four years by FDOT and the MPOs for the associated performance period. Additionally, FDOT is required to establish two-year targets for each measure. Note that in areas where the percent non-SOV travel and total emissions reduction measures apply, MPOs establish both two-year and four-year targets. At the time of this writing, the percent non-SOV travel and total emissions reduction measures do not apply in Florida.

Two-year targets reflect the anticipated performance level at the midpoint of the associated four-year performance period, while four-year targets reflect the anticipated performance level at the end of the performance period.

There is a phase in period for the initial performance period beginning January 1, 2018, whereby states are not required to establish two-year targets for the following four measures:

- Percent of pavements on the Interstate system in good condition.
- Percent of pavements on the Interstate system in poor condition.
- Percent of person-miles traveled on the non-Interstate NHS that are reliable.
- Annual hours of peak-hour excessive delay per capita (PHED). Note that at the time of this writing, the PHED measure does not apply in Florida.

The phase-in applies only to the first performance period (January 1, 2018 through December 31, 2021). For subsequent performance periods, states will be required to establish two-year targets for all PM2 and PM3 measures.

**Initial PM2 and PM3 Targets.** Initial statewide PM2 and PM3 targets were required to be established by May 20, 2018. FDOT established Florida's PM2 and PM3 targets on May 18, 2018. MPOs were then required to establish PM2 and PM3 targets no later than November 14, 2018.

**Subsequent PM2 and PM3 Targets.** FDOT and the MPOs will establish PM2 and PM3 targets every four years. FDOT is required to next establish two-year and four-year targets on or before October 1, 2022 for the four-year performance period that covers January 1, 2022 through December 31, 2025. MPOs will then establish four-year targets no later than 180 days after FDOT establishes state targets.

### **9.6.2.1 Adjusting PM2 and PM3 Targets**

States may adjust an established four-year target for any PM2 or PM3 measure after the midpoint of the four-year performance period. This adjustment would take place on or before October 1 of the third year of the performance period, which is when the state submits a report to FHWA on performance over the first two years.

Within 180 days of the state reporting the adjusted target to FHWA, the MPO must report to the state whether it will either agree to plan a program of projects so that they contribute to the adjusted State DOT target for that performance measure, or commit to a new quantifiable target for that performance measure for its metropolitan planning area.

Note that if an MPO agreed to plan and program projects so that they contribute toward the accomplishment of the State DOT targets, and the State DOT does not adjust a four-year target at the midpoint of the performance period, the MPO cannot establish its own target at the midpoint. The MPO must continue to contribute to the State targets established at the beginning of the performance period.

### **9.6.3 Establishing Transit Asset Management Targets**

Performance for the transit asset measures is assessed on an annual basis. Accordingly, providers of public transportation annually establish performance targets for the following fiscal year for each asset class included in its TAM plan. FDOT establishes collective transit targets for all providers that participate in the Group TAM plan.

MPOs must then establish transit asset targets within 180 days of the date that the provider of public transportation established targets.

**Initial Transit Asset Targets.** Transit providers were required to establish transit asset management targets within three months after the effective date of the TAM rule, or by January 1, 2017. However, some transit providers did not have complete data available to establish their initial targets by January 1, 2017 and therefore did not meet the deadline, instead establishing initial targets sometime after January 1, 2017. MPOs were then required to establish targets within 180 days. Providers were required to complete a TAM plan by October 1, 2018.

**Subsequent Transit Asset Targets.** Transit providers will establish transit asset targets annually. Within four (4) months of the end of each transit provider's fiscal year, the provider establishes and submits to FTA's National Transit Database performance targets for the next fiscal year, an asset inventory and condition assessment, as well as a narrative on changes in transit system conditions and progress toward achieving previous performance targets. Unlike with PM1, PM2, and PM3 measures, MPOs are not required to establish new transit asset targets annually each time the transit provider establishes

targets. Instead, MPOs may choose to update their transit targets when the transit provider(s) updates theirs, or when the MPO updates its LRTP.

**Multiple Transit Providers in an MPO Area.** In cases where two or more transit providers operate in an MPO planning area and establish a different target for a given measure, the MPO has the option of either coordinating with the providers to establish a single target for the MPO planning area, or establishing a set of targets for the MPO planning area that reflects the different transit provider targets. For both options, the MPO must set the target in coordination with the transit providers.

### **9.6.4 Establishing Transit Safety Targets**

The PTASP rule took effect on July 19, 2019. Transit operators subject to the rule were to have initial Public Transportation Agency Safety Plans in place no later than July 20, 2020. However, due to the COVID-19 national emergency, FTA extended the PTASP compliance date from July 20, 2020 to July 21, 2021. One of the required elements of the plan is establishing safety performance targets. Transit operators are required to review, update, and certify their plans annually.

Once providers establish initial transit safety targets, MPOs must then establish transit safety targets within 180 days. As with the transit asset targets, MPOs are not required to establish new transit safety targets annually each time the transit provider establishes targets. Instead, MPOs may choose to update their transit targets when the transit provider(s) updates theirs, or when the MPO updates its LRTP.

**Multiple Transit Providers in an MPO Area.** In cases where two or more transit providers operate in an MPO planning area and establish a different safety target for a measure, the MPO may establish a single target for the MPO planning area or establish a set of targets for the MPO planning area that reflect the differing transit provider targets.

## **9.7 Monitoring and Reporting**

Accountability and transparency in transportation decision-making is a key provision of MAP-21's performance management framework. To ensure this, MAP-21 set new requirements for States, MPOs, and public transportation providers to report on progress towards meeting performance targets.

States and providers of public transportation are required to submit performance information directly to FHWA and FTA on an ongoing basis through reports and plan updates. The frequency of reporting varies with each performance rule. In contrast, MPOs are not required to report performance information directly to FHWA or FTA. Instead, MPOs provide ongoing performance information and progress towards achieving performance targets in the LRTP, and an assessment of the anticipated effect of the TIP in achieving progress towards targets. After the MPOs establish targets, the State DOT must be able to provide these targets to FHWA upon request. [\[23 CFR 490.105\(f\)\(9\)\]](#) [\[23 CFR 490.209\(c\)\(3\)\]](#) Therefore, MPOs must report target-related status information to FDOT upon request.

### **9.7.1 TPM Reporting Requirements in the MPO LRTP**

The LRTP must include a description of all applicable performance measures and targets used in assessing the performance of the transportation system in the MPO planning area. [\[23 C.F.R. 450.324\(f\)\(3\)\]](#)

The LRTP must also include a system performance report. The system performance report must evaluate the condition and performance of the transportation system with respect to the MPO's performance targets, including progress achieved by the MPO in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data. [\[23 C.F.R. 450.324\(f\)\(4\)\(i\)\]](#)

The Initial system performance report will focus on baseline performance. With additional LRTP cycles, the system performance report will discuss how the program of projects from the prior LRTP and TIPs performed relative to the targets.

For MPOs that elect to develop multiple scenarios when developing their LRTP, the system performance report must include an analysis of how the preferred scenario has improved the conditions and performance of the transportation system and how changes in local policies and investments have impacted the costs necessary to achieve the identified performance targets. [\[23 C.F.R. 450.324\(f\)\(4\)\(ii\)\]](#)

Currently, there is no standard template from FHWA or FTA for the required description of the applicable performance measures and targets or for the system performance report. [FHWA's PBPP Roadmap](#) summarizes TPM requirements, describes available resources, and guides FHWA Division Offices to enhance their planning oversight and stewardship

activities. The Roadmap does not include a specific template, but does address the basic steps of incorporating the PBPP approach into the LRTP.

FDOT created [templates](#) MPOs may use to develop LRTP language specific to each MPO. The system performance report can be included in the body of the LRTP or as an appendix.

The requirement to include a system performance report in the LRTP only has to be met at the time that the LRTP is updated. The system performance report does not have to be updated when the LRTP is amended.

## **9.7.2 TPM Reporting Requirements in the MPO TIP**

MPOs must design the Transportation Improvement Program (TIP) such that once implemented, it makes progress toward achieving the MPO's performance targets. [[23 C.F.R. 450.326\(c\)](#)]

To the maximum extent practicable, the TIP must include a description of the anticipated effect of the TIP toward achieving the performance targets identified in the LRTP, linking investment priorities to those performance targets. [[23 C.F.R. 450.326\(d\)](#)] FHWA defines maximum extent practicable as capable of being done after taking into consideration the cost, existing technology, and logistics of accomplishing the requirement.

Currently, there is no standard template from FHWA or FTA for development of the TIP TPM language. FDOT created [templates](#) MPOs may use to develop TIP language to meet the TPM requirements.

[FHWA's PBPP Roadmap](#), described above, addresses the basic steps of incorporating the PBPP approach into the TIP and documenting the anticipated effect of the TIP toward achieving the performance targets and linking investment priorities to those performance targets. In addition, [FHWA Florida Division documentation](#) states that in general, this description of effect should be at a systems or program level and not at the level of individual projects. As a minimum, it should discuss the effect that the program of projects in the TIP would have toward achieving the federally required performance targets. It should be consistent with and include or reference the goals, objectives, strategies, performance measures and targets in the LRTP (as applicable) and in other plans and processes as they relate to the federally required performance targets.

The requirement to assess the effect of the TIP in achieving performance targets only has to be done at the time the TIP is updated, it does not have to be updated with a TIP amendment.

## 9.8 Additional MPO TPM Requirements

MPOs must meet the following performance management requirements in addition to the target setting and performance reporting requirements described above.

### 9.8.1 Use of a Performance-Based Planning and Programming Process

MPOs, in cooperation with the state and public transportation operators, must develop LRTPs and TIPs through a performance-driven, outcome-based approach to planning for metropolitan areas of the state. [\[23 C.F.R. 450.306\(a\)\]](#)

The MPO planning process must provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals. [\[23 C.F.R. 450.306\(d\)\(1\)\]](#)

MPOs must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other state or public transportation provider transportation plans and processes required as part of a performance-based program. These include:

- The state asset management plan for the NHS, referred to as the Transportation Asset Management Plan (TAMP)
- The Transit Asset Management Plan.
- Applicable portions of the Highway Safety Improvement Program, including the Strategic Highway Safety Plan.
- The Public Transportation Agency Safety Plan.
- Other safety and security planning and review processes, plans, and programs, as appropriate.
- The Congestion Mitigation and Air Quality Improvement Program performance plan, as applicable.

- Appropriate metropolitan portions of the State Freight Plan, referred in Florida law as the Freight Mobility and Trade Plan.
- The Congestion Management Process, if applicable.
- Other State transportation plans and transportation processes required as part of a performance-based program.

Regarding the TAMP, FHWA published a final rule on October 24, 2016, titled “Asset Management Plans and Periodic Evaluations of Facilities Repeatedly Requiring Repair and Reconstruction Due to Emergency Events.” This rule requires states to develop and implement the TAMP for the NHS to improve or preserve the condition of assets and the performance of the system. [[23 CFR Part 515](#)] The rule also requires the state to conduct periodic evaluations to determine if reasonable alternatives exist to roads, highways, or bridges that repeatedly require repair and reconstruction activities. [[23 CFR Part 667](#)]

Although the TAMP rule is not a performance measure rule, it does require that the TAMP include investment strategies leading to a program of projects that would make progress toward achievement of state targets for pavement and bridge condition. In addition, the planning rule requires the State DOT to integrate into the statewide transportation planning process the goals, objectives, performance measures, and targets of other State transportation plans, including the TAMP. These provisions mean that, in carrying out the transportation planning process, the State DOT must consider its TAMP, including the TAMP's investment strategies, as part of the decision-making process during planning. Similarly, MPOs, as listed above, must integrate in the metropolitan transportation planning process the goals, objectives, performance measures, and targets contained in the TAMP.

FDOT submitted its initial TAMP to FHWA on April 30, 2018 and its fully compliant TAMP on June 28, 2019, as required by the Asset Management rule. FDOT will update the TAMP every four years beginning from the date of initial FHWA certification, which was November 1, 2018, or whenever an asset management process changes. FDOT completed the first Part 667 evaluation for NHS roads, highways, and bridges on Nov. 23, 2018. The report documents permanent repairs on NHS roads (with two or more occurrences), and permanent repairs on NHS bridges (with one occurrence). Beginning on Nov. 23, 2020, FDOT must prepare an evaluation for all other roads, highways, and



bridges prior to including any project for the repeatedly damaged facility in the STIP, and must consider the evaluation when developing the project (i.e., project planning, the environmental review process, and preliminary and final design that move a highway project to construction). FDOT and the MPOs are encouraged, but not required, to consider the information during development of transportation plans and programs and during the environmental review process.

FDOT will incorporate the results of the evaluation into each TAMP update, and will update the evaluations after every emergency event, as well as on a regular 4-year cycle.

## **9.8.2 Coordination Requirements and Consensus Planning Document**

States, MPOs and public transportation providers have overlapping performance management roles and responsibilities. For example, they may draw from the same data sources when addressing performance measures. Because of this, Federal legislation and regulations require the agencies to coordinate when establishing targets and assessing progress.

MPOs must coordinate the selection of targets with the relevant State(s) and public transportation providers to ensure consistency, to the maximum extent practicable. [\[23 C.F.R. 450.306\(d\)\]](#) In turn, each State shall select and establish performance targets in coordination with the relevant MPOs to ensure consistency to the maximum extent practicable. [\[23 C.F.R. 450.206\(c\)\(2\)\]](#) Providers of public transportation must coordinate with states and MPOs in the selection of state and MPO transit asset and transit safety performance targets, to the maximum extent practicable. [\[49 C.F.R. 625.45\(e\), 49 C.F.R. 673.15\(b\)\]](#)

FHWA defines maximum extent practicable as capable of being done after taking into consideration the cost, existing technology, and logistics of accomplishing the requirement.

Coordination is defined in this context as the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate. [\[23 C.F.R. 450.104\]](#)

This coordination process must be formalized. The MPO, State, and providers of public transportation must jointly agree upon and develop specific written provisions for: [\[23 C.F.R. 450.314\(h\)\(1\)\]](#)

- Cooperatively developing and sharing information related to transportation performance data.
- Selection of performance targets.
- Reporting of performance targets.
- Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the MPO.
- Collection of data for the State asset management plans for the NHS.

These provisions must be documented either as part of the metropolitan planning agreements required under [23 C.F.R. 450.314\(a\), \(e\), and \(g\)](#), or in some other means outside of the metropolitan planning agreements as determined cooperatively by the parties to the agreement. [\[23 C.F.R. 450.314\(h\)\(2\)\]](#)

FDOT and the MPOAC developed the *Transportation Performance Measures Consensus Planning Document* to describe the general processes through which FDOT, the MPOs, and the providers of public transportation in MPO planning areas will cooperatively develop and share information related to transportation performance management to ensure consistency to the maximum extent practicable. Each individual MPO is adopting the Consensus Planning Document by incorporation in its annual Transportation Improvement Program (TIP) or by separate board action as documented in a resolution or meeting minutes, which will also serve as documentation of agreement by the provider(s) of public transportation in the MPO planning area to carry out their roles and responsibilities as described in the document.

## 9.9 Phase-in of Performance Management Requirements

When updating or amending LRTPs or TIPs, MPOs should consider when the new TPM requirements must be incorporated. Two years from the effective date of each U.S. DOT rule establishing performance measures, MPO TIPs and LRTPs must meet the

performance-based planning requirements of the planning rule and the applicable performance measure rule(s). [\[23 C.F.R. 450.340\(e\) and \(f\)\]](#)

Thus, MPOs TIPs and MTPs adopted or amended after the following dates must include the required TPM information and discussion for the associated performance measures:

- May 27, 2018 – Highway Safety measures (PM1).
- October 1, 2018 – Transit Asset Management measures.
- May 20, 2019 – Pavement and Bridge Condition measures (PM2).
- May 20, 2019 – System Performance/Freight/Congestion Mitigation & Air Quality Improvement Program measures (PM3).
- July 19, 2021 - Public Transportation Agency Safety Plan measures.

FHWA and FTA plan to provide technical assistance to the States, MPOs, and public transportation providers through a number of means, including the issuance of guidance, conducting peer reviews and workshops, sharing best practices, and conducting training on topics such as target setting, implementation of performance-based planning and programming, interagency coordination, data collection, and performance progress reporting. Performance-based planning and programming will also become a topic of discussion in MPO planning certification reviews.

FDOT has worked with the MPOAC to develop the process for reporting on performance and targets; to develop factsheets, training materials, and documentation on TPM and the target setting process; and to develop templates MPOs may use to address TPM in the TIP and LRTP.

## **9.10 Role of the FDOT MPO Liaison in TPM**

FDOT, MPOs, and transit providers are mutually responsible for implementing TPM regulations and coordinating with each other on performance data collection and analysis, setting performance targets, reporting on performance, and developing and implementing performance-based plans. MPO Liaisons have the following specific TPM-related responsibilities:

**Communicate** the status of FDOT target setting progress and actions.

**Monitor** MPO decisions about supporting FDOT targets or setting their own targets.

**Review** TIPs and LRTPs and **provide guidance and technical support** for incorporating performance-based planning language and required performance information (e.g., targets).

## 9.11 References

**Table 9.9.12** provides references related to Performance Management requirements for MPOs.

**Table 9.9.12 References**

Reference	Description
<a href="#">FDOT Performance Management Policy</a>	Establishes FDOT's policy on performance management
<a href="#">FHWA Performance-Based Planning and Programming Guidebook</a>	FHWA's guidance on performance-based planning and programming
<a href="#">FHWA Transportation Performance Management Website</a>	FHWA's guidance on transportation performance management



# 10 Title VI and Nondiscrimination Program Guidance for Metropolitan Planning Organizations

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## 10.1 Purpose

This chapter provides guidance to Metropolitan Planning Organizations (MPO) and Florida Department of Transportation (FDOT) staff for developing, maintaining, and reviewing metropolitan planning process consistency with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities.

## 10.2 Authority

All recipients of Federal financial assistance must comply with several Federal civil rights requirements. These include Title VI of the Civil Rights Act of 1964, which prohibits discrimination based upon race, color, and national origin. The Act states that **“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”** [\[42 U.S.C. 2000d\]](#)

In addition to Title VI, other nondiscrimination statutes prohibit discrimination based on sex, age, or disability. These include Section 162(a) of the Federal-Aid Highway Act of 1973 [\[23 U.S.C. 324\]](#) (sex), the Age Discrimination Act of 1975 [\[42 U.S.C. 6101\]](#) (age), and Section 504 of the Rehabilitation Act of 1973 [\[29 U.S.C. 701\]](#) and the Americans With Disabilities Act (ADA) of 1990 [\[42 U.S.C. 12131\]](#) (disability). These and additional authorities are listed below. Taken together, these requirements define a broad Title VI/ Nondiscrimination Program. [Table 10.1](#) presents the relevant Federal statutes, regulations, executive orders, and rules.



**Table 10.1 Federal and State Statutes and Codes**

Citation	Description
<b>Nondiscrimination</b>	
<a href="#">20 U.S.C. 1681 et seq.</a> , Civil Rights Restoration Act of 1987	Clarifies congressional intent to prohibit discrimination in all programs and activities of Federal-aid recipients, regardless of whether or not they are Federally assisted.
<a href="#">23 U.S.C. 324</a> , Highway Act of 1973	Adds sex as a protected class and authorizes the use of Title VI enforcement measures for sex discrimination.
<a href="#">29 U.S.C. 701 et seq.</a> , Section 504 of the Rehabilitation Act of 1973	Prohibits discrimination based on disability in Federally funded programs or services.
<a href="#">42 U.S.C. 2000d-2000d-7</a> , Title VI of the Civil Rights Act of 1964	Provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
<a href="#">42 U.S.C. 6101 et seq.</a> , Age Discrimination Act of 1975	Prohibits discrimination based on age in any Federally funded program or activity.
<a href="#">42 U.S.C. 12131 et seq.</a> , ADA of 1990	Prohibits discrimination based on disability in programs or services operated by government entities.
<a href="#">49 C.F.R. 27</a> , Nondiscrimination Based on Disability in U.S. DOT-Assisted Programs	Codifies ADA/504 for U.S. DOT programs, services, and activities.
<b>Title VI</b>	
<a href="#">23 C.F.R. 200 et seq.</a> , State Transportation Agency Nondiscrimination	Codified Title VI for FHWA programs, services, and activities.
<a href="#">23 C.F.R. 450.336</a> , Self-certifications and Federal Certifications	Requires the metropolitan transportation planning process be carried out in accordance with Title VI and other nondiscrimination requirements.

Citation	Description
<a href="#">49 C.F.R. 21 et seq.</a> , Nondiscrimination in U.S. DOT Assisted Programs	Codifies Title VI for U.S. Department of Transportation programs, services, and activities.
<b>Disadvantaged Business</b>	
<a href="#">49 C.F.R. 26</a> , DBE	Establishes Federal guidelines for DBE participation in U.S. DOT-funded contracts.
<b>Environmental Justice</b>	
<a href="#">Executive Order 12898</a> (1994)	Directs Federal agencies to address disproportionately high and adverse human health or environmental effects in programs, policies, and activities on minority populations and low-income populations.
<a href="#">DOT Environmental Justice Order 5610.2(a)</a> (2012)	Reaffirms U.S. DOT commitment to EJ and provides steps to prevent and/or address disproportionately high and adverse effects to minority or low-income populations through Title VI analyses and environmental justice analyses conducted as part of Federal transportation planning and National Environmental Policy Act (NEPA) provisions.
<a href="#">FHWA Environmental Justice Order 6640.23A</a> (2012)	Provides FHWA policies and procedures for use in complying with Executive Order 12898.
<b>Limited English Proficiency</b>	
<a href="#">Executive Order 13166</a> (2000)	Requires Federal agencies to improve access to programs and services for those who are limited English proficient, and to provide guidance to Federal-aid recipients on taking reasonable steps to provide meaningful access for those who are Limited English Proficient (LEP).

## 10.3 Certification of the MPO Planning Process with Title VI/Nondiscrimination Requirements

The authority providing for the joint certification of an MPO, including the area of Title VI and related nondiscrimination requirements, is found in [23 C.F.R. 450.336](#) (Self-certifications and Federal certifications).

Federal metropolitan planning requirements state FDOT and each MPO, concurrent with the submittal of the entire proposed Transportation Improvement Program (TIP) to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as part of the State Transportation Improvement Program (STIP) approval, shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements. [\[23 C.F.R. 450.336\(a\)\]](#) The Title VI and nondiscrimination statutes and regulations to be addressed during certification are the following:

- Title VI of the Civil Rights Act of 1964 [\[42 U.S.C. 2000d-1\]](#) and [49 C.F.R. Part 211](#);
- [49 U.S.C. 5332](#), prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- Section 1101(b) of the Fixing America's Surface Transportation (FAST) Act [\[Pub.L. 114-357\]](#) and [49 C.F.R. Part 26](#) regarding the involvement of disadvantaged business enterprises (DBE) in Federally funded projects;
- [23 C.F.R. Part 230](#), regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- The provisions of the ADA of 1990 [\[42 U.S.C. 12101 et seq.\]](#) and [49 C.F.R. Parts 27, 37, and 38](#);
- The Older Americans Act, as amended [\[42 U.S.C. 6101\]](#), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- [Section 324 of Title 23 U.S.C.](#) regarding the prohibition of discrimination based on gender; and

- Section 504 of the Rehabilitation Act of 1973 [\[29 U.S.C. 794\]](#) and [49 C.F.R. Part 27](#) regarding discrimination against individuals with disabilities.

### **10.3.1 Title VI and Related Statutes and Nondiscrimination Requirements**

The Federal Title VI/Nondiscrimination program includes several prohibitions and requirements:

- Prohibits entities from intentionally denying anyone a service, program or activity for which they are eligible;
- Prohibits entities from delivering programs, services or activities in a manner that, even if unintentional, tends to disparately impact anyone based on protected class membership.
- Requires robust inclusion of the public in and consideration of public input for all programs, services and activities. This includes encouraging the representative participation of minorities and their service groups as members of planning or advisory bodies for programs receiving Federal funds;
- Requires information and services to be provided in languages other than English when significant numbers of potential beneficiaries have limited English-speaking ability;
- Requires signed assurances and the inclusion of nondiscrimination clauses in legal instruments for the purchasing of services.

In addition, each MPO must develop a Title VI Plan that details how the MPO will comply with Title VI requirements and all related regulations and directives. The Title VI Plan documents the efforts to be taken by the MPO to prevent, identify and eliminate discrimination; the methods for how it will achieve compliance for work products, planning activities, and public participation; and the process for addressing discrimination complaints. Each MPO must also develop and maintain a Community Characteristics Inventory (CCI) that includes, at a minimum, race, ethnicity, and income. The MPO must use the CCI to ensure its programs, services and activities are equitably provided and free from discrimination. [Figure 10.1](#) below presents the components of a Title VI Plan and the following sections explain each component.

Figure 10.1 Components of a Title VI Plan

<b>Nondiscrimination Agreement</b>	Lists the Title VI requirements that an MPO receiving State Planning (PL) funds.
<b>Nondiscrimination Policy</b>	MPOs must develop a policy stating they will not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status and post it for public view.
<b>Title VI/Nondiscrimination Coordinator</b>	MPOs must appoint a Nondiscrimination Coordinator who has access to the MPO Executive Director when discrimination issues arise.
<b>Nondiscrimination Complaint Procedure</b>	MPOs must develop and post for public use a procedure for processing discrimination complaints based on race, color, national origin, sex, age, and disability.
<b>Data Collection and Review</b>	MPOs must develop and maintain a community characteristics inventory that includes race, ethnicity, and income, at a minimum. The MPO must use the CCI to ensure its programs, services and activities are equitably provided and free from discrimination.
<b>Nondiscrimination Training</b>	The MPO's Title VI/Nondiscrimination Coordinator must provide or arrange for periodic staff training in Title VI and nondiscrimination requirements.
<b>Outside Reviews</b>	MPOs should be prepared for grant reviews of their nondiscrimination activities by federal funding agencies.

### 10.3.2 Nondiscrimination Assurance

**Nondiscrimination Assurance.** As a FDOT subrecipient, each MPO is required to sign a Title VI and Related Statutes Nondiscrimination Assurance with the State to ensure compliance with requirements. The Title IV Nondiscrimination Assurance is included in the UPWP Statements and Assurances ([Form #525-010-08](#)), and is available through the [FDOT Procedural Document Library](#). The Title IV Nondiscrimination Assurance must be signed every two years with the other UPWP Statements and Assurances, or when the MPO undergoes a change in executive leadership.

The Assurance acts as the MPO's Title VI commitment pursuant to [23 C.F.R. Part 200](#). It lists all of the Title VI requirements that an MPO agrees to perform in return for receiving Planning (PL) funds from the State, including developing a nondiscrimination policy and discrimination complaint procedure. The Assurance

also contains appendices that must be included in all MPO bids, contracts, subcontracts, and agreements. The MPO is responsible not only for ensuring its own contracting documents have the required assurances, but also that any subcontracts also contain them.

The Districts' Planning staff are encouraged to work with the respective District's Title VI Program Area Officer in planning to review the MPO's updated Title VI/ Nondiscrimination Assurance annually to ensure compliance with the Title VI Program and related statutes.

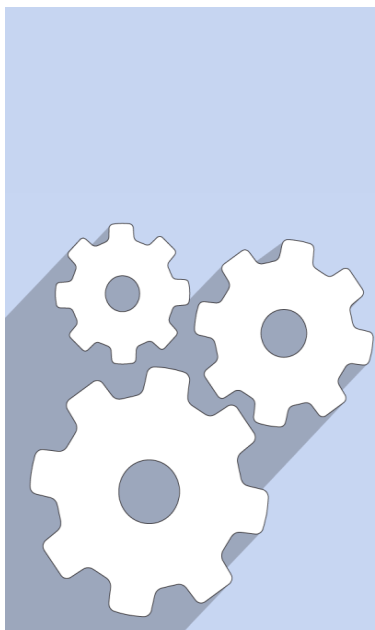
**Nondiscrimination Policy.** MPOs must develop and post for public view a policy that states the MPO will not discriminate in any program, service, or activity on the basis of race, color, national origin, sex, age, disability, religion, or family status. It should be published, where appropriate, in languages other than English that are prevalent in the MPO area.

**Title VI/Nondiscrimination Coordinator.** MPOs must appoint a Title VI/ Nondiscrimination Coordinator who has easy access to the MPO Executive Director. The Coordinator should be listed in the MPO Public Participation Plan (PPP) by name and contact information and have a responsible position within the organization. While the Coordinator may report to a lower-level supervisor in other professional duties, he or she must be able to directly and easily access the head of the MPO when possible discrimination issues arise [\[23 C.F.R. 200.9\(b\)\(1\)\]](#). The MPO may demonstrate this easy access through the use of an organizational chart in the Title VI plan showing direct but dotted line access by the Title VI/ Nondiscrimination Coordinator to the MPO Executive Director.

**Nondiscrimination Complaint Procedure.** MPOs must develop and post for public use procedures for prompt processing and disposition of complaints of discrimination. The procedures must clearly specify that all complaints alleging race, color or national origin discrimination will also be provided to the appropriate FDOT Title VI Coordinator <sup>6</sup>[\[23 C.F.R. 200.9\(b\)\(3\), \(b\)\(14\), and \(b\)\(15\)\]](#).

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<sup>6</sup> FHWA asserts its right to investigate and issue findings for complaints filed under the Title VI Statute. The MPO can and should investigate all complaints and attempt resolution in keeping with its policy. However, FDOT is required to collect race, color and national origin complaints and forward them to FHWA.



*MPOs have the flexibility to develop a complaint resolution procedure that corresponds to the organization's operations with two limitations:*

1. MPO processes to resolve complaints should be time-sensitive, never exceeding more than 90 days. [23 C.F.R. 200.9(b)(15)]
2. Copies of all MPO nondiscrimination complaints should be provided to the FDOT District Title VI/ Nondiscrimination Coordinator. The FDOT Coordinator is an important resource who can assist with investigation and resolution. The Coordinator also is responsible for recording, tracking, and reporting complaint status to the FDOT Central Office and FHWA. [23 C.F.R. 200.9(b)(3)] Finally, the Coordinator serves as a clearinghouse by transferring to the appropriate authority complaints without jurisdiction or outside FDOT/MPO purview.

**Annual Reviews of Nondiscrimination Program.** Before signing annual Certification of MPO Planning Process Consistency with Title VI of the Civil Rights Act of 1964, the MPO must review each program area (Public Involvement, UPWP, TIP, Bike/Ped Master Plan, and LRTP) to ensure nondiscrimination. The MPO must review demographic data, measures of effectiveness matrices, committee reports, and other available documentation to ensure programs, services, and activities in these areas during the year were free from discrimination. [\[23 C.F.R. 200.9\(b\)\(5\)\]](#)

**Nondiscrimination Training.** The MPO's Title VI/Nondiscrimination Coordinator must provide or arrange for periodic staff training in Title VI and nondiscrimination requirements. Both FDOT and FHWA have helpful resources, including videos and other training aids. Training may be targeted to particular areas, such as Environmental Justice, LEP, public involvement, or complaint investigation. FDOT's [Sociocultural Effects Evaluation website](#) contains a wide array of resources, including video training on Environmental Justice.

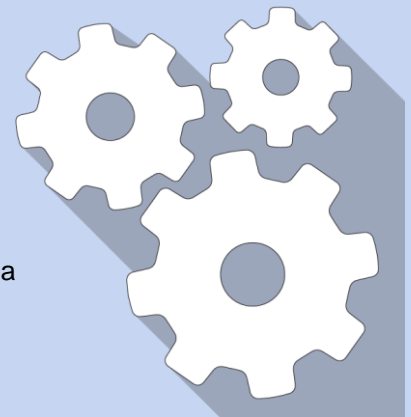
**Outside Reviews.** MPOs must be prepared for reviews of MPO nondiscrimination activities by FDOT or other external federal or state partners [\[23 C.F.R. 200.9\(b\)\(13\)\]](#) and [49 C.F.R. 21.11\]](#).

## 10.4 Documentation

Documentation of nondiscrimination policies, procedures, outreach, and other similar information is critical to demonstrate compliance with Title VI and related nondiscrimination requirements. The text box provided below lists recommended items for documentation.

*Some examples of important items that should be documented include:*

- ☑ All complaint information, including a tracking log of complainant, date of complaint, basis for complaint, and complaint disposition.
- ☑ A scrapbook of outreach events intended to increase participation and solicit feedback from low-income and minority communities.
- ☑ Measures of effectiveness reports detailing representative public involvement.
- ☑ Lists of MPO committee members by race, ethnicity, age, and whether or not disabled.
- ☑ Updated community characteristics inventories showing the MPO's geographic area broken down by socioeconomic factors.
- ☑ Community Impact Assessments that evaluate the enhancements and negative impacts of the MPO's plans.
- ☑ The MPO's LEP, Title VI, EJ, and nondiscrimination assurance documents. Samples of the MPO's meeting advertisements, contracts, and other documents containing nondiscrimination information.
- ☑ Records of all internal and external Title VI/Nondiscrimination reviews, results, and corrective action, if any.
- ☑ Lists of staff nondiscrimination training including the date, number of attendees, and the training subject.
- ☑ Documents showing strong practices, lessons learned, nontraditional partnerships, etc.

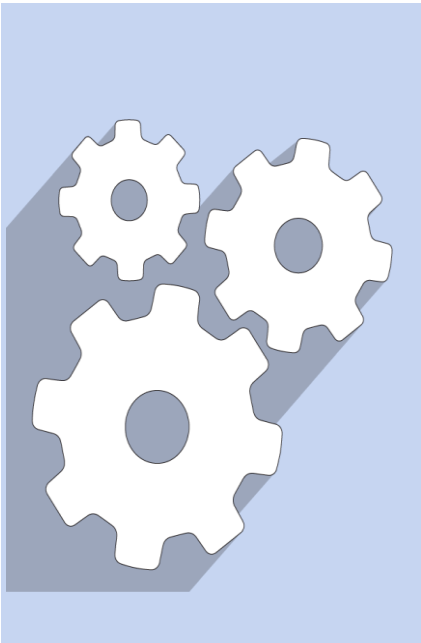




## 10.5 Limited English Proficiency

[Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#), as well as related Department of Justice (DOJ) Guidance from August 2000, requires Federal agencies and their recipients, including MPOs, to take reasonable steps to provide meaningful access to programs and services for persons who have a limited ability to read, speak, write, or understand English. In order to comply, MPOs must develop and post a written LEP plan that includes analysis of four factors.

MPOs must use the four factors in conjunction with their area demographics, PPP, measures of effectiveness, community partners, and funding to determine when and to what extent LEP services are required. LEP plans are essentially tools for providing better customer service, obtaining more representative public input, and demonstrating Title VI compliance. The Plans should effectively discuss the four-factor analysis and list the steps, activities, or other resources the MPO uses to provide meaningful access. LEP plans must be available for public access and comment and should use plain language. Plans should not be needlessly long or contain so much background or legal information that it creates a barrier to public understanding. See [U.S. government's website for LEP](#) for resources to assist MPOs with plan development.



*MPOs must develop an LEP Plan that includes an analysis of four factors:*


- 1. Number or proportion of LEP persons eligible to be served or likely to be encountered by the program or service;*
- 2. Frequency with which LEP individuals come in contact with the program;*
- 3. Nature and importance of the program, activity, or service provided by the program to people's lives; and*
- 4. Resources available to the recipient and costs.*

Though not required by the Executive Order or related Memoranda, MPOs may choose to comply with ‘safe harbor’ provisions. Safe harbors are affirmative defenses to a finding of noncompliance by demonstrating written translation of all vital documents based on the size of an LEP population. The safe harbor only applies to written translation of documents and when all vital documents are translated where there is an LEP language group constituting 5 percent or 1,000 persons, whichever is less. Given the size and scope of vital MPO documents, full translation could be cost prohibitive. Therefore, the MPO should carefully consider the wisdom of safe harbor compliance, and whether other reasonable steps might better or more effectively provide LEP compliance.

Finally, like all nondiscrimination programs and plans, LEP Plans are living documents that must be revisited to reflect changing communities and their needs. As such, the MPO should review its LEP Plan annually to ensure that it remains accurate and effective.

## 10.6 Environmental Justice (EJ)

[Executive Order 12898](#), Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, first issued in 1994, was reaffirmed by the White House in 2011. A consortium of Federal agencies, including U.S. DOT, participated in a working group to revise and update EJ guidance for its modal agencies and for recipients of Federal assistance; this included the MPOs. The result was the [U.S. DOT Order on EJ, 5610.2\(a\)](#) (May 2012) and [FHWA Order on EJ, 6640.23A](#) (May 2012). U.S. DOT defines three fundamental EJ principles, which are described in the text box below.



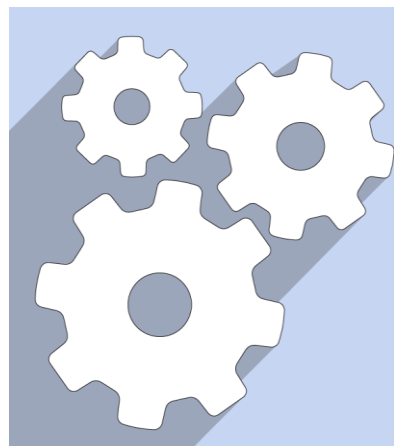
*The goals of Environmental Justice remain constant:*

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

U.S. DOT's Order states that it will "promote the principles of environmental justice (as embodied in the Executive Order) through the incorporation of those principles in all DOT programs, policies, and activities... fully considering environmental justice principles throughout planning and decision-making processes in the development of programs, policies, and activities." The Order also requires the collection and analysis of demographic data (race, color, national origin, and income level) through existing statutory and regulatory authority to ensure that EJ objectives are achieved.

To implement these requirements, the MPO must use all reasonable and available means at their disposal to better understand the demographics and needs of the communities within their areas. Sources of information may include, but not be limited to, Census and/or American Community Survey data; information collected and maintained by school, emergency, and social service providers; religious, community, or charitable organizations; planning and/or community development committees and boards; homeowners and civic groups; and surveys, blogs, and other social media sources.

MPOs may find it helpful to create a Sociocultural Data Report (SDR) to supplement CCI data on community demographics, low-income and minority populations, and potential partner organizations that may serve or have more information about the community. Once complete, the MPO may then use the SDR to analyze transportation plans, listing the benefits and impacts of its plans on the underserved communities, and assessing whether or not they are disproportionately high or adverse. The SDR is located in FDOT's [Environmental Screening Tool](#). More information about the Sociocultural Data Report and other tools for identifying demographics can be found at FDOT's [SCE Evaluation Process web page](#).



*MPOs have two responsibilities with regard to Environmental Justice:*

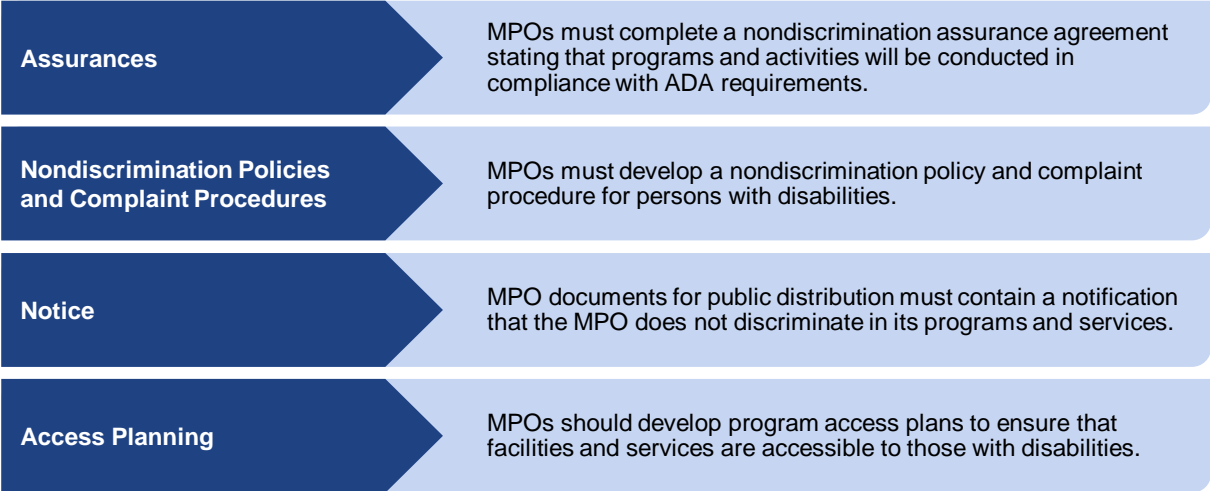
- 1. Access to Information.** MPOs must ensure and document early, continuous, and meaningful opportunities for involvement by minority and low-income communities; and
- 2. Data Collection and Analysis.** MPOs must scrutinize demographic data to ensure that planning activities will not have disproportionately high or adverse impacts on underserved communities and, where impacts are unavoidable, that documented steps are taken to avoid, minimize, or mitigate impacts.

As with all nondiscrimination programs and activities, MPOs should annually examine their EJ strategy for effectiveness; this includes ensuring that it captures significant changes in the area's minority and low-income populations. More information on EJ compliance may be found at [FDOT's EJ website](#) or [FHWA's EJ website](#).

## 10.7 Americans with Disabilities Act (ADA) and Related Authorities

Under the Americans with Disabilities Act of 1990 [\[42 U.S.C. 12131\]](#), MPO programs and services may not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the basis of a disability. Moreover, the MPO has the responsibility of providing reasonable accommodation to those with disabilities who require special services to access information or participate in MPO activities. The figure below describes ADA requirements for all government entities, including MPOs.

Figure 10.2 ADA Requirements for All Government Entities



**Assurances.** [49 C.F.R. 27.9](#) requires all Federal-aid recipients to complete a nondiscrimination assurance stating that programs and activities will be conducted in compliance with ADA. If the MPO has executed the FDOT Nondiscrimination Assurance (which specifically includes disability), it need not sign a separate ADA Assurance.

**Nondiscrimination policies and complaint procedures.** [49 C.F.R. 27.13](#) requires Federal-aid recipients to develop a nondiscrimination policy and complaint filing/process procedure for disability. Recipients also must name a responsible person to coordinate disability nondiscrimination activities. While this part only applies to entities with 15 or more employees, all MPOs are encouraged to comply. **Note:** If the MPO has a comprehensive complaint policy and procedure that includes disability, and has named a Title VI/Nondiscrimination Coordinator, then it need not develop separate policies and procedures wholly for disability.

**Notice.** [49 C.F.R. 27.15\(b\)](#) requires all publications or other general information for public distribution to contain a notification statement the recipient does not discriminate in admission or access to, or treatment or employment in, its programs and services. Recipients also must provide upon request reasonable accommodation for access to programs and services for those with disabilities. FDOT developed a standard statement for use on all public documents and notifications, stating that:

*The MPO does not discriminate on the basis of race, color, national origin, sex, age, religion, disability and family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), or those requiring language assistance (free of charge) should contact [enter Title VI/Nondiscrimination Coordinator or Public Information Office] at (XXX) XXX-XXXX or [coordinator@anympo.org](mailto:coordinator@anympo.org).*

**Access Planning.** [28 C.F.R. 35.150\(d\)](#) states that government entities with 50 or more employees having ownership/control over pedestrian rights-of-way must have an ADA transition plan to prioritize, schedule, and detail structural changes necessary to bring facilities into compliance. As MPOs generally do not meet the thresholds for employment or sidewalk ownership/control, they are not required to develop transition plans. However, under [28 C.F.R. 35.105](#), all public entities, including MPOs are required to conduct a self-evaluation of programs and services for accessibility; and where deficiencies are discovered, develop program access plans for making the required modifications for compliance. In addition, MPOs must ensure that all planning products include accessibility considerations and the involvement of communities with disabilities and their service representatives in the planning process. MPOs also can enhance ADA compliance by providing technical assistance to local agencies within their jurisdictions. Examples of assistance that MPOs can provide are:

- Conduct and/or share roadway surveys and other information regarding accessibility and connectivity of pedestrian rights-of-way;
- Gather and distribute input from partner organizations that serve the community that is disabled;
- Collect, analyze, or share crash and other data related to high priority pedestrian areas;
- Provide safety outreach to schools, neighborhoods, community service groups, and other similar organizations; and
- Ensure that Bike/Ped Master Plans and similar documents are shared with (or plan input gathered from) public works and maintenance departments of the local agencies within MPO jurisdiction.

## 10.8 Disadvantaged Business Enterprise (DBE)

[Title 49 C.F.R. Part 26](#) establishes the Federal guidelines for participation of Disadvantaged Business Enterprises (DBE) in U.S. DOT-funded contracts. As a recipient of Federal planning funds, MPOs must comply with these requirements. The MPO certification process also certifies if the metropolitan planning process is being carried out in accordance with all applicable DBE requirements. [\[23 C.F.R. 450.336\(a\)\(5\)\]](#)

Under [49 C.F.R. 26.21\(a\)\(1\)](#), FHWA's *primary* recipients are required to have an approved DBE program plan. As further explained in the preamble: "For FHWA, the modification makes clear that under FHWA's financial assistance program, its direct, primary recipients must have an approved DBE program plan, and subrecipients are expected to operate under the primary recipient's FHWA-approved DBE program plans." Thus, all FHWA funding provided to MPOs through FDOT is subject to FDOT's DBE Program Plans. MPOs may not use an alternative DBE plan for FHWA funds provided by the State. If the MPO is a direct recipient of FTA funds, and more than \$250,000 of those funds are used for contracts, then the MPO must have its own DBE program and goal approved by FTA.

Per [49 C.F.R. 26.51\(f\)](#), where State transportation agencies achieve their overall goals for DBE participation through race neutral means for two consecutive years, they must continue a race-neutral program until they can no longer achieve the approved goal. Since 2000, FDOT has operated an entirely race neutral DBE program in that it achieves DBE goals through the normal competitive bid process. This means that MPOs must ensure their procurement and contracting documents carefully follow FDOT's specifications, and that they do not specify a project goal or contract sanctions for failing to meet DBE availability.

The State maintains a [Florida Unified Certification Program Disadvantaged Business Enterprise \(UCP DBE\) Directory](#) to help contractors and consultants identify subcontractors and subconsultants eligible to participate on Federally funded contracts towards the attainment of DBE goals.

MPOs must check the UPC DBE Directory to ensure that DBE contractors and subcontractors are certified as DBEs in the area of work required by the MPO. MPOs also may contact FDOT's supportive services providers for more information. FDOT's [Equal Opportunity Office DBE](#) website provides relevant contact information.

## 10.8.1 DBE Contract Assurances

Under [49 C.F.R. 26.13](#), MPOs are required to have a signed policy statement expressing their commitment to DBE participation. The DBE Assurance is included in the UPWP Statements and Assurances ([Form #525-010-08](#)), and is available through the [FDOT Procedural Document Library](#). The Title IV Nondiscrimination Agreement must be signed every two years with the other UPWP Statements and Assurances.

In addition, each contract an MPO signs with a consultant and/or subconsultant must include the following assurance:

In accordance with 49 CFR Part 26.21, and the FDOT DBE Program Plan, DBE participation on FHWA-assisted contracts must be achieved through race-neutral methods. 'Race neutral' means that the MPO can likely achieve the overall DBE goal of 10.65% through ordinary procurement methods. Therefore, no specific DBE contract goal may be applied to this project. Nevertheless, the MPO is committed to supporting the identification and use of DBEs and other small businesses and encourages all reasonable efforts to do so. Furthermore, the MPO recommends the use of certified DBE's listed in the Florida Unified Certification Program (UCP) DBE Directory, who by reason of their certification are ready, willing, and able to provide and assist with the services identified in the scope of work. Assistance with locating DBEs and other special services are available at no cost through FDOT's Equal Opportunity Office DBE Supportive Services suppliers. More information is available by visiting <http://www.fdot.gov/equalopportunity/serviceproviders.shtm> or calling 850-414-4750.

Consistent with 49 CFR 26.13(b), the contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 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 contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;



- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

## 10.9 References

This section provides references, procedures, and forms related to Title VI/ Nondiscrimination requirements for MPOs.

**Table 10.2** References

Reference	Description
<a href="#">Title VI Assurance, DOT 1050.2A</a>	Executed by the FDOT Secretary committing to Title VI/ Nondiscrimination compliance in all programs, services, and activities.
<a href="#">Unified Planning Work Program (UPWP) Statements and Assurances</a>	This agreement can be found on <a href="#">FDOT's Procurement Document Library web page</a> .
<a href="#">Title VI/Nondiscrimination Complaint, 275-010-010</a>	Establishes FDOT's process for implementing the FHWA Title VI compliance program and conducting Title VI program compliance reviews.
<a href="#">Title VI Implementation Plan</a>	FDOT's Title VI/Nondiscrimination Program Implementation Plan, which describes the policies, procedures, and practices in use to comply with nondiscrimination requirements.
<a href="#">Disadvantaged Business Enterprise Program Plan</a>	Establishes FDOT's DBE Program Plan in accordance with 49 C.F.R. Part 26.
<a href="#">Limited English Proficiency Plan</a>	FDOT's LEP guidance.
<a href="#">Sociocultural Data Report (SDR)</a>	Displays information about communities in a project area that potentially may be affected by the project.

Reference	Description
<a href="#">Sociocultural Effects Evaluation (SCE)</a>	FDOT's Sociocultural Effects Evaluation resources.
<a href="#">Environmental Justice Web Page</a>	FDOT's Environmental Justice information.

# 11 Other Planning Products and Processes

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## 11.1 Purpose

This chapter describes several other planning products and processes required of the Florida Department of Transportation (FDOT) and other agencies that Metropolitan Planning Organizations (MPOs) must consider in the metropolitan transportation planning process. The topics discussed in this chapter are safety planning, the Congestion Management Process, bicycle and pedestrian planning, and freight planning.

## 11.2 Safety Planning

Safety planning plays a critical role in reducing transportation-related fatalities and serious injuries in Florida. To address safety issues across all modes, FDOT and the Florida MPOs develop, update, and implement several transportation safety plans and programs.

The primary safety-focused plans and programs produced by FDOT that are of importance to MPOs are:

- Florida Strategic Highway Safety Plan (SHSP).
- Florida Highway Safety Plan (HSP).
- Florida Highway Safety Improvement Program (HSIP).

The statewide and metropolitan transportation plans and programs that are required to consider safety and align with these safety-focused plans are:

- Florida Transportation Plan (FTP).
- MPO Long-Range Transportation Plans (LRTP).
- Statewide Transportation Improvement Programs (STIP) and MPO Transportation Improvement Programs (TIP).

The following section provides a general description of each safety plan and program and how it is addressed in Florida.

## 11.2.1 Strategic Highway Safety Plan

The SHSP is a statewide-coordinated safety plan developed by each State DOT in consultation with safety stakeholders, including MPOs. The SHSP provides a comprehensive framework for reducing transportation related fatalities and serious injuries on all public roads. The SHSP is required to use a data-driven approach to identify transportation safety needs, or emphasis areas, and must be updated at least every five years. Safety programs and projects identified for HSIP funding must be consistent with the SHSP emphasis areas. The SHSP also provides strategic direction for other State and regional transportation plans.

The Florida SHSP was originally developed in 2006 and was updated in 2012, 2016, and 2021. The current and previous SHSPs can be found on FDOT's [State Safety Office webpage](#). The [2021 SHSP](#) is Florida's current five-year comprehensive roadway safety plan. The update was coordinated with Florida's 27 MPOs, and included a review of safety-related goals, objectives, and strategies in MPO plans and targeted outreach sessions through Florida's Metropolitan Planning Organization Advisory Council (MPOAC). The Plan is data-driven, sets a vision of zero traffic-related fatalities in Florida, addresses safety needs for all public roads, and identifies strategies and emphasis areas that guide Florida's safety efforts. These emphasis areas and accompanying strategies are used to prioritize HSIP projects and guide the safety policies, programs, and projects, if applicable, in FDOT and MPO transportation plans and programs.

## 11.2.2 Highway Safety Plan

The HSP serves as a State's application to the National Highway Traffic Safety Administration for Federal funds available under [23 U.S.C. 402](#), State and Community Highway Safety grant program and [23 U.S.C. 405](#), National Priority Safety Program. The HSP is data-driven and identifies the key behavioral safety problems in a State, establishes performance measures and targets for 15 core performance measures, identifies other performance measures and targets as applicable, reports on how targets from the previous year were met, and identifies countermeasures for addressing safety needs. HSP content is coordinated with the SHSP and the annual targets for fatalities, serious injuries, and fatality rate are identical to those in the HSIP.

The [Florida HSP](#) is developed annually by FDOT's Safety Office. It is based on Florida's SHSP goals and objectives, an analysis of crash data, and related requirements. It sets

safety priorities and targets for the upcoming year and identifies programs and projects for funding.

### **11.2.3 Highway Safety Improvement Program**

The purpose of the HSIP is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The HSIP is not a plan, but a program of highway safety improvement projects; the projects are identified through data-driven analysis. A highway safety improvement project is a strategy, activity, or project on a public road that is consistent with the data-driven SHSP; and corrects or improves a hazardous road segment, location, or feature or addresses a highway safety problem. At the planning level, HSIP projects must be carried out as part of the statewide and metropolitan planning processes. At the project level, they are included in the STIP and MPO TIPs. The HSIP also establishes targets for five performance measures. Targets for fatality, fatality rate, and serious injury must be identical between the HSIP and HSP.

FDOT's State Safety Office is responsible for administering the HSIP program, reviewing and evaluating all potential projects in coordination with FDOT's Districts, and evaluating the effectiveness of a project. In Florida, funding for HSIP projects is based on identified safety needs versus a formula or suballocation. FDOT's District staff, often in coordination with the local MPO and Community Traffic Safety Team (CTST), utilize the results of crash analysis for the District planning area to determine safety projects and programmatic needs. Eligible HSIP projects and programs must be identified through a data-driven process and must address a SHSP crash type or emphasis areas. Once projects are identified, District staff work with the State Safety Office to program and fund them.

### **11.2.4 Florida Transportation Plan (FTP)**

The FTP is the single overarching statewide plan guiding Florida's transportation future. It includes a 50-year Vision Element, a 25-year Policy Element, and a five-year Implementation Element. The SHSP is considered an implementation activity that supports the FTP's vision of a fatality-free transportation system and the long-range goal of ensuring safety and security for residents, visitors, and businesses.



## 11.2.5 MPO LRTPs, TIPs, and the Metropolitan Planning Process

Federal and State statute and planning regulations specify the following safety-related requirements MPOs must address in the metropolitan transportation planning process.

- Safety of the transportation system for motorized and nonmotorized users is one of the ten factors MPOs must address in the planning process. [\[23 C.F.R. 450.306\(b\)\(2\)\]](#)
- MPO must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in the HSIP, SHSP, and other safety and security planning and review processes, plans, and programs, as appropriate. [\[23 C.F.R. 450.306\(d\)\(4\)\]](#)
- The LRTP must include operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods. [\[23 C.F.R.450.324\(g\)\(5\)\]](#)
- The LRTP must also integrate the priorities, goals, countermeasures, strategies, or projects for the metropolitan planning area contained in the HSIP; this includes the SHSP and public transportation agency safety plans. [\[23 C.F.R.450.324\(i\)\]](#)
- The TIP must include HSIP projects. [\[23 C.F.R. 450.326\(e\)\]](#)
- [Section 339.175, F.S.](#), describes Florida’s MPOs, specifically citing the need to consider safety during the long-range transportation planning process. It also requires the MPO Technical Advisory Committee to coordinate its actions with other regional agencies, including the community traffic safety teams.
- [Section 339.177, F.S.](#), states FDOT, in cooperation with the MPOs, shall develop and implement a separate and distinct system for managing a number of program areas, including highway safety.

## 11.2.6 Safety in Performance Management

[23 U.S.C. 150](#) describes the national goals and performance management measures, which are also described in more detail in [Chapter 9: Performance Management](#). It specifies seven national goal areas; one of which is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. Safety performance management

is addressed more specifically in Federal Highway Administration (FHWA) performance measures regulations [\[23 C.F.R. 490\]](#).

- [23 C.F.R. 490.207](#) establishes five performance measures for carrying out the HSIP: number of fatalities, rate of fatalities, number of serious injuries, rate of serious injuries, and number of non-motorized fatalities and non-motorized serious injuries. Each performance measure is based on a 5-year rolling average. Calculations for each measure are described in this section of the C.F.R.
- [23 C.F.R. 490.209](#) requires State DOTs to establish performance targets annually for each of the five safety performance measures listed above. The targets must be identical to the targets in the State's HSP and reported in the HSIP Annual Report. FDOT must develop and report on targets starting with the HSIP Annual Report, due in 2017.
- [23 C.F.R. 490.209](#) also requires MPOs to establish performance targets for each of the five safety performance measures listed above no later than 180 days after the State DOT establishes and reports on the targets in the HSIP Annual Report. MPOs have the option of agreeing to plan and program projects that contribute towards accomplishing the State DOT goal or establishing quantifiable targets for their planning areas. To ensure consistency between the State and metropolitan targets, the DOT and MPOs must coordinate on the establishment of targets to the maximum extent practicable.
- [23 C.F.R. 490.213](#) states that MPOs must annually report their established safety targets to the State DOT. MPOs must also report baseline safety performance, a vehicle miles traveled (VMT) estimate and methodology (if a quantifiable rate was established), and progress toward the achievement of their targets in the LRTPs.

### 11.2.7 Stand Alone Safety Plans

FDOT and the MPOs may choose to develop standalone plans that further explore safety issues and needs. These may focus on a modal or topic area (i.e. bicyclists and pedestrians, older drivers), or geographic region (i.e. MPO region, corridor plan).

The [Florida Pedestrian and Bicycle Strategic Safety Plan](#) is an example of a modal plan that specifically focuses on safety policies, programs, and projects. A number of MPOs have created similar modal safety plans. These plans will typically review crash data,

including locations and crash characteristics, to develop modal safety goals, objectives, and project recommendations. Similar to modal plans, topic plans may address safety issues for a specific demographic segment or issue area and can be used to further prioritize safety programs and projects; this can be either statewide or at the regional or local level.

Another type of safety plan is one that focuses on a specific geographic region and can be used to more narrowly focus on safety issues and needs. Many regional safety plans will utilize a crash characteristics analysis, combined with network screening or another type of analysis to identify locations for implementation of behavioral programs and safety infrastructure projects.

## **11.3 Congestion Management Process**

The Congestion Management Process (CMP) is a federally mandated process to help larger urban areas analyze and manage traffic congestion. This section briefly explains the CMP requirements and provides resources for additional information.

As defined in federal regulation, the CMP only applies to MPOs that are designated as a Transportation Management Area (TMA); a TMA is an urban area that has a population greater than 200,000 people.

The purpose of the CMP is to provide for effective management and operation of the existing transportation system and identify areas where improvements are most needed. It is intended to provide an enhanced linkage to the planning process and the environmental review process that is based on cooperatively developed travel demand reduction and operational management strategies and capacity increases.

### **11.3.1 CMP Requirements**

[23 C.F.R. 450.322](#) presents the CMP requirements for TMA MPOs. The transportation planning process in a TMA must address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for federal funding, through the use of travel demand reduction, job access projects, and operational management strategies.

The development of a CMP should result in multimodal system performance measures and strategies that can be reflected in the MPO's LRTP and TIP.

Consideration should be given to strategies that manage demand, reduce single occupant vehicle (SOV) travel, improve transportation system management and operations, and improve efficient service integration within and across modes; the modes would include highway, transit, passenger and freight rail operations, and non-motorized transport. Where the addition of general purpose lanes is determined to be an appropriate congestion management strategy, explicit consideration is to be given to the incorporation of appropriate features into the SOV project to facilitate future demand management strategies and operational improvements that will maintain the functional integrity and safety of those lanes.

The CMP must include methods to monitor and evaluate the performance of the transportation system, definition of objectives and performance measures, a system of data collection, evaluation of strategies, and identification of an implementation schedule, implementation responsibilities, and possible funding sources for each strategy or combination of strategies proposed for implementation. Evaluation results must be provided to decision-makers and the public to provide guidance on selection of effective strategies for future implementation. Additional requirements are specified for TMA MPOs in air quality nonattainment areas.

[Section 339.175, F.S.](#), requires all MPOs in Florida, including non-TMA MPOs, to prepare a congestion management system for the metropolitan area and cooperate with FDOT in the development of all other transportation management systems required by Federal or State law.

## **11.3.2 CMP Guidance**

The Federal CMP requirements are not prescriptive regarding the methods and approaches an MPO must use to implement a CMP. This flexibility reflects the fact that different metropolitan areas may face different conditions regarding traffic congestion and may have different visions of how to deal with congestion.

FHWA issued the [Congestion Management Process Guidebook](#), which provides guidance to MPOs for developing a CMP. The Guidebook outlines and discusses the following eight steps in CMP development:

- Develop regional objectives for congestion management.
- Define the CMP network.
- Develop multimodal performance measures.
- Collect data/monitor system performance.
- Analyze congestion problems and needs.
- Identify and assess strategies.
- Program and implement strategies.
- Evaluate strategy effectiveness.

## 11.4 Pedestrian and Bicycle Planning

This section provides information about conducting pedestrian and bicycle planning in the metropolitan transportation planning process in accordance with regulations, guidance, and policies.

### 11.4.1 Pedestrian and Bicycle Planning Requirements

MPOs are not required to develop a stand-alone pedestrian and/or bicycle plan or develop a separate pedestrian and bicycle section of the LRTP. However, Federal and State law and regulations do require the MPO planning process address pedestrian and bicycle facilities along with other transportation infrastructure. These requirements include:

- Bicycle transportation facilities and accessible pedestrian walkways must be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation facilities. [\[23 C.F.R. 450.300\(a\)\]](#)
- MPOs must provide representatives of users of pedestrian walkways and bicycle transportation facilities, among others, with reasonable opportunities to be involved in the metropolitan transportation planning process [\[23 C.F.R. 450.316\(a\)\]](#) and comment on the LRTP. [\[23 C.F.R. 450.324\(j\)\]](#)

- The LRTP must include both long-range and short-range strategies and actions that provide for the development of an integrated multimodal transportation system, including accessible pedestrian walkways and bicycle transportation facilities, to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand. [\[23 C.F.R. 450.324\(b\) and 23 C.F.R. 450.324\(q\)\(12\)\]](#)
- The State, public transportation operator(s), and the MPO must cooperatively develop a listing of projects on an annual basis; this includes investments in pedestrian walkways and bicycle transportation facilities, for which Federal transportation funds were obligated in the preceding year. [\[23 C.F.R. 450.334\(a\)\]](#)
- MPO plans and programs must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area. [\[s.339.175\(1\), F.S.\]](#)
- The LRTP must indicate proposed transportation enhancement activities, including pedestrian and bicycle facilities. [\[s.339.175\(7\)\(d\), F.S.\]](#)

## 11.4.2 Developing Pedestrian and Bicycle Plans

While MPOs are not required to develop a bicycle or pedestrian plan, an MPO may do so to conduct a more detailed analysis. MPOs can also provide targeted recommendations to support regional planning and programming. An MPO may choose to develop a pedestrian and bicycle element of its LRTP or may choose to develop a stand-alone bicycle or pedestrian plan. A stand-alone plan may address pedestrian and bicycle policy and infrastructure in more depth than a component of the LRTP. If an MPO chooses to develop a bicycle or pedestrian plan, the plan should be consistent with the goals and objectives of the LRTP and should also inform the MPO's TIP. These plans do not need to be fiscally constrained; this allows MPOs to identify an aspirational list of projects and identify and articulate solutions such as improving safety and increasing accessibility.

MPO pedestrian and bicycle plans vary in their focus and content, with some being general and policy-oriented in nature, and others recommending specific facility improvements. Plans often include some or all of these components:

- Setting regional goals, objectives, and performance measures related to walking and bicycling.
- Collecting and analyzing pedestrian and bicycle data, including usage, facilities, and safety, and monitoring trends.
- Forecasting pedestrian and bicycle facility demand and mode choice in conjunction with regional travel modeling.
- Evaluating infrastructure deficiencies and areas of need.
- Using information on existing and potential demand, safety needs, and other network gaps or deficiencies to prioritize types of projects, specific projects, or areas for funding.
- Setting policies and criteria (such as TIP selection criteria) related to the incorporation of pedestrian and bicycle improvements in MPO-funded projects.
- Providing funding and/or technical assistance (e.g., model policies or design standards) to local jurisdictions to implement pedestrian and bicycle improvements on local streets.

### **11.4.3 Pedestrian and Bicycle Policies and Guidance**

The U.S. DOT issued a [Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations](#) on March 11, 2010, to reflect the Department's support for fully integrated networks. The policy states that every transportation agency, including the DOT, has the responsibility to improve conditions for walking and bicycling and to integrate walking and bicycling into their transportation systems.

FDOT's policies, plans, and guidance related to metropolitan pedestrian and bicycle planning include:

- The [Florida Transportation Plan](#)
- FDOT's [Complete Streets Policy and Implementation Plan](#)
- The [Florida SHSP](#) and [Pedestrian and Bicycle Strategic Safety Plan](#)

- The [Florida Pedestrian and Bicycle Partnership Council](#)

### **11.4.3.1 Florida Transportation Plan**

The [FTP](#) recognizes the importance of pedestrian and bicycle safety, facilities improvements/choices, changing cultural attitudes, and healthy lifestyles. The FTP includes seven long-range goals for Florida, four of which can be tied directly to pedestrian and bicycle planning -- quality infrastructure, transportation choices, quality places, and environment and energy conservation. If an MPO chooses to develop a pedestrian or bicycle plan, the plan should be consistent with the FTP's goals.

### **11.4.3.2 Complete Streets and Facility Design**

FDOT adopted a [Complete Streets Policy](#) in September 2014. The policy states that FDOT will routinely plan, design, construct, reconstruct and operate a context-sensitive system of "Complete Streets." Complete Streets shall serve the transportation needs of transportation system users of all ages and abilities, including but not limited to cyclists and pedestrians as well as transit riders, motorists, and freight handlers.

FDOT's [Complete Streets Implementation Plan](#) (December 2015) provides a detailed description of actions FDOT will undertake to implement this policy. Action areas include:

- Revising guidance, standards, manuals, policies, and other documents.
- Updating decision-making processes.
- Modifying approaches for measuring performance; managing internal and external communication and collaboration during implementation.
- Providing ongoing education and training.

The [Florida Greenbook](#), formally referred to as the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, provides design standards and criteria for State and local roads; it is one method for implementing the Complete Streets policy. Chapter 8 of the Greenbook addresses pedestrian facilities and Chapter 9 addresses bicycle facilities. The Greenbook states that bicycle facilities should be established in conjunction with the construction, reconstruction, or other change of any transportation facility and special emphasis should be given to projects in or within one mile of an urban area. A [draft update to the Greenbook](#) proposes to require



provision of sidewalks along both sides of roadways that are in or within one mile of an urban area, and proposes various additional standards for both pedestrian and bicycle facilities such as a minimum five foot sidewalk width.

While MPOs typically are not responsible for the design of streets, they may choose to include adherence to State standards and Complete Streets policies as criteria for project prioritization and funding in the TIP.

### **11.4.3.3 Pedestrian and Bicycle Safety Plans**

Florida is required to develop and update a SHSP as a condition of receiving Federal-aid highway safety funding. [Florida's SHSP](#) is organized into emphasis areas, one of which includes pedestrian and bicycle safety. Within this emphasis area, the SHSP identifies four strategies on which to focus safety efforts:

- Increase awareness and understanding of safety issues and compliance with traffic laws and regulations related to pedestrians and bicyclists.
- Develop and use a systematic approach to identify locations and behaviors prone to pedestrian and bicycle crashes and implement multi-disciplinary countermeasures.
- Create urban and rural built environments to support and encourage safe bicycling and walking.
- Support national, state, and local initiatives and policies that promote bicycle and pedestrian safety.

[Florida's Pedestrian and Bicycle Strategic Safety Plan](#), published in 2013, supports the SHSP with a more detailed focus on pedestrian and bicycle safety. It establishes a vision to “provide a safe transportation system where people of all ages and abilities can walk, bike, utilize transit, and travel by automobile safely and comfortably in a pedestrian and bicycle friendly environment.” The plan is organized into seven emphasis areas: data and analysis; driver education and licensing; highway and traffic engineering; law enforcement and emergency services; communication; outreach and education; and legislation, regulation, and policy. The plan also includes a statewide pedestrian and bicycle crash analysis. Objective 3.11.1 of the plan is to “Promote linkage of state, local, and regional safety plans to increase coordination between stakeholders.”

### **11.4.3.4 Bicycle and Pedestrian Partnership Council**

The [Florida Bicycle and Pedestrian Partnership Council](#) was convened to provide policy recommendations to FDOT and its transportation partners on the State's walking, bicycling and trail facilities. The Annual Report provides a number of recommendations regarding how all partners in pedestrian and bicycle facility planning in Florida should collaborate to advance principles through implementation of the [Florida Transportation Plan](#). Principles that relate directly to metropolitan planning activities include:

- Strive for a comprehensive, interconnected network of pedestrian and bicycle facilities at the State, regional, and local levels.
- Support cooperative efforts at the State, regional, and local levels (between public, private and non-governmental organizations) on pedestrian and bicycle issues to address safety, completion of the system, cultural change, and health-related behaviors.
- Promote the importance of pedestrian and bicycle planning by leveraging Federal, State, local, and private funding sources.

## **11.5 Freight Planning**

This section provides information about the consideration of freight in the metropolitan transportation planning process.

### **11.5.1 Freight Planning Requirements and Guidelines**

MPOs are not required to develop a metropolitan freight plan. However, Federal transportation and State law and regulations do require that MPOs address freight in the planning process. These requirements include:

MPOs must carry out a multimodal transportation planning process that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight.

[\[23 C.F.R. 450.300\(a\)\]](#)

The planning process must provide for consideration and implementation of projects, strategies, and services that will increase accessibility and mobility of people and

freight [\[23 C.F.R. 450.306\(b\)\(4\), s.339.175\(6\)\(b\)\(3\)\]](#) and enhance the integration and connectivity of the transportation system, across and between modes, for people and freight [\[23 C.F.R. 450.306\(b\)\(6\), s.339.175\(6\)\(b\)\(5\)\]](#).

MPO must integrate in the metropolitan transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in the appropriate (metropolitan) portions of the State freight plan. [\[23 C.F.R. 450.306\(d\)\(4\)\(vi\)\]](#)

MPOs must provide public ports, freight shippers, and providers of freight transportation services, among others, with reasonable opportunities to be involved in the metropolitan transportation planning process [\[23 C.F.R. 450.316\(a\)\]](#) and comment on the LRTP. [\[23 C.F.R. 450.324\(j\)\]](#)

When developing the LRTP and TIP, the MPO should consult with agencies and officials responsible for other planning activities within the metropolitan area that are affected by transportation, including freight movement activities, or coordinate its planning process, to the maximum extent practicable, with such planning activities. [\[23 C.F.R. 450.316\(b\)\]](#)

When developing the LRTP and the TIP, each MPO must provide freight shippers and providers of freight transportation services with a reasonable opportunity to comment on the LRTP. [\[s.339.175\(7\)\(e\), F.S., s.339.175\(8\)\]](#)

## 11.5.2 Freight Performance Management

[23 U.S.C. 150](#) describes the national goals and performance management measures, which are also described in more detail in [Chapter 9: Performance Management](#). It specifies seven national goal areas, one of which addresses freight movement and economic vitality:

Improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development. [\[23 U.S.C. 150\(b\)\(5\)\]](#)

Freight is addressed more specifically in FHWA's performance measures regulations.

[23 C.F.R. 490.607](#) establishes that the performance measure to assess freight movement on the Interstate System is the Truck Travel Time Reliability (TTTR) Index, referred to as the Freight Reliability measure.

[23 C.F.R. 490.609](#) requires State DOTs, in coordination with MPOs, to define reporting segments.

[23 C.F.R. 490.105](#) requires MPOs to establish performance targets for the performance measure no later than 180 days after the State DOT establishes performance targets.

[23 C.F.R. 490.107](#) provides the reporting requirements for States and MPOs.

### 11.5.3 Florida Freight Planning

FDOT's key transportation plans that address freight planning include the [Florida Transportation Plan](#) (FTP) and the [Freight Mobility and Trade Plan](#) (FMTP).

The [FTP](#) contains a Policy element organized around seven goals. One goal is efficient and reliable mobility for people and freight, which represents a shift from a focus on reducing travel time and delay to making the entire transportation system more efficient and reliable; this includes all modes as well as supporting regulatory processes. Another FTP goal focuses on more transportation choices for people and freight. This goal recognizes widespread partner and public input on the need for a fuller range of options for moving people and freight, with emphasis on walking, bicycling, transit, and rail, as well as emerging mobility options such as shared and automated vehicles. The FTP also identifies emphasis areas, one of which is increasing the safety and security of freight movement using all modes; this includes safe and secure truck parking and other logistics facilities, and separation of or reduced conflict between freight and passenger vehicles.

The [FMTP](#) is a comprehensive plan developed by FDOT with private and public sector partners. The FMTP identifies objectives and strategies for improving freight mobility and trade activity in Florida, along with more than 700 identified freight investment needs with a total cost of \$32 billion. In support of the FMTP, FDOT established an Office of Freight, Logistics, and Passenger Operations, appointed a freight coordinator for each district, and established a Trade and Logistics Academy to train FDOT and partner staff on freight-related issues. The FMTP is being closely coordinated with regional freight plans developed by FDOT Districts, MPOs, and other partners across the state.

## 11.5.4 Florida MPOAC Freight Advisory Committee

The [MPOAC Freight Advisory Committee](#) was created in April 2013 to serve as a clearinghouse of actionable ideas that allow Florida's MPOs to foster and support sound freight planning and freight initiatives. The members of the Freight Advisory Committee seek to understand the economic effects of proposed freight-supportive projects, foster relationships between public agencies with responsibilities for freight movement and private freight interests, and reduce policy barriers to goods movement to, from, and within Florida.

The [Freight Advisory Committee MPOAC webpage](#) lists Committee members, Committee meeting summaries, and other resources, including links to MPO freight webpages and reports.

## 11.6 Partnering with FDOT: A Resource Guide for Local Governments

[Partnering with FDOT: A Resource Guide for Local Governments](#) is available to local governments to support collaboration with FDOT to construct safe and efficient transportation facilities. The Resource Guide describes FDOT's planning and project development processes, funding programs, and appropriate District staff to contact for support. Through collaboration, FDOT and Florida's communities can develop a transportation system that better coordinates land uses and transportation infrastructure at the local and regional level. Collaboration and coordination are also essential for working together to grow Florida's economy, protect our natural resources, and nourish our communities.

## 11.7 References

This section provides references related to safety, congestion management, bicycle and pedestrian planning, and freight planning.

**Table 11.1**    **References**

Reference	Description
<a href="#">Florida Transportation Plan</a>	Florida’s Long-Range Statewide Transportation Plan.
<a href="#">Strategic Highway Safety Plan</a>	Florida’s statewide-coordinated safety plan.
<a href="#">Highway Safety Plan</a>	Serves as a state’s application to the National Highway Traffic Safety Administration for Federal funds.
<a href="#">Florida’s Highway Safety Improvement Program</a>	Florida’s program of highway safety improvement projects.
<a href="#">Bicycle and Pedestrian Partnership Council</a>	Provides policy recommendations to FDOT and its partners on the State’s walking, bicycling, and trail facilities.
<a href="#">Pedestrian and Bicycle Strategic Safety Plan</a>	Supports the SHSP with a more detailed focus on pedestrian and bicycle safety.
<a href="#">FHWA Congestion Management Process Guidebook</a>	Provides guidance for conducting a CMP.
<a href="#">FDOT Complete Streets Policy</a>	Specifies FDOT’s approach and policy for a statewide Complete Streets policy.
<a href="#">FDOT Complete Streets Implementation Plan</a>	Provides a detailed description of actions FDOT will undertake to implement this policy.
<a href="#">Florida Greenbook</a>	Provides design standards and criteria for state and local roads.
<a href="#">Freight Mobility and Trade Plan</a>	Identifies objectives and strategies for improving freight mobility and trade activity in Florida.

# Appendix A – District MPO Liaison Fact Sheets

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**District MPO Liaison Fact Sheet #1**  
**The Role and Responsibilities of a District MPO Liaison**  
(beginning on the next page)





## MPO Liaison Fact Sheet #1

### The Role and Responsibilities of an MPO Liaison

#### WHAT IS AN MPO?

Every urbanized area with a population of more than 50,000 persons must have a designated Metropolitan Planning Organization (MPO) for transportation planning to qualify for federal highway or transit assistance. [23 CFR 450.310(a)]

The United States Department of Transportation (USDOT) relies on the MPO to ensure that highway and transit projects that use federal funds are products of a continuing, cooperative, and comprehensive (3-C) planning process and meet local priorities. Within an MPO area, Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) will only approve federal funding for highway and transit projects that are in the MPO's adopted Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP).

The MPO's role is to develop and maintain the necessary transportation plans for the area to assure eligibility for federal funds to support these locally developed plans and products. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) greatly strengthened this responsibility by placing the MPO in a primary role for the prioritization of transportation projects to be constructed within the MPO's planning area. Succeeding transportation bills, the most recent being the Fixing America's Surface Transportation (FAST) Act from 2015, have continued this level of involvement through the metropolitan planning process.

The MPO has the responsibility to involve the public in the planning process through expanded citizen participation efforts. MPO's responsibilities for public involvement were increased in 2005 with the requirement to develop a formal Public Participation Plan. Since the MPO includes those agencies responsible for carrying out transportation programs in the MPO area, the process allows for input from all agencies and the public within the MPO area to be engaged in the process.

#### FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RELATIONSHIP TO MPOs

The Florida Department of Transportation's (FDOT's) relationship to the Metropolitan Planning Organization's (MPO's) in the State is to confirm that the MPO's are following proper procedures required to obtain State and Federal funding. The majority of funds used to complete the projects listed in an MPO's LRTP and TIP come from State and Federal programs. The FDOT is the first line of communication between the MPO, the FHWA, and FTA and assists MPO's in following proper policies and procedures to obtain funding.

Each District has MPO Liaisons that are tasked with coordinating with MPOs and their staff to ensure that the proper State and Federal policies and procedures required are being met. Liaisons are also the direct contact for MPO staff when concerns arise throughout the transportation planning process. Below are some of the responsibilities that Liaison's carry out. These responsibilities are not *ALL INCLUSIVE* and may vary by District.

#### LIAISON RESPONSIBILITIES

Examples of tasks and functions that an MPO and/or Intergovernmental Liaison may be responsible for:

- Ensures the compliance by MPOs with the federal transportation planning process required by Title 23 U.S. Code and Title 49 U.S. Code.
- Serves as principle technical advisor to the MPOs, and other modal partners for planning policies and programs.
- Represents the Department and acts as a technical advisor to the MPO's standing committees: Citizen Advisory Committee, Technical Advisory Committee, and policy committee(s) on a monthly basis or as scheduled.
- Attends other taskforce meetings related to transportation planning and policy.
- Participates in pre-scoping meetings to make the MPO's needs known to project design teams.
- Prepares and publishes meeting summaries for District staff, ensuring a free flow of information sharing with district management team. (Monthly)
- Provides technical advice, regulatory guidance, and program support to MPO staffs, regional entities, and local government staffs on an as needed basis.
- Assists MPO staffs with the federal mandate to produce the following products in cooperation with the department on-time, including collaboration on needed amendments:
  - Long Range Transportation Plans (Every 5 years and as amended)
  - Transportation Improvement Programs (Annually and as amended)



## MPO Liaison Fact Sheet #1

### The Role and Responsibilities of an MPO Liaison

- Public Participation Plans (On-going)
- Unified Planning Work Program (Bi-annual and as amended)
- Congestion Management Process (On-going)
- Title VI and Disadvantaged Business Enterprise
- Certification (Joint State/MPO annually, Federal Transportation Management Area (TMA) every 4 years)
- Manages the federal Planning (PL) funds and Surface Transportation Block Grant Program (STBG) funds used by MPOs for planning activities to include authorization and encumbrance of funds, and invoicing.
- Reviews progress reports and invoices detailing MPO staffs and MPO general planning consultant's task assignments, staff hours expended, and end product completion.
- Serves as contract manager of MPO's expenditure of federal transportation planning funds.
- Examines quarterly invoices and coordinates on-time payment with district fiscal services section.
- Serves as program manager for the prioritization, development and implementation of Transportation Alternative Program of projects (future need), and the efficient expenditure of the federal program funding.
- Assists the LAP/Special Projects Section by providing the project application/scope, local government's cost estimates, and right-of-way documentation obtained from local governments to aid in development of LAP and TRIP Agreements. (Annual cycle)
- Prepares and delivers transportation related presentations to MPO Boards and Committees, homeowner's associations, and civic organizations as requested or needed.
- Initiates Preliminary Project Reports on new projects or phases to be added during the district's annual Work Program Update Cycle.
- Communicates FDOT policies and handles requests for information both orally and in writing with citizens, engineering firms, and members of the civic advocacy groups, local government officials, elected officials, members of the media, consultants, and FDOT personnel.
- Prepares the MPO Agreement (contract) between the Department and MPO every 2-years with the UPWP Cycle.

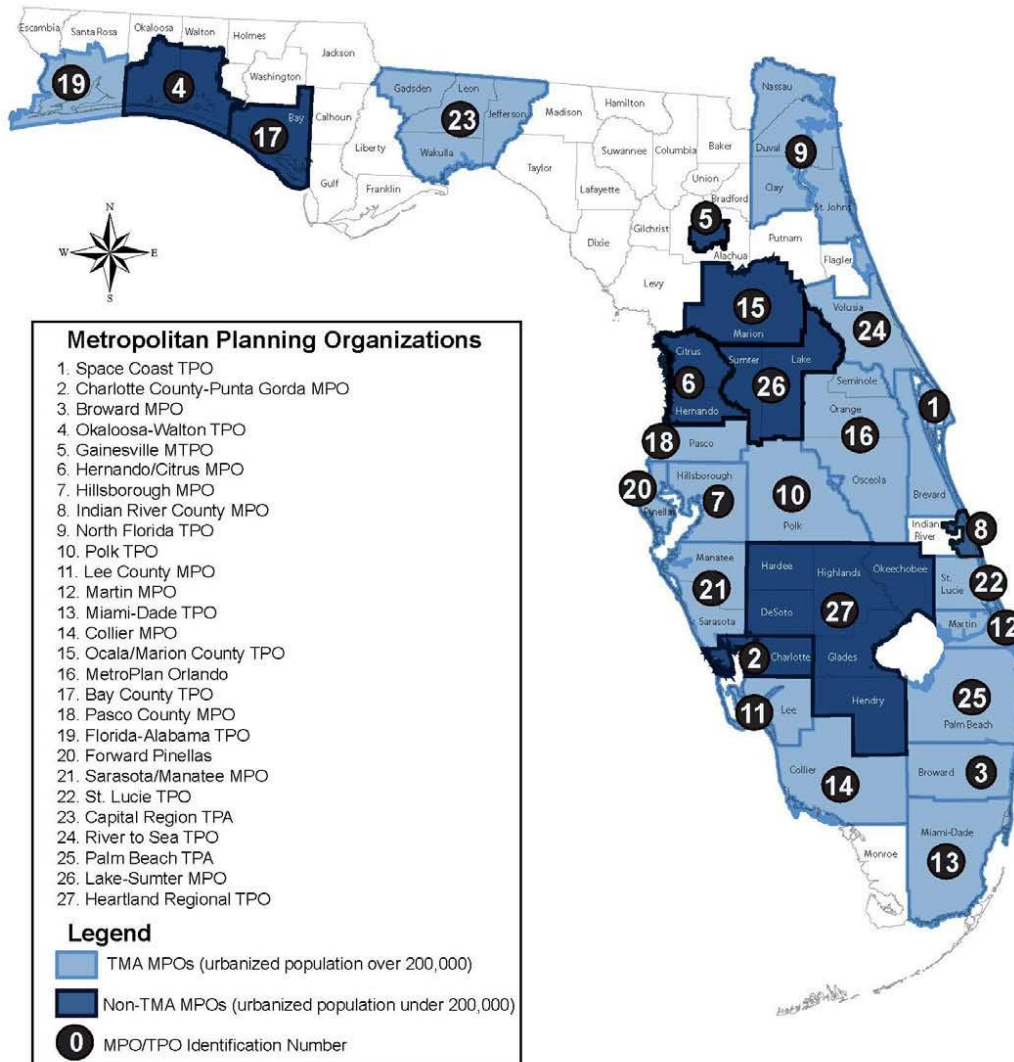
Liaisons should refer to the **MPO Program Management Handbook** for additional information on each task to be completed. **Figure 1** shows the MPOs and their metropolitan planning area boundaries.



# MPO Liaison Fact Sheet #1

## The Role and Responsibilities of an MPO Liaison

**FIGURE 1 – MPO AND FDOT DISTRICT BOUNDARIES**



## **District MPO Liaison Fact Sheet #2**

### **Acronyms and Definitions**

(beginning on the next page)



## MPO Liaison Fact Sheet #2

### Acronyms and Definitions

#### ACRONYMS

The following table is not all inclusive but does contain acronyms that are common to the MPO and FDOT planning processes.

Acronym	Phrase	Acronym	Phrase
AADT	Annual Average Daily Traffic	DBE	Disadvantaged Business Enterprise
ADA	American Disabilities Act	DOT	Department of Transportation
AMDA	Application for Master Development Approval	DRI	Development of Regional Impact
AMPO	Association of Metropolitan Planning Organization	EA	Environmental Assessment
ATIS	Advanced Traveler Information System	EAR	Evaluation and Appraisal Report
ATMS	Advanced Traffic Management System	EEO	Equal Employment Opportunity
ATPPL	Alternative Transportation in Parks and Public Lands	EIS	Environmental Impact Statement
BOCC	Board of County Commissioners	EMO	Environmental Management Office
BPAC	Bicycle Pedestrian Advisory Committee	ETDM	Efficient Transportation Decision Making
BPCC	Bicycle Pedestrian Coordinating Committee	FAC	Florida Administrative Code
BRT	Bus Rapid Transit	FACTS	Florida Accountability Contract Tracking System
CAC	Citizen's Advisory Committee	FAP	Federal Aid Program
CAMP	Corridor Access Management Plan	FAST Act	Fixing America's Surface Transportation Act
CE	Categorical Exclusion	FDOT	Florida Department of Transportation
CEI	Construction Engineering Inspection	FHWA	Federal Highway Administration
CEMP	Comprehensive Emergency Management Plan	FONSI	Findings of No Significant Impact
CFDA	Catalogue of Federal Domestic Assistance	FPN	Financial Project Number
CFM	Contract Funds Management	FPTA	Florida Public Transportation Association
CFR	Code of Federal Regulations	FS	Florida Statutes
CIGP	County Incentive Grant Program	FSHP	Florida Scenic Highway Program
CMS	Congestion Management System	FSUTMS	Florida Standard Urban Transportation Model Structure
COOP	Continuity of Operations Plan	FTA	Federal Transit Administration
CRA	Community Redevelopment Agency	FY	Fiscal Year
CTC	Community Transit Coordinator	GIS	Geographical Information System
CTD	Commission for Transportation Disadvantaged	HOT	High Occupancy Toll
CTST	Community Traffic Safety Team	HOV	High Occupancy Vehicle
CUTR	Center for Urban Transportation Research	HWY	Highway
CUTS	Coordinated Urban Transportation System	I-	Interstate
DB	Design – Build	ICAR	Intergovernmental Coordination and Review



## MPO Liaison Fact Sheet #2

### Acronyms and Definitions

Acronym	Phrase	Acronym	Phrase
IJR	Interchange Justification Report	ROW, R/W	Right-of-Way
IMS	Incident Management System	SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991	SHS	State Highway System
ITS	Intelligent Transportation System	SIB	State Infrastructure Bank
JARC	Job Access and Reverse Commute	SIS	Strategic Intermodal System
JPA	Joint Participation Agreement	SMS	Safety Management System
LAP	Local Agency Program	SOV	Single Occupancy Vehicle
LEP	Limited English Proficiency	SR	State Road
LOA	Local Operating Agreement	SHS	State Highway System
LOS	Level of Service	SRTS	Safe Routes to Schools
L RTP	Long Range Transportation Plan	STBG	Surface Transportation Block Grant Program
LUAM	Land Use Allocation Model	STIP	Statewide Transportation Improvement Program
MAP-21	Moving Ahead for Progress in the 21st Century Act	STTF	State Transportation Trust Fund
MOA	Memorandum of Agreement	TA	Transportation Alternatives
MOU	Memorandum of Understanding	TAC	Technical Advisory Committee
MPA	Metropolitan Planning Area	TAZ	Traffic Analysis Zone
MPO	Metropolitan Planning Organization	TD	Transportation Disadvantaged
MPOAC	Metropolitan Planning Organization Advisory Council	TDM	Transportation Demand Management
NAAQS	National Ambient Air Quality Standard	TDP	Transit Development Plan
NARC	National Association of Regional Councils	TDSP	Transportation Disadvantaged Service Plan
NEPA	National Environmental Policy Act	TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
O&M	Operations & Maintenance	TIP	Transportation Improvement Program
OMB	Office of Management and Budget	TMA	Transportation Management Area
OPP	Office of Policy Planning	TRB	Transportation Research Board
PD&E	Project Development & Environment	TRIP	Transportation Regional Incentive Program
PDC	Present Day Cost	TSM&O	Transportation Systems Management & Operations
PE	Preliminary Engineering	ULAM	Urban Land Use Allocation Model
PEA	Planning Emphasis Area	YOE	Year of Expenditure
PPP/PIP	Public Participation Plan/Public Involvement Plan	UPWP	Unified Planning Work Program
PTO	Public Transit Office	USC	United States Code
RFP	Request for Proposal	UZA	Urbanized Area
ROD	Record of Decision	ZDATA	Zonal Data



## MPO Liaison Fact Sheet #2

### Acronyms and Definitions

#### DEFINITIONS

The following list is not all inclusive but does contain definitions that are common to the MPO and FDOT planning processes.

**Administrative Modification** – a minor revision to a long-range statewide (FTP) or metropolitan transportation plan (LRTP), Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. Does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination.

**Amendment** – revision to a long-range statewide (FTP) or metropolitan transportation plan (LRTP), TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g. changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. Requires public review and comment, re-demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving “non-exempt” projects in nonattainment and maintenance areas).

**Available Funds** – funds derived from an existing source dedicated to or historically used for transportation purposes. For Federal funds, authorized and/or appropriated funds and the extrapolation of formula and discretionary funds at historic rates of increase are considered “available.”

**Committed Funds** – funds that have been dedicated or obligated for transportation purposes. For State funds that are not dedicated to transportation purposes, only those funds over which the Governor has control may be considered “committed.”

**Coordination** – the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

**Designated Recipient** – an entity designated, in accordance with the planning process under 49 USC 5303, 5304, and 5306, by the chief executive officer of the State, responsible local officials, and publicly-owned operators of public transportation, to receive and apportion amounts under 49 USC 5336 that are attributable to transportation management areas (TMAs) identified under 49 USC 5303, or a State regional authority if the authority is responsible under the laws of the State for a capital project and for financing and directly providing public transportation.

**Financial Plan** – documentation required to be included with a metropolitan transportation plan and TIP (and optional for the long-range statewide transportation plan and STIP) that demonstrates the consistency between reasonably available and projected sources of Federal, State, local and private revenues and the costs of implementing proposed transportation system improvements.

**Financially Constrained/Fiscal Constraint** – the metropolitan transportation plan, TIP, and STIP includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan, TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained.

**Long Range Statewide Transportation Plan (Florida Transportation Plan (FTP))** – the official, statewide, multimodal, transportation plan covering a period of no less than 20 years developed through the statewide transportation planning process.

**Metropolitan Planning Area (MPA)** – the geographic area determined by agreement between the metropolitan planning organization (MPO) for the area and the Governor, in which the metropolitan transportation planning process is carried out.



## MPO Liaison Fact Sheet #2

### Acronyms and Definitions

**Metropolitan Planning Organization (MPO)** – the policy board of an organization created and designated to carry out the metropolitan transportation planning process.

**Metropolitan Transportation Plan (Long Range Transportation Plan (LRTP))** – the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

**National Ambient Air Quality Standard (NAAQS)** – those standards established pursuant to section 109 of the Clean Air Act.

**Nonattainment Area** – any geographic region of the United States that has been designated by the EPA as a nonattainment area under section 107 of the Clean Air Act for any pollutants for which an NAAQS exists.

**Obligated Projects** – strategies and projects funded under title 23 USC and title 49 USC Chapter 53 for which the supporting Federal funds were authorized and committed by the State or designated recipient in the preceding program year, and authorized by the FHWA or awarded as a grant by the FTA.

**Project Selection** – the procedures followed by MPOs, States, and public transportation operators to advance projects from the first four years of an approved TIP and/or STIP to implementation, in accordance with agreed upon procedures.

**Regionally Significant Project** – a transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA’s transportation conformity regulation (40 CFR part 93)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region, major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area’s transportation network. At a minimum, this includes all principal arterial highways and all fixed guide way transit facilities that offer a significant alternative to regional highway travel.

**Revision** – a change to a long-range statewide (FTP) or metropolitan transportation plan (LRTP), TIP or STIP that occurs between scheduled periodic updates. A major revision is an “amendment,” while a minor revision is an “administrative modification.”

**Statewide Transportation Improvement Program (STIP)** – a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 USC and title 49 USC Chapter 53.

**Transportation Improvement Program (TIP)** – a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 USC and title 49 USC Chapter 53.

**Transportation Management Area (TMA)** – an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the U.S. DOT Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the U.S. DOT Secretary of Transportation.

**Unified Planning Work Program (UPWP)** – a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

**Urbanized Area (UZA)** – a geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.



**District MPO Liaison Fact Sheet #3**  
**Metropolitan Planning Organizations (MPOs)**  
(beginning on the next page)



## MPO Liaison Fact Sheet #3 Metropolitan Planning Organizations (MPOs)

### WHAT DOES THE MPO DO?

These activities are necessary for the eligibility of the Metropolitan Planning Organization to qualify for and receive federal transportation funds.

The MPO carries out three major work activities:

1. The development and maintenance of the **Long Range Transportation Plan (LRTP)** which addresses no less than a 20-year planning horizon.
2. The annual update and approval of the **Transportation Improvement Program (TIP)**, a 4-year program for highway and transit improvements (in Florida the TIP is a 5-year document).
3. The development and adoption of the **Unified Planning Work Program (UPWP)** that identifies activities to be undertaken in the metropolitan area by the MPO (in Florida the UPWP is developed and adopted every 2-years).

### FLORIDA MPOs

#### MPO ORGANIZATIONAL STRUCTURE

Traditionally, MPOs have either been considered independent or hosted entities for operational and administrative purposes. Typically, hosted entities are affiliated with another governmental agency, such as a county or regional planning council. National research now shows that MPO organization structures span a continuum ranging from fully independent freestanding MPOs, to MPOs that are an all-in-one agency (as defined below).

Of the 27 MPOs in Florida, a majority are hosted MPOs while the remaining MPOs are independent of a hosting agency. Currently, Florida has no all-in-one agency MPOs. The following are descriptions of the various types of MPO organizational structures:

- **All-in-One Agency** – The agency does not differentiate between MPO functions, non-MPO transportation functions, and all other metropolitan planning functions of a broader agency, commonly known as Council of Governments (COGs).
- **Dual Purpose MPO** – The host leverages MPO planning funds to maintain transportation planning staff that performs both MPO planning and host agency transportation planning functions.
- **Component MPO** – MPO functions are separated from most functions of the host but remain a division of an umbrella agency.
- **Leaning Independent MPO** – The MPO receives some services from one of its member agencies under a severable contract.
- **Freestanding Independent MPO** – The MPO must meet all of its own operating needs.

*Most common organizational structure in the state is the DUAL PURPOSE MPO.*

#### MPO BOARD COMPOSITION

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



## MPO Liaison Fact Sheet #3 Metropolitan Planning Organizations (MPOs)

As of the 2014 state legislative session, MPO Governing Boards have a membership cap of 25 voting members. MPOs serving areas over 1 million persons tend to have the largest boards while MPOs serving populations below 200,000 tend to have the smallest Governing Boards. Per state statute, FDOT acts as a “non-voting advisor” to each MPO Board.

According to Section 339.175(3)(a), F.S., “In accordance with 23 U.S.C. s. 134, the Governor may also allow MPO members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the MPO.”

These rotating MPO Governing Board seats allow groups of municipalities (typically smaller population municipalities – often grouped by geographic proximity) to more fully engage in the MPO process by allowing them to rotate on and off the MPO Governing Board as a full voting member – taking turns representing the interests of the municipality they represent.

### MPO COMMITTEES

Florida Statute 339.175(6)(d) and (e), requires each MPO to have a Technical Advisory Committee (TAC) and a Citizens Advisory Committee (CAC). These committees meet prior to the MPO Board meetings to develop recommendations for presentation to the MPO Board.

The MPO Board appoints the members of both the TAC and CAC and the appointed members serve at the pleasure of the MPO. Below are brief descriptions of the Committees:

- **Technical Advisory Committee** – consists of transportation professionals working for governments and government agencies who review plans, projects and programs from a technical perspective. The members must include planners, engineers, representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments; as applicable, the school superintendent of each county within the jurisdiction of the MPO or the superintendent’s designee, and other appropriate representatives of affected local governments.
- **Citizens Advisory Committee** – provides a mechanism for input into the transportation planning process that reflects the citizen’s views and interests. It also assists in disseminating relevant information to the public. Membership on the CAC must reflect a broad cross-section of local residents and must adequately represent minorities, the elderly and the disabled.

Although these are the only committees mandated by Statute, MPOs have the flexibility to utilize other committees at the discretion of the MPO Board. For example, many MPOs have a **Bicycle and Pedestrian Advisory Committee (BPAC)** to provide input to the MPO Board and staff on bicycling and pedestrian-related issues, an issue of high interest in Florida due to the state’s well-documented high bicycle and pedestrian crash rate. MPOs may also have other active committees to advise the MPO Board on current or local issues in their area.

### MPO ADVISORY COUNCIL

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) assists MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion. It was created by the Florida Legislature [339.175(11), F.S.] as a statewide transportation planning and policy organization to augment the role of individual MPOs in the cooperative transportation planning process.

The organization is made up of a Governing Board consisting of a local elected official from each MPO and a Staff Directors Advisory Committee consisting of the staff directors from each of the MPOs. In addition, the MPOAC includes various committees at any given time, such as a Policy and Technical Subcommittee or Freight Advisory Committee.

For more details on the MPOAC you can view their website at [www.mpoac.org](http://www.mpoac.org).



## MPO Liaison Fact Sheet #3

### Metropolitan Planning Organizations (MPOs)

#### INTERLOCAL AGREEMENTS

All MPOs must have an Interlocal Agreement that clearly identifies the responsibilities of each agency involved in assisting the MPO in implementing the metropolitan transportation planning process in accordance with 23 CFR 450.314(a), s. 339.175(2)(b), and s. 339.175(10)(a), F.S. This is accomplished through the execution of an Interlocal Agreement [Form No. 525-010-01] pursuant to the Florida Interlocal Cooperation Act of 1969 [s.163.01, F.S.]. The parties to this Interlocal Agreement shall be the Department and the governmental entities designated by the Governor for MPO membership including non-voting members. The Department is the only non-voting advisor of an MPO that is required by the State Statute. Non-voting members are considered "advisors" and may be appointed by the MPO "as deemed necessary." The parties to the required planning agreements, and their roles and responsibilities, are detailed in 23 CFR 450.314 and 339.175(10). The Interlocal Agreement is reviewed and updated at least every five years, or sooner when MPO membership changes. [s.339.175(10)(a), F.S.]

MPOs may also have Interlocal Agreements with local agencies that assist the MPO in implementing the metropolitan transportation planning process, such as local transit agencies, port authorities, etc. For these types of Interlocal Agreements they may only be in effect through the life of a specific project or they might be an on-going agreement that is reviewed and renewed regularly.

Liaisons should refer to the **MPO Program Management Handbook (Chapter 2)** for additional information on MPOs and Interlocal Agreements.

# **District MPO Liaison Fact Sheet #4**

## **MPO Funds and Agreements**

(beginning on the next page)



## MPO Liaison Fact Sheet #4

### MPO Funds and Agreements

#### FUNDING SOURCES

MPO planning projects are funded primarily with Federal Highway Administration (FHWA) Metropolitan Planning (PL) funds; however, an MPO may use other eligible funds for planning purposes, provided the guidelines for use of these funds are met. Other funds include FHWA Surface Transportation Block Grant Program (STBG) and Federal Transit Administration (FTA) 5305(d) and 5307, Transportation Disadvantaged (TD), State (D), and Local funds. In addition, an MPO may receive additional federal funds for metropolitan transportation planning, such as FHWA's Congestion Mitigation and Air Quality (CMAQ) funds, Transportation Alternatives (TA) funds, or discretionary grants, such as the U.S. Department of Transportation's Better Utilizing Investments to Leverage Development (BUILD) program. State and local funds are used to provide the non-federal match for FTA funds. These planning projects and their funding sources must be detailed in the MPO's UPWP.

#### FHWA FUNDS

##### FHWA Metropolitan Planning (PL) Funds

The distribution of PL funds to each MPO is accomplished through a formula developed by the FDOT in consultation with the MPOs and must be approved by the FHWA. [23 C.F.R. 420.109(a)]. In developing the formula for the distribution of PL funds, various factors must be considered including population, status of planning, attainment of air quality standards, and metropolitan area transportation needs [23 C.F.R. 420.109(b)]. The formula is updated as needed, such as when there are significant changes in federal law or changes in air quality designations. The Department's Office of Work Program and Budget (OWPB) in Central Office is responsible for applying the PL distribution formula and for tracking the available balance for each MPO. OWPB provides the Districts with a PL tracking report spreadsheet, referred to as the Check PL spreadsheet. It is extremely important that the MPO and MPO Liaison regularly review the Check PL spreadsheet to have the most current information regarding the MPO's available PL balance.

The MPO's available PL balance for a given year includes the following:

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

Beyond the first year, the MPO's available balance will include the above.

##### Surface Transportation Block Grant Program (STBG) Funds

The FHWA Surface Transportation Block Grant Program (STBG) is a federal-aid highway flexible funding program that funds a broad range of surface transportation capital needs including roads, transit, sea and airport access, vanpool, and bicycle and pedestrian facilities. Transit-related planning, research, and development activities are eligible uses of STBG funds. STBG Urban Funds are available to MPOs designated as Transportation Management Areas (TMAs). These funds are coded as SU in the FDOT Work Program for TMAs. The MPO, in consultation with the District, provides input on the use of SU funds. Currently, the State provides 100% of the required match (soft match) to secure SU funds with toll credits. Soft match credits do not appear in the Work Program. However, MPOs need to show it in their UPWPs. Non-TMA MPOs may also be allocated STBG Funds, which may be coded as SA, SN, or SL in the FDOT Work Program.

#### FTA FUNDS

##### 5305(d) Funds – Metropolitan Transportation Planning

Section 5305(d) funds are used by the MPO staff for in-house planning to support transit planning projects. These funds are distributed according to the apportionment codes laid out in 49 USC §5305(d). (The funds are apportioned initially to the States, using a formula based on each state's population in urbanized areas as a ratio against the national population of urbanized areas in all states. The States then apportion the funds to the MPOs, using a formula that considers urbanized area population, provides an appropriate distribution for urbanized areas to carry out the cooperative planning processes, the State develops in cooperation with the MPOs, and that the Secretary of the USDOT approves.) FTA funds require a non-federal match, FTA funds at 80%, with a 20% required non-federal match, made up of 10% State funds and 10% Local funds.



## MPO Liaison Fact Sheet #4

### MPO Funds and Agreements

The specific requirements for these funds are outlined in Form No. 725-030-06, Public Transportation Joint Participation Agreement and Form No. 725-030-06E, Exhibits, and in Department Procedure 725-000-005: Public Transportation Joint Participation Agreement. These forms are available for download from the [FDOT Forms Management System](#).

#### 5307 Funds – Urbanized Area Formula Grants

The 5307 Program is a formula program that funds transit capital and operating assistance in urbanized areas. 5307 funded grants may be used for:

- Capital projects and associated capital maintenance items
- Planning
- Transit Enhancements
- Operating assistance is available to urbanized areas with no fewer than 200,000 individuals at the following levels:
  - Systems that operate 75 or fewer buses in fixed route service during peak service hours, in an amount not to exceed 75% of the share of the apportionment which is attributable to the system as measured by vehicle revenue miles.
  - Systems that operate 76 buses to a maximum of 100 during peak service hours, in an amount not to exceed 50% of the share of the apportionment attributable to the system as measured by vehicle revenue miles.
- Job Access and Reverse Commute (JARC) projects are now eligible for funding under 5307.

Programming of projects for 5307 grants must be developed in consultation with interested parties, including private transportation providers. 5307 funds require a 20% non-federal match, made up of 10% State funds and 10% Local funds. Funds received under a service agreement with a State or local social service agency or private social service organization may be used as match. MPOs must work with their local transit agencies to identify 5307-funded projects and put them in their UPWP.

#### ADDITIONAL FHWA PROGRAM FUNDS

MPO's may receive additional FHWA program funds from the Department for the purpose of metropolitan transportation planning, such as CMAQ funds, TA funds, or discretionary funds that the Department is responsible for administering. These funds must be reflected on the relevant tasks in the UPWP to ensure reimbursement to the MPO. An amendment may be required to add these to the UPWP. It is the responsibility of the MPO Liaison to ensure that the MPO is using any additional federal funds in accordance with federal and state requirements.

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

#### LOCAL FUNDS

Any funds other than state or federal that are applied to the planning program are considered local funds. Local funds are required as a match for FTA funds and may be used to meet a projects costs for other federal funds. All federal and matching funds for metropolitan planning purposes, including local match, must be included in the UPWP.

#### AGREEMENTS

Depending on the types of funds the MPO is anticipating using will determine the Standard Agreement form to be utilized. There are separate agreement forms for the use of FHWA fund categories and for the use of FTA funds. **Table 1** below shows the type of agreement, description of the agreement, how often it is updated, and the FDOT Form Number.



## MPO Liaison Fact Sheet #4

### MPO Funds and Agreements

**TABLE 1 – FUNDING AGREEMENTS**

Agreement	Description	Updated/Revised	Form No.
<b>MPO Agreement</b>  <i>FHWA Funds</i>	The MPO Agreement is the standard contract between the MPO and the Department for the expenditure of FHWA administered funds.	The Agreement is a two-year contract, for which the effective dates shall align with the UPWP.	525-010-02-1
<b>Public Transportation Joint Participation Agreement</b>  <i>FTA Funds</i>	The standard JPA/contract between the MPO and FDOT for the expenditure of FTA funds.	Contact Public Transit Office	725-030-06

Liaisons should refer to the **MPO Program Management Handbook (Chapter 3, Section 3.5)** for additional information on agreements and the types of funding MPOs use.



**District MPO Liaison Fact Sheet #5**  
**UPWP Development, Review and Approval**  
(beginning on the next page)



## MPO Liaison Fact Sheet #5

### UPWP Development, Review and Approval

#### UNIFIED PLANNING WORK PROGRAM (UPWP)

The UPWP provides a biennial planning work program that identifies the transportation planning budget and activities to be undertaken in the metropolitan area. The UPWP includes tasks for two (2) years and the MPO adopts a new UPWP every other year.

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

#### LIAISON RESPONSIBILITIES

District Liaisons are responsible for coordinating with their assigned MPO’s for development assistance, implementation, and financial management of funds. Liaisons are also responsible for ensuring the UPWP meets all state and Federal requirements and regulations to ensure funding for current and future projects. Tasks to be completed by the Liaison include:

##### Development

- Confirmation of an **EXECUTED** contract (MPO Agreement) for PL Funds on file. (Needs to be reviewed every 2 years and updated if necessary).
- In December, the Office of Work Program and Budget (OWPB) provides the Districts and the MPOs with the latest Check PL spreadsheet for UPWP development, including estimated PL fund allocations. (Check PL spreadsheets include separately the Year 1 allocation and, for illustrative purposes, the anticipated Year 2 allocation.) FHWA approves the allocations annually.
- No later than January, the District should begin coordination with the MPO and provide technical assistance to the MPO on preparation of the UPWP. At that time, the District should provide the MPO with any new tasks and the most recent estimates of FHWA and FTA metropolitan planning funds available to the MPO. It is very **IMPORTANT** the Check PL spreadsheets be verified with the UPWP. If there are any discrepancies, FHWA and FTA should be consulted early in the development process for additional discussion.
- Confirm the MPO is developing the UPWP in accordance with a documented public participation plan consistent with 23 C.F.R. 450.316.
- Ensure a Draft version of the UPWP is received from the MPO by March 15<sup>th</sup> in order to review and provide comments to the MPO.

##### Review

- Within 30 calendar days of receipt of the draft UPWP, the District shall distribute copies internally for review as deemed appropriate to be reviewed for format and content using the **UPWP Checklist** located at the end of Chapter 3 in the **MPO Program Management Handbook**, and must include a review of the Estimated Budget Details. During the 30-day review period, the District will coordinate with the MPO to ensure the UPWP addresses any FDOT concerns.
- District provides comments to the MPO, FHWA and FTA by April 15<sup>th</sup>.
- Within 10 working days of receipt of the final UPWP, the District shall review the final UPWP for format and content using the **UPWP Checklist** located at the end of Chapter 3 in the **MPO Program Management Handbook**. The checklist includes specific details as to items that should be included in each section of the UPWP.
- By May 15<sup>th</sup> Liaison receives copies of the MPO Board Adopted UPWP and supporting documents.
- Liaison reviews MPO Board adopted documents and then submits to the District Secretary for approval/signature, before submitting to FHWA, FTA, and Central Office.



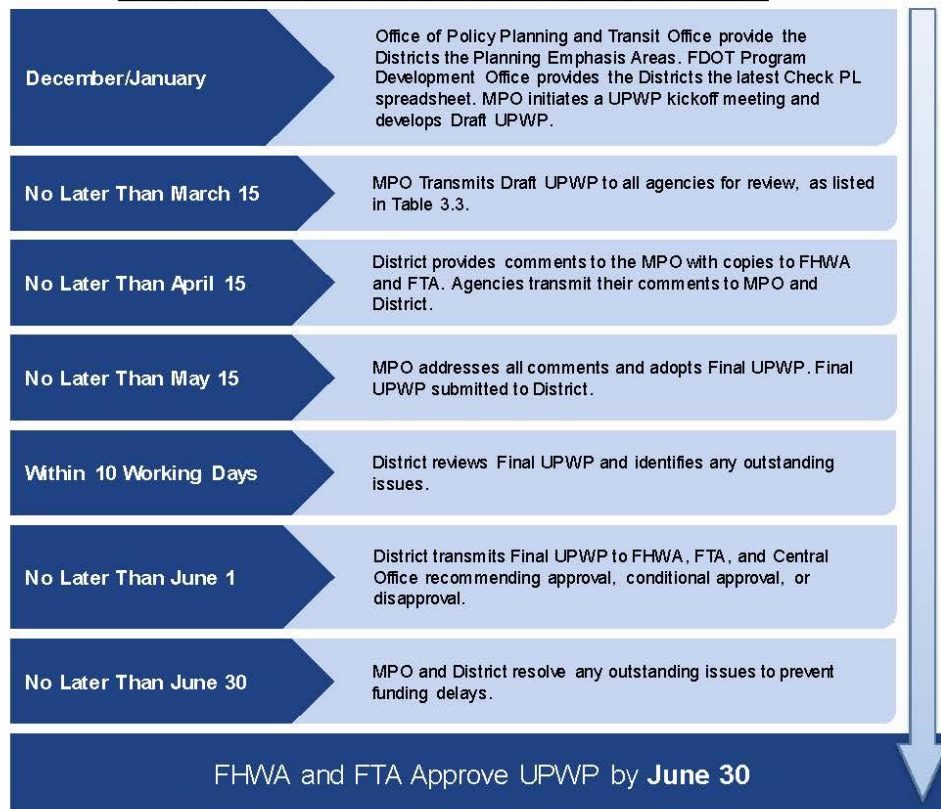
## MPO Liaison Fact Sheet #5

### UPWP Development, Review and Approval

#### Approval

- Liaison has until June 1<sup>st</sup> to review final documents, and prepare a letter recommending approval, conditional approval, or disapproval and distributes to FTA, FHWA, and Central Office.
- FHWA will send approval letter to the District; the District shall notify the MPO within 10 business days and provide a copy of the approval letter to the MPO.
- Upon submittal of a recommendation letter and no later than June 15, the Liaison/District Federal Aid Coordinator requests initial PL Funds authorization.
- June 30<sup>th</sup> is the deadline for FHWA and FTA to approve/reject the MPO's UPWP.

**FIGURE 1 – DEVELOPMENT, REVIEW AND APPROVAL PROCESS FLOW CHART**



Liaisons should refer to the **MPO Program Management Handbook (Chapter 3)** for additional information on the development and review of UPWPs.

## **District MPO Liaison Fact Sheet #6**

### **UPWP Revisions**

(beginning on the next page)



## MPO Liaison Fact Sheet #6

### UPWP Revisions

#### UPWP REVISION TYPES

On occasion, a project or line item in the UPWP may require revisions to capture changes in task funding, scope, or other instances. There are two types of UPWP revisions, each with varying change thresholds and each requiring different actions by the FDOT District and by FHWA/FTA. These revision types are as follows:

**Amendments** are revisions that:

- Are major changes to the FHWA and FTA approved budget or
- Significantly change the scope of the FHWA work task(s) or
- Add or delete a work task(s)

**Modifications** are revisions that:

- Do **NOT** change the FHWA and FTA approved budget or
- Do **NOT** change the scope of the FHWA funded work task(s) or
- Do **NOT** add or delete a work task(s)

**Note:** As the termination of the two-year UPWP approaches, an **amendment** will need to be prepared and submitted to process the de-obligation and un-encumbrance of unused funds to ensure that they will be available to the MPO in the first year of the new UPWP.

#### UPWP REVISION PACKAGE

All contract and UPWP change documentation must be uploaded to FDOT's Florida Accountability Contract Tracking System (FACTS). A complete UPWP amendment or modification should include the following documents:

- Completed UPWP Revision Form (located in the [Forms & Checklists folder](#) on the *OPP Internal SharePoint Site*)
- MPO Resolution and/or MPO Meeting Minutes Approving UPWP Amendment (*Amendments Only*)
- Revised UPWP Summary Budget Table(s) (Original & Proposed) (*Amendments and Modifications*)
- Revised UPWP Task Sheet(s) (Original & Proposed) (*Amendments and Modifications*)
- *MPO Agreement Amendment Form Executed*

#### LIAISON RESPONSIBILITIES

When it appears that the UPWP will require **amendment**, the MPO and the Liaison should jointly prepare and submit a request for an amendment of the UPWP. Amendments require approval (via electronic signature) by the FDOT MPO Liaison and the applicable federal agency. For amendments impacting PL funds, FHWA is the approving agency; for amendments impacting FTA-funded projects, FTA is the approving agency. Once the amendment has been prepared, reviewed, and signed by the MPO Liaison, it should then be sent to the relevant FHWA and/or FTA planner for review and approval.

When it appears that the UPWP will require **modification**, the MPO and the Liaison should jointly prepare a request for modification to the UPWP. Modifications do not require signature by FDOT or by the federal agency; however, the FDOT MPO Liaison should review the modification request and retain it to track changes to funding balances. FHWA also does not sign modifications but does review them; the Liaison should submit these to the relevant FHWA planner. FTA does not review modifications.



## MPO Liaison Fact Sheet #6

### UPWP Revisions

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

**All amendments to the UPWP will require an amendment to the MPO Agreement, as the UPWP acts as the Scope of Work for the MPO Agreement.** However, modifications do not require an amendment to the MPO Agreement. For both amendments and modifications, all of the corresponding documentation needs to be uploaded into CFM (Contract Funds Management)/FACTS (Florida Accountability Contract Tracking System).

Liaisons should refer to the **MPO Program Management Handbook (Chapter 3, Section 3.12)** for additional information on UPWP Revisions.

**District MPO Liaison Fact Sheet #7**  
**Encumbrance and De-Obligation of Funds**  
(beginning on the next page)



## MPO Liaison Fact Sheet #7

### Encumbrance and De-Obligation of Funds

#### ENCUMBRANCE OF FUNDS

The Central Office's PL Funds Coordinator provides the MPO District Liaisons with each MPO's available balance and authorization amount. A MPO's available balance for a given year may include the following:

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

#### LIAISON RESPONSIBILITIES

1. Receive PL Fund Authorization and Encumbrance Spreadsheet from PL Funds Coordinator at Central Office.
2. Submit a Request for Authorization (RFA) from District Federal Aid Coordinator.
3. Request to encumber the funds in the Contract Funds Management (CFM) System.
4. Receive automatic email with the FDOT Funds Approval and FHWA Funds Approval.
5. Prepare the Letter of Authorization to the MPO and enclose the FDOT Funds Approval.
6. Upload Letter of Authorization and FDOT Funds Approval into Florida Accountability Contract Tracking System (FACTS).
7. Complete the Contract Status Change form, attach a copy of the Letter of Authorization and FDOT Funds Approval, and send email to Financial Services.

For the initial allocation, the Request for Authorization must be submitted by June 15 to allow sufficient time for review, processing, and conditional approval before July 1. The FDOT Funds Approval will show that the initial encumbrance is a "review encumbrance" and the funds will automatically be encumbered July 1 with the executive approval of the budget.

#### UNENCUMBERING AND DE-OBLIGATING FHWA FUNDS

Unencumbering is the Department's process for freeing up funds and budget that were programmed on a project. De-obligating is the permission given by the federal agency to remove unexpended, authorized funds. The Department must unencumber funds before the federal agency can de-obligate the funds. By April 15, the MPO must notify the District Liaison how much money the MPO plans to de-obligate.

Unencumbering releases authorized funds that the MPO is not anticipating spending by the end of the two-year UPWP. The process starts six months prior to the end of a UPWP, releasing funds from the existing UPWP, then adds the unencumbered funds to year 1 of the new two-year UPWP. If the MPO does not unencumber funds, the unspent FHWA funds go through the close-out process and are available to the MPO during year 2 of the new UPWP.

#### LIAISON RESPONSIBILITIES

1. By May 1, process the MPO's UPWP amendment, TIP modification, and amended MPO agreement through the MPO Document Portal to unencumber funds.
2. Upon FHWA approval of the UPWP amendment, execute the MPO agreement and enter the request to unencumber funds in CFM.
3. After the approved Electronic Signature Documents (ESD) are issued, the District Federal Aid Coordinator will distribute a copy of the ESD to the District MPO Liaison.
4. Forward a copy of the executed, amended MPO agreement to the MPO.
5. Notify the District Federal Aid Coordinator to complete the de-obligation process in the CFM system. Once the de-obligation process is complete, notify the PL Funds Coordinator.

*Refer to the MPO Program Management Handbook, Chapter 3, for more specific information regarding Authorization of Funds and De-Obligation Requests.*





## MPO Liaison Fact Sheet #7

### Encumbrance and De-Obligation of Funds

The unencumbered funds will be available for use during the first fiscal year of the new UPWP after October. Liaisons should refer to the **MPO Program Management Handbook (Chapter 3, Sections 3.9 and 3.10)** for additional information on encumbrances and de-obligation of funds.

**District MPO Liaison Fact Sheet #8**  
**Federal and State Certification Process**  
(beginning on the next page)



## MPO Liaison Fact Sheet #8

### State and Federal Certification Process

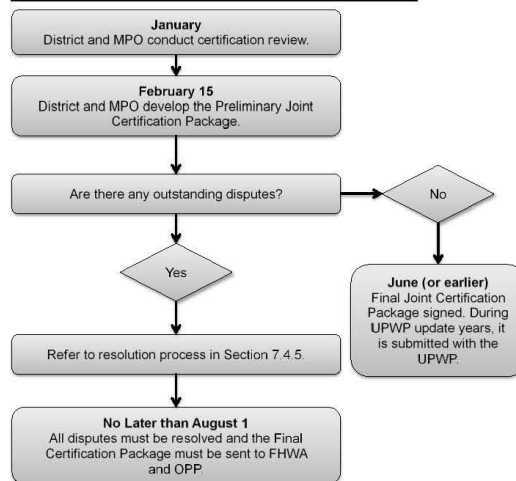
#### JOINT STATE CERTIFICATION PROCESS

23 C.F.R. 450.336 requires that the State and MPO annually certify each MPO's planning process. The purpose of certification is to make sure that the metropolitan planning process is addressing the major transportation issues in the MPO area, to identify any issues that the MPO may be having, to identify the MPOs noteworthy practices and achievements, and to confirm that the planning process is being conducted in accordance with the following:

1. The metropolitan planning requirements identified in 23 U.S.C. 134 and 49 U.S.C. 5303;
2. In non-attainment and maintenance areas, Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 C.F.R. Part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;
4. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST Act (Public Law 114-357) and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in "Transportation for Individuals with Disabilities" (49 C.F.R. Parts 27, 37, and 38);
8. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. 23 U.S.C. Part 324 regarding the prohibition of discrimination on the basis of gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

The joint certification process begins in January. All certification questions must be answered, every year. The District will send a Final Joint Certification Package to FHWA, FTA, and OPP. **Figure 1** shows the process and important deadlines for the Joint State Certification Review process.

**FIGURE 1 – JOINT STATE CERTIFICATION PROCESS**



Source: MPO Program Management Handbook, Chapter 7.



# MPO Liaison Fact Sheet #8

## State and Federal Certification Process

Instructions on how to complete the certification are available in the Certification Process Section of the [FDOT Joint Certification – Master Certification Document](#), which includes the list of certification questions. The Master Certification document is available for download from the [FDOT Forms Management System](#). Please refer to **Chapter 7** of the *MPO Program Management Handbook* for a complete list of items to include in the preliminary Certification Package.

### RISK ASSESSMENT

Federal regulation (2 C.F.R. 200.331) requires a Risk Assessment for all sub-recipients of federal funds, such as MPOs. MPOs are evaluated on a percentage scale that assigns a level of risk to each MPO, which is updated each year through the annual Joint Certification process. The results of the MPO Risk Assessment determine the **minimum** frequency of which the MPO’s supporting documentation for invoicing is reviewed by FDOT MPO Liaisons for the upcoming State fiscal year. Please note that the MPO Liaison has the authority to request more frequent or detailed documentation than the minimum determined by risk level, if necessary. The minimum frequency of review is based on the level of risk below:

Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

The certification and risk assessment are conducted in January, and examine the MPOs processes for the prior calendar year. When the certification is finalized in June, the monitoring based on the level of risk assessed goes into effect July 1, for the upcoming State fiscal year.

### FEDERAL CERTIFICATION REVIEW PROCESS

Federal law requires the FHWA and the FTA certify that the metropolitan transportation planning process in TMA’s is carried out in accordance with applicable provisions of federal law at least once every four years. [23 U.S.C. 134 (k)(5), and 49 U.S.C. 5303 (k)(5).

Two months prior to the quadrennial certification review, the FHWA shall contact the MPO and the district to schedule the certification review of the metropolitan planning process. The FHWA’s advance notification letter is sent to the MPO with copies to the appropriate District Secretary and the Office of Policy Planning.

The quadrennial certification review will consist of four parts:

- Document Review
- Site Visit
- Written TMA Certification Report
- Closeout Meeting

Following the site visit, FHWA and FTA produce a written report of the certification. This report summarizes the findings of the document review and the site visit, including any comments from the public meeting that takes place as part of each site visit. In addition, the report includes noteworthy practices that the MPO is performing, recommendations for areas that the MPO could improve upon, and any corrective actions and the timeframe that these must be addressed within.

Please refer to **Chapter 7** of the *MPO Program Management Handbook* for a complete list of the Federal Certification Topics and the guidelines for Public Involvement.



## MPO Liaison Fact Sheet #8

### State and Federal Certification Process

#### LIAISON RESPONSIBILITIES

##### Joint State Certification

- In January, the Liaison will contact the MPO to schedule a Certification Review meeting. Liaisons will also provide the questions to the MPO that require responses. The Review meeting should be scheduled to allow for the District to prepare the Preliminary Joint Certification Package by February 15.
- Liaisons will coordinate with MPOs to ensure that they are in accordance with requirements of federal law and regulations for the MPOs transportation planning process.
- During the Review meeting the Liaison and MPO Staff will review all of the planning requirements mandated by the 10 areas of law referenced in Section 7.3 and questions discussed in Section 7.5 of the MPO Program Management Handbook. Issues will be identified, discussed, and resolution sought by all parties, as appropriate.
- By February 15, Liaisons will prepare a Preliminary Joint Certification Package for review by the MPO. The MPO has a maximum of 15 calendar days to respond to the District concerning the contents of the Preliminary Joint Certification Package.
- Liaisons will send the Final Joint Certification Package along with the Final UPWP to the Office of Policy Planning, the Florida Division of FHWA, and FTA (for a total of three copies). Extra time to resolve disputes may be needed; however, the deadline is **August 1**. This will allow OPP ample time for review. All joint certifications must be approved before the FDOT Secretary can request approval of the STIP from FHWA and FTA.

##### Risk Assessment

- Liaisons will use Section 5 (Finances and Invoicing) of the [FDOT Joint Certification – Master Certification Document](#) to satisfy the Risk Assessment requirements described in 2 C.F.R. 200.331.
- Liaisons will update the Risk Assessment annually as part of the Joint State Certification process that is conducted each January.

##### Federal Certification

- Liaisons will coordinate with MPOs to ensure that they are in accordance with requirements of federal law and regulations for the MPOs transportation planning process.
- Liaisons shall review Federal Certification Questions and Responses from the MPO to ensure all facts and best practices regarding the quality of the planning process are included.
- Liaisons will attend the Federal Certification Site Visit.
- Liaisons will coordinate with the MPO to correct any deficiency's that are found during the Review Process.

Liaisons should refer to the **MPO Program Management Handbook (Chapter 7)** for additional information on the State and Federal Certification Process.

**District MPO Liaison Fact Sheet #9**  
**Invoice Processing and Progress Reporting**  
(beginning on the next page)



## MPO Liaison Fact Sheet #9

### Invoice Processing and Progress Reporting

#### INVOICE PROCESSING

The MPO Agreement requires MPOs to submit invoices to the FDOT on a quarterly or monthly basis. The MPO Agreement requires that invoices are due no later than 90 days after the end of the reporting period, and 90 days after the end of the second year of the two-year UPWP. A progress report must accompany each invoice an MPO submits to the District for each invoice packet.

#### Invoice packet must include:

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

#### LIAISON RESPONSIBILITIES

1. The MPO, in consultation with the District, determine invoice detail.
2. District Liaisons shall have **three (3) business days** to review an MPO invoice and submit to the District Financial Services Office (FSO) for further processing and submittal to the Department of Financial Services for payment.
3. Using the check list below, the District Liaison should carefully review the invoice packet.
  - a. The time frame for this review varies, however Title 23 U.S.C. 104(d)(2)(B) states that, "no later than business 15 days after the date of receipt by a State of a request for reimbursement of expenditures made by a metropolitan planning organization for carrying out section 134, the State shall reimburse" the MPO.
  - b. If the invoice is not complete, or the District Liaison has questions, the District Liaison should email the MPO (print email and include with invoice) requesting additional information or clarification. The 15-business day timeframe will start over upon receipt of resubmitted invoice.
4. Upon receipt of an invoice package from the MPO, the District Liaison must follow the steps outlined in the District Liaison Invoice Review Checklist prior to submitting to the FSO. This checklist is available for download by the FDOT District Liaison on the [FDOT MPO Coordination SharePoint Site](#).

# **District MPO Liaison Fact Sheet #10**

## **Work Program Development**

(beginning on the next page)





## MPO Liaison Fact Sheet #10

### Work Program Development

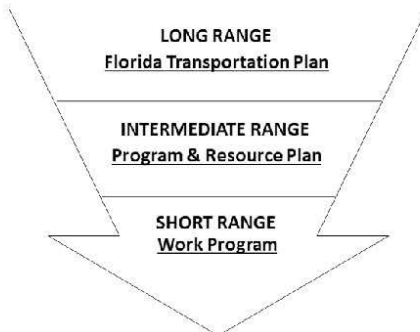
#### WORK PROGRAM DEVELOPMENT

The FDOT Work Program is a five-year plan of transportation projects, updated annually for the new 5<sup>th</sup> year. (It is mandated by state law; must be financially constrained by funds reasonably expected to be available; have a commitment to stability; and be developed cooperatively from the outset with the various metropolitan planning organizations of the state and include, to the maximum extent feasible, the project priorities of metropolitan planning organizations.) The Work Program is overseen by the Florida Transportation Commission.

The Department's Programs are driven by policy and program objectives outlined in the Florida Transportation Plan (FTP). Those policies and objectives are translated into how the funds are divided into program areas over a 5-year span. This is the Program and Resources Plan that contains the 5 program areas and anticipated revenue.

The Program and Resource Plan contains 5 program areas:

- Product
- Product Support
- Operations and Maintenance
- Administration
- Other



The Five-Year Work Program further refines the department's short-range component of programs and funding commitments. The Work Program is developed by the District based on policies and anticipated funding that can be found in the Work Program Instructions and the companion Schedules A and B.

The Work Program contains the specific transportation projects and services to be undertaken during the next five fiscal years. The department's commitment to the mission is to maintain the projects in the first 3 years of the Work Program. The District annually updates the cost estimates of all existing and future projects to retain the first four years of the program to the maximum extent feasible. The 5<sup>th</sup> year is new and new projects and project phases are added. Projects selected for funding and retention are

based upon:

- Maintain Existing Program
- Cost Estimate Update
- Safety & Security
- Preservation, Operations, Systems Management (Maintenance)
- Capacity Improvements
  - SIS Priorities
  - MPO/TPO Priorities

#### Chapter 339, Section 339.135 F.S.

(b) "District Work Program" means the 5-year listing of transportation projects planned for each fiscal year which is prepared by each of the districts and which must be submitted to the central office for review and development of the tentative work program.

(c) "Tentative Work Program" means the 5-year listing of all transportation projects planned for each fiscal year which is developed by the central office based on the district work programs.

(d) "Adopted Work Program" means the 5-year work program adopted by the department as provided in subsection (5).



## MPO Liaison Fact Sheet #10 Work Program Development

The MPO's also develop a List of Project Priorities (LOPP) and Transportation Improvement Program (TIP), which determines and prioritizes projects to be implemented based on the MPO's Long Range Transportation Plan (LRTP).

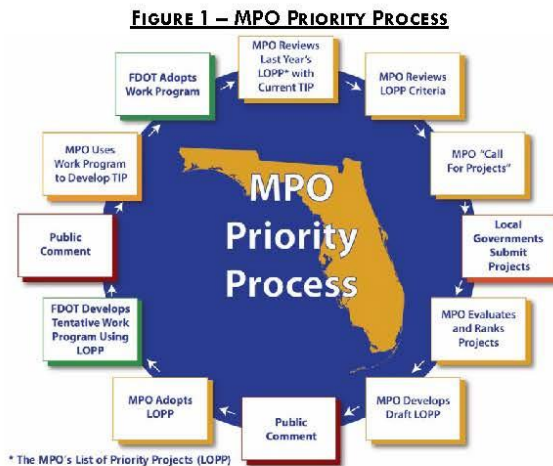
The Districts hold public hearings on the Five-Year Work Program before it is submitted for approval to the Florida Transportation Commission and the State Legislature.

Development of the Work Program is a cyclical process that involves two distinct sequences: tentative and adopted. From January – July estimates are updated for projects currently in the Work Program and for new projects that will be added to the Work Program. The Work Program opens in July to add projects which begins the Tentative Work Program Development Cycle. Simultaneously, the MPO/TPO submits a List of Project Priorities (LOPP) by October 1<sup>st</sup>. In November, the Tentative Work Program includes new projects in the new 5<sup>th</sup> year, as well as for projects that have been advanced. The Districts hold public hearings on the Tentative Work Program from November to December, in which comments are received from the public. This version of the Tentative Work Program is then downloaded to create the MPO/TPOs Transportation Improvement Program (TIP), which is adopted in the April/May time frame. The Tentative Work Program continues through the review and legislative process. On July 1<sup>st</sup> the Tentative Work Program is adopted by the Governor and becomes the Adopted Work Program, at which point the Work Program development cycle begins again by updating estimates and adding projects to the new 5<sup>th</sup> year of the program.

MPO/TPO priorities are due to the District by October 1<sup>st</sup> as an input to the development of the Tentative Work Program.

### MPO PRIORITY PROCESS

MPOs review their priorities in the Spring/Summer of each year. Figure 1, shows the MPO Priority Process.



### WORK PROGRAM DEVELOPMENT CYCLE

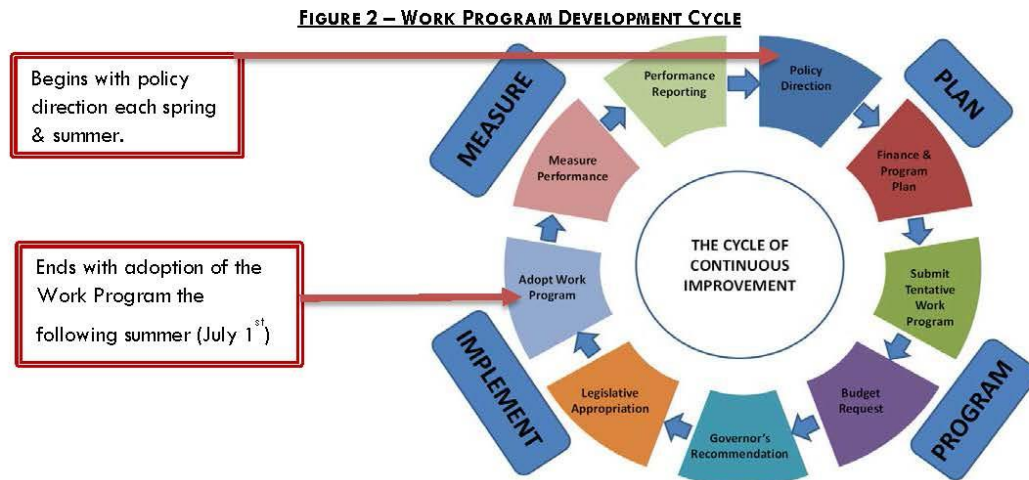
The following agencies are involved in the development of the Work Program:

- FDOT Executive Committee
- 7 District Offices
- Turnpike Enterprise
- 12-15 Central Office Bureaus
- 27 Metropolitan Planning Organizations
- 67 County Governments
- Legislative Committees
- Department of Economic Opportunity
- The Federal Government
- Florida Transportation Commission
- Executive Office of the Governor
- General Public



## MPO Liaison Fact Sheet #10 Work Program Development

Figure 2, shows the Work Program Development Cycle.



**FIGURE 3 – IMPORTANT DATES DURING WORK PROGRAM DEVELOPMENT CYCLE**

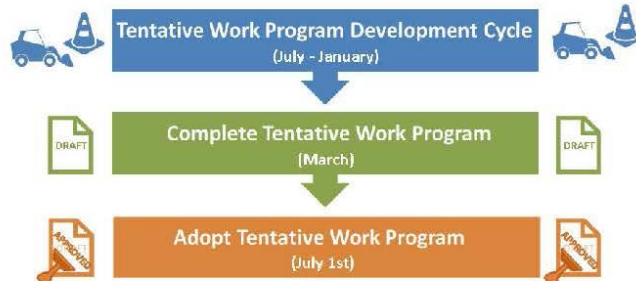


Figure 3, shows some key dates in the development of the Work Program. The Tentative Work Program Development Cycle refers to the period of time between mid-July and mid-January in which the Districts/Turnpike Enterprise and Central Office can update or add to the projects currently programmed in the WPA within the Tentative Work Program years.

### LIAISON RESPONSIBILITIES

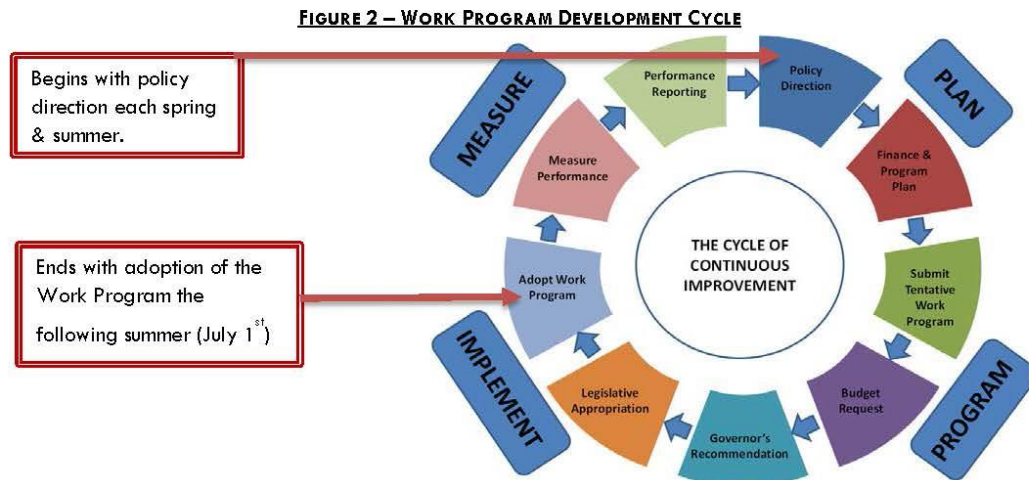
1. Liaisons are to coordinate with MPOs in updating project estimates for projects listed on the MPOs List of Project Priorities (LOPP) that the MPOs would like to add to the new Work Program. This occurs between January and July.
2. Liaisons receive MPOs List of Project Priorities (LOPP) by October 1<sup>st</sup>.

Districts hold public hearings in November-December on the Tentative Work Program, which includes all projects that will be added to the new 5<sup>th</sup> year, as well as those that have been advanced. Comments will be received and the Tentative Work Program Development Cycle will end in January.

# FDOT MPO Liaison Fact Sheet #10

## Work Program Development

Figure 2, shows the Work Program Development Cycle.



**FIGURE 3 – IMPORTANT DATES DURING WORK PROGRAM DEVELOPMENT CYCLE**



Figure 3, shows some key dates in the development of the Work Program. The Tentative Work Program Development Cycle refers to the period of time between mid-July and mid-January in which the Districts/Turnpike Enterprise and Central Office can update or add to the projects currently programmed in the WPA within the Tentative Work Program years.

### LIAISON RESPONSIBILITIES

1. Liaisons are to coordinate with MPOs in updating project estimates for projects listed on the MPOs List of Project Priorities (LOPP) that the MPOs would like to add to the new Work Program. This occurs between January and July.
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# **District MPO Liaison Fact Sheet #11**

## **TIP Development and Review**

(beginning on the next page)



# MPO Liaison Fact Sheet #11

## TIP Development and Review

### TIP DEVELOPMENT

The MPO is required by 23 U.S.C. 134(f) to develop a Transportation Improvement Program (TIP). The Code of Federal Regulations define the TIP as a “prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.” [23 C.F.R. 450.104]

State law requires an MPO’s TIP to cover a period of five years, not four; 339.175(8)(c)(1), F.S. states that the TIP shall include “projects and project phases to be funded with state or federal funds within the time period of the transportation improvement program and which are recommended for advancement during the next fiscal year and 4 subsequent fiscal years. This makes the TIP consistent with FDOT’s Five-Year Work Program. However, the fifth year of the TIP is considered illustrative for purposes of federal authorization, i.e. it is not federally recognized. Because of this, the State Transportation Improvement Program (STIP) only covers the immediate 4 fiscal years. The TIP is developed in cooperation with the Department and public transit operators. [23 C.F.R. 450.326(a)] **Figure 1** shows the process for the development of the TIP.

**FIGURE 1 – TIP DEVELOPMENT SCHEDULE**





## MPO Liaison Fact Sheet #11

### TIP Development and Review

#### TRANSPORTATION IMPROVEMENT PROGRAM (TIP) REVIEW PROCESS

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

1. Federal and state laws and regulations including 23 C.F.R. 450, and 339.175, F.S., and the authorities listed in Chapter 5 of the MPO Program Management Handbook.
2. The Department's Work Program including changes in priorities, phasing, project cost estimates and funding resources and categories as required by 23 C.F.R. 40.326 and 339.175(8), F.S.
3. The LRTP's priorities, projects, funding and policy, goals and objectives as required by 23 C.F.R. 450.326(i) and 339.175(8)(c)(5), F.S.
4. All of the federal and state requirements listed in Chapter 5 of the MPO Program Management Handbook and in a format that can be readily understood.

District Review should verify:

1. Estimates of total costs and revenues for the program period as required by 23 C.F.R. 450.326(i) and Subsection 339.175(8), F.S.
2. The need for a transit project or service is identified in the Transit Development Program (TDP).

If the District cannot recommend the TIP approval based on federal and state law or regulation, the District should coordinate with the MPO to resolve deficiencies and issues before forwarding its comments and the TIP submittal package to the Office of Policy Planning (OPP).

#### LIAISON RESPONSIBILITIES

- No later than July 15, the MPO should submit its adopted TIP to the District for review.
- Liaisons review the TIP and prepare written comments within 14 calendar days of receipt from the MPO (no later than August 1).
- Liaisons transmit their written comments and recommendations to the MPO and all review agencies.
- Liaisons then coordinate with the MPO to resolve any issues or comments as soon as possible since federal-aid funding cannot be approved until the TIP is approved and incorporated into the STIP by October 1 of each year.
- Upon resolution of comments, the MPO transmits the final TIP to the District. Liaisons recommend approval to the Office of Policy Planning.

Liaisons should refer to the **MPO Program Management Handbook (Chapter 5)** for additional information on the development of the TIP and the review process.



## MPO Liaison Fact Sheet #11

### TIP Development and Review

#### TRANSPORTATION IMPROVEMENT PROGRAM (TIP) REVIEW PROCESS

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

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## **District MPO Liaison Fact Sheet #12**

### **TIP/STIP Revisions**

(beginning on the next page)



## MPO Liaison Fact Sheet #12

### TIP/STIP Revisions

#### TIP/STIP REVISION TYPES

There are times when the TIP/STIP requires revisions to accommodate things such as project scope changes, project cost changes, or the addition or deletion of a project to the TIP and STIP. These changes may be classified as either an Amendment or an Administrative Modification:

**Amendments** are changes that:

- Add a new individual project to the TIP /STIP.
- Adversely impact the fiscal constraint of the TIP /STIP.
- Result in major scope changes.
- Delete an individually listed project in the TIP /STIP.
- Result in a project cost increase greater than 20% and \$2 million.

**Administrative Modifications** are relatively minor changes to project cost or scope that do not meet the amendment criteria.

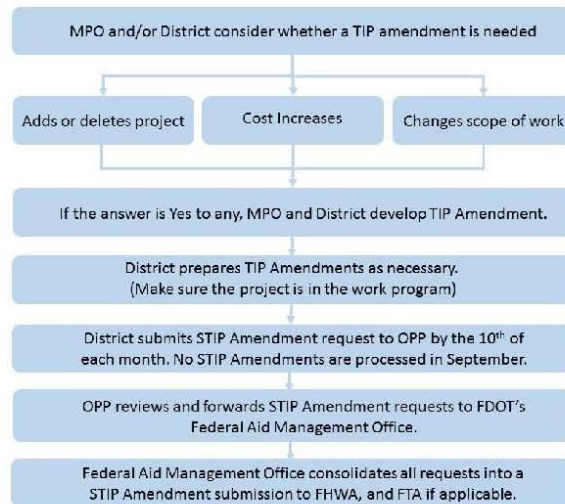
Amendments require review and approval by FDOT (District and Central Office) and the relevant federal agency (FHWA or FTA). Modifications do not require this review.

Notes on the TIP/STIP Amendment Thresholds:

- A project as defined in the TIP/STIP is identified with a unique Federal Project number – this means that the addition of a phase on an existing TIP/STIP project *will* trigger the new project amendment threshold.
- Note that the fifth year of the TIP/STIP is informational; therefore, advancing a project from the fifth year *will* trigger the new project amendment threshold.
- The three most common reasons for TIP/STIP amendment:
  - New individual project
  - Major scope change
  - Cost increase > 20% and \$2,000,000

**Figure 1** displays the TIP/STIP Amendment process. This process begins with the identification of needed TIP/STIP Amendments (project changes that meet the Amendment criteria above). The Liaison then assists the MPO to process the TIP Amendment. Once that is completed, the Liaison processes the corresponding STIP Amendment, submitting to FDOT Central Office by the 10<sup>th</sup> of each month. From CO, the Amendments are submitted to FHWA and FTA for approval.

**FIGURE 1 – TIP/STIP AMENDMENT PROCESS**



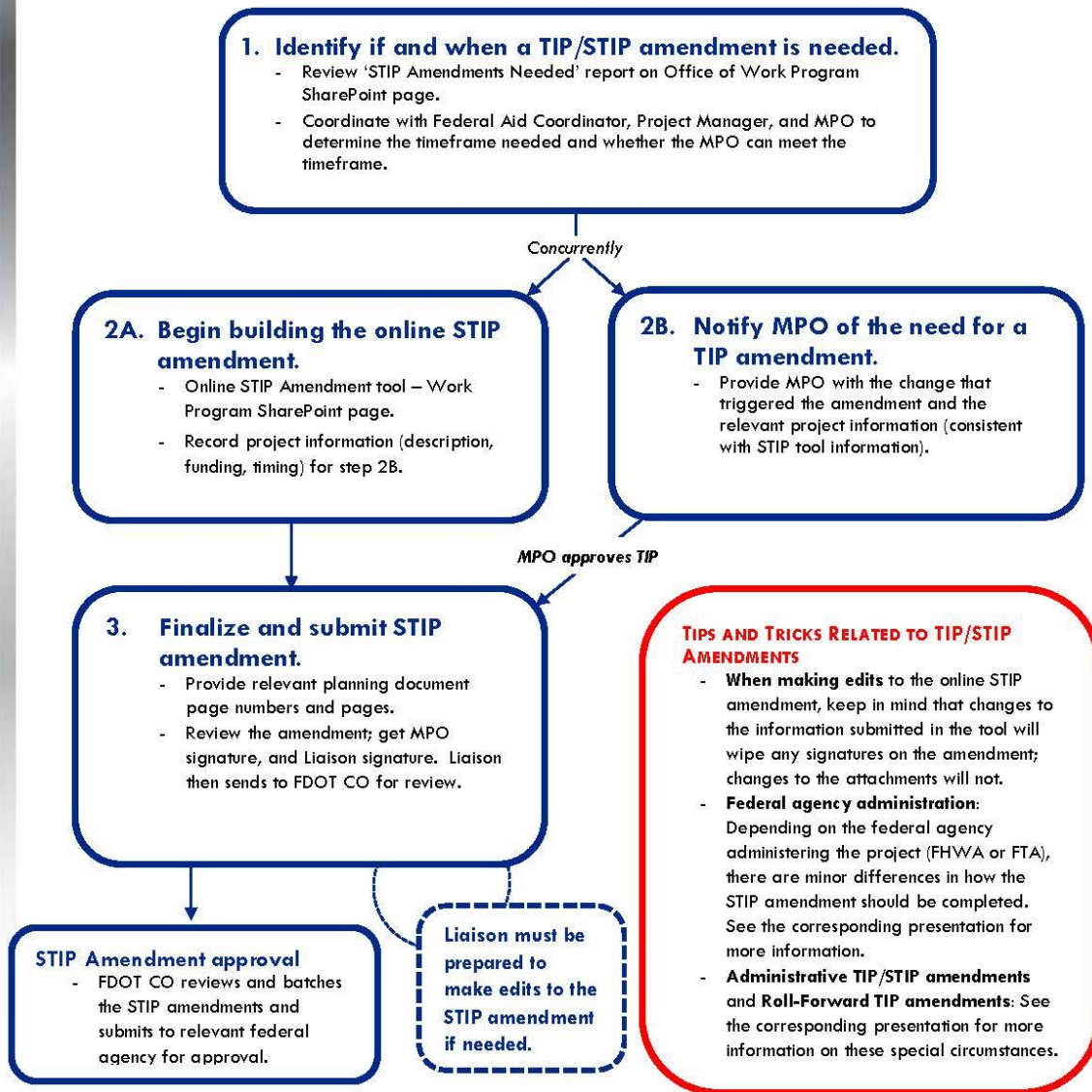


# MPO Liaison Fact Sheet #12

## TIP/STIP Revisions

### LIAISON RESPONSIBILITIES

FIGURE 2 – LIAISON RESPONSIBILITIES



Liaisons should refer to the **MPO Program Management Handbook (Chapter 5)** for additional information on TIP/STIP Revisions.

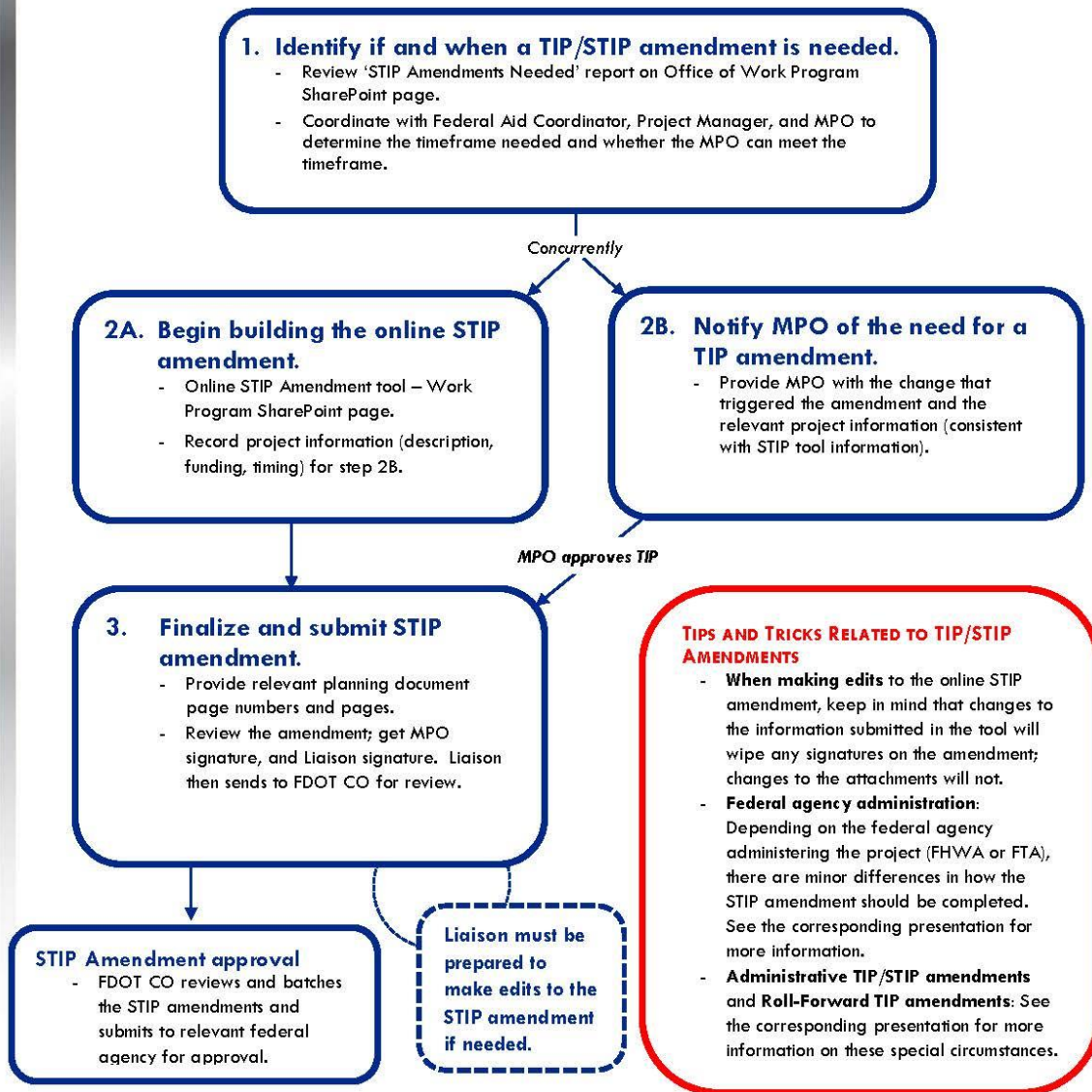


# MPO Liaison Fact Sheet #12

## TIP/STIP Revisions

### LIAISON RESPONSIBILITIES

FIGURE 2 – LIAISON RESPONSIBILITIES



Liaisons should refer to the **MPO Program Management Handbook (Chapter 5)** for additional information on TIP/STIP Revisions.

**District MPO Liaison Fact Sheet #13**  
**L RTP Development, Review and Revisions**  
(beginning on the next page)



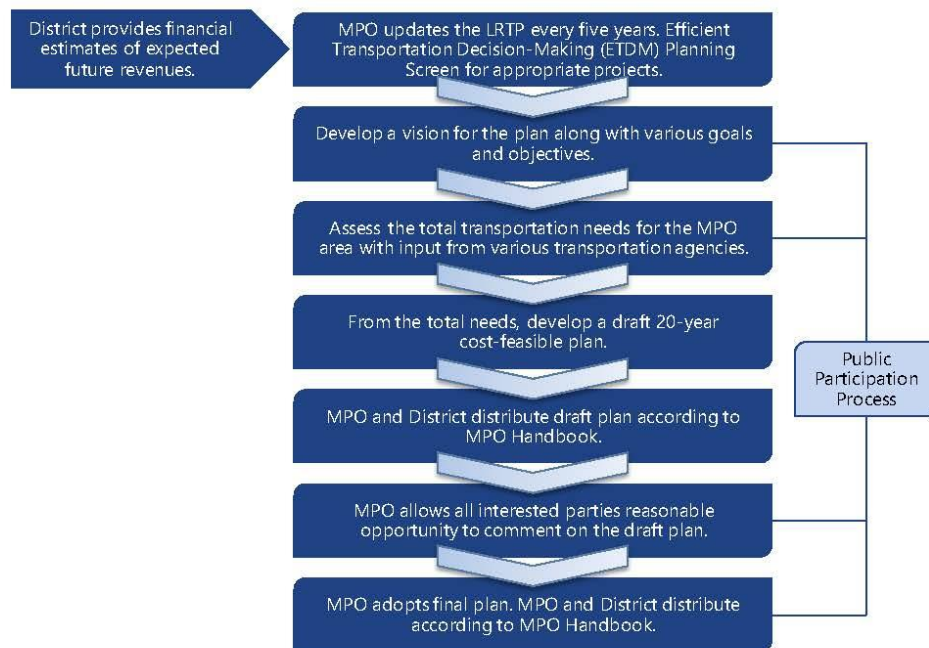
## MPO Liaison Fact Sheet #13 L RTP Development, Review and Revisions

### L RTP DEVELOPMENT AND REVIEW

The MPO is responsible for developing a Long-Range Transportation Plan (L RTP) that addresses no less than a 20-year planning horizon from the date of the plan update adoption. In Florida, the MPOAC adopts guidelines clarifying the base and horizon years for each MPOs L RTP update.

The intent and purpose of the L RTP is to encourage and promote the safe and efficient management, operation, and development of a cost feasible intermodal transportation system that will serve the mobility needs of people and freight within and through urbanized areas of this state, while minimizing transportation-related fuel consumption and air pollution. As per 23 CFR §450.324(f), the L RTP must include projected transportation demand, existing and proposed transportation facilities, operational and management strategies to improve the performance of existing transportation facilities, long-range transportation investments and activities, and a financial plan that demonstrates how the plan can be implemented, among other requirements. **Figure 1** demonstrates the L RTP Development and Approval Process.

**FIGURE 1 – L RTP DEVELOPMENT AND APPROVAL PROCESS**



Please refer to **Chapter 4** of the *MPO Program Management Handbook* for a more detailed look at what is included in the development of the L RTP and the review process. Chapter 4 also includes a checklist to assist MPOs and District Liaisons when reviewing the L RTP.



## MPO Liaison Fact Sheet #13

### L RTP Development, Review and Revisions

#### L RTP REVISIONS

Besides the 5-year update cycle, there are times when an MPO may find it necessary to revise the L RTP. The Code of Federal Regulations defines two types of revisions. They include administrative modifications and amendments. Figure 2 illustrates the process for L RTP amendments.

#### Administrative Modification

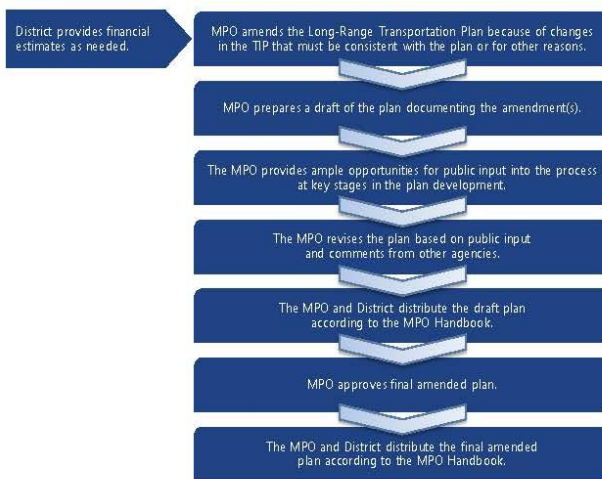
Minor changes to project/phase costs, funding sources, or project/phase initiation dates.

**DOES NOT** require public review and comment or re-demonstrating fiscal constraint.

#### Amendment

Adding or deleting projects from the plan, Major changes to project costs, initiation dates, or design concepts and scopes for existing projects. **DOES** require public review and comment in accordance with the L RTP amendment and Public Involvement processes, and re-demonstrating fiscal constraint.

**FIGURE 2 – L RTP AMENDMENT PROCESS**



#### L IAISON RESPONSIBILITIES

- Liaisons need to coordinate with MPOs to ensure that all Planning Factors are addressed in the plan.
- Liaisons will review the L RTP to ensure that all Federal Law and Regulations along with State Requirements are met.
- Liaisons need to coordinate with MPO staff to ensure that the appropriate Public Outreach is conducted.
- Liaisons and MPO distribute the L RTP to the appropriate parties as specified in Chapter 4 for review and final approval of the L RTP.

Liaisons should refer to the FDOT/FHWA guidance document *Florida L RTP Amendment Thresholds* for further guidance on changes that would trigger an L RTP Amendment.

# Appendix B – MAP-21 Performance Management Fact Sheets

## Contents (last updated on February 2023)

MAP-21 Performance Management Fact Sheet #1 - MPO Requirements

MAP-21 Performance Management Fact Sheet #2 – Performance Measure 1: Safety

MAP-21 Performance Management Fact Sheet #3 – Performance Measure 2: Bridge and Pavement

MAP-21 Performance Management Fact Sheet #4 – Performance Measure 3: System Performance

MAP-21 Performance Management Fact Sheet #5 – Public Transit Safety Performance

MAP-21 Performance Management Fact Sheet #6 – Transit Asset Management



# **MAP-21 Performance Management Fact Sheet #1**

## **MPO Requirements**

(beginning on the next page)

## Transportation Performance Management

February 2023

### OVERVIEW

This document highlights key target setting provisions of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) performance management requirements for state Departments of Transportation (DOT), Metropolitan Planning Organizations (MPO), and public transportation providers.\*

### TRANSPORTATION PERFORMANCE MANAGEMENT FRAMEWORK

Federal transportation law requires state DOTs and MPOs to implement Transportation Performance Management (TPM), a strategic approach to making investment and policy decisions to achieve performance goals. TPM uses past performance levels and forecasted conditions to measure progress toward strategic goals as a means to guide investments.



Three FHWA Performance Measures (PM) rules and two FTA transit rules establish various performance measures to assess highway safety (PM1), bridge and pavement condition (PM2), system performance and freight movement (PM3), transit asset management (TAM), and transit safety. The FHWA and FTA Planning Rule and the performance measures rules also specify how MPOs should set targets, report performance, and integrate performance management into their Long Range Transportation Plans (LRTP) and Transportation Improvement Programs (TIP).\*

#### Long Range Transportation Plans

The LRTP must:

- » Describe performance measures and targets used in assessing the performance of the transportation system.
- » Include a System Performance Report that:
  - Evaluates the performance of the transportation system with respect to performance targets.
  - Documents the progress achieved by the MPO in meeting the targets.
- » Integrate the goals, objectives, performance measures, and targets described in other plans and processes required as part of a performance-based program.

#### Transportation Improvement Programs

The TIP must:

- » Reflect the investment priorities established in the LRTP.
- » Be designed such that once implemented, it makes progress toward achieving the performance targets.
- » Include a description of the anticipated effect of the TIP toward achieving the performance targets, linking investment priorities to performance targets.

FDOT and the Metropolitan Planning Organization Advisory Council (MPOAC) have developed model language for inclusion of performance measures and targets in LRTPs and TIPs

\*Please refer to the five accompanying fact sheets to obtain key information for the three FHWA performance measures rules and two FTA transit rules.

# TIMELINE FOR MPO ACTIONS

## PM1

**BY AUGUST 31 (ANNUALLY)**  
FDOT Safety Office establishes targets for the next calendar year in its Highway Safety Improvement Program (HSIP) annual report to FHWA.

**BY FEBRUARY 27 (ANNUALLY)**  
MPOs must establish safety (PM1) targets for the current calendar year (180 days after FDOT establishes targets).

● FDOT  
■ MPOs



## PM2 & PM3

**BY DECEMBER 16, 2022\*\***  
FDOT establishes statewide targets for 2023 and 2025 and reports performance and targets to FHWA.

**BY JUNE 14, 2023**  
MPOs establish 2025 targets (no later than 180 days after FDOT establishes targets).

**BY OCTOBER 1, 2024**  
FDOT reports statewide performance and progress toward targets.



## TIMEFRAME

# TRANSIT ASSET MANAGEMENT AND TRANSIT SAFETY

### PUBLIC TRANSPORTATION PROVIDERS

#### TAM

- Update TAM Plan/Group TAM Plan every 4 years
- Update TAM targets annually

#### Transit Safety

- Update safety targets annually

### MPOs

- Update MPO transit targets with every LRTP update
- Reflect MPO targets and public transportation provider(s) current targets in each updated TIP

## TARGET SETTING OPTIONS

The Florida Department of Transportation (FDOT), the MPOs, and public transportation providers set their respective performance targets in coordination with one another. All MPOs establish a target for each applicable performance measure by one of two options:

### *Support the target established by FDOT or the public transportation provider(s).*

The MPO agrees to plan and program projects so that they contribute toward the accomplishment of the state or public transportation provider(s) target.

OR

### *Establish own target.*

The MPO coordinates with FDOT or the public transportation provider(s) regarding the methodology used to develop the target and the proposed target prior to establishing a final target.

For the **PM1, PM2, and PM3 measures**, MPOs must establish their targets no later than 180 days after FDOT sets its targets. For the **transit asset management and safety measures**, MPOs are not required to establish transit targets annually each time the public transportation provider(s) establishes targets. Instead, MPO transit targets must be established when the MPO updates the LRTP. MPOs will reflect current public transportation provider(s) targets in the updated TIP.

## ASSESSMENT OF SIGNIFICANT PROGRESS

FHWA will not assess MPO target achievement. However, FHWA and FTA will review MPO adherence to performance management requirements as part of periodic transportation planning process reviews.

\*\* FHWA changed the due date from October 1, 2022 due to a technical issue with the reporting system.

## FOR MORE INFORMATION PLEASE CONTACT

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Florida Department of Transportation | Mike.Neidhart@dot.state.fl.us | (850) 414-4905

## **MAP-21 Performance Management Fact Sheet #2**

### **Performance Measure 1: Safety**

(beginning on the next page)

# PM1: Safety (All Public Roads)



Florida Department of Transportation Office of Policy Planning

## Performance Management

February 2023

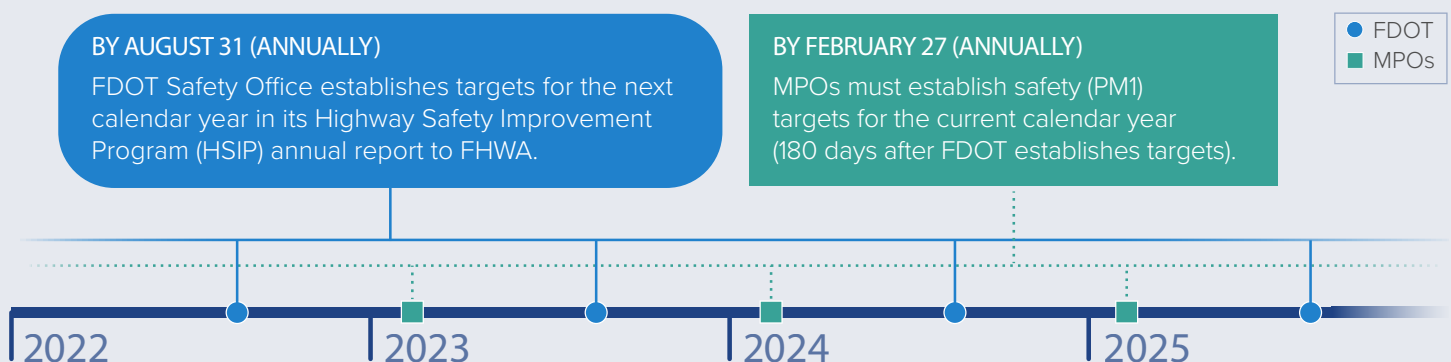
### OVERVIEW

The first of Federal Highway Administration's (FHWA) performance management rules establishes measures to assess safety on all public roads and the process for the Florida Department of Transportation (FDOT) and Florida's Metropolitan Planning Organizations (MPO) to establish and report their safety targets.\*

### PERFORMANCE MEASURES – APPLICABLE TO ALL PUBLIC ROADS

<b>NUMBER OF FATALITIES</b>	<i>The total number of persons suffering fatal injuries in a motor vehicle crash during a calendar year.</i>	<b>RATE OF SERIOUS INJURIES</b>	<i>The total number of serious injuries per 100 million VMT in a calendar year.</i>
<b>RATE OF FATALITIES</b>	<i>The total number of fatalities per 100 million vehicle miles traveled (VMT) in a calendar year.</i>	<b>NUMBER OF NON-MOTORIZED FATALITIES AND NON-MOTORIZED SERIOUS INJURIES</b>	<i>The combined total number of non-motorized fatalities and non-motorized serious injuries involving a motor vehicle during a calendar year.</i>
<b>NUMBER OF SERIOUS INJURIES</b>	<i>The total number of persons suffering at least one serious injury in a motor vehicle crash during a calendar year.</i>		

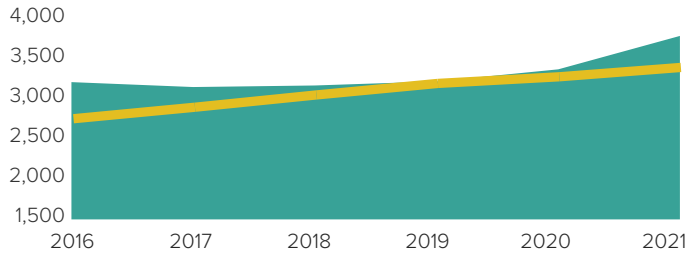
### TIMELINE



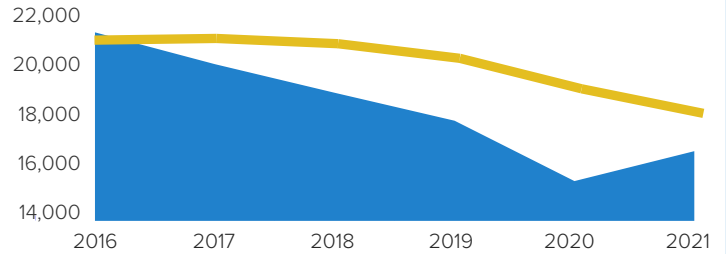
\* Please refer to the [fact sheet](#) addressing *MPO Requirements* for information about MPO targets and planning processes.

# EXISTING STATEWIDE CONDITIONS

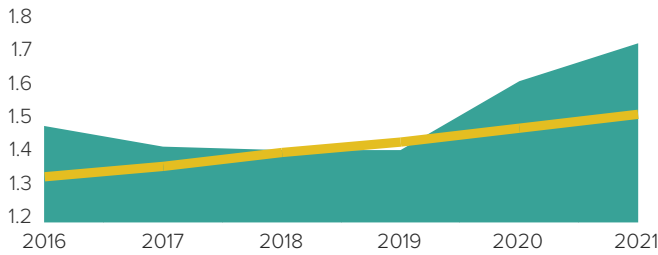
## ANNUAL FATALITIES



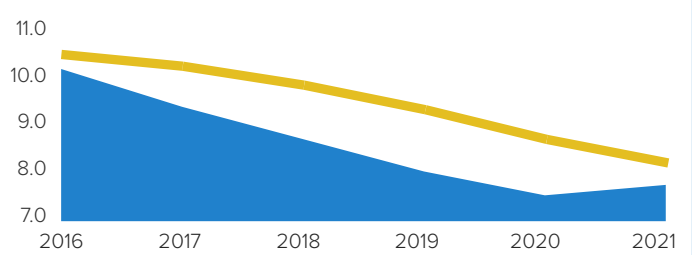
## ANNUAL SERIOUS INJURIES



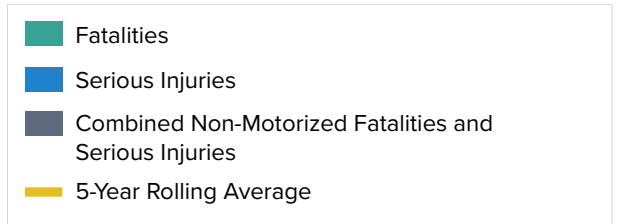
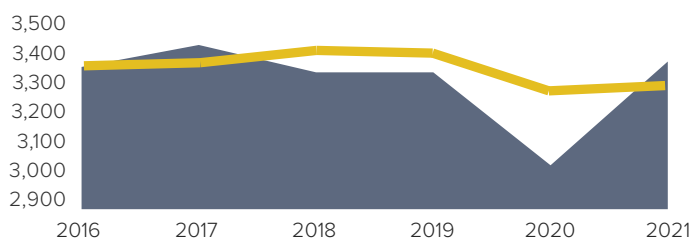
## FATALITY RATE (PER HUNDRED MILLION VMT)



## SERIOUS INJURY RATE (PER HUNDRED MILLION VMT)



## NUMBER OF NON-MOTORIZED FATALITIES AND SERIOUS INJURIES



Source: FLHSMV, 2022.

## STATEWIDE TARGETS

FDOT establishes statewide safety targets for the following calendar year as part of the [HSIP Annual Report](#), which must be submitted by August 31 each year.

Given FDOT's firm belief that every life counts, the target set for all safety performance measures is ZERO.

## MPO TARGETS

MPOs must set targets by February 27 of each year (within 180 days after FDOT sets targets). MPOs have the option of supporting the statewide targets or establishing their own targets for the MPO planning area.

MPOs must include the most recent reported performance and targets with each TIP update. The TIP must describe how the investments contribute to achieving the performance targets. The LRTP must include a System Performance Report that discusses the performance of the transportation system and progress achieved in meeting the targets over time.

## ASSESSMENT OF SIGNIFICANT PROGRESS

FHWA considers a state to have met or made significant progress when at least four of the five safety targets are met or the actual outcome is better than baseline performance. Florida is making progress towards achieving the targets established for serious injuries but not yet for fatalities or non-motorized users.

As requested by FHWA, FDOT annually develops an [HSIP Implementation Plan](#) to highlight strategies it will undertake in support of these targets. MPOs are encouraged to review this Plan each year to identify strategies appropriate for their planning area.

FHWA will not assess MPO target achievement. However, FHWA will review MPO adherence to performance management requirements as part of periodic transportation planning process reviews.

## FOR MORE INFORMATION PLEASE CONTACT

Mike Neidhart, PhD, AICP, Metropolitan Planning Administrator

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## **MAP-21 Performance Management Fact Sheet #3**

### **Performance Measure 2: Bridge and Pavement**

(beginning on the next page)

# PM2: Bridge and Pavement



Florida Department of Transportation Office of Policy Planning

## Performance Management

February 2023

### OVERVIEW

The second Federal Highway Administration (FHWA) performance management rule establishes measures to assess the condition of bridges and pavement on the National Highway System (NHS) and the process for the Florida Department of Transportation (FDOT) and Florida's Metropolitan Planning Organizations (MPO) to establish and report targets.\*

### PAVEMENT PERFORMANCE MEASURES

- » Percentage of pavements on the Interstate System in **GOOD** condition.
- » Percentage of pavements on the Interstate System in **POOR** condition.
- » Percentage of pavements on the non-Interstate NHS in **GOOD** condition.
- » Percentage of pavements on the non-Interstate NHS in **POOR** condition.

### BRIDGE PERFORMANCE MEASURES

- » Percentage of NHS bridges (by deck area) in **GOOD** condition.
- » Percentage of NHS bridges (by deck area) in **POOR** condition.

#### GOOD CONDITION

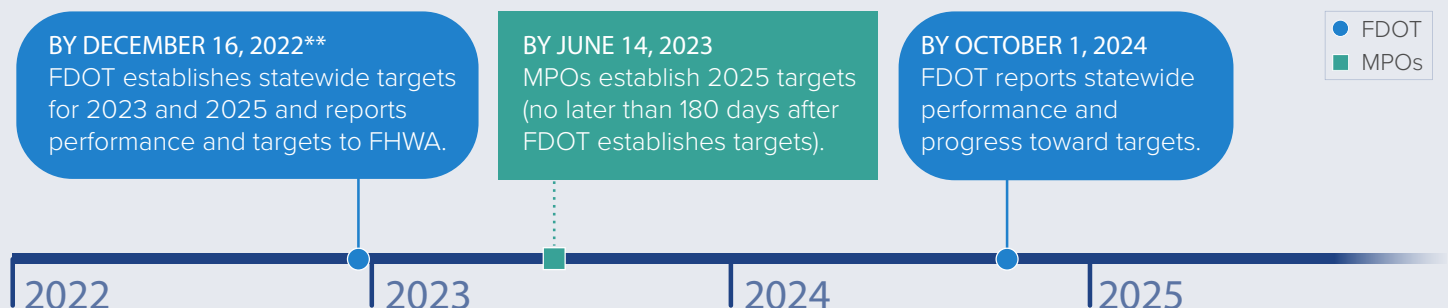
Suggests no major investment is needed.

#### POOR CONDITION

Suggests major investment is needed.

### TIMELINE

**SECOND** Performance Period (January 1, 2022 to December 31, 2025)



\* Please refer to the [fact sheet](#) addressing *MPO Requirements* for information about MPO targets and planning processes.

\*\* FHWA changed the due date from October 1, 2022 due to a technical issue with the reporting system.



# EXISTING STATEWIDE CONDITIONS

## NHS Bridges

Year	in Good Condition	in Poor Condition
2017	67.7%	1.2%
2018	66.6%	1.2%
2019	66.2%	1.2%
2020	65.5%	0.5%
2021 (Baseline)	61.3%	0.5%

## Interstate Pavements

Year	in Good Condition	in Poor Condition
2017	66.1%	0.0%
2018	54.2%	0.6%
2019	68.0%	0.5%
2020	68.8%	0.6%
2021 (Baseline)	70.5%	0.7%

## Non-Interstate NHS Pavements

Year	in Good Condition	in Poor Condition
2017	44.0%	0.4%
2018	39.9%	0.4%
2019	41.0%	0.3%
2020	41.0%	0.3%
2021 (Baseline)	47.5%	1.1%

Source: FDOT and FHWA.

## STATEWIDE TARGETS

FDOT established 2023 and 2025 targets for NHS bridge and pavement on December 16, 2022. These targets are identical to those set for 2019 and 2021, respectively. Florida's performance through 2021 exceeds the targets.

Performance Measure	2023 Target	2025 Target
<b>Bridge</b>		
% of NHS bridges (by deck area) in <b>GOOD</b> condition	50.0%	50.0%
% of NHS bridges (by deck area) in <b>POOR</b> condition	10.0%	10.0%
<b>Pavement</b>		
% of Interstate pavements in <b>GOOD</b> condition	60.0%	60.0%
% of Interstate pavements in <b>POOR</b> condition	5.0%	5.0%
% of non-Interstate NHS pavements in <b>GOOD</b> condition	40.0%	40.0%
% of non-Interstate NHS pavements in <b>POOR</b> condition	5.0%	5.0%

## MPO TARGETS

MPOs must set 2025 targets by June 14, 2023 (within 180 days after FDOT set the statewide targets). MPOs have the option of supporting the statewide targets or establishing their own targets for the MPO planning area.

The TIP must include the most recent reported performance and targets as well as a description of how the investments contribute to achieving the targets. The LRTP must include a System Performance Report that discusses performance and the progress achieved in meeting targets.

## ASSESSMENT OF SIGNIFICANT PROGRESS

FHWA will determine if FDOT has made significant progress toward the achievement of each 2-year or 4-year statewide target if either:

- » The actual condition/performance level is better than the baseline performance; or
- » The actual performance level is equal to or better than the established target.

FHWA's determination of significant progress toward the 2021 bridge and pavement targets is anticipated in March 2023.

FHWA will not assess MPO target achievement. However, FHWA and FTA will review MPO adherence to performance management requirements as part of periodic transportation planning process reviews.

## MINIMUM CONDITIONS

Every year, FHWA will assess if FDOT is meeting federal minimum condition standards for NHS bridges and Interstate pavements. If it is not, FDOT must obligate a specified percentage of available funds for maintenance of these facilities.

### FDOT IS ON TRACK TO MEET MINIMUM CONDITION STANDARDS

- » **Bridge:** No more than 10 percent of total deck area of NHS bridges classified as Structurally Deficient (*Poor* condition) for three consecutive years. ✓
- » **Pavement:** No more than 5 percent of the Interstate System in *Poor* condition for most recent year. ✓

## FOR MORE INFORMATION PLEASE CONTACT

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## **MAP-21 Performance Management Fact Sheet #4**

### **Performance Measure 3: System Performance**

(beginning on the next page)

# PM3: System Performance



Florida Department of Transportation Office of Policy Planning

## Performance Management

February 2023

### OVERVIEW

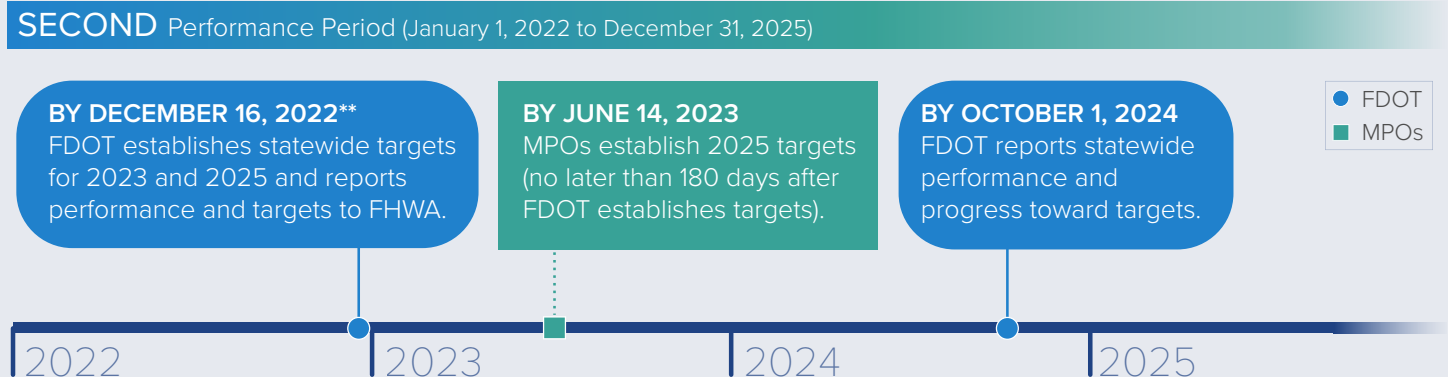
The third Federal Highway Administration (FHWA) performance management rule establishes measures to assess the reliability of passenger and truck freight travel on the National Highway System (NHS) and the process for the Florida Department of Transportation (FDOT) and Florida's Metropolitan Planning Organizations (MPO) to establish and report their targets.\*

### PERFORMANCE MEASURES

PERFORMANCE MEASURE	REFERRED TO AS	WHAT IT MEASURES
Percent of person-miles traveled on the Interstate that are reliable	Interstate reliability	Compares longer travel times (80 <sup>th</sup> percentile) to a normal travel time (50 <sup>th</sup> percentile). Vehicle occupancy is factored in to determine the person-miles traveled on segments considered reliable, and this is converted to a percent of total miles.
Percent of person-miles traveled on the non-Interstate NHS that are reliable	Non-Interstate NHS reliability	Compares longer travel times (80 <sup>th</sup> percentile) to a normal travel time (50 <sup>th</sup> percentile). Vehicle occupancy is factored in to determine the person-miles traveled on segments considered reliable, and this is converted to a percent of total miles.
Truck travel time reliability index (Interstate)	Truck reliability	Compares longer travel times (95 <sup>th</sup> percentile) to the normal travel time for trucks. This is expressed as a ratio called the Truck Travel Time Reliability Index, or TTTR.

The PM3 rule also defines measures for assessing the CMAQ Program that apply only to states and MPOs that are in a designated air quality non attainment areas or maintenance areas. Florida does not have any applicable areas, therefore the CMAQ measures are not addressed in this fact sheet.

### TIMELINE



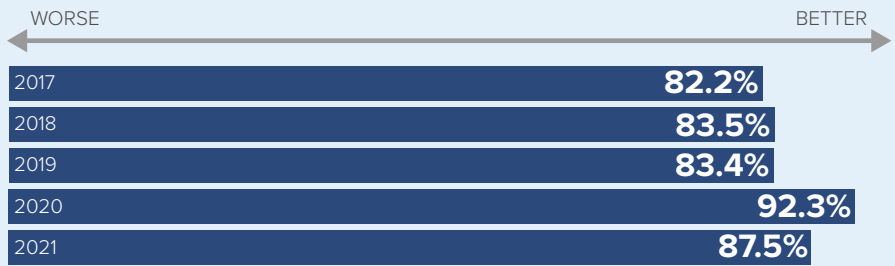
\* Please refer to the [fact sheet](#) addressing *MPO Requirements* for information about MPO targets and planning processes.

\*\* FHWA changed the due date from October 1, 2022 due to a technical issue with the reporting system.

# EXISTING STATEWIDE CONDITIONS

## INTERSTATE RELIABILITY

Percent of person-miles traveled on the Interstate that are reliable



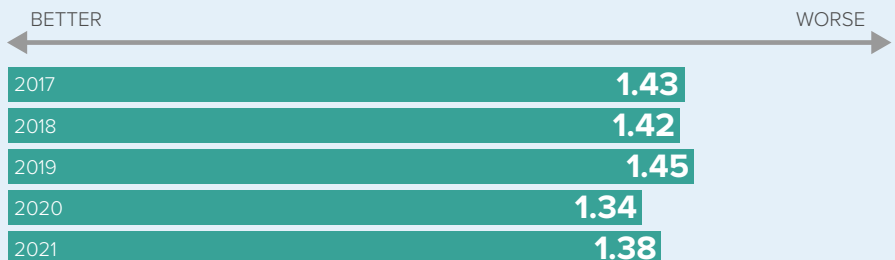
## NON-INTERSTATE NHS RELIABILITY

Percent of person-miles traveled on the non-Interstate NHS that are reliable



## TRUCK RELIABILITY

Truck travel time reliability index (Interstate)



Source: PM3 Report on Regional Integrated Transportation Information System (RITIS) platform using National Performance Management Data Research Data Set (NPMRDS).

## STATEWIDE TARGETS

FDOT established the following 2023 and 2025 targets on December 16, 2022. These targets are identical to those set for 2019 and 2021, respectively. Florida's performance through 2021 exceeds the targets.

PERFORMANCE MEASURE	2023 TARGET	2025 TARGET
INTERSTATE RELIABILITY	75.0%	70.0%
NON-INTERSTATE NHS RELIABILITY	50.0%	50.0%
TRUCK RELIABILITY	1.75	2.00

## MPO TARGETS

MPOs must set 2025 targets by June 14, 2023 (within 180 days after FDOT set the statewide targets). MPOs have the option of supporting the statewide targets or establishing their own targets for the MPO planning area.

The TIP must include the most recent reported performance and targets as well as a description of how the investments contribute to achieving the targets. The LRTP must include a System Performance Report that discusses performance and the progress achieved in meeting targets.

## ASSESSMENT OF SIGNIFICANT PROGRESS

FHWA will determine that FDOT has made significant progress toward the achievement of each 2-year or 4-year statewide target if either:

- » The actual performance level is better than the baseline performance; or
- » The actual performance level is equal to or better than the established target.

FHWA's determination of significant progress toward the 2021 interstate reliability and truck reliability targets is anticipated in March 2023. If FDOT does not make significant progress toward achieving a reliability target, it must document the actions it will take to achieve the target. For the truck reliability measure, it must provide additional freight congestion analysis and documentation.

FHWA will not assess MPO target achievement. However, FHWA and FTA will review MPO adherence to performance management requirements as part of periodic transportation planning process reviews.

## FOR MORE INFORMATION PLEASE CONTACT

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# **MAP-21 Performance Management Fact Sheet #5**

## **Public Transit Safety Performance**

(beginning on the next page)

# SAFETY

## Public Transit



## Performance Management

February 2023

### OVERVIEW

The Federal Transit Administration (FTA) Public Transportation Agency Safety Plan (PTASP) rule established transit safety performance management requirements for certain providers of public transportation that receive federal financial assistance. This fact sheet describes these requirements and the role of Metropolitan Planning Organizations (MPO) under this rule.\*

### PUBLIC TRANSPORTATION AGENCY SAFETY PLANS (PTASP)

#### *Federal Rule Applicability*

#### **Recipients and Sub-recipients of FTA 5307 funds**

The rule applies to recipients and sub-recipients of FTA 5307 funds that operate a public transportation system and to operators of rail transit systems subject to FTA's State Safety Oversight Program.

The PTASP regulations do not apply to certain modes of transit service that are subject to the safety jurisdiction of another Federal agency, including passenger ferry operations regulated by the U.S. Coast Guard, and commuter rail operations that are regulated by the Federal Railroad Administration.

Small public transportation providers without rail and with fewer than 101 revenue vehicles in operation during peak service may complete their own plan or have their plan drafted or certified by their state DOT.

### PUBLIC TRANSPORTATION SAFETY PERFORMANCE MEASURES

<b>FATALITIES</b>	<i>Total number of reportable fatalities and rate per total vehicle revenue miles by mode.</i>
<b>INJURIES</b>	<i>Total number of reportable injuries and rate per total vehicle revenue miles by mode.</i>
<b>SAFETY EVENTS</b>	<i>Total number of reportable events and rate per total vehicle revenue miles by mode.</i>
<b>SYSTEM RELIABILITY</b>	<i>Mean distance between major mechanical failures by mode.</i>

### TIMEFRAME

#### **PUBLIC TRANSPORTATION PROVIDERS**

- Update safety targets annually

#### **MPOs**

- Update MPO safety targets with every LRTP update
- Reflect MPO targets and public transportation provider(s) current safety targets in each updated TIP

\* Please refer to the [fact sheet](#) addressing *MPO Requirements* for information about MPO targets and planning processes.

## RELATIONSHIP OF PTASP TO FLORIDA REQUIREMENTS

Florida requires each Section 5307 and/or 5311 public transportation provider to have an adopted System Safety Program Plan (SSPP) (Chapter 14-90, Florida Administrative Code). Because Section 5307 public transportation providers in Florida must already have a SSPP, FDOT recommends that public transportation providers revise their existing SSPPs to be compliant with the FTA PTASP requirements.

FDOT has issued guidance to public transportation providers to assist them with revising existing SSPPs to be compliant with the FTA PTASP requirements.

While the PTASP rule requires public transportation providers to establish safety performance targets, the SSPP does not.

## REQUIREMENTS

### TRANSIT SAFETY TARGET COORDINATION BETWEEN FDOT, MPOS, AND PUBLIC TRANSPORTATION PROVIDERS

- » Public transportation providers that annually draft and certify a PTASP and transit safety targets must make the PTASP and underlying safety performance data available to FDOT and the MPOs to aid in the planning process.
- » MPOs are not required to establish transit safety targets annually each time the public transportation provider(s) establishes targets. Instead, MPO transit targets must be established when the MPO updates the LRTP. MPOs will reflect current public transportation provider(s) PTASP targets in the updated TIP.
- » Public transportation providers will coordinate with FDOT and affected MPOs in the selection of transit safety performance targets.
- » Public transportation providers will give written notice to the MPO(s) and FDOT when the public transportation provider establishes transit safety targets.
- » When establishing transit safety targets, the MPO can either agree to program projects that will support the public transportation provider targets, or establish its own separate targets for the MPO planning area.
- » MPOs that establish their own transit safety targets will coordinate with the public transportation provider(s) and FDOT in the selection of transit safety performance targets, and will give written notice to the public transportation provider(s) and FDOT when the MPO establishes its own transit safety targets.
- » MPOs that agree to support the public transportation provider(s) safety targets will provide FDOT and the public transportation providers documentation that the MPO agrees to do so.
- » If two or more public transportation providers operate in an MPO planning area and establish different safety targets for a measure, the MPO may establish a single target for the MPO planning area or establish a set of targets that reflect the differing public transportation provider targets.

## FOR MORE INFORMATION PLEASE CONTACT

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# **MAP-21 Performance Management Fact Sheet #6**

## **Transit Asset Management**

(beginning on the next page)



# ASSET MANAGEMENT

## Public Transit



Florida Department of Transportation Office of Policy Planning

## Performance Management

February 2023

### OVERVIEW

The Federal Transit Administration (FTA) [Transit Asset Management rule](#) applies to all recipients and subrecipients of federal transit funding that own, operate, or manage public transportation capital assets. The rule defines State of Good Repair (SGR) performance measures and establishes requirements for Transit Asset Management (TAM) Plans and performance targets. This fact sheet describes these requirements and the role of the Metropolitan Planning Organizations (MPO) under this rule.\*

### STATE OF GOOD REPAIR PERFORMANCE MEASURES

#### *Transit Asset Categories and TAM Performance Measures*

FTA ASSET CATEGORIES	PERFORMANCE MEASURES
<b>EQUIPMENT</b> Non-revenue support-service and maintenance vehicles	Percentage of non-revenue vehicles that have met or exceeded their useful life benchmark (ULB)
<b>ROLLING STOCK</b> Revenue vehicles	Percentage of revenue vehicles that have met or exceeded their ULB
<b>INFRASTRUCTURE</b> Rail fixed-guideway track	Percentage of track segments (by mode) with performance restrictions
<b>FACILITIES</b> Buildings and structures	Percentage of facilities rated below condition 3 on the Transit Economic Requirement Model (TERM) scale

**“State of good repair”** is defined as the condition in which a capital asset is able to operate at a full level of performance. This means the asset:

1. Is able to perform its designed function.
2. Does not pose a known unacceptable safety risk.
3. Lifecycle investment needs have been met or recovered.

Public transportation providers are required to report transit asset performance measures and targets annually to the National Transit Database (NTD).

### TIMEFRAME

#### PUBLIC TRANSPORTATION PROVIDERS

- Update TAM Plan/Group TAM Plan every 4 years
- Update TAM targets annually

#### MPOs

- Update MPO TAM targets with every LRTP update
- Reflect MPO targets and public transportation provider(s) current TAM targets in each updated TIP

\* Please refer to the [fact sheet](#) addressing *MPO Requirements* for information about MPO targets and planning processes.

# TAM PLAN

## Tier I versus Tier II Agencies

The rule makes a distinction between Tier I and Tier II public transportation providers and establishes different requirements for them.

### TIER I

Operates rail

**OR**

≥ 101 vehicles across all fixed route modes

**OR**

≥ 101 vehicles in one non-fixed route mode

### TIER II

Subrecipient of 5311 funds

**OR**

American Indian Tribe

**OR**

≤ 100 vehicles across all fixed route modes

**OR**

≤ 100 vehicles in one non-fixed route mode

## Required Elements of Provider TAM Plans

1. Inventory of Capital Assets

**TIERS I AND II**

2. Condition Assessment

3. Decision Support Tools

4. Investment Prioritization

5. TAM and SGR Policy

**TIER I ONLY**

6. Implementation Strategy

7. List of Key Annual Activities

8. Identification of Resources

9. Evaluation Plan

A **TIER I** public transportation provider must develop its own TAM Plan. The Tier I public transportation provider must make the TAM plan, annual targets, and supporting materials available to the state DOTs and MPOs that provide funding to the provider.

A **TIER II** public transportation provider may develop its own plan or participate in a group TAM plan, which is compiled by a group TAM plan sponsor. Group plan sponsors must make the group plan, targets, and supporting materials available to the state DOTs and MPOs that program projects for any participants of the group plan.

The Florida Department of Transportation (FDOT) developed a group plan for all subrecipients in 2022 that includes collective TAM targets for the participating providers. Participants in FDOT's Group TAM Plan primarily operate in areas of the state that are not served by an MPO.

## MPO AND PUBLIC TRANSPORTATION PROVIDER COORDINATION

- » Each public transportation provider or its sponsor must share its targets with each MPO in which the public transportation provider operates services.
- » MPOs are not required to establish transit asset management targets each time the public transportation provider(s) establishes annual targets. Instead, MPO transit targets must be established when the MPO updates the LRTP. MPOs will reflect current public transportation provider(s) TAM targets in the updated TIP.
- » When establishing transit asset management targets, the MPO can either agree to program projects that will support the public transportation provider(s) targets, or establish its own separate regional targets for the MPO planning area. MPO targets may differ from the public transportation provider(s) targets, especially if there are multiple public transportation providers in the MPO planning area.
- » MPOs are required to coordinate with the public transportation provider(s) and group plan sponsors when selecting targets.
- » FTA will not assess MPO progress toward achieving transit targets. However, Federal Highway Administration (FHWA) and FTA will review MPO adherence to performance management requirements as part of periodic transportation planning process reviews.

## FOR MORE INFORMATION PLEASE CONTACT

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