

# **DRAFT *FY 2023***

## ***Unified Work Program***

Approved by MATS Policy Committee on June 7, 2022

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## DISCLAIMER

This document was prepared by the Midland Area Transportation Study (MATS) in cooperation with the Michigan Department of Transportation, Midland County, City of Midland, Midland County Road Commission, Dial-A-Ride Transportation, County Connection of Midland, and other local agencies. Preparation of this document was financed in part by funds from the United States Department of Transportation, the Michigan Department of Transportation, City of Midland and Midland County Road Commission. The opinions, findings and conclusions in this document are the Author's and are not necessarily those of the aforementioned entities. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation. This document has been prepared in accordance with the rules/guidelines of the Metropolitan Planning Program, Section 104(f) of Title 23, U.S. Code. Arrangements have been made for the required financial and compliance audit, and the audit was conducted within the prescribed audit reporting cycle.

## INTRODUCTION

Transportation affects everyone and thus a safe, accessible, affordable and reliable transportation system is vital to everyone. In November 2021, the Infrastructure Investment and Jobs Act (IIJA) was signed into law, it is a \$1.2 trillion 5-year bill that authorizes increased investments for the nation's roads, bridges, transit, and rail systems through year 2026. It provides the resources for the continuation and improvement of current programs with new initiatives to meet future transportation challenges through efficient, flexible, performance-based transportation plans and programs. The IIJA builds upon the performance-based approach to infrastructure investment that was established in the previous authorization bills, the Fixing America's Surface Transportation Act (FAST Act) and the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21).

The transportation planning Unified Work Program (UWP) integrates work to be performed by the Midland Area Transportation Study – MATS (which is the Metropolitan Planning Organization (MPO) for the Midland urbanized area), Transit Operators within the area, and the Michigan Department of Transportation (MDOT) into a single document. **The 2023 UWP describes the transportation planning tasks scheduled for the period from October 1, 2022 to September 30, 2023.** These planning activities are supported by federal, state and local funds. The objective of the work program is to ensure that a continuing, cooperative and comprehensive approach to transportation issues and needs is maintained and coordinated between all affected agencies.

The UWP covers transportation planning activities within the MATS area which includes the following: City of Midland, City of Auburn, City of Coleman, Village of Sanford, Edenville Township, Geneva Township, Greendale Township, Homer Township, Hope Township, Ingersoll Township, Jasper Township, Jerome Township, Larkin Township, Lee Township, Lincoln Township, Midland Township, Mills Township, Mt. Haley Township, Porter Township, Warren Township, William Charter Township, and Tittabawassee Township.

It should be noted that the MATS and SATA (Saginaw Area Transportation Agency) boundaries have been re-designated in 2018 to eliminate a previous overlap. Tittabawassee Township is now contained entirely and exclusively within MATS MPO. This was done to eliminate the confusion as to the responsible party for the transportation planning/programming activities within Freeland area of Tittabawassee Township and to remove the possibility of duplication of planning activities.

IJJA and previous planning regulations require the development of an annual Unified Work Program (UWP). The UWP is a statement of work identifying the planning priorities and activities to be carried out within the metropolitan planning area. This document includes a description of the planning work and resulting products, who will perform the work (MPO, State, transit agency, local government, or consultant), time frames for completing the work, the cost of the work, and the source(s) of funds. The UWP identifies transportation issues and problems facing the MATS planning area. Overall, this document fosters an effective planning process that ensures connectivity between modes, improves access to modal systems, and promotes efficient overall transportation investment strategies.

## **TRANSPORTATION ISSUES FACING THE MIDLAND METROPOLITAN AREA**

### **Road Issues**

The City of Midland and Midland County Road Commission have severe needs in maintaining the existing condition of roads in both urban and rural areas of Midland County. The same severe needs are true for other jurisdictions within MATS area (Williams Township and the City of Auburn in Bay County, along with Tittabawassee Township in Saginaw County). The road infrastructure continues to decline at a rapid rate. Additional funding is needed to provide a safe and efficient roadway network.

Traffic counts continue to rise within the City of Midland on certain major streets. Eastman Avenue in the vicinity of the Midland Mall continues to experience high traffic volumes. The annual Fairground traffic often causes significant congestion. Jefferson Avenue is the second primary crossing of U.S. 10 within the City, besides Eastman Avenue. The traffic volumes have doubled in the last 15-20 years and this three lane major street is at capacity. It will need to be widened in the future with limited right-of-way available.

Waldo Avenue/Road on the east side of the city, near the Midland/Bay County Line, continues to see growth and expansion. The roadway is not safe for bicyclists with the relatively high speed of traffic and narrow shoulders. This road serves as a primary collector between Larkin Township residential neighborhoods and our industrial employers on the south side of Midland. Work has recently been completed to extend water and sewer utilities northward between US-10 and Diamond Drive on Waldo Road.

### **Transit Issues**

Three public transit agencies operate within the MATS planning area: City of Midland Dial-A-Ride Transportation (DART), County Connection of Midland, and Bay Metro Transportation Authority (BMTA). DART provides demand response, curb-to-curb service for the general public within the City limits of Midland. The annual ridership is approximately 110,000 rides per year with over 70% of those rides

provided to seniors or persons with disabilities. The fleet consists of 14 buses that are all lift equipped to accommodate passengers' needs. The service hours are Monday thru Friday from 6:30 am – 10:30 pm, Saturday from 9:00 am – 8:00 pm and Sunday from 8:30 am – 2:30 pm. Same day reservations are accepted Monday through Saturday. Sunday rides must be scheduled in advance. All rides are booked on a first call, first served basis. DART is the main recipient of FTA 5307 funds within MATS area.

County Connection of Midland provides demand response, curb-to-curb service within the entire Midland County, and offers transfer service with surrounding counties of Clare, Isabella, Gladwin, Bay and Saginaw. The annual ridership is approximately 83,000 rides per year with approximately 42% of those rides provided to seniors or persons with disabilities. The fleet consists of 22 buses which are lift equipped to accommodate passengers' needs. The service hours are Monday thru Friday from 5:30 am – 11:00 pm and on Saturday from 5:30 am – 9:30 am and from 2:30 pm – 6:30 pm. Reservations are required 24 hours in advance.

BMTA provides both fixed-route and demand response services within Bay County, offers connections to points nationwide through Indian Trails, Inc. (a private intercity bus company operating out of the same locale as BMTA), and provides transfer service with public transit systems in surrounding counties. Eleven fixed routes service much of Bay County, including the communities of Bay City, Essexville, Kawkawlin, Linwood, Pinconning, Auburn, University Center (Delta College and Saginaw Valley State University) and Standish (Arenac County). BMTA provides countywide curb-to-curb service for senior citizens and disabled residents who are unable to use the fixed route system. In addition, BMTA offers transportation services to Bay County residents traveling to and from educational institutions, sheltered worksites for the disabled, and child care centers – many of these routes are in the rural parts of the county and operate as modified fixed routes; i.e. they run a basic route every day with deviations allowed in response to pre-arranged requests. The BMTA's annual ridership is approximately 568,000 passenger trips per year. The fleet consists of 65 vehicles. The service hours are Monday thru Friday from 6:30 am – 6:30 pm and on Saturday from 9:00 am – 6:00 pm. BMTA Route #4 makes several trips on weekdays to Auburn and the Midland Towne Plaza (within the MATS planning area). At the Midland Towne Plaza, Route #4 makes connections with DART and County Connection of Midland.

General issues facing all three transit operators are as follows:

- Maintaining condition of existing bus fleets;
- Working to develop better public communication of transportation services available;
- Working to determine unmet transportation needs for residents;
- Use of technology to improve system efficiency;
- Improving dial-a-ride service through scheduling and communication;
- Dealing with no shows and same day cancellation of rides; and
- Continued coordination between the three transit operators in the area.

MATS will conduct various planning activities with respect to addressing current transportation and transit matters and strategies within its area. They are described further in the report under headings of OVERALL TASKS and DETAILS OF WORK ITEMS.

## AIR QUALITY

The Clean Air Act Amendments of 1990 (CAAA) established the mandate for better coordination between air quality and transportation planning. The CAAA requires that all transportation plans and transportation investments in non-attainment and maintenance areas be subject to an air quality conformity determination. The purpose of such determination is to demonstrate that the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) conform to the intent and purpose of the State Implementation Plan (SIP). The intent of the SIP is to achieve and maintain clean air and meet National Ambient Air Quality Standards (NAAQS). Therefore, for non-attainment and maintenance areas, the LRTP and the TIP must demonstrate that the implementation of projects does not result in greater mobile source emissions than the emissions budget.

The MATS area meets all USEPA (the United States Environmental Protection Agency) Standards based on measured air quality and mobile source emissions. This means that a regional transportation conformity analysis for the LRP or TIP for the MATS area is not required under this classification. This state of affairs is reflected in the current UWP by Air Quality not being one of the work tasks needed to be conducted within FY 2023, with time and funding assigned to it. If ever EPA publishes a notice designating the MATS area as non-attainment area for any regulated pollutants (resulting from large changes in emissions levels), then the above mentioned regional transportation conformity analysis would need to be conducted, and the future UWP would reflect work tasks necessary.

## PROGRAM STAFFING AND FUNDING

Staffing for the FY 2023 MATS program will include two full-time (2 FTE) staff members as the MATS Director and Transportation Planner. The MATS program will utilize the assistance and efforts of local agency staffs, primarily the City of Midland, Midland County Road Commission and Dial A Ride Transportation (DART) in order to effectively and efficiently address the federal planning requirements as well as local issues and programs. Budget permitting, MATS will reimburse these agencies for transportation planning and transit planning activities, including but not limited to collection of traffic counts, HPMS or MIRE data, performance-related data, asset management and related services; assistance with respect to Transportation Improvement Program (TIP).

### *The funding for FY 2023 Unified Work Program activities is as follows:*

Consolidated Planning (Metro & Transit) Funds:	
FHWA PL 112 (Metro Planning):	\$ 170,002
Local Match of 18.15%:	\$ 37,698
FTA Section 5303 (Transit Planning):	\$ 43,806
Local Match 18.15%	\$ 9,714
FY 2023 Local Funds for MATS Audit:	\$ 4,700
FY 2023 MTF Funds (Asset Management):	\$ 21,000
<b>Total:</b>	<b>\$ 286,920</b>

Transit Collaboration Feasibility Study (by Consultant/DART)

FTA Section 5304 (Transit Planning):

\$ 52,000

State Match 20%

\$ 13,000

**\$ 65,000**

The projected funding for FY 2023 MATS activities is based on MATS FY 2022 allocations, per MDOT request, due to as yet unknown amounts of FY 2023 funding allocations. MATS' FHWA PL allocation of Metropolitan Planning Funds for FY 2022 was \$170,002 with \$37,698 local match. MATS' FTA 5303 allocation of Transit Planning Funds for FY 2022 was \$43,806 with \$9,714 local match.

Thus, the FY 2023 UWP funding includes \$213,808 in Federal Metro Planning funds from FHWA and FTA. The federal/local match split for the Metro Planning funds is 81.85% federal and 18.15% local. Consequently, local matching funds of \$47,412 are required for the FHWA PL 112 and FTA 5303 grant programs. The local match funds will consist of cash contributions. Concerning the PL funds match, it will be shared equally by the City of Midland and the Midland County Road Commission, in the amount of \$18,849 each. Concerning the 5303 funds match, it will be shared by the City of Midland, DART and the Midland County Road Commission (MCRC), each contributing \$3,042, \$3,630 and \$3,042, respectively.

Some of the transit planning activities will be conducted by DART staff (not MATS staff), and thus a portion of FTA Section 5303 transit planning funds will be passed-through to DART. A copy of Memorandum of Agreement between MATS and DART is included in the Appendix.

Within FY 2023, MATS will also be receiving funding of \$21,000 from the MI Transportation Asset Management Council as assistance towards costs of rating Federal Aid and/or local roads within the MATS planning area and promoting asset management standards. There is no local match needed regarding those funds.

## OVERALL TASKS

As specified in IIJA and previously in the FAST Act and MAP-21, MATS staff will work towards addressing the following planning factors:

- Support the economic vitality of the metropolitan area (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 freight;
- Protect and enhance the environment, promote energy conservation, improve quality of life, promote consistency between transportation improvements and planned growth/economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes;

- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;
- Promote system resiliency and reliability; and
- Reduce or mitigate storm-water impacts on surface transportation.

Per recent FHWA/FTA directives, MATS will work towards addressing the following planning emphasis areas:

- Tackling the Climate Crisis – Transition to a Clean Energy, Resilient Future;
- Equity and Justice in Transportation Planning;
- Complete Streets;
- Public Involvement;
- Strategic Highway Network (STRAHNET)/U.S. Department of Defense (DOD) Coordination;
- Federal Land Management Agency (FLMA) Coordination;
- Planning and Environmental Linkages (PEL); and
- Data in Transportation Planning.

Additionally, MATS will work towards addressing MDOT’s MPO planning emphasis areas for FY 2023:

- Maintenance of the new FY 2023-2026 TIP;
- Continued involvement and feedback in JobNet application enhancements;
- Continue to ensure transit projects are accurately shown in the TIP and fiscally constrained, through coordination with local transit agencies and MDOT Office of Passenger Transportation;
- Review, evaluate and update Public Participation Plan (as needed);
- Ensure compliance with Transportation Performance Measures (TPM) requirements, including working with MDOT on data needed to identify how MPO is working to meet adopted targets; and
- Continue to focus on partnerships utilizing a 3C (continuing, cooperative and comprehensive) approach to transportation planning.

MATS Work Program is comprised of five tasks, listed and summarized herein, with details provided further in the report.

*Work Item 1.0 Administration*

*Work Item 2.0 Short-Term Planning*

*Work Item 3.0 Asset Management*

*Work Item 4.0 Transportation Improvement Program (TIP)*

*Work Item 5.0 Long-Term Planning*



There are a multitude of tasks associated with the MPO Administration work item, such as organizing and attending MATS technical and policy meetings, preparation and distribution of various documents (meeting minutes, agendas, resolutions and reports), development and adoption of various policies/documents intended to guide MATS in its daily work activities, purchase of office equipment and supplies. Other tasks associated with MPO program is assessment of transportation related legislation, attendance of community meetings regarding transportation issues, participation in the Michigan Transportation Planning Association and various technical training seminars/workshops. Another administrative activity is the performance of all duties associated with the financial administration of MATS, including submission of progress reports, financial acceptance reports and billings for reimbursement, as well as provision for a timely program audit and certification. Yet another administrative task is involvement of the general public in transportation investment decision-making, to that effect MATS will continue to disseminate information about itself and its activities to the stakeholders and general public, and engage them in discussions and input. All this activity is addressed in **work item 1.0 (Administration)**.

Within FY 2023, MATS will develop FY 2024 Unified Work Program (UWP). The UWP will discuss the MATS MPO planning area, depict the major transportation issues, and describe the planning activities to be conducted within the area between October 1, 2023 and September 30, 2024. The UWP will contain sufficient detail to indicate who will perform the work, the schedule for completing it and the products that will be produced. The UWP will contain information relevant to funding sources, budget summaries, and indirect costs. Any tasks associated with amendments or administrative changes that might be necessary to the current (FY 2023) UWP will also be accounted for, all this activity is addressed in **work item 2.0 (Short-Term Planning)**.

MATS will continue developing a local traffic count program for its planning area, determining traffic data needs, collecting recent traffic counts from local jurisdictions. The location and number of counts will be set up to fulfill Performance Planning needs, Highway Performance Monitoring System (HPMS) requirements. City of Midland and Midland/Bay/Saginaw Road Commissions will collect traffic data. MATS will collaborate with MDOT regarding MIRE FDE data collection and review, and participate in discussions regarding MIRE data process, validation and annual maintenance. GIS will be utilized for the purposes of creation of MATS-related maps and presentation charts, traffic/socio-economic/EJ data evaluation. These activities are all covered under **work item 2.0 (Short-Term Planning)**.

Some of the transit planning activities will be done by MATS staff and some by DART staff. MATS will coordinate with DART and CCM regarding grant applications and programming of transit projects in JobNET, as well as 5307, 5310, 5311 and 5339 funding source requirements. Transit planning activities by MATS, DART and CCM are covered under **work item 2.0 (Short-Term Planning)**. Any tasks pertaining to 2020 Census, like review and impact assessment of urbanized area changes to MATS MPO, Midland area ACUB review/adjustment, potential MATS MPA adjustment will also be conducted under **work item 2.0 (Short-Term Planning)**.

MATS will promote cooperation and coordination across MPO boundaries to ensure a regional approach to transportation planning; this will include collaboration on data collection, the coordination of projects and transportation programs across adjacent MPOs. MATS is expected to be involved in the

Transportation Economic Development – Category D program, the local STP Safety Program and activities of the Rural Task Force. MATS will coordinate with Midland/Bay/Saginaw County Road Commissions and EMCOG to develop and submit Rural Task Force (RTF) projects within MATS area. As needed and time permitting, MATS will conduct work in various other areas, like Safety Conscious Planning (SCP) or transportation connectivity. All these activities are covered under **work item 2.0 (Short-Term Planning)**.

MATS will provide the asset management services for FY 2023 within its planning area. Asset management is based on managing our infrastructure by focusing on performance, not ownership of roads. It is an ongoing process that includes policies, data collection, planning, program delivery, monitoring and reporting. The training regarding the asset management program, facilitation of PASER data collection, PASER rating data collection for Federal Aid roads and local roads, and expenditure reporting specific to asset management are all addressed under **work item 3.0 (Asset Management)**.

During the FY 2023, MATS will continue implementing the recently developed FY 2023-2026 Transportation Improvement Program (TIP) within its metropolitan planning area. TIP names and categorizes the programmed projects throughout the four-year time period and identifies realistic federal, state and local financial resources available to implement these projects. Continued monitoring of the progress of projects that are part of the TIP is very important so that the public is aware of project status, timelines, and completion. Within FY 2023, MATS will process any needed project amendments or administrative changes to the FY 2023-2026 TIP. MATS will continue working with MDOT, FHWA, FTA and other MPOs on streamlining of TIP process with JobNET, and developing new facets of JobNET to deliver the program more efficiently. MATS will prepare an annual listing of obligated projects. All these activities will be accomplished under **work item 4.0 (Transportation Improvement Program)**.

Within FY 2023, MATS will work on non-motorized issues in its planning area, utilizing the MATS Complete Street policy and process. MATS will continue reviewing current non-motorized infrastructure and policies within its area and regionally, assessing current and future needs, and plan for the future mobility of bicyclists, pedestrians, and other non-motorized users within its area, coordinating with local agencies, involving all interested parties and public. MATS will continue its Complete Streets process. These activities are addressed in **work item 5.0 (Long-Term Planning)**.

MATS will continue implementing performance-based processes and measures for its metropolitan planning area. MATS will continue assisting MDOT in any way required in the process of developing state-wide performance measures and targets in the areas of safety, infrastructure condition, congestion reduction, system reliability, freight movement, economic vitality, environmental sustainability, and project delivery delay reduction. MATS will support resulting state-wide targets or refine them for local conditions and needs. The adopted performance targets/measures will then be used to monitor and assess the transportation system within MATS planning area, in order to gauge performance program progress towards goals and targets set. All these activities are covered under **work item 5.0 (Long-Term Planning)**.

Within FY 2023, MATS will continue activities pertaining to its Metropolitan Transportation Plan, facilitating participation of all interested agencies and general public. MATS will continue assessing transportation issues within its geographical area, identifying long-term transportation goals and

objectives. MATS will promote strategies and transportation projects that will fulfill identified goals and objectives. MATS will use the GLBR Model to identify future operational deficiencies within the transportation network, test various land use and roadway improvement alternatives and identify corresponding street system impacts. MATS will conduct, if needed, an amendment of the current Metropolitan Transportation Plan. All activities related to the MTP will be addressed in **work item 5.0 (Long-Term Planning)**.

The projected time schedule of conducting individual tasks is presented herein while the funding breakdown for each task is shown on the page after.

Work Task Schedule											
Tasks by MATS	Oct '22	Nov '22	Dec '22	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Jun '23	Jul '23	Sep '23
1.0 Administration											
2.0 Short-Term Planning											
Unified Work Program (UWP)											
Data Collection & Analysis, GIS											
Transit Planning											
After 2020 Census Tasks											
Other Areas (RPC, RTF, SCP, etc.)											
3.0 Asset Management											
4.0 Transportation Improvement Program (TIP)											
5.0 Long-Term Planning											
Non-Motorized Planning/Complete Streets											
Performance-based Planning											
Metropolitan Transportation Plan											

Work Task Schedule											
Tasks by Others	Oct '22	Nov '22	Dec '22	Jan '23	Feb '23	Mar '23	Apr '23	May '23	Jun '23	Jul '23	Sep '23
1.0 Administration											
2.0 Short-Term Planning											
Unified Work Program (UWP)											
Data Collection & Analysis, GIS											
Transit Planning											
After 2020 Census Tasks											
Other Areas (RPC, RTF, SCP, etc.)											
3.0 Asset Management											
4.0 Transportation Improvement Program (TIP)											
5.0 Long-Term Planning											
Non-Motorized Planning/Complete Streets											
Performance-Based Planning											
Metropolitan Transportation Plan											

<b>FY 2023 UWP</b>								
<b>FUNDING SUMMARY</b>								

			FY 2023 Funding						
			FHWA PL112/FTA 5303	FTA 5304	LOCAL	MATS	STATE (MI)	Sum	
TASKS CONDUCTED BY MATS:									
1.0 Administration			\$ 90,031	\$ -	\$ 19,965	\$ -	\$ -	\$ 109,996	
2.0 Short-Term Planning			\$ 22,034	\$ -	\$ 4,886	\$ -	\$ -	\$ 26,920	
3.0 Asset Management (PASER)			\$ -	\$ -	\$ -	\$ -	\$ 6,000	\$ 6,000	
4.0 Transportation Improvement Program			\$ 34,472	\$ -	\$ 7,644	\$ -	\$ -	\$ 42,116	
5.0 Long-Term Planning			\$ 32,075	\$ -	\$ 7,113	\$ -	\$ -	\$ 39,188	
	Subtotal:		\$ 178,612	\$ -	\$ 39,608	\$ -	\$ 6,000	\$ 224,220	
TASKS CONDUCTED BY OTHERS:									
MATS Audit			\$ -	\$ -	\$ 4,700	\$ -	\$ -	\$ 4,700	
Agencies Reimbursement for PL112-related services			\$ 18,825	\$ -	\$ 4,175	\$ -	\$ -	\$ 23,000	
Agencies Reimbursement for 5303-related services			\$ 16,370	\$ -	\$ 3,630	\$ -	\$ -	\$ 20,000	
Agencies Reimbursement for Asset Management services			\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	
	Subtotal:		\$ 35,195	\$ -	\$ 12,505	\$ -	\$ 15,000	\$ 62,700	
Total:			\$ 213,807	\$ -	\$ 52,113	\$ -	\$ 21,000	\$ 286,920	
STUDIES CONDUCTED IN MATS AREA:			FY 2022 Funding, performed in FY 2023						
Transit Collaboration Feasibility Study			\$ -	\$ 52,000	\$ -	\$ -	\$ 13,000	\$ 65,000	

<b>Indirect Rate of 23.52% applies only to MATS-performed tasks</b>								

FHWA - Federal Highway Administration	MDOT - Michigan Department of Transportation			
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FTA - Federal Transit Administration	MTF - State Funds through Asset Management Council				
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MATS - Midland Area Transportation Study									
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[illegible]

## DETAILS OF WORK ITEMS

### Work Item 1.0 Administration

Administration (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$90,031		\$19,965
Expenditures		\$109,996	
Staff Time (hours)		1,750	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 23.52%

The MPO Administration is comprised of a multitude of tasks, such as organizing and attending MATS monthly technical and policy meetings, preparation and distribution of various documents (meeting minutes, agendas, resolutions and reports), development and adoption of various policies and documents intended to guide MATS in its daily work activities. MATS monitors transportation projects within the MATS planning area, reviews federal and state legislation, and continues the development and preservation of professional contact with various governmental agencies. Another administrative task is the performance of all duties associated with the financial administration of MATS, including submission of progress reports, financial acceptance reports and billing for reimbursement; as well as assistance to outside auditors in a bi-annual financial and compliance audit by providing accurate and timely information. Other administrative activities include attendance of technical training seminars, conferences and professional workshops, participation in the Michigan Transportation Planning Association.

Public participation is a high priority which will continue to be addressed. Public participation is a proactive process which guarantees timely notice, full access to key decisions, and an opportunity for early and continued involvement. MATS will continue to reach out to the stakeholders and general public and will work to engage them in discussion and input on all MATS-related transportation issues, policies and documents. MATS's programs serve all people within MATS planning area, including minority populations, low-income populations, the elderly, or persons with disabilities. MATS publishes notices of its meetings on MATS' website, in the local newspaper, and distributes meeting announcements and news releases to all interested parties. In addition, MATS provides a forum for feedback through its meetings, website and social media. MATS staff believes that outreach efforts result in the MPO performing its duties better and providing more benefits to the community it serves. Outreach strategies include collaborating with other organizations doing related work, creating easily-understood account and explanation of MATS, and developing strong partnerships with various interest groups.

MATS recognizes its responsibility to provide fairness and equity in all of its programs and activities, and that it must comply with federal and state civil rights legislation related to transportation. Procedures of Title VI Non-Discrimination and Environmental Justice Plan will be followed, assessed and updated if needed. MATS will maintain a list of agencies that it will reach out to for consultation purposes including the Department of Natural Resources (DNR), the Department of Environmental Quality (DEQ), the State Historic Preservation Office (SHPO), and groups such as the Saginaw-Chippewa Indian Tribe of Michigan.

### Products:

1. Scheduling, set-up and attendance at MATS Technical and Policy Committee meetings and other MATS meetings, including development of agendas, minutes and supplemental information.
2. Participation in the Michigan Transportation Planning Association meetings, and other meetings where transportation issues are commonly discussed.
3. Coordination of planning activities with various MDOT sections and other units of government.
4. Review of federal and state laws, policies, guidelines, and technical studies. Preparation of summaries, briefing other agencies on impacts of proposed changes in transportation laws.
5. Preparation of progress reports and invoices for payment to MDOT as per authorizations, utilization of ProjectWise system and SIGMA system.
6. Preparation of Final Acceptance Report on Work Program elements for FY 2023.
7. Development of arrangements for the required financial and compliance audits. Assistance in carrying out audits of programs.
8. Upkeep of correspondence, files, records, and newspaper files of all MATS activities for public review. Documentation of meetings attended and public notices soliciting public involvement.
9. Administration and coordination of activities regarding implementation of the federally mandated transportation planning process.
10. Development/update of formal agreements between various local agencies, transit providers and MDOT with respect to MATS.
11. Continued development of MATS organizational structure (By-Laws amendments, new policies, Subcommittee' operations, etc.).
12. Continued assessment of MATS office needs and subsequent purchases/updates/upgrades.
13. MATS website – administration, maintenance and updates as needed.
14. Outreach Program, continued efforts towards increased public participation of MATS activities.
15. Training of MATS staff with respect to various transportation programs and corresponding computer assisted techniques. Purchase and installation of needed transportation software.

Within FY 2023, due to being formed under Michigan Public Act 200 of 1957, MATS is scheduled to have a biennial audit of its accounting in fulfillment of state regulations. The audit has to be conducted by an independent agency. Since MATS falls under the federal audit exemption due to expending less than \$500,000 in federal funding, federal dollars cannot be utilized as reimbursement for the cost of the audit. Consequently, separate local funding will be provided for that purpose, consisting of cash contributions, to be contribute by the City of Midland and the Midland County Road Commission, each in the amount of 2,350.

Audit of MATS (Local Funding)			
	FHWA PL112 & FTA 5303	Auditing Agency	LOCAL
Source	\$0		\$4,700
Expenditures		\$4,700	
Staff Time (hours)		NA	

Auditing Agency costs: both direct and indirect costs accounted for.

## Work Item 2.0 Short-Term Planning

Short-Term Planning (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$22,034		\$4,886
Expenditures		\$26,920	
Staff Time (hours)		430	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 23.52%

There are multiple tasks that fall under the Short-Term Planning category, such as Unified Work Program, Data Collection/GIS, Transit Planning, After 2020 Census tasks, Regional Planning Cooperation, Rural Task Force, Safety Conscious Planning, etc. These tasks are described in detail herein.

### Unified Work Program (UWP)

Within FY 2023, MATS will develop FY 2024 Unified Work Program (UWP). MATS staff will participate in the Pre-UWP meeting with state and federal officials to determine deadlines, review MATS' program content, assess PL (metro planning) and Section 5303 (transit) funding; assess requirements for authorizations and or agreements. The FY 2024 UWP report will be prepared, this document will describe the transportation planning tasks scheduled for the period from October 1, 2023 to September 30, 2024, including costs, funding responsibilities, staff requirements, and products of work efforts. The UWP will contain sufficient detail to indicate who will perform the individual tasks and the schedule for completing the tasks. The final FY 2024 UWP will be submitted to the MATS Technical and Policy Committees for endorsement, and then transmitted to MDOT, FHWA and FTA for final approval.

Also within FY 2023, there will be some tasks associated with funding authorizations and expenditure correlations, and potential amendment or administrative changes that might be necessary with respect to the current (2023) Unified Work Program. MATS will conduct periodic review of the current work program to ensure its timely completion.

#### Products:

1. Various correspondence and meetings.
2. Monitor FY 2023 Unified Work Program (amendment, billing reconciliation, etc).
3. Draft, finalize and adopt Unified Work Program for FY 2024.
4. Update Indirect Cost Allocation Plan.

### Data Collection, Analysis & GIS

MATS will provide support to MDOT in the multi-agency coordination effort to plan for, gather, and report roadway characteristics on the non-MDOT road network (federal aid and non-federal aid) to meet federal reporting requirements of HPMS, and the Infrastructure Investment and Jobs Act (IIJA). The MPO will act as a conduit between local agencies and MDOT/FHWA. Local agencies, with MATS support and

coordination, will collect and submit data items for the Highway Performance Monitoring System (HPMS) in the Midland metropolitan area as per annual request from MDOT's HPMS coordinator. Local agencies and MATS staff will review and update the HPMS database sample segments using MDOT supplied spreadsheet. MATS staff will participate in the HPMS training workshops.

MATS will continue evaluating traffic data needs and obtaining all recent traffic counts from local jurisdictions (as needed).

IJA, MAP-21 and the FAST Act are transitioning transportation agencies to be more performance oriented which means additional requirements to collect data and to standardize data to support national performance measures. An element of the legislation is the Model Inventory Roadway Elements (MIRE), which is required inventory of extensive roadway features and traffic data elements important to safety management, analysis, and decision making. MIRE Fundamental Data Elements (FDE) is a federal reporting requirement for safety roadway data. Implementation by MDOT and its vendors (CSS, Roadsoft, and ESRI) of the MIRE FDE data repository in MDOT Roads & Highways is expected to be completed by FY 2023. Beginning in FY 2022 and continuing in FY 2023 and beyond, MPO and local agency participation in the MIRE data collection and review process is expected. MATS staff will be required to review 5 data items (surface type, number of through lanes, access control, median type, and junction traffic control). MPOs and MDOT staff will begin the process to determine plan for annual maintenance, population of 5 data items going forward and data validation. The end goal is a draft plan to fill 100% of the five MIRE data items by August of 2025. MATS will participate in planning and data collection to the extent feasible based on its small staff size.

GIS is expected to be utilized for the purposes of creation of MATS-related maps and presentation charts, traffic/socio-economic/environmental justice data evaluation and presentation. Tools such as spreadsheets, database, computer-aided drafting and GIS programs will be used to enable development and maintenance of the GIS database and formation of various data layers regarding transportation infrastructure within the MATS planning area.

The MATS program will utilize the assistance and efforts of local agencies, primarily but not limited to the Midland County Road Commission and City of Midland. MATS will reimburse these agencies, to the extent possible (based on funds availability), for services and activities related to the collection of data including (but not limited to) traffic counts, HPMS data, safety-related data, transportation network performance-related data. The details regarding local agencies' eligible expenses are included in the Appendix.

Data Collection (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MCRC/City of Midland	LOCAL
Source	\$18,825		\$4,175
Expenditures		\$23,000	
Staff Time (hours)		NA	

Local agencies costs: both direct and indirect costs accounted. Local agencies numbers not based on indirect cost rate of 23.52%



### Products:

1. Coordinate, collect and submit data items for HPMS as required. Participate in HPMS training workshop.
2. Participate in the cross-agency coordination effort of planning, gathering and reporting roadway characteristics on the non-MDOT road network (federal-aid and non-federal aid).
3. Provide support to MDOT in planning efforts for MIRE FDE data collection. MIRE data review, if feasible, as needed.
4. Evaluate traffic data needs within MATS area. Obtain recent traffic counts from City of Midland, Midland/Bay/Saginaw County Road Commissions, other agencies (as needed).
5. Creation of MPO-wide GIS data layers regarding transportation infrastructure (as needed). Continued development and maintenance of GIS database.
6. Creation of MPO-wide GIS maps (MATS boundary, MATS road projects, roads' details, traffic count summary, accident summary, etc.).

### **Transit Planning**

Some of the transit planning activities will be done by MATS staff and some by DART staff. MATS staff will promote regional collaboration of transit agencies. The MATS program will utilize the assistance and efforts of local transit providers, DART and CCM. MATS will coordinate with DART and CCM regarding grant applications and programming of transit projects in JobNET, as well as 5307, 5310, 5311 and 5339 funding source requirements.

A portion of FTA Section 5303 transit planning funds will be passed-through to DART, a copy of Memorandum of Agreement between MATS and DART is included in the Appendix. The 5303 funds will be used for following transit planning services and activities:

Transit Administration/Public Involvement: Administration of operations and capital grants; coordination of various committees to include local advisory groups and ADA advocacy groups, including Senior Services; meeting with area citizen groups and agencies concerning disabled and elderly transportation needs and other transit issues; and coordination of regional transportation program between DART, County Connection and BMTA transit providers.

Data Development and Management: Accumulation of daily ridership data which are then compiled into monthly ridership and efficiency comparison reports; maintaining up-to-date inventory of transit vehicles; and compiling data on passengers per vehicle hour, passengers per vehicle mile, and cost per trip.

Transportation System Management: Work to meet local transit needs as efficiently as possible by continuing to improve the flow of transit information to the community and involvement with other related committees and groups.

### Products:

1. Capital and operating grant applications.
2. Various administrative reports.
3. Visual aids and various information products for citizen group meetings.

4. Monthly and yearly ridership and efficiency comparison reports.
5. Coordination of regional transportation efforts.
6. Development of revenue vehicle roster.

Transit Planning (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	DART	LOCAL
Source	\$16,370		\$3,630
Expenditures		\$20,000	
Staff Time (hours)		NA	

DART costs: both direct and indirect costs accounted for.

#### FTA Section 5304 – Transit Collaboration Feasibility Study

The City of Midland Council and The Midland County Board of Commissions approved in February 2022 conduct of a feasibility study to determine if public transportation services throughout Midland County can be better delivered through a different organizational or governance structure than what is currently provided in the area by individual efforts of City of Midland’ Dial a Ride (DART) and County Connection of Midland (CCM).

DART and CCM both provide demand-response transit services to Midland County residents. With DART operating within the city limits and CCM covering all Midland County areas including the city limits, the services both agencies provide are very similar in nature with the exception of the service boundary lines.

The study will analyze each organization individually, possible cooperative opportunities up to potential consolidation of the two transit systems. This project will result in better communication, coordination, and decision-making by local governments in the region (within MATS planning area) as it relates to public transportation services and mobility.

DART and CCM have partnered together to apply for FTA Section 5304 grant funds through the Michigan Department of Transportation (MDOT). If received, those funds will pay for a study that will explore various levels of coordination of transit services up to combining both agencies into a county-wide transit authority to benefit riders, employees, and the community at large. This study will lay out how it would work, how riders’ experiences could be improved, if new or expanded services could be offered. Any potential collaboration or the formation of a county-wide transit authority would need to have clear benefits to all County residents either through a reduction in overall mileage funds supporting transit efforts or through an expansion of transit services available to the public.

This study is expected to be jointly led by DART and CCM, and will include internal staff, but primarily consulting services will be sought from a third party vendor. The vendor may be a transit industry planning firm or a Michigan-knowledgeable community collaboration organization. The DART and CCM staff will be integrally involved in convening various stakeholders in the discussion. The result of the efforts will lead towards a more effectively designed, funded and determined public transit program in the region. Funding for the Study was approved in FY 2022 by both FTA and MDOT.

Products:

1. Analysis of existing governance and operational structures of DART and CCM.
2. Identification and evaluation of potential governance/operational options for transit services in Midland County including City of Midland.
3. Facilitation of local and regional discussions between various agencies and stakeholders.
4. Consensus building, collaboration and development of a recommended solution.
5. Development of draft agreements for parties to consider.
6. Development of Report summarizing all work conducted.

Transit Planning (5304 & Service Development and New Technology Funding)			
	FTA Section 5304	Consultant/DART	STATE (SDNT)
Source	\$52,000		\$13,000
Expenditures		\$65,000	
Staff Time (hours)		NA	

Consultant/DART costs: both direct and indirect costs accounted for.

## **After 2020 Census Tasks**

### Urbanized Area changes, ACUB review, MPA adjustments, PL/5303 formula changes

After each decennial census, the urban areas are re-defined based on updated Urban Area Criteria. The Census Bureau published a Federal Register notice with the final criteria for defining urban areas in March 2022. Once Census Bureau publishes a notice announcing the qualifying urban areas based on the results of the 2020 Decennial Census and HEPGIS provides respective urban areas boundaries (with TIGER/Line shapefiles), MATS will review this information and assess short and long-term impacts to the MPO.

After each decennial census, FHWA requires that all Urban Areas within each state be reviewed and adjusted in accordance with the FHWA standards. This review process is done to ensure consistency and geographic continuity with the new Urban data released by the Census Bureau. MPO boundary adjustments may also be needed, as newly adjusted ACUB should be fully contained within Metropolitan Planning Area (MPA). In FY 2023, MATS will work with MDOT, FHWA and local agencies to review and adjust the Midland ACUB as required and assess whether any planning area boundary adjustments are needed to MATS MPA. Any adjustments to urban area boundaries need to be approved by the Governor(s) (or Governor's designee) and FHWA Division Office(s).

Within FY 2023, MATS will work with MDOT and other MPOs to adjust/develop intra-State distribution formulas for metropolitan/transit planning (PL and 5303) funds allocations to MPOs to ensure that the new Census 2020 population figures are being used and that any new MPOs are part of the calculation.

Products:

1. MATS will review Census 2020 updated Midland Urban area and assess impacts to the MPO.
2. MATS will work with MDOT and local agencies to adjust the Midland ACUB.
3. Assessment of any changes needed to the MATS MPA.
4. Development of any needed resolutions, documentation for Governor's/FHWA approval.
5. Collaboration with other MPOs and MDOT regarding adjustment of distribution formulas for metropolitan/transit planning (PL and 5303) funds allocations to MPOs.

**Regional Planning Cooperation, Rural Task Force, Safety Conscious Planning, Other Issues**

MATS will promote cooperation and coordination across MPO boundaries to ensure a regional approach to transportation planning. This will include the coordination of projects, transportation plans and programs across adjacent MPOs. It will also include collaboration among MDOT, MPOs, local implementing agencies and public transportation providers on activities such as: data collection, analysis, and performance base planning. MATS will work closely with Bay City Area Transportation Study (BCATS), Saginaw Area Transportation Agency (SATA), Eastern Michigan Council of Government (EMCOG), MDOT, and others in this endeavor.

MATS is expected to be involved in the Transportation Economic Development Fund – Category D (TEDF-D) program, the local STP Safety Program, and the MDOT Rural Task Force Program. MATS will coordinate with relevant Road Commissions and EMCOG to develop, and submit RTF projects to MDOT Statewide Planning Section.

Safety Conscious Planning (SCP) is a proactive approach to the prevention of accidents and unsafe transportation conditions. MATS will promote Safety Conscious Planning through identification and mapping of high crash locations within its planning area, derivation of safety goals and safety improvements, participation in safety planning webinars.

If requested, MATS will work with MDOT, other MPOs and operators of public transportation on identifying transportation connectivity gaps in access to essential services (housing, employment, health care, schools/education, and recreation) and solutions to address those gaps. If requested, MATS will conduct other transportation planning tasks/studies.

Products:

1. Identification and mapping of high crash locations. Analysis of Crash/Safety data. Identification of safety goals, safety improvements. Awareness and increased knowledge.
2. Involvement in the development of plans and programs that impact transportation network within MATS planning area.
3. Coordination of transportation programs and projects with adjacent MPOs, as well collaboration with respect to data collection, analytical tools, and performance base planning.
4. Identification of gaps in the transportation system that preclude access of the public to essential services, and identification of solutions to address those gaps.

5. Involvement in TEDF-D Program, local STP safety program, Rural Task Force Program, coordinated identification of RTF projects within MATS planning area.
6. Execution of other studies addressing specific problems.

### Work Item 3.0 Asset Management (PASER)

Asset Management (MTF Funds)			
	MTF	MATS	LOCAL AGENCIES
Source	\$21,000		
Expenditures		\$6,000	\$15,000
Staff Time (hours)		112	NA

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 23.52%

Asset Management is based on managing our infrastructure by focusing on performance, not ownership of roads. It is a process predicated on stewardship of public resources, accountability to the users of the system, and continuous improvement. The Transportation Asset Management Council (TAMC) has developed statewide processes for PASER data collection on Federal Aid eligible roads and non-Federal aid roads. Data is collected during the spring, summer or early fall months. Metropolitan Planning Organizations, such as MATS, play a significant role in this process.

The resources allocated to the Metropolitan/Regional Planning Organization (MPO/RPO) from the Transportation Asset Management Council (TAMC) annual budget shall be utilized to assist in the completion of the TAMC Work Program. All work shall be consistent with the policies and priorities established by the TAMC. All invoices submitted for reimbursement of Asset Management activities shall utilize Michigan Department of Transportation (MDOT) standard invoice forms and include the required information for processing.

The MPO/RPO shall complete the required products and perform tasks according to the timeframes and directives established within TAMC's data collection policies, which are located on the TAMC website (<http://tamc.mcgi.state.mi.us/TAMC/#/aboutus>). The MPO/RPO will emphasize these tasks to support the top 125 Public Act 51 agencies (agencies that certify under Public Act 51 a minimum of 100 centerline miles of road) within the planning area.

Activities to be undertaken by MATS as part of this task (time and resource permitting) include:

#### I. Training Activities

- A. Attendance at training seminar(s) on the use of Pavement Surface Evaluation and Ratings (PASER) and Inventory-based Rating System for unpaved roadways.
- B. Represent MPO at TAMC-sponsored conferences and seminars, including attending either the Spring or Fall TAMC Conference.
- C. Attend TAMC-sponsored Investment Reporting Tool (IRT) training seminars.
- D. Attend TAMC-sponsored Asset Management Plan Development training seminars.

## **II. Roadway Inventory and Condition Data Collection Participation and Coordination**

### **A. Federal Aid System:**

1. Organize schedules with Public Act 51 agencies within MPO's boundary for participating in Federal Aid data collection efforts; ensure all participants of data collection have access to State of Michigan travel reimbursement rates.
2. Coordinate, participate and facilitate road surface data collection on no less than one-half of the Federal Aid System in accordance with the TAMC Policy for the Collection of Roadway Condition Data on Federal Aid Eligible Roads and Streets.
3. Collect unpaved roadway condition data on no less than one-half of any unpaved Federal Aid eligible roadways using the Inventory-based Rating System developed by the Michigan Technological University's Center for Technology and Training.

### **B. Non-Federal Aid System:**

1. It is required that the MPO make a formal call for interest for NFA data collection reimbursements to their respective Act 51 agencies annually, and that requests by Act 51 agencies are submitted by October 1 each year to assist in the coordination of data collection priorities of the following data collection season. The MPO may allocate reimbursements for Non-Federal Aid data collection to Act 51 agencies according to the resources available to them in the manner that best reflects the priorities of their area and supports the TAMC work.
2. Coordinate Non-Federal Aid data collection cycles with Act 51 agencies with an emphasis on the top 125 agencies.
3. Ensure all participants of data collection understand procedures for data sharing with TAMC and TAMC reimbursement policy and procedures for collecting Non-Federal Aid data.
4. Participate and perform with Act 51 agencies on an as-needed basis for the data collection of Non-Federal Aid roads when requested.

## **III. Equipment**

- A. Ensure rating teams have the necessary tools to complete the data collection activity by maintaining a laptop compatible with the Laptop Data Collector and Roadsoft programs, a functioning Global Positioning System (GPS) unit, and other required hardware in good working order.
- B. Communicate any equipment needs and purchases with the TAMC Coordinator; laptops are eligible for replacement on a three-year cycle.

## **IV. Data Submission**

- A. Develop and maintain technical capability to manage regional Roadsoft databases and the Laptop Data Collector program; maintain a regional Roadsoft database that is accurate and consistent with local agency data sets.
- B. Coordinate Quality Assurance/Quality Control activities and data submission tasks according to protocols established in TAMC Data Collection Policies for Federal Aid and Non-Federal Aid Roads.

- C. Monitor and report status of data collection efforts to TAMC Asset Management Coordinator through monthly coordinator calls, and/or monthly or quarterly program updates that are mailed with invoices.
- D. Provide links on agency websites and reports to the TAMC website, interactive maps and dashboards for the dissemination of roadway data.

#### **V. Asset Management Planning**

- A. Participate and attend TAMC-sponsored training and workshops in order to provide technical support for Asset Management Plan development activities.
- B. Provide an annual reporting of the status of Public Act 51 agency Asset Management Plans and keep abreast of the status of these plans for updates and revision.
- C. Provide technical assistance and training funds to Act 51 agencies during the development of local Asset Management Plans using TAMC templates when applicable; coordinate these tasks with an emphasis on the Top 125 agencies.

#### **VI. Technical Assistance**

- A. Provide technical assistance to local agencies in using the TAMC reporting tools for planned and completed infrastructure investments or any other TAMC Work Program Activity.
- B. Integrate PASER ratings and asset management into project selection criteria:
  - 1. Analyze data and develop road preservation scenarios.
  - 2. Analyze performance of implemented projects.

#### **VII. Bridge and Culvert Inventory and Condition Data Collection**

- A. Provide administrative and technical assistance to Public Act 51 agencies and MDOT for reimbursement of TAMC funds for participation in data collection efforts for culvert inventory, conditions assessment and data submission.
- B. Utilize TAMC reporting forms to communicate progress and expenditures of Public Act 51 agencies to assist TAMC in the Culvert Mapping Pilot Report.
- C. Act 51 agencies must submit a written request for reimbursement; the request should include a total estimate of costs (actual costs claimed must not exceed the estimated costs) for the data gathering, trained/certified team members' time, and vehicle use. This request must also clarify which fiscal year the data collection and reimbursement will take place. Requests for bridge data collection reimbursement authorizations are required to be received by RPO/MPO by October 1 of each year. The RPO/MPO decision on what requests for reimbursement are approved may consider available budget, absence or age of bridge data to be collected and the last year of reimbursement to the road agency for that bridge data set.

#### **Products:**

- 1. PASER data for Federal Aid System submitted to TAMC via the IRT.
- 2. PASER data for Non-Federal Aid System submitted to TAMC via the IRT.
- 3. Quarterly or monthly activities reports submitted with invoices to TAMC Coordinator.
- 4. Create an Annual Report of Asset Management program activities as well as a summary of annual PASER condition data by local agency, functional classification, and Public Act 51 Legal

System; provide links to the Regional Annual Report on agency website and submit copies to TAMC Coordinator by April 1 of each year.

5. Prepare a draft status report of Public Act 51 agency Asset Management activities and plans within MPO boundary by September 30 of each year.

## Work Item 4.0 Transportation Improvement Program (TIP)

Transportation Improvement Program (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$34,472		\$7,644
Expenditures		\$42,116	
Staff Time (hours)		714	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 23.52%

During the FY 2023, MATS will continue implementing recently developed FY 2023-2026 Transportation Improvement Program (TIP) within its metropolitan planning area. MATS TIP Report names and categorizes the programmed projects throughout the four-year time period and identifies realistic federal, state and local financial resources available to implement these projects. Performance planning process and performance measures are outlined, ensuring that all federal regulations and deadlines are met. The TIP report also has an environmental justice chapter containing a demographic profile of the transportation planning area, identifying locations of low-income and minority populations and analyzing the effect of programmed projects on those populations.

Continued monitoring of the progress of projects that are part of the TIP is very important so that the public is aware of project status, timelines, and completion. Consequently, in FY 2023, MATS will monitor all projects with federal funding and process any needed project amendments or administrative changes to its FY 2023-2026 TIP. Additionally, MATS will prepare an annual listing of obligated projects as required by federal regulations.

MATS will continue working with MDOT, FHWA, FTA and other MPOs on streamlining of TIP process with JobNET software, and developing next facets of JobNET to deliver the program more efficiently. MATS will utilize JOBNET to monitor and program projects, and it will work with MDOT and other MPOs on JOBNET refinement. MATS will incorporate any new GPA regulations into TIP process.

MATS will continue working with MDOT, local agencies and public transit providers to cooperatively develop estimates of funds that are reasonably expected to be available to support TIP implementation.

### Products:

1. Various correspondence and meetings.
2. Project programming and monitoring within MATS' FY 2020-2023 TIP utilizing JobNET.
3. Project amendments and administrative modifications processed in a timely manner.
4. Incorporation of any new GPA regulations into TIP process.



5. Participation in continued development of JOBNET in cooperation with MDOT/other MPOs.
6. Cooperative development of funding estimates towards TIP implementation.
7. Development of the required Annual Listing of Obligated Projects.

## Work Item 5.0 Long-Term Planning

Long-Term Planning (Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$32,075		\$7,113
Expenditures		\$39,188	
Staff Time (hours)		650	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 23.52%

There are multiple tasks that fall under the Long-Term Planning category, such as Non-Motorized Planning, Complete Streets Policy and Process, Performance-based Planning, and work pertaining to Metropolitan Transportation Plan. These tasks are described in detail herein.

### Non-Motorized Planning and Complete Streets Program

MATS will strive to provide a balanced transportation system that ensures safe and convenient non-motorized travel options. MATS will continue reviewing current non-motorized infrastructure and policies within its area and regionally, and continue assessing current and future needs and plan for the future mobility of bicyclists, pedestrians, and other non-motorized users within its planning area, involving all interested parties. The intent of these non-motorized planning activities is to influence future land uses and transportation facilities in a way that will improve bicycling and walking conditions, and increase the number of trips made by non-motorized transportation.

MATS supports the concept of Complete Streets, has developed Complete Streets Policy for MATS planning area, and implemented a Complete Streets Process. The guiding policy for MATS' Complete Streets Program is to promote, program and fund projects that provide safe and convenient access for all users. Provision of non-motorized facilities (such as sidewalks, bike lanes, NMT paths, crosswalks, traffic calming measures) is considered during review of proposed transportation projects for inclusion in MATS' TIP, keeping with the premise of accommodating all forms of travel (including automobiles, bicycles, pedestrians, personal mobility devices, transit and freight. All road and bridge projects (including new, reconstruction, resurfacing, capital preventive maintenance or safety) are subject to this policy.

Within FY 2023, MATS will continue its Complete Street Program, striving to make it more efficient and useful for all stakeholders. MATS will work with local governments to encourage thoughtful planning that supports the goals and objectives of *Complete Streets*.

#### Products:

1. Various correspondence and meetings with all interested agencies.
2. Review and support of non-motorized project initiatives within MATS area.

3. Assist local agencies with Non-Motorized issues, plans, and projects.
4. Continued development of MATS Non-Motorized Plan, list of future projects and improvements.
5. Synchronization of MATS NMT plan and maps with MDOT Bay Region NMT efforts.
6. Promotion of area-wide approach to non-motorized infrastructure and initiatives.
7. Identification of viable funding sources for NMT projects.
8. Continued, systemic review of proposed TIP projects from NMT facility perspective.
9. Monthly coordination with MATS NMT representative, local agencies and other stakeholders regarding MATS Complete Streets Program.

## **Performance-Based Planning**

IIJA (BIL), similar to previous transportation legislature (MAP-21 and Fast Act), requires that performance management program and performance measures be developed in the areas of safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and project delivery delay reduction. MATS will continue developing performance-based processes and measures for its metropolitan planning area. MATS will continue assisting MDOT in any way required in the process of developing/periodic updating of state-wide performance targets, and evaluating progress. MATS will either support resulting state-wide targets/measures or refine them for local conditions and needs. The adopted performance targets/measures will then be used to monitor and assess the transportation system within MATS planning area, in order to gauge performance program progress towards goals and targets set.

### Products:

1. Development of performance targets within six performance areas, and corresponding methods to evaluate progress.
2. Development of action plan detailing how each performance measure will be assessed and reported with respect to individual targets.
3. Development of criteria, applications, and a timetable for integrating performance measures into MATS' planning process.
4. Collection and evaluation of performance-related data.
5. Development of means of reporting system performance results to local stakeholders, public, MDOT, FTA and FHWA.
6. Coordination of transportation programs and projects with adjacent MPOs, as well collaboration with respect to data collection, analytical tools, and performance process planning.

## **Metropolitan Transportation Plan (MTP)**

MATS adopted its Metropolitan Transportation Plan (otherwise known as Long-Range Plan (LRP)) in March of 2022 (FY 2022). The MTP has a minimum 20 year planning horizon, contains both short- and long-range strategies, is updated at least every five years (based on the MATS planning area being an air quality attainment area), specifies travel demand, and identifies congestion management strategies. The plan reflects results from various management systems to preserve the existing regional transportation

system. The MTP includes a financial plan that demonstrates that funds are reasonably available to fully implement the plan by the forecast year. It compares estimated revenues from existing and proposed sources to proposed investments.

Within FY 2023, MATS will continue work regarding its MTP, facilitating participation of all interested agencies and general public. MATS will continue review and identification of long-term transportation issues within its geographical area, evaluate long-term transportation goals and objectives, and examine policies for transportation decision making in the future. MATS will continue promoting strategies and transportation projects that fulfill identified long-term goals and objectives.

MATS will use the GLBR Model to identify future operational deficiencies within the transportation network, test various land use and roadway improvement alternatives and identify corresponding street system impacts. The model is an excellent tool to supplement and improve upon existing long-term traffic projections.

Products:

1. Involvement of local agencies and general public in the long-range planning process. Various correspondence and meetings with local stakeholders and MDOT's SUTA Section.
2. Continued identification of long-term transportation issues within MATS planning area.
3. Collection of data, as needed.
4. Continued development of policies, strategies and identification of transportation projects that fulfill identified long-term goals and objectives.
5. Collaboration with MDOT regarding GLBR Travel Demand Model.
6. Utilization of the GLBR travel demand model to identify future operational deficiencies within the MATS' transportation network, testing of various land use and roadway improvement alternatives and identification of impacts on the transportation system.

***FY 2023***  
***Unified Work Program***

***APPENDIX***

***Midland Area Transportation Study (MATS)***  
***Metropolitan Planning Organization***  
*220 West Ellsworth Street, Suite 326*  
*Midland, MI 48640*  
*Phone: (989) 832-6333*

Website: [www.midlandmpo.org](http://www.midlandmpo.org)

## MATS MPO BUDGET

**FY 2023 (October 1, 2022 - September 30, 2023)**

### MATS FUNDING:

**(based on FY 2022 Allocation for PL and 5303 funding)**

PL 112 Planning Funds & Local Match	\$	207,700	includes \$170,002 FHWA funds and \$37,698 local match
FTA 5303 Transit Planning Funds & Local Match	\$	53,520	includes \$43,806 FTA 5303 funds and \$9,714 local match
MTF Funds (Asset Management)	\$	21,000	State's MTF Funding for Paser Ratings only (@\$6,000 utilized by MATS, @\$15,000 by local agencies within MATS)
Additional Local Funding	\$	4,700	Required for mandatory MATS Audit
<b>Total: \$</b>		<b>286,920</b>	

### MATS FY 2023 PROJECTED COSTS:

**Based on FY 2022 wages with 2% cost of living adjustment**

<b>Staff Costs:</b>			
Direct Wages: MATS Director	\$	70,899	1808 work hrs at \$39.214/hr; (with projected annual wages of \$81,565, 2080 hrs at \$39.214)
MATS Planner	\$	44,966	1848 work hrs at \$24.332/hr; (with projected annual wages of \$50,611, 2080 hrs at \$24.332)
			\$ 115,865
Fringe Costs: MATS Director	\$	21,666	Holiday/paid time off (272 hrs at 39.214/hr), benefits bonus (@\$11,000)
	\$	7,050	7.65% for social security and medicare;
	\$	11,500	Retirement benefits
	\$	2,000	mileage (various meetings)
MATS Planner	\$	11,145	Holiday/paid time off (232 hrs at 24.332/hr), benefits bonus (@\$5,500)
	\$	4,300	7.65% for social security and medicare;
	\$	7,000	Retirement benefits
	\$	1,000	mileage (various meetings)
			\$ 65,661 \$ 181,526 all staff costs
<b>Office Costs:</b>			
Rent/Utilities/GIS Services/Email Domain Hosting	\$	15,240	approx \$1,050/month for rent/utilities and @\$220/month for GIS licences, email domain hosting, maintenance, etc through Midland County
MATS Insurance Policies	\$	3,800	Approx \$3,800 per year re MATS insurances
Accounting/Payroll/Tax Services	\$	5,500	Approx 5,500/year Accounting/Payroll/Taxes
Office operations including:	\$	18,154	
various supplies and new office equipment			approx \$4,000 - office equipment (Ipad/or computer replacement) & supplies, presentation aids, business cards, postage, bank fees, member dues,
advertising/public notices, Outreach program/marketing re MATS			approx \$5,800 advertisements/public notices (newspaper notices, Annual Report, TIP notifications, etc), public outreach
MATS website, communication and office equipment service plans/maintenance			approx \$800 Website maintenance; approx \$2,000 data plan cost for I-pads and IT support/fix, plotter (toner/cartridges/paper cost), etc
Meals/incidentals for out of town meetings (MTPA, etc)			approx \$ 1,500 - meals/incidentals for out of town meetings (MTPA, etc)
Educational Training and Travel - seminars, conferences, etc			approx \$4,000 MTPA/MAP/AMPO conference registration/travel/hotel/food costs, seminar/webinar fees, educational travel/hotel/food expenses
			\$ 42,694 all office costs
<b>Other Costs:</b>			
Reimbursement for Asset Management Services (MTF Funds)	\$	15,000	PASER Ratings and related activities by staff of local agencies within MATS area
Reimbursement for Planning Services to Local Agencies	\$	23,000	Traffic Counts/HPMS/MIRE data/ Performance data/ Other Planning activities by City of Midland, MCRC, other local agencies
Reimbursement for Transit Planning Services to DART	\$	20,000	Transit Planning activities by DART
Audit of MATS (Local funds only)	\$	4,700	Not eligible for federal reimbursement, to be paid out of local funding
			62,700 all reimbursements for services
<b>TOTAL:</b>	\$	<b>286,920</b>	

**\$ 0 BUDGET BALANCE CHECK (allocation versus 2023 projected expenses)**

FY 2023 UWP

PROJECTED DIRECT COSTS BY PROGRAM TASK

Total MATS Staff - FY 2023

TASK	MATS Staff Time	% of Available MATS Hours	Planning Funds 100% of Cost	FHWA/FTA Funds			Asset Management	
				PL112/5303 Funds 81.85% of Cost	Local Share 18.15% of Cost		MATS Hrs	MTF Cost
1.0 Administration	1750	49.4%	\$ 89,050	\$ 72,887	\$ 16,163			
2.0 Short-term Planning	430	12.1%	\$ 21,793	\$ 17,838	\$ 3,955			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	112	\$	4,861
4.0 Transp Improvement Program (TIP)	714	20.1%	\$ 34,095	\$ 27,907	\$ 6,188			
5.0 Long-Term Planning	650	18.3%	\$ 31,726	\$ 25,967	\$ 5,758			
Total Time (in hours):	3544	100.0%				112		
Total Task Projected Cost:			\$ 176,664	\$ 144,599	\$ 32,065		\$	4,862
	\$ 181,525	check	\$ 176,664	\$ 144,599	\$ 32,065		\$	4,861
Associated Office Cost:	\$ 42,695		\$ 41,551	\$ 34,009	\$ 7,542		\$	1,144
Total Staff and Office Cost:	\$ 224,221		\$ 218,215	\$ 178,609	\$ 39,606		\$	6,006
FY 2023 \$ Funding (Revenues):	\$ 224,220		\$ 218,220	\$ 178,613	\$ 39,607		\$	6,000
difference:			\$ 5	\$ 5	\$ 1		\$	(6)

Task allowable cost based on direct wages, mileage and fringe costs  
PL & 5303 with local match: \$207,700 + \$53,520 - \$23,000 - \$20,000 = \$ 218,220  
Asset Management: \$6,000

MATS Director - FY 2023

TASK	MATS Staff Time	% of Available MATS Hours	Planning Funds 100% of Cost	FHWA/FTA Funds			Asset Management	
				PL112/5303 Funds 81.85% of Cost	Local Share 18.15% of Cost		MATS Hrs	MTF Cost
1.0 Administration	950	53.4%	\$ 59,435	\$ 48,648	\$ 10,788			
2.0 Short-Term Planning	230	12.9%	\$ 14,390	\$ 11,778	\$ 2,612			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	28	\$	1,752
4.0 Transp Improvement Program (TIP)	300	16.9%	\$ 18,769	\$ 15,362	\$ 3,407			
5.0 Long-Term Planning	300	16.9%	\$ 18,769	\$ 15,362	\$ 3,407			
Total Time (in hours):	1780	100.0%				28		
Total Task Projected Cost:			\$ 111,363	\$ 91,151	\$ 20,212		\$	1,752
		check	\$ 111,363	\$ 91,151	\$ 20,212			
Associated Office Cost:			\$ 26,193	\$ 21,439	\$ 4,754		\$	412

MATS Director = 1808 regular work hrs  
MATS Director = 1780 hrs allocated for PL 112 and 5303 reimbursable tasks, 28 hrs for Asset Mngt reimbursable tasks)  
Task allowable cost based on direct wages, mileage and fringe costs (\$113,115)  
ave rate per hr: \$ 62.5636 (\$113,115/1808 hrs)  
1780 x \$ 62.5636 = \$111,363  
28 x \$ 62.5636 = \$ 1,752

MATS Transportation Planner - FY 2023

TASK	MATS Staff Time	% of Available MATS Hours	Planning Funds 100% of Cost	FHWA/FTA Funds			Asset Management	
				PL112/5303 Funds 81.85% of Cost	Local Share 18.15% of Cost		MATS Hrs	MTF Cost
1.0 Administration	800	45.4%	\$ 29,615	\$ 24,240	\$ 5,375			
2.0 Short-term Planning	200	11.3%	\$ 7,404	\$ 6,060	\$ 1,344			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	84	\$	3,110
4.0 Transp Improvement Program (TIP)	414	23.5%	\$ 15,326	\$ 12,544	\$ 2,782			
5.0 Long-Term Planning	350	19.8%	\$ 12,957	\$ 10,605	\$ 2,352			
Total Time (in hours):	1764	100.0%				84		
Total Task Projected Cost:			\$ 65,301	\$ 53,449	\$ 11,852		\$	3,110
		check	\$ 65,301	\$ 53,449	\$ 11,852			
Associated Office Cost:			\$ 15,359	\$ 12,571	\$ 2,788		\$	731

Planner - 1848 regular working hrs, 1764 hrs allocated for PL 112 and 5303 reimbursable tasks, 84 hrs for Asset Management  
Task allowable cost based on direct wages, mileage and fringe costs (\$68,411)  
ave rate per hr: \$ 37.0189 (\$68,411/1848 hrs)  
1764 x \$37.0189 = \$65,301  
84 x \$37.0189 = \$3,110

Reimbursement for Services from PL 112, FTA 5303 and Asset Management Funds - FY 2023

TASK	Agencies/ Consultant Time	% of Available Dollars	Planning Funds 100% of Cost	FHWA/FTA Funds			Asset Management	
				PL112/5303 Funds 81.85% of Cost	Local Share 18.15% of Cost		Agencies Hrs	MTF Cost
1.0 Administration (Audit)	NA	9.9%	\$ 4,700	\$ -	\$ 4,700			
2.0 Short-term Planning	0	0.0%	\$ -	\$ -	\$ -			
Transit Planning (DART)	NA	41.9%	\$ 20,000	\$ 16,370	\$ 3,630			
Data Collection (Local Agencies)	NA	48.2%	\$ 23,000	\$ 18,825	\$ 4,175			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	NA	\$	14,994
4.0 Transp Improvement Program (TIP)	0	0.0%	\$ -	\$ -	\$ -			
5.0 Long-Term Planning	0	0.0%	\$ -	\$ -	\$ -			
Total Time (in hours):	NA	100.0%				NA		
Total Task Projected Cost:			\$ 47,700	\$ 35,195	\$ 12,505		\$	14,994
FY 2023 \$ Funding towards reimbursement for services:			\$ 47,700	\$ 35,195	\$ 12,505		\$	15,000
FY 2023 Total MATS \$ Projected Expenses:	\$ 286,915		\$ 265,915	\$ 213,804	\$ 52,111		\$	21,000
FY 2023 Total MATS \$ Funding:	\$ 286,920		\$ 265,920	\$ 213,808	\$ 52,112		\$	21,000

Agencies include: City of Midland, Midland County Road Commission, other local agencies within MATS area  
Task allowable cost based on direct wages, mileage and fringe costs. Local agencies will have individual fringe rates, direct rates.

FHWA - Federal Highway Administration  
FTA - Federal Transit Administration  
TIP - Transportation Improvement Program

MATS - Midland Area Transportation Study  
MDOT - Michigan Department of Transportation  
AMC - Asset Management Council

Indirect Cost Rate of 23.52 % utilized

FY 2023 UWP

FUNDING TABLE CALCULATIONS

Table A. MATS Costs separated into task costs and office setup/running costs, i.e. direct and indirect costs

	FY 2023 Funding					Sum
	FHWA PL112/FTA 5303	LOCAL	MATS	MTF		
TASKS CONDUCTED BY MATS:						
1.0 Administration	\$ 72,887.5	\$ 16,162.3	\$ -	\$ -		\$ 89,050
2.0 Short-Term Planning	\$ 17,837.9	\$ 3,955.5	\$ -	\$ -		\$ 21,793
3.0 Asset Management (PASER)	\$ -	\$ -	\$ -	\$ 4,861.4		\$ 4,861
4.0 Transp Improvement Program (TIP)	\$ 27,906.6	\$ 6,188.4	\$ -	\$ -		\$ 34,095
5.0 Long-term Planning	\$ 25,967.4	\$ 5,758.2	\$ -	\$ -		\$ 31,726
MATS Office Costs	\$ 34,009.5	\$ 7,541.6	\$ -	\$ 1,143.5		\$ 42,695
TASKS CONDUCTED BY OTHERS:						
MATS Audit	\$ -	\$ 4,700	\$ -	\$ -		\$ 4,700
Agencies Reimbursement for PL112-related services	\$ 18,825	\$ 4,175	\$ -	\$ -		\$ 23,000
Agencies Reimbursement for 5303-related services	\$ 16,370	\$ 3,630	\$ -	\$ -		\$ 20,000
Agencies Reimbursement for Asset Mngmt services	\$ -	\$ -	\$ -	\$ 15,000		\$ 15,000
Total:	\$ 213,804	\$ 52,111	\$ -	\$ 21,005		\$ 286,920

Indirect Cost Rate = \$ Indirect Costs/\$ Direct Costs:

\$42,694/\$181,526 = 23.52 % (overall)

Table B. Calculations utilizing Indirect Cost Rate of 23.52% to roll in office running costs into task costs

	FHWA	LOCAL	MTF
Multiplier:	0.2352	0.2352	0.2352
1.0 Administration	\$ 17,143.1	\$ 3,801.4	
2.0 Short-Term Planning	\$ 4,195.5	\$ 930.3	
3.0 Asset Management (PASER)	\$ -	\$ -	\$ 1,143.4
4.0 Transp Improvement Program (TIP)	\$ 6,563.6	\$ 1,455.5	
5.0 Long-term Planning	\$ 6,107.5	\$ 1,354.3	
Total:	\$ 34,009.8	\$ 7,541.5	\$ 1,143.4
Reimbursement for PL112-related services	Reimbursement for Services to Local Agencies, cannot apply MATS indirect rate		
Reimbursement for FTA5303-related services	Reimbursement for Transit Planning Services to DART, cannot apply MATS indirect rate		
Reimbursement for Asset Mngmnt-related services	Reimbursement for Services to Local Agencies, cannot apply MATS indirect rate		

Table C. MATS Direct and Indirect Costs fused together (office running costs rolled into task costs)

	FY 2023 Funding					Sum
	FHWA PL112/FTA 5303	LOCAL	MATS	MTF		
TASKS CONDUCTED BY MATS:						
1.0 Administration	\$ 90,030.6	\$ 19,963.7	\$ -	\$ -		\$ 109,994.3
2.0 Short-Term Planning	\$ 22,033.4	\$ 4,885.8	\$ -	\$ -		\$ 26,919.2
3.0 Asset Management (PASER)	\$ -	\$ -	\$ -	\$ 6,004.8		\$ 6,004.8
4.0 Transp Improvement Program (TIP)	\$ 34,470.2	\$ 7,643.9	\$ -	\$ -		\$ 42,114.1
5.0 Long-term Planning	\$ 32,074.9	\$ 7,112.5	\$ -	\$ -		\$ 39,187.5
Subtotal:	\$ 178,609.2	\$ 39,605.9	\$ -	\$ 6,004.8		\$ 224,219.9
TASKS CONDUCTED BY OTHERS:						
MATS Audit	\$ -	\$ 4,700	\$ -	\$ -		\$ 4,700
Agencies Reimbursement for PL112-related services	\$ 18,825	\$ 4,175	\$ -	\$ -		\$ 23,000
Agencies Reimbursement for 5303-related services	\$ 16,370	\$ 3,630	\$ -	\$ -		\$ 20,000
Agencies Reimbursement for Asset Mngmt services	\$ -	\$ -	\$ -	\$ 15,000		\$ 15,000
Total:	\$ 213,804.2	\$ 52,110.9	\$ -	\$ 21,004.8		\$ 286,919.9

Indirect Rate of 23.52% applies only to MATS-performed tasks

FHWA - Federal Highway Administration

FTA - Federal Transit Administration

MATS - Midland Area Transportation Study

MDOT - Michigan Department of Transportation

MTF - State Funds through Asset Management Council

TIP - Transportation Improvement Program

## CALCULATION OF INDIRECT COST RATE & FRINGE RATE

### FY 2023 (October 1, 2022 - September 30, 2023)

#### MATS FY 2023 PROJECTED COSTS:

	Direct	Indirect	
<b>Staff Costs:</b>			
Direct Wages: MATS Director	\$ 70,899		1808 work hrs at \$39.214/hr; (with projected annual wages of \$81,565, 2080 hrs at \$39.214)
MATS Planner	\$ 44,966		1848 work hrs at \$24.332/hr; (with projected annual wages of \$50,611, 2080 hrs at \$24.332)
			\$ 115,865
Fringe Costs: MATS Director	\$ 21,666		Holiday/paid time off (272 hrs at 39.214/hr), benefits bonus (approx \$11,000)
	\$ 7,050		7.65% for social security and medicare;
	\$ 11,500		Retirement benefits
	\$ 2,000		mileage (various meetings)
MATS Planner	\$ 11,145		Holiday/paid time off (232 hrs at 24.332/hr), benefits bonus (approx \$5,500)
	\$ 4,300		7.65% for social security and medicare;
	\$ 7,000		Retirement benefits
	\$ 1,000		mileage (various meetings)
			\$ 65,661 \$ 181,526 all staff costs
<b>Office Costs:</b>			
Rent/Utilities/GIS Services/Email Domain Hosting		\$ 15,240	approx \$1,050/month for rent/utilities and @\$220/month for GIS licences, email domain hosting, maintenance, etc through Midland County
MATS Insurance Policies		\$ 3,800	Approx \$3,800 per year re MATS insurances
Accounting/Payroll/Tax Services		\$ 5,500	Approx 5,500/year Accounting/Payroll/Taxes
Office operations including:		\$ 18,154	
various supplies and new office equipment			approx \$4,000 - office equipment (Ipad/or computer replacement) & supplies, presentation aids, business cards, postage, bank fees, member dues,
advertising/public notices, Outreach program/marketing re MATS			approx \$5,800 advertisements/public notices (newspaper notices, Annual Report, TIP notifications, etc), public outreach
MATS website, communication and office equipment service plans/maintenance			approx \$800 Website maintenance; approx \$2,000 data plan cost for I-pads and IT support/fix, plotter (toner/cartridges/paper cost), etc
Meals/incidentals for out of town meetings (MTPA, etc)			approx \$ 1,500 - meals/incidentals for out of town meetings (MTPA, etc)
Educational Training and Travel - seminars, conferences, etc			approx \$4,000 MTPA/MAP/AMPO conference registration/travel/hotel/food costs, seminar/webinar fees, educational travel/hotel/food expenses
			\$ 42,694 all office costs
<b>Other Costs:</b>			
Reimbursement for Asset Management Services (MTF Funds)	\$ 15,000		PASER Ratings and related activities by staff of local agencies within MATS area
Reimbursement for Planning Services to Local Agencies	\$ 23,000		Traffic Counts/HPMS/MIRE data/ Performance data/ Other Planning activities by City of Midland, MCRC, other local agencies
Reimbursement for Transit Planning Services to DART	\$ 20,000		Transit Planning activities by DART
Audit of MATS (Local funds only)	\$ 4,700		Not eligible for federal reimbursement, to be paid out of local funding
			\$ 62,700 all reimbursements for services
<b>TOTAL:</b>	<b>\$ 244,226</b>	<b>\$ 42,694</b>	<b>Total: \$ 286,920</b>

Provisional FY 2023 Indirect Cost Rate = Total \$ Indirect Costs/Total \$ Direct Costs

\$ 42,694/\$ 181,526 = 0.23519

**FY 2023 Indirect Cost Rate = 23.52%**

Reimbursement for services to other agencies not subject to indirect rate calculation

Provisional FY 2023 Fringe Cost Rate = Total \$ Direct Fringe/Total \$ Direct Wages

\$ 65,661/\$ 115,865 = 0.56670

**FY 2023 Fringe Cost Rate = 56.67%**

G/FY 2023 UWP/MATS FY2023 budget breakdown



# **Midland Area Transportation Study (MATS)**

## **Indirect Cost Allocation Plan for FY 2023**

### **Introduction**

The purpose of this plan is to identify elements of indirect costs to facilitate the development of annual indirect cost rates for the Midland Area Transportation Study (MATS).

### **Agency Background**

Every urbanized area with a population of more than 50,000 must have a designated Metropolitan Planning Organization for transportation to qualify for federal highway or transit assistance. The MATS is the MPO for the Midland Urbanized area.

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 credible planning process and meet local priorities. USDOT will not approve federal funding for urban highway and transit projects unless they are on the MPO's program. Thus, the MPO's role is to develop and maintain the necessary transportation plan for the area to assure that federal funds support these locally developed plans. The IIJA is essentially a continuation of the FAST Act, MAP-21, SAFETEA-LU, TEA-21 and the ISTEA, which have strengthened this responsibility by placing the MPO in a primary role for the programming of transportation projects to be carried out in any given year. The MPO has also been given the responsibility to involve the public in this process through expanded citizen participation efforts. Since the MPO is made up of those agencies responsible for carrying out transportation programs in the region, the process puts all agencies into partnership with one another to carry out the programs.

The Midland Area Transportation Study is a single purpose agency that focuses specifically on transportation planning issues, fulfilling federal requirements to maintain funding for its transportation network.

### **Organizational Structure and Functional Responsibilities**

The MATS is governed by a Policy Committee that includes various elected and appointed officials from the transportation planning area plus other members from the Michigan Department of Transportation and the U.S. Department of Transportation. The Policy Committee is generally expected to meet once a month and the meetings are open to the public. At these meetings current transportation issues are discussed and status reports on transportation studies and

projects are given. After these discussions are completed, policy actions are taken that include adoption of Unified Work Program (UWP), Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP), revisions to these documents, and adoption of resolutions related to current transportation issues. The Policy Committee generally acts under the advisement of the MATS Technical Committee, which reviews in detail the activities of the MATS and provides recommendations to the Policy Committee. The Technical Committee is composed of technically-oriented representatives that include various transportation, planning, engineering and other interests in the area. It also includes representatives from MDOT. The Technical Committee is generally expected to meet once a month and the meetings are open to the public.

Continuing technical support to the transportation planning program is provided by the MPO staff. The staff conducts studies and oversees projects as directed by the MATS Policy Committee, and as outlined in the Memorandum of Understanding (MOU) with the MDOT. The staff reports findings to the MPO Committees and participates in other community wide efforts. The combined work of the MPO staff and the participating staff of other member organizations provides the information needed to make program and policy decisions.

Staffing for the FY 2023 MATS program will include two full-time (2 FTE) staff members as the MATS Director and Transportation Planner. The following is a brief statement regarding the duties and responsibilities of each employee position for the Midland Area Transportation Study:

### **Director**

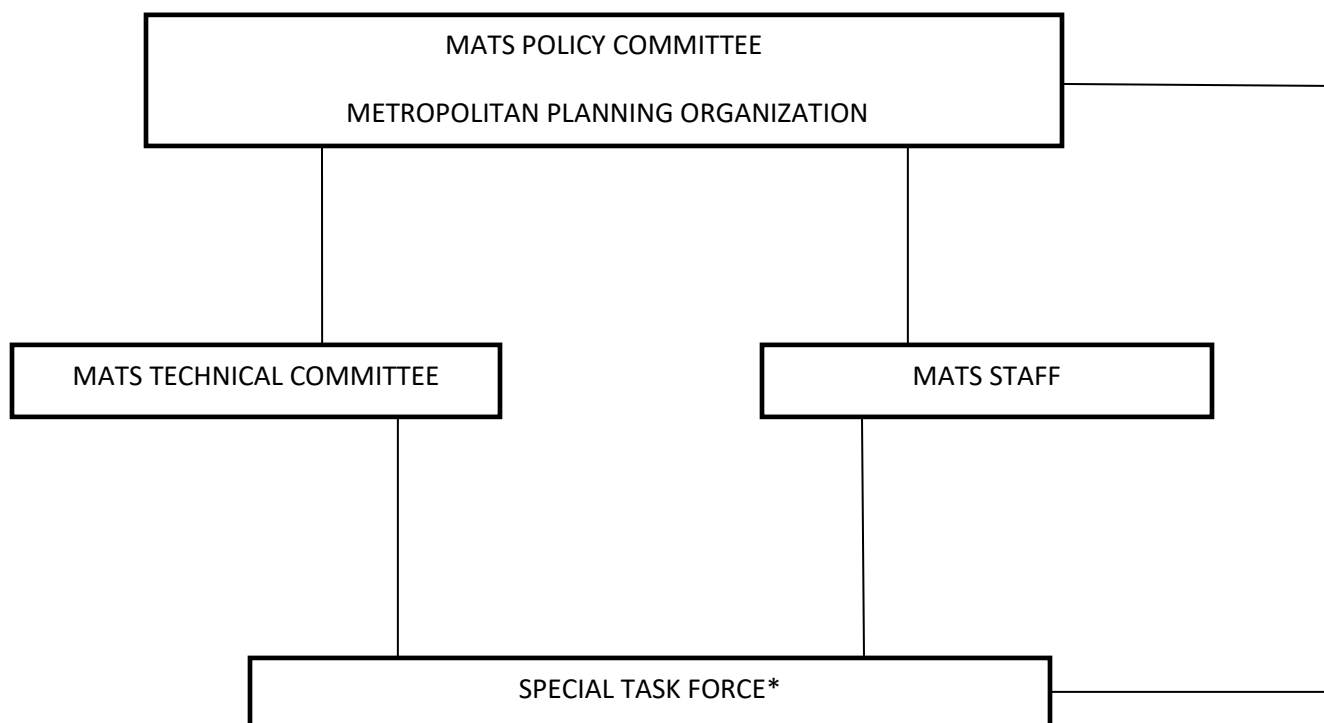
The Director is a full-time, wage position. The Director is responsible for the development, supervision and management of MPO activities. In fulfilling the above role, the Director's time is divided between indirect (management and administrative activity) and direct (technical work). The Director performs various work elements/activities listed in the annual Unified Work Program (UWP). The UWP identifies transportation issues and problems facing the Midland area and also specifies work tasks to address these issues and a proposed budget associated with those issues. Also included in the UWP, is the information relevant to funding sources, budget summaries, completion schedules and indirect costs. The Director wages are treated as a direct expense.

### **Transportation Planner**

The Planner is a full-time, wage position. The Planner is principally responsible for technical activities with time allocated among the various work elements identified in the Unified Work Program. In addition to this technical role, the Planner has select administrative and GIS responsibilities. The Planner is responsible to the MPO Director. The Planner's wages are treated as a direct expense.

The MATS program will utilize the assistance and efforts of local agencies, including the City of Midland, Midland County Road Commission and Dial A Ride Transportation (DART) in order to effectively and efficiently address the federal planning requirements as well as local issues and programs. MATS, if possible, will reimburse these agencies for services and activities related to the UWP, including but not limited to collection of traffic counts, other transportation infrastructure data or asset management data; work related to transit planning, Transportation Improvement Program or Metropolitan Transportation Plan.

### **MATS ORGANIZATIONAL CHART**



\*Formed when required for specific projects or studies

### **Elements of Program Costs**

Total program costs for any given fiscal year are presented in the Unified Work Program (UWP). The UWP includes a stratification of costs by work element. The Midland Area Transportation Study's UWP is the document that identifies major transportation planning and related activities that will be undertaken within the MATS study area during the fiscal year. The UWP is prepared

to meet requirements of transportation planning funding programs, it includes descriptions of all facets of the MATS staff's activities.

MATS' costs are based upon assumptions made for annual wages by position, to which the established fringe and indirect rates are applied. The fringe benefit costs for both MATS Director and Transportation Planner include the following: vacation, holidays, retirement payments, social security, insurances (health/dental/disability/life), unemployment insurance and workman's compensation.

## **Elements of Indirect Costs**

MATS MPO is a stand-alone agency handling specifically urban transportation planning and programming activities utilizing Federal monies available from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). Thus, all costs for the MATS are associated with the conduct of activities identified in the Unified Work Program (UWP).

Indirect and fringe rates established by the UWP are applied to all activities that the MATS pursues. Program costs are those which can be specifically or readily identified with an individual work element. Indirect costs (overhead) are those costs incurred for the common or joint benefit of two or more work elements and are not directly assignable to an individual work element without extensive effort disproportionate to the results achieved.

## **Indirect Cost Computation Methodology**

It is proposed that indirect costs of MATS be charged to the work elements using an indirect cost rate. This procedure simply distributes all indirect costs to the activities in proportion to direct salary cost. The Midland Area Transportation Study will be utilizing the simplified method of indirect cost computation. All activities that the MATS staff conducts are benefited from the indirect cost in roughly equal proportions and therefore only require one rate.

All costs included in the UWP are in accordance with the requirements of the Federal award(s) to which they apply, and also 2 CFR part 200 and 2 CFR part 225.

## **Indirect Rate Type**

MATS will use a provisional rate to determine indirect cost reimbursement. The provisional rate is a temporary indirect cost rate applicable to a specific period which is used for funding (fiscal year October 1 – September 30), interim reimbursement, and reporting indirect costs on Federal awards pending establishment of a final rate for the period. **The provisional indirect rate for Fiscal Year 2023 is shown herein: 23.52%.**

## **CERTIFICATE OF INDIRECT COSTS**

*This is to certify that I have reviewed the indirect cost rate proposal submitted herewith, and to the best of my knowledge and belief:*

- 1. All costs included in this proposal to establish billing or provisional indirect costs rates for fiscal year 2023 (October 1, 2022 through September 30, 2023) are allowable in accordance with the requirements of the Federal award(s) to which they apply, 2 CFR part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards", and 2 CFR part 225 "Cost Principles for State, Local and Indian Tribal Governments". Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.*
- 2. All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently and the Federal Government will be notified of any accounting changes that would affect the predetermined rate.*

*I declare that the foregoing is true and correct.*

*Government Unit: Midland Area Transportation Study (MATs)*

*Signature:*

*Date:*

*Name of Official: Maja Bolanowska*

*Title: MATS Director*

# Metropolitan Planning Organization Midland Area Transportation Study



**MATS**

## MATS' Title VI Assurances

**The Midland Area Transportation Study (MATS)** (hereinafter referred to as the “Recipient”) **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color, national origin, disability, or limited English proficiency, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and

**HEREBY GIVES ASSURANCE THAT** it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations. More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the Federal Aid highway program:

1. That the Recipient agrees that each “program” and each “facility” as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all FHWA programs, and, in adapted form, in all proposals for negotiated agreements:

*“The (Recipient), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000D to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will*

*affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. That the Recipient shall insert the clauses of Appendix B and Appendix C of this assurance (contained in MATS' TITLE VI Program document) in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix D of this assurance (contained in MATS' TITLE VI Program document), as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith. Recipient will adhere to Title VI equity analysis (contained in Appendix H of MATS' TITLE VI Program document) with respect to construction of a facility.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix E of this assurance (contained in MATS' TITLE VI Program document), as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties; (a) for the subsequent transfer of real property acquired or improved under an FHWA program; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved, under a FHWA program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the Recipients or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assistance.

**THIS ASSURANCE** is given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient under the programs of the Federal Highway Administration (FHWA) and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the FHWA program. The person, or persons whose signature(s) appear below are authorized to sign this assurance on behalf of the Recipient.

Midland Area Transportation Study

Maja Bolanowska  
MATs Director

Date



## LOCAL MATCH REQUIREMENTS

**FY 2023 (October 1, 2022 - September 30, 2023)**

### MATS FUNDING:

(based on FY 2022 Allocations for PL and 5303 funding)

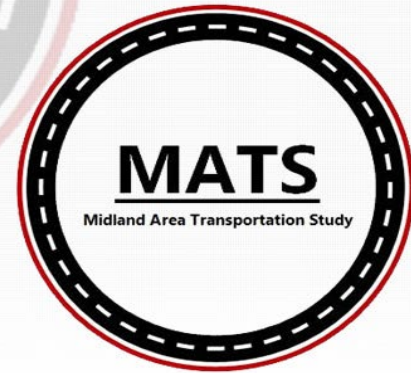
<b>PL 112 Planning Funds &amp; Local Match</b>	<b>\$</b>	<b>207,700</b>	includes \$170,002 FHWA funds and \$37,698 local match
<b>FTA 5303 Transit Planning Funds &amp; Local Match</b>	<b>\$</b>	<b>53,520</b>	includes \$43,806 FTA 5303 funds and \$9,714 local match
<b>MTF Funds (Asset Management)</b>	<b>\$</b>	<b>21,000</b>	State's MTF Funding for Paser Ratings only
<b>Additional Local Funding</b>		<b>4,700</b>	Required for mandatory MATS Audit
<b>Total:</b>	<b>\$</b>	<b>286,920</b>	

### FY 2023 LOCAL MATCH REQUIREMENTS:

	City of Midland	DART	MCRC	SCRC	BCRC	City of Auburn	Total Local Match
<b>Regarding PL 112 Planning Funds for FY 2023</b>	\$ 18,849.0	\$ -	\$ 18,849.0	\$ -	\$ -	\$ -	<b>\$ 37,698</b>
<b>Regarding FTA 5303 Transit Planning Funds for FY 2023</b>	\$ 3,042.00	\$ 3,630.0	\$ 3,042.0	\$ -	\$ -	\$ -	<b>\$ 9,714</b>
<b>Regarding MTF Funds (Asset Management)</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	<b>\$ -</b>
<b>Regarding mandatory MATS Audit</b>	\$ 2,350.0	\$ -	\$ 2,350.0	\$ -	\$ -	\$ -	<b>\$ 4,700</b>
<b>Total:</b>	<b>\$ 24,241.00</b>	<b>\$ 3,630.0</b>	<b>\$ 24,241.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 52,112</b>

It is projected that MATS reimbursement to DART can be approximately \$ 20,000 in FY 2023 due to increased MATS administrative Funding.  
That represents 37.37% of 5303 allocation of \$ 53,520, and thus DART is responsible for 37.37% of 5303 related local match corresponding to \$3,630.

G/FY 2023 UWP/MATS FY2023 budget breakdown



## FHWA PL PLANNING FUNDS AND LOCAL MATCH RESOLUTION BETWEEN MATS AND LOCAL AGENCIES FOR FY 2023 UNIFIED WORK PROGRAM

- WHEREAS, the urban transportation planning regulations implementing sections of the Infrastructure Investment and Jobs Act (IIJA) require that each urbanized area, as a condition of receipt of Federal capital or operating assistance, have a continuing, cooperative, and comprehensive urban transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and
- WHEREAS, the Midland Area Transportation Study (MATS), as the state designated Metropolitan Planning Organization (MPO) for the Midland urbanized area, conducts the continuing, cooperative, and comprehensive planning process through the Midland Area Transportation Study (MATS), a forum for cooperative transportation decision-making developed under federal guidelines for the purposes of urban transportation planning and conduct; and
- WHEREAS, MATS annually develops an urban transportation Unified Work Program (UWP) which identifies activities and costs necessary for the conduct of the urban transportation planning process; and
- WHEREAS, transportation planning funds provided by the U.S. Department of Transportation to the Michigan Department of Transportation and are passed through to MATS to carry out the activities defined in the UWP; and
- WHEREAS, these funds, available under FAST Act as Federal Highway Administration (FHWA) PL require a local matching contribution of 18.15 percent; and
- WHEREAS, MATS planning funds utilization for FY 2023 is **\$170,002** (provided as FHWA PL 112 Funds) with required local matching contribution equal to **\$37,698**; and

WHEREAS, the Midland Area Transportation Study (MATS) has recommended that the local match contribution required for the timely conduct of MATS activities within FY 2023 be divided and contributed by the City of Midland and the Midland County Road Commission in accordance with MATS Local Match Policy.

**NOW THEREFORE BE IT RESOLVED**, that **the City of Midland** agrees to participate in the funding of the local match costs for PL 112 funding by providing **\$18,849.00\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*equal to 50% of FY 2023 local match obligation for PL112 funds)

**BE IT FURTHER RESOLVED**, that **the Midland County Road Commission** agrees to participate in the funding of the local match costs for PL 112 funding by providing **\$18,849.00\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*equal to 50% of FY 2023 local match obligation for PL112 funds)

**BE IT FURTHER RESOLVED**,  
That the Midland Area Transportation Study (MATS) agrees to reimburse the implementing local agencies within MATS planning area for planning activities necessary for the completion of, and identified within, the MATS FY 2023 Unified Work Program, subject to MDOT's approval of activity eligibility and availability of funding.

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Chairperson, Midland Area Transportation Study (MATS)

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Date

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Director, Midland Area Transportation Study (MATS)

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Date

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Managing Director, Midland County Road Commission

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Date

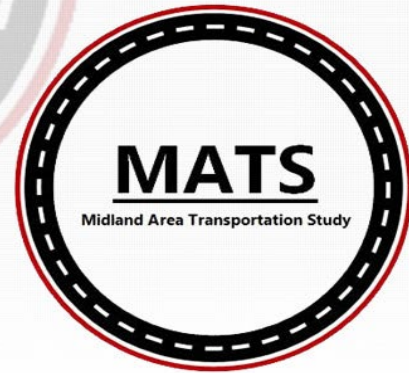
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City Manager, City of Midland

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Date

Metropolitan Planning Organization  
**Midland Area Transportation Study**



## **FTA 5303 PLANNING FUNDS AND LOCAL MATCH RESOLUTION BETWEEN MATS AND LOCAL AGENCIES FOR FY 2023 UNIFIED WORK PROGRAM**

- WHEREAS, the urban transportation planning regulations implementing sections of the Infrastructure Investment and Jobs Act (IIJA) require that each urbanized area, as a condition of receipt of Federal capital or operating assistance, have a continuing, cooperative, and comprehensive urban transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and
- WHEREAS, the Midland Area Transportation Study (MATS), as the state designated Metropolitan Planning Organization (MPO) for the Midland urbanized area, conducts the continuing, cooperative, and comprehensive planning process and also is a forum for transportation decision-making developed under federal guidelines for the purposes of urban transportation planning and conduct; and
- WHEREAS, MATS annually develops an urban transportation Unified Work Program (UWP) which identifies activities and costs necessary for the conduct of the urban transportation planning process; and
- WHEREAS, transit planning funds are provided by the Federal Transit Administration to the Michigan Department of Transportation and are passed through to MATS to carry out the activities defined in the UWP; and
- WHEREAS, MATS transit planning funds utilization for FY 2023 is **\$43,806** (provided by the Federal Transit Administration as FTA 5303 funds) with required local matching contribution of 18.15 percent equal to **\$9,714**; and
- WHEREAS, the Midland Area Transportation Study (MATS) has recommended that the portion of FTA 5303 Funds for FY 2023, in the amount of **\$16,370 with corresponding local match of \$3,630**, be utilized by Dial-A-Ride Transportation for transit planning purposes); and

WHEREAS, the Midland Area Transportation Study (MATS) will utilize the remainder of the FTA 5303 Funds for FY 2023, in the amount of **\$27,436 with corresponding local match of \$6,084**, for general planning and transit planning purposes.

**NOW THEREFORE BE IT RESOLVED**, that **the Dial-A-Ride Transportation** will accept and utilize the portion of FTA 5303 Funds allocated to MATS in the amount of **\$16,370 with corresponding local match of \$3,630** for transit planning fulfilling all necessary federal and state requirements; and

**BE IT FURTHER RESOLVED**, that **the Dial-A-Ride Transportation** agrees to participate in the funding of the local match costs for 5303 funding by providing **\$3,630\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*equal to 37.37% of FY 2023 local match obligation for 5303 funds)

**BE IT FURTHER RESOLVED**, that **the Midland County Road Commission** agrees to participate in the funding of the local match costs for 5303 funding by providing **\$3,042\*\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*\*equal to 31.315% of FY 2023 local match obligation for 5303 funds)

**BE IT FURTHER RESOLVED**, that **the City of Midland** agrees to participate in the funding of the local match costs for 5303 funding by providing **\$3,042\*\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*\*equal to 31.315% of FY 2023 local match obligation for 5303 funds)

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Chairperson, Midland Area Transportation Study (MATS)

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Date

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Director, Midland Area Transportation Study (MATS)

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Date

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Director of Public Services, Dial-a-Ride Transportation

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Date

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Managing Director, Midland County Road Commission

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Date

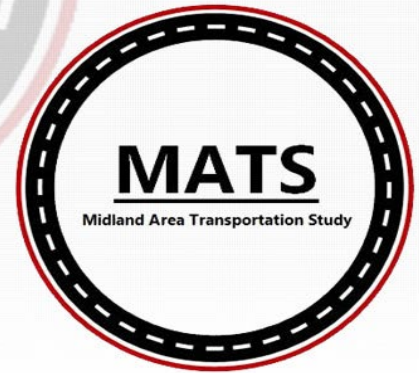
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City Engineer, City of Midland

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Date

Metropolitan Planning Organization  
**Midland Area Transportation Study**



## LOCAL FUNDS RESOLUTION REGARDING MATS AUDIT

### BETWEEN MATS AND LOCAL AGENCIES FOR FY 2023 UNIFIED WORK PROGRAM

- WHEREAS, the urban transportation planning regulations implementing sections of the Infrastructure Investment and Jobs Act (IIJA) require that each urbanized area, as a condition of receipt of Federal capital or operating assistance, have a continuing, cooperative, and comprehensive urban transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and
- WHEREAS, the Midland Area Transportation Study (MATS), as the state designated Metropolitan Planning Organization (MPO) for the Midland urbanized area, conducts the continuing, cooperative, and comprehensive planning process through the Midland Area Transportation Study (MATS), a forum for cooperative transportation decision-making developed under federal guidelines for the purposes of urban transportation planning and conduct; and
- WHEREAS, MATS annually develops an urban transportation Unified Work Program (UWP) which identifies activities and costs necessary for the conduct of the urban transportation planning process; and
- WHEREAS, due to being formed under Michigan Public Act 200 of 1957, MATS is scheduled to have a biennial audit in fulfillment of state regulations within FY 2023; and
- WHEREAS, MATS falls under the federal audit exemption due to expending less than \$500,000 in federal funding, and thus federal funds cannot be utilized as reimbursement for the cost of the audit these funds; and
- WHEREAS, Separate local funding needs to be provide for that purpose, equivalent to approximately **\$4,700**; and

WHEREAS, the Midland Area Transportation Study (MATS) has recommended that the funding for MATS Audit be divided and contributed by the City of Midland and the Midland County Road Commission.

**NOW THEREFORE BE IT RESOLVED**, that **the City of Midland** agrees to participate in the funding of MATS Audit by providing **\$2,350\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*equal to 50% of Audit cost)

**BE IT FURTHER RESOLVED**, that **the Midland County Road Commission** agrees to participate in the funding of MATS Audit by providing **\$2,350\*** to the Midland Area Transportation Study (MATS) by October 1, 2022.  
(\*equal to 50% of Audit cost)

\_\_\_\_\_  
Chairperson, Midland Area Transportation Study (MATS)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director, Midland Area Transportation Study (MATS)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Managing Director, Midland County Road Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Engineer, City of Midland

\_\_\_\_\_  
Date

## **Definitions of Reimbursable Expenses for Local Agencies**

**(City of Midland, Midland County/Bay County/Saginaw County Road Commissions, City of Auburn Village of Sanford, DART, CCM, BMTA)**

1. Asset Management– Local Agencies’ staff will rate, identify and prioritize federal aid eligible roads in order of need, utilizing the PASER rating method. In addition to rating the Federal-Aid roadways, Local Agencies’ staff will review and rate (if funds allow) other roadways within the MATS study area to determine need and thus plan for appropriate repair. Time will be spent planning for future projects and recording those completed into GIS/RoadSoft inventory. The information will be utilized to identify future projects.
2. Data Collection and Evaluation

Crash Data/Safety – Local Agencies’ staff will periodically review Accident Reports to determine if there is a need to install or change traffic control on a roadway. Past reviews have led to upgrades at intersections in the way of right/left turn lanes, traffic signals and other safety improvements. Recognition of problem areas through review of the Accident Reports allows identification of future projects.

Traffic Counts/HPMS – Local Agencies will perform traffic count data collection during the fiscal year as needed or requested by MATS and MDOT for maintenance of the travel demand model or HPMS reporting requirements. Additionally, these counts will help to determine changes in traffic patterns due to development and plan for road upgrades needed to accommodate the change. The counts are also vital to identify problem areas, and allow the Local Agencies to plan/budget for improvements.

MIRE Data Collection – Local Agencies will perform road Infrastructure data collection during the fiscal year as requested by MATS and MDOT for performance-based planning and other needs.
3. Transportation Improvement Program – Local Agencies’ staff will provide technical support to FY 2023-2026 TIP revisions/amendments. Work involved will include but not be limited to identification and prioritization of transportation projects within MATS planning area within four year period, and identification of federal, state and local financial resources available to implement these projects.
4. Long Range Plan – Local Agencies’ staff will provide technical support to Long Range Plan document development and maintenance. Work involved will include but not be limited to identification of long-term transportation issues, goals and objectives; refining the social and economic data to the Traffic Analysis Zone level; identification and prioritization of transportation projects within various travel modes to achieve desired level of mobility and access at horizon year.
5. Non-Motorized Planning – Local Agencies’ staff will review proposed road projects for potential inclusion of non-motorized facilities. Local Agencies will conduct a needs assessment with respect to non-motorized facilities on the road network within MATS planning area.
6. Performance-Based Planning – Local Agencies will provide technical support in development of performance measures for MATS area, performance targets and evaluation methods. Data collection by Local Agencies as requested by MATS and MDOT to support performance-based planning.
7. Other Projects and Studies – Planning and data collection by Local Agencies’ staff as needed to fulfill requirements of Transportation System Management, Regional Planning Cooperation (RPI and RTM), Safety Conscious Planning, Ladders of Opportunity and other ongoing projects/studies.



## 8. Transit Planning Services

Transit Administration/Public Involvement– attendance by DART’ staff at various community/MPO meetings. Work with County Connection on coordination of transit services, with Senior Services on transit-related information/needs, with RICC regarding transit needs/opportunities for persons with disabilities. NTD reporting for FTA 5307 funding, grant development and execution process. Capital 5307 and 5339 planning, 5307 operations planning; grant development regarding 5307 and 5339 funds. Coordination with MPO on transit projects within TIP. Public outreach regarding changes in transit services.

Transportation System Management– review and rework by DART’ staff existing routes to facilitate more efficient use of buses, evaluation of weekday/weekend service. Work related to grant acceptance paperwork, project authorizations, vendor invoices, vehicle specification certification forms, bus inspection checklist, FTA test sheet, method of procurement decision matrix, price analysis for MiDeal, classification of fleet. Process paperwork to receive new buses.

Data Development and Management– preparation and review by DART’ staff of annual/quarterly/weekly ridership counts, passenger cost per mile, cost per trip. Ridership comparisons, evaluation of trends, efficiency reviews. Review of call volume, cancellations, no-shows for purpose of trends evaluation/efficiency. Review of locations of highest destination frequency for purposes of improving route efficiency. Review of senior ridership, explore ideas to better accommodate transportation needs of seniors.

**PASS THROUGH AGREEMENT BETWEEN  
CITY OF MIDLAND DIAL A RIDE TRANSPORTATION AND  
THE MIDLAND AREA TRANSPORTATION STUDY**

**THIS AGREEMENT**, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2022 by and between City of Midland Dial A Ride Transportation (hereinafter called the “SUBCONTRACTOR”) and the Midland Area Transportation Study (hereinafter called the “MATS”).

All terms and conditions of the prime contract **2021-0026**, between the MATS and the Michigan Department of Transportation hereinafter referred to as the “MDOT,” are incorporated in this Agreement. In the event of a conflict between the terms and conditions of the subcontract and the prime contract, **20121-0026**, the prime contract prevails.

**WITNESSETH:**

WHEREAS, pursuant to Title 23 United States Code (USC) 134 and Title 49 USC 1607, as amended, a metropolitan planning organization, hereinafter referred to as the “MPO,” will be designated for each urbanized area with a population of more than fifty thousand (50,000) by agreement between the governor and the units of general purpose local governments to carry out the transportation planning process; and

WHEREAS, the governor of the State of Michigan and the units of general purpose local government have agreed that MATS will be the designated MPO for Midland Urbanized Area and to receive federal and/or state funds that may become available for metropolitan transportation planning activities; and

WHEREAS, pursuant to Title 23 USC, certain Federal Highway Administration (FHWA) funds are to be made available to MATS, and certain other FHWA funds may, at the discretion of MDOT, be made available to MATS; and

WHEREAS, pursuant to Title 49 USC, certain Federal Transit Administration (FTA) funds are to be made available to MATS, and certain other FTA funds may, at the discretion of the MDOT, be made available to MATS, and

WHEREAS, certain State of Michigan funds allocated to MDOT may be made available to MATS for planning purposes; and

WHEREAS, MATS is authorized and qualified to design and conduct a continuing comprehensive cooperative metropolitan transportation planning process, to be described in a unified work program, hereinafter referred to as the “UWP,” on its own behalf and for the FHWA, the FTA, and/or the MDOT; and

WHEREAS, MATS, having an interest in the development of the UWP as it relates to transit planning in the SUBCONTRACTOR service area, desires to cooperate with SUBCONTRACTOR; and

WHEREAS, MATS, in cooperation with MDOT, FHWA and the FTA, desires to enter into an agreement with the SUBCONTRACTOR;

**NOW, THEREFORE,** MATS and SUBCONTRACTOR agree that:

**1. SCOPE OF WORK**

SUBCONTRACTOR will perform and carry out the duties and obligations related to the transit planning activities as described in the MATS' UWP. Each year a UWP will be prepared by MATS, with input from SUBCONTRACTOR, detailing specific tasks and specific monetary amounts on an annual basis and, upon approval by the Midland Area Transportation Study Policy Committee and MDOT, will by reference be made a part of this Agreement as if set out at length.

MDOT and MATS reserve the right to advise on and approve of UWP' transit related activities and the basic study methods, procedures, and analytical techniques to be applied in carrying out those portions of each UWP transit related activities that, in total or in part, are financed with funds from the FHWA, the FTA, or MDOT. The progress of work that involves the FHWA, the FTA, or MDOT participation will be subject to review and inspection at any reasonable time, upon request, by representatives of the MDOT, MATS, the FHWA, or the FTA.

**2. PROJECT AUTHORIZATIONS AND COMMENCEMENT OF PERFORMANCE**

SUBCONTRACTOR will base actual performance of the specific tasks contained in each year's UWP upon the approval of project authorizations, hereinafter referred to as the "PROJECT AUTHORIZATIONS," setting forth the federal and state funds available for the UWP. Approval is subject to specific activities and cost estimates being approved by the FHWA and the FTA for each fiscal year.

**3. ESTIMATED COSTS AND REIMBURSABLE COSTS**

The annual estimated cost reimbursable by MATS to SUBCONTRACTOR for the conduct of the transit planning activities will be set forth in the UWP.

SUBCONTRACTOR will be reimbursed for all actual direct and indirect costs properly chargeable in accordance with this Agreement and eligible for federal reimbursement under the provisions of OMB Circular A-87, subject to the following conditions.

- a. Travel and Subsistence - Reimbursement for travel in relation to the UWP will be on an actual cost basis, in accordance with SUBCONTRACTOR policy.
- b. SUBCONTRACTOR will not be paid for costs attributable to correction of errors and omissions occasioned by the MATS or MDOT.

**4. INCREASE IN COSTS OR ADDITIONAL COSTS**

Any changes or additions to those portions of transit planning activities participated in by MDOT, FHWA, and/or the FTA that will cause an increase in yearly total costs beyond amount specified in UWP will require the prior approval of MATS, and/or MDOT, FHWA, and/or the FTA and, if applicable, the processing of a revised PROJECT AUTHORIZATION.

At the discretion of MATS the actual amount reimbursable could exceed estimated cost if all following conditions are met:

- a. MATS ascertains that funding is available.
- b. SUBCONTRACTOR provides supporting information as to transit planning activities done in excess of those within the annual estimated cost.
- c. The transfer of funds between individual major areas of the UWP will not increase or decrease an individual major work area by more than twenty-five percent (25%) of the total estimate for a major area without the prior approval of FHWA, FTA, and MDOT representatives, as applicable. Major areas are defined as being combinations of work items as set forth in the UWP.

Additional specialized services to be performed by SUBCONTRACTOR after approval of the PROJECT AUTHORIZATION and not set forth in the UWP will require approval by MATS, MDOT, and FHWA or FTA in the form of a revision to that UWP and, if applicable, a revised PROJECT AUTHORIZATION.

## 5. ACCOUNTS AND RECORDS

- a. SUBCONTRACTOR will establish and maintain accurate records, in accordance with generally accepted accounting fundamentals, of all expenses incurred for which payment is sought or made under this Agreement, said records to be hereinafter referred to as the "RECORDS."
- b. SUBCONTRACTOR will maintain the RECORDS for at least three (3) years from the date of final payment made by MATS under this Agreement. In the event of a dispute with regard to the allowable expenses or any other issue under this Agreement, SUBCONTRACTOR will thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.
- c. MATS and MDOT or its representative may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.
- d. If any part of the work is subcontracted, SUBCONTRACTOR will assure compliance with subsections (a), (b), and (c) above for all subcontracted work.
- e. All agencies are subject to the federally-required monitoring activities, which may include limited scope reviews and other on-site monitoring.

## 6. BILLINGS AND PROGRESS REPORTS

SUBCONTRACTOR will submit quarterly billing and progress reports to MATS on work accomplished regarding the transit planning activities. Progress reports will be in a form and manner acceptable to MATS. A billing and progress report will be submitted not later than thirty (30) days after the end of each billing period.

SUBCONTRACTOR agrees that the costs reported to MATS for this Agreement will represent only those items that are properly chargeable in accordance with this Agreement.

SUBCONTRACTOR also certifies that it has read the Agreement terms and has made itself aware of the applicable laws, regulations, and terms of this Agreement that apply to the reporting of costs incurred under the terms of this Agreement.

## 7. REPORTS AND PUBLICATION

If any results of those portions of the UWP participated in by FHWA or FTA are published by SUBCONTRACTOR, costs of publication may be included as a participating cost.

- a. Prior to such publication, SUBCONTRACTOR will submit all manuscripts for the review and approval of MATS and MDOT and review by FHWA or FTA. Such review and acceptance is for MATS and MDOT's own purposes and does not relieve SUBCONTRACTOR from claims arising out of such publication.
- b. In the event the parties fail to agree on a final draft of a manuscript, MATS or MDOT may publish independently results of those portions of the UWP participated in by FHWA or FTA, but will set forth in such publication the SUBCONTRACTOR nonconcurrence, if so desired by SUBCONTRACTOR.
- c. Any publication will give proper credit to all parties in this Agreement for the cooperative character of the UWP.

## 8. REPORT LANGUAGE

All reports published by SUBCONTRACTOR will contain the following statement in the credit line if MDOT or FHWA or FTA does not subscribe to the findings:

*"The contents of this \_\_\_\_\_ (report) reflect the view of \_\_\_\_\_ (the author), who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official view or policies of \_\_\_\_\_ (the name of nonconcurring party.) This \_\_\_\_\_ (reports) does not constitute a standard, specification, or regulation."*

## 9. PUBLICATION OF FUNDAMENTAL WORKS

The foregoing terms do not preclude the publication by SUBCONTRACTOR of results of any UWP work that is in the nature of fundamental or general principals.

## 10. OWNERSHIP OF DATA

Ownership of data collected hereunder will be vested in SUBCONTRACTOR with full rights of free access and use thereto guaranteed to MATS, MDOT, FHWA and FTA, and/or all other participating agencies.

## 11. EQUIPMENT

Major items of equipment purchased for use on the UWP may be included in the UWP as direct costs. Participation in the cost of such equipment by MDOT and FHWA or FTA will be limited to the amount of depreciation during the period of use on the UWP as ascertained at the end of authorization. Eligibility for MDOT and FHWA or FTA participation are based on the following:

- a. The equipment is not of a nature normally used or required in SUBCONTRACTOR regular operations.
- b. The equipment is required for and will be used primarily on work related to the UWP.
- c. The cost of the equipment is considered to be reasonable by MATS, MDOT, and FHWA or FTA.
- d. SUBCONTRACTOR will furnish to MATS a certification stating that the equipment has not been included under indirect costs.

## 12. REIMBURSEMENT TO SUBCONTRACTOR FOR COSTS INCURRED

MATS hereby agrees that payment to the SUBCONTRACTOR shall be made within (10) days of the receipt of payment from the State of Michigan.

## 13. FHWA AND FTA PARTICIPATION

Certain funding under this Agreement is contingent on participation from year to year by FHWA or FTA in costs incurred by the SUBCONTRACTOR in the performance of the UWP. No obligations for such costs not reimbursable by FHWA or FTA will be knowingly entered into and billed to MATS for reimbursement. Incurred costs that are not reimbursable by FHWA or FTA will be the sole responsibility of the SUBCONTRACTOR.

## 14. FEDERAL LAWS AND REGULATIONS

All applicable federal, state, and local laws, regulations, and ordinances are incorporated into and made a part of this Agreement, and the parties will comply therewith.

## 15. AUDIT

SUBCONTRACTOR will comply with applicable state laws and regulations relative to audit requirements. SUBCONTRACTOR will not charge audit costs to MDOT's federal programs.

In the event that an audit performed by or on behalf of MATS indicates an adjustment to the costs reported under this Agreement or questions the allowability of an item of expense, MATS will promptly submit to SUBCONTRACTOR a Notice of Audit Results and a copy of the audit report, which may supplement or modify any tentative findings verbally communicated to SUBCONTRACTOR at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, SUBCONTRACTOR will (a) respond in writing to MATS indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense, and (c) submit to MDOT and MATS a written explanation as to any questioned or no opinion expressed item of expense hereinafter referred to as the "RESPONSE." The RESPONSE will be clearly stated and will provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, SUBCONTRACTOR may supply appropriate excerpts and make alternate arrangements to conveniently and reasonably make that documentation available for review by MATS and MDOT. The RESPONSE will refer to and apply the language of the Agreement. SUBCONTRACTOR agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes MATS and MDOT to finally disallow any items of questioned or no opinion expressed cost.

MDOT and MATS will make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If MATS determines that an overpayment has been made to SUBCONTRACTOR, SUBCONTRACTOR will repay that amount to MATS or reach agreement with MATS on a repayment schedule within thirty (30) days after the date of an invoice. If SUBCONTRACTOR fails to repay the overpayment or reach agreement with MATS on a repayment schedule within the thirty (30) day period, SUBCONTRACTOR agrees that MATS will deduct all or a portion of the overpayment from any funds then or thereafter payable by MATS, to SUBCONTRACTOR under this Agreement or any other agreement or payable to SUBCONTRACTOR under the terms of 1951 PA, as applicable. Interest will be assessed on any partial payments or repayments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by MATS and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. SUBCONTRACTOR expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest MATS's decision only as to any item of expense the disallowance of which was disputed by SUBCONTRACTOR in a timely filed RESPONSE.

#### 16. INDEMNIFY AND HOLD HARMLESS

In addition to the protection afforded by any policy of insurance, SUBCONTRACTOR agrees to indemnify, defend, and hold harmless the MATS, MDOT, FHWA, FTA, and all their officials, officers, agents, and employees thereof:

- a. From any and all claims by persons, firms or corporations for labor, services, materials, or supplies provided to SUBCONTRACTOR in connection with SUBCONTRACTOR performance under this Agreement; and
- b. From any and all claims for injuries to or death of any and all persons, for loss of or damage to property, for environmental damage or degradation, response and clean-up costs, and for attorney fees and related costs arising out of, under, or by reasons of SUBCONTRACTOR performance under this Agreement, except claims resulting from the sole negligence or willful acts or omissions of said indemnitee, its agents, or its employees; and
- c. Against all claims, suites, costs, damages, and expenses that the State of Michigan, the Michigan State Transportation Commission, MDOT, MATS, FHWA, and/or the FTA may sustain by reason of any scandalous, libelous or unlawful matter obtained or alleged to be obtained in the work, or any infringement or violation by the work of any copyright or property right.

MATS will not be subject to any obligations or liabilities by contractors of SUBCONTRACTOR or its subcontractors or any other person not a party to the Agreement without its specific consent and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof.

It is expressly understood and agreed that SUBCONTRACTOR will take no action or conduct that arises either directly or indirectly out of its obligations, responsibilities, and duties under this Agreement that results in claims being asserted against or judgments being imposed against the State of Michigan, MATS, MDOT, the Michigan State Transportation Commission, FHWA, and/or the FTA, as applicable.

In the event that the same occurs, it will be considered as a breach of this Agreement, thereby giving the MDOT, MATS, FHWA, and/or the FTA a right to seek and obtain any necessary relief or remedy, including, but not limited to, a judgment for money damages.

SUBCONTRACTOR will provide public liability, property damage, and workers' compensation insurance, insuring as they may appear all claims that may arise out of the SUBCONTRACTOR operations under this Agreement.

## 17. NONDISCRIMINATION, DBE, AND ENVIRONMENTAL REQUIREMENTS

SUBCONTRACTOR will comply with the following:

- a. In connection with the performance of the Agreement, SUBCONTRACTOR (hereinafter in Appendix A referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, dated March 2010, attached hereto and made a part hereof. This provision will be included in all subcontracts relating to this Agreement.
- b. During the performance of this Agreement, SUBCONTRACTOR, for itself, its assignees, and its successors in interest (hereinafter in Appendix B referred to as the "contractor"), agrees to comply with the Civil Rights Act of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 USC Sections 1971, 1975a-1975d, and 2000a-2000h-6, and the Regulations of the United States Department of Transportation (49 CFR, Part 21) issued pursuant to said Act, including Appendix B, dated March 2010, attached hereto and made a part hereof.
- c. SUBCONTRACTOR will carry out the applicable requirements of the MDOT's Disadvantaged Business Enterprise (DBE) program and 49 CFR Part 26, including, but not limited to those requirements set forth in Appendix C, dated October 1, 2005, attached hereto and made a part hereof, with respect to the UWP, said UWP allowing SUBCONTRACTOR to operate under the provisions of its own MDOT-approved DBE program.
- d. SUBCONTRACTOR agrees that not otherwise qualified individuals with disabilities in the United States, as defined in Section 1630.2 of the Americans with Disabilities Act, Title 42, USC 12101, will, solely by reason of their disabilities, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving benefits under this Agreement.
- e. SUBCONTRACTOR agrees to comply with all the requirements of the Clean Air Act and the Clean Water Act and all regulations and guidelines listed thereunder related to SUBCONTRACTOR and Services under this Agreement.
- f. SUBCONTRACTOR will promptly notify MATS, MDOT, and the U.S. EPA, Assistant Administrator for Enforcement, of the receipt of any communications from the Director, the Office of Federal Activities, or the EPA indicating that a facility to be utilized for this Agreement is under consideration to be listed on the EPA List of Violating Facilities.
- g. SUBCONTRACTOR certifies that it agrees to use the E-Verify system to verify that all persons it hires during the subcontract term are legally present and authorized to work in the United States.



## 18. TERMINATION

MATS may terminate this Agreement for convenience or cause, as set forth below, before the services are completed. Written notice of termination will be sent to SUBCONTRACTOR. SUBCONTRACTOR will be reimbursed in accordance with the following:

a. Termination for Convenience:

If MATS terminates this Agreement for convenience, MATS will give SUBCONTRACTOR written notice of such termination thirty (30) days prior to the date of such termination, and SUBCONTRACTOR will be reimbursed for all costs incurred for work accomplished on the UWP up to receipt of the notice of termination. Such reimbursement will not to exceed the amount set forth in the UWP. In no case will the compensation paid to SUBCONTRACTOR for partial completion of services exceed the amount SUBCONTRACTOR would have received had the services been completed.

b. Termination for Cause:

In the event SUBCONTRACTOR fails to complete any of the services in a manner satisfactory to MATS, MATS may terminate this Agreement. Written notice of termination will be sent to SUBCONTRACTOR. SUBCONTRACTOR will be reimbursed as follows:

SUBCONTRACTOR will be reimbursed for all costs incurred for work accomplished on the UWP up to receipt of the notice of termination. MATS may pay a proportional share for a partially completed work product. The value of such partially completed work product will be determined by MATS based on actual cost incurred up to the estimated value of the work product received by MATS, as determined by MATS. Such actual costs will not to exceed the amount set forth in the UWP. In no case will the compensation paid to SUBCONTRACTOR for partial completion of the services exceed the amount SUBCONTRACTOR would have received had the services been completed.

In the event that termination by MATS is necessitated by any wrongful breach, failure, default, or omission by SUBCONTRACTOR, MATS will be entitled to pursue whatever remedy is available to it, including, but not limited to, withholding funds or off-setting against funds owed to SUBCONTRACTOR under this Agreement, as well as any other existing or future contracts or agreements between SUBCONTRACTOR and MATS, for any and all damages and costs incurred or sustained by MATS as a result of its termination of this Agreement due to the wrongful breach, failure, default, or omission by the SUBCONTRACTOR. In the event of termination of this Agreement, MATS may procure the professional services from other sources and hold SUBCONTRACTOR responsible for any damages or excess costs occasioned thereby.

MATS shall also have the right to terminate this contract for reasons beyond the control of MATS.

## 19. ENFORCEABILITY AND GOVERNANCE

Should any portion or provision of this Agreement be determined to be unenforceable, such determination shall not affect the enforceability of the remainder of the Agreement.

This contract shall in all respects be governed by, and construed in accordance with, the laws of the State of Michigan.

20. TERM OF AGREEMENT

**Upon award, this Agreement will be in effect from 10/01/22 through 09/30/23 for the amount of \$20,000 (\$16,370 federal and \$3,630 local funding) as budgeted in the MATS' FY 2023 Unified Work Program.**

21. AWARD

The Agreement will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of SUBCONTRACTOR and MATS.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be awarded.

MIDLAND AREA TRANSPORTATION STUDY

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

CITY OF MIDLAND DIAL A RIDE TRANSPORTATION

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

APPENDIX A  
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

The Michigan Department of Transportation has a responsibility to ensure that contractors comply with federal contracting requirements, including equal opportunity requirements, and to assist in and cooperate with Federal Highway Administration (FHWA) programs to ensure that equal opportunity is afforded to all. In connection with the performance of work under this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the “contractor”), agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract.

In accordance with Public act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual’s ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.

Furthermore, on any federally-assisted contract, the contractor and subcontractor shall comply with the equal employment opportunity provisions of 23 CFR Subpart D—Construction Contract Equal Employment Opportunity Compliance Procedures, 49 CFR Part 21--Non-Discrimination in Federally-Assisted Programs of the Department of Transportation --Effectuation of Title VI of the Civil Rights Act of 1964, Executive Order 11246, Title VII of the Civil Rights Act of 1964 (Title VII), Public Act 220 of 1976, and Public Act 453 of 1976.

2. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, sex, height, weight, marital status, or any disability that is unrelated to the individual’s ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employments; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
3. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual’s ability to perform the duties of a particular job or position.
4. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers’ representative of the contractor’s commitments under this Appendix.
5. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

6. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
7. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
8. The contractor agrees to cooperate with the Department's Project Manager or designee and the Department's Equal Employment Opportunity Officer to resolve any complaints brought against the contractor or any subcontractor on any federally assisted project or program by an employee, applicant for employment, or employee of the Department, regardless of whether or not the employee is employed by the contractor, subcontractor, or the Department, or is an applicant for employment, alleging prohibited discrimination. Prohibited discrimination includes, but is not limited to, sexual harassment, racial discrimination, and other protected categories set forth under Title VII and Public Act 453 of 1976.
9. The contractor shall comply with 23 CFR Subpart D and Executive Order 11246, and as such, the contractor or subcontractor shall conduct a prompt, thorough, and fair investigation of all complaints brought forward under Title VII and Public Act 453 of 1976, in cooperation with the Department's Equal Employment Opportunity Officer.
10. The contractor shall provide a written report detailing the findings of the investigation to the Department's Project Manager and Equal Employment Opportunity Officer when the complaint made against the contractor is by a Department employee or by an applicant for employment. The Department's Equal Employment Opportunity Officer shall review the report for compliance with 23 CFR Subpart D. It is the Department's intent to correct any current acts and prevent any future acts of discrimination arising out of a Title VII or Public Act 453 of 1976 complaint. Title VI complaints will be addressed through the Contractor Compliance Section in the Department's Office of Business Development.
11. The contractor shall include or incorporate by reference the provisions of all applicable covenants set forth in Sections 1 through 10 above in all subcontracts and purchase orders unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Application:

1. On any federally assisted contract, the contractor and subcontractor agree to comply with the equal employment opportunity provisions of 23 CFR Subpart D, 49 CFR Part 21, Executive Order 11246, Title VII, Public Act 220 of 1976, and Public Act 453 of 1976.
2. FHWA responsibilities under 23 CFR Part 230.405: The FHWA has the responsibility to ensure that contractors meet contractual equal opportunity requirements under Title 23 USC and to provide guidance and direction to states in the development and implementation of a program to ensure compliance with equal employment opportunity requirements.
3. FHWA Order 4710.8 clarifies that the Office of Federal Contract Compliance Programs of the Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and its implementing regulations.
4. Failure of the Department to discharge the responsibilities set forth in 23 CFR Part 230.405(b)(1) may result in the U.S. Department of Transportation taking any or all of the following actions (see 23 CFR Part 630, Subpart C, Appendix A):
  - i) canceling, terminating, or suspending the federal aid project agreement in whole or in part;
  - ii) refraining from extending any further assistance to the Department for the program under which the failure or refusal occurred until satisfactory assurance of compliance is received from the Department; and
  - iii) referring the case to the appropriate federal agency for legal proceedings.

APPENDIX B  
TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the “contractor”), agrees as follows.

1. **Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.

Furthermore, on any federally assisted contract, the contractor and subcontractor shall comply with the equal employment opportunity provisions of 23 CFR Subpart D--Construction Contract Equal Employment Opportunity Compliance Procedures, 49 CFR Part 21--Non-Discrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act of 1964, Executive Order 11246, Title VII of the Civil Rights Act of 1964, Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), and Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act).

2. **Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department of Federal Highway Administration in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the Federal Highway Administration, as appropriate, and shall set forth the efforts that it made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to, the following:
  - a. Withholding payments to the contractor until the contractor complies; and/or
  - b. Canceling, terminating, or suspending the contract, in whole or in part.

6. **Incorporation of Provisions**: The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Department or the Federal Highway Administration may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Department to enter into such litigation to protect the interests of the state. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Revised March 2010

APPENDIX C  
Assurances that Recipients and Contractors Must Make  
(Excerpts from US DOT Regulation 49 CFR § 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US 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.