

DRAFT FY 2020

Unified Work Program

Approved by MATS Policy Committee on, 2019

Midland Area Transportation Study (MATS)

Metropolitan Planning Organization

220 West Ellsworth Street, Suite 326

Midland, MI 48640

Phone: (989) 832-6333

info@midlandmpo.com

www.midlandmpo.org

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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 December 2015, the Fixing America's Surface Transportation Act (FAST Act) was signed into law, it is a 5-year bill that authorizes \$305 billion in investments for the nation's roads, bridges, transit, and rail systems through year 2020. 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 FAST Act builds upon the performance-based approach to infrastructure investment that was established in the previous authorization bill, the Moving Ahead for Progress in the 21st 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 2020 UWP describes the transportation planning tasks scheduled for the period from October 1, 2019 to September 30, 2020.** 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 SMATS (Saginaw Metropolitan Area Transportation Study) boundaries have recently been re-designated to eliminate the overlap. The 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 possibility of duplication of planning activities.

FAST Act planning regulations require the development of an annual Unified Work Program (UWP). The UWP identifies transportation issues and problems facing the MATS planning area. It then identifies specific work tasks to address these issues and a proposed budget associated with those issues. Also included in the UWP is information relevant to funding sources, budget summaries, completion schedules and indirect costs.

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 areas of Williams Township and the City of Auburn in Bay County, along with Saginaw County's Tittabawassee Township within MATS designated area. 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 has intersections that operate at Level of Service (LOS) D and F. The Mall and Fairground traffic often cause significant congestion. During the Christmas shopping season traffic increases by about 30% or more above the normal operating level. 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 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 between US-10 and Diamond Drive.

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

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 105,000 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.

Due to a multitude of other required activities, MATS will not conduct tasks with respect to transit planning issues, these activities will be conducted by DART staff instead. The tasks that will be conducted by DART within FY 2020 are described further in the report under heading of 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.

On October 1, 2015 the United States Environmental Protection Agency (EPA) set the primary and secondary national ambient air quality standard (NAAQS) for ground-level ozone at 70 parts per billion (or 0.070 parts per million). Since MATS area is designated in attainment for Ozone under USEPA's 8 hour 0.070 Ozone Standard, there is no requirement to conduct a regional transportation conformity analysis for the MATS' Long-Range Plan or Transportation Improvement Program. 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 2020, with time and funding assigned to it. If ever EPA publishes a notice designating the MATS area as nonattainment area, than 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 2020 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, 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. Budget permitting, MATS will reimburse these agencies for transportation planning services and activities, including but not limited to collection of traffic counts, performance-related data, MIRE data and HPMS-related data; asset management and related services; assistance in maintenance of Transportation Improvement Program (TIP); transit planning and associated services, work related to non-motorized planning, Rural Task Force, regional coordination. MATS will reimburse the County of Midland for GIS services and related GIS maintenance costs necessary for completion of MATS GIS-related tasks. A copy of Memorandum of Agreement between MATS and Midland County is included in the Appendix.

The projected funding for FY 2020 Unified Work Program activities is as follows:

Consolidated FY 2020 Planning (Metro & Transit) Funds:	
FHWA PL 112 (Metro Planning):	\$ 148,585
Local Match of 18.15%:	\$ 32,948

FTA Section 5303 & 5304 (Transit):	\$ 39,981
Local Match 18.15%	\$ 8,866
FY 2020 MTF Funds (Asset Management):	<u>\$ 21,000</u>
Total:	\$ 251,380

FHWA estimated PL allocation of Metropolitan Planning Funds for FY 2020 is \$148,585 with \$32,948 local match. FTA estimated 5303 allocation of Transit Planning Funds for FY 2020 is \$39,981 with \$8,866 local match. The \$39,981 allocation includes \$5,000 FTA 5304 small MPO allocation. Due to a multitude of other required activities, the majority of transit planning activities will be conducted by DART staff (and not MATS staff), and thus the majority 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. A small portion of FTA Section 5303 funds will be utilized by MATS towards administration of bills from DART and forwarding appropriate paperwork to MDOT with respect to billing for transit planning, the remaining MATS portion to be used towards general administration of MATS or other tasks.

MATS will also be receiving funding of \$21,000 within FY 2020 from the Transportation Asset Management Council as assistance towards costs of rating Federal Aid roads within the MATS planning area and promoting asset management principals.

Thus, the FY 2020 UWP funding includes \$188,566 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 \$41,814 are required for the FHWA PL 112 and FTA 5303 grant programs.

The local match funds will consist of cash contributions. Concerning the FY 2020 FHWA PL match, it will be shared equally by the City of Midland and the Midland County Road Commission, in the amount of \$16,474 each. Concerning the FY 2020 FTA 5303 match, it will be shared by the Dial-A-Ride Transportation (DART), City of Midland and the Midland County Road Commission (MCRC), those agencies contributing \$5,444, \$1,711 and \$1,711, respectively.

OVERALL TASKS

As specified in MAP-21 and FAST Act, the 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, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

- Enhance the integration and connectivity of the transportation system, across and between modes;
- 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.

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

- Transition to Performance Based Planning and Programming
 - a. Incorporation of performance measures and targets into goals and objectives
 - b. Evaluation of project benefits with respect to progress towards performance targets
 - c. Documentation of project benefits in TIP and LRTP and how they contribute in accomplishing performance targets
 - d. Better alignment of project selection criteria for TIPs/MTPs with performance measure targets.
 - e. Staying engaged in Michigan initiatives and training opportunities;
- Promotion of cooperation and coordination across MPO boundaries to ensure a regional approach to transportation planning
 - a. Identification of connectivity gaps and related solutions
 - b. Access to essential services (housing, employment, health care, schools/education, and recreation);
- Long-Range Transportation Planning
 - a. Improved documentation and consideration of environmental consultation
 - b. Implementation of advance environmental justice analysis (as needed)
 - c. Implementation of new performance measures requirements
 - d. Improvement upon existing freight planning efforts;
- TIP Improvements
 - a. Streamlining TIP development, project prioritization and amendment processes to deliver the program more efficiently
 - b. Coordination of TIP process with JobNet development
 - c. Cooperative participation in improving/expanding JobNet features
 - d. Implementation of new performance measures requirements.

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 is a multitude of tasks associated with the MPO Administration, 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 2020, MATS will develop FY 2021 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, 2020 and September 30, 2021. 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 2020) UWP will also be accounted for, all this activity is addressed in **work item 2.0 (Short-Term Planning)**.

MATS will organize and host 2020 MTPA Conference. As a consequence, within FY 2020, MATS will conduct any task necessary to secure the venue for the conference, develop conference itinerary, and develop/set up/organize all that is required to bring the conference about to its successful conclusion. All activities pertaining to organization of 2020 MTPA conference are covered under **work item 2.0 (Short-Term Planning)**.

MATS will continue developing a local traffic count program for the planning area, determining traffic data needs, collecting all recent traffic counts from local jurisdictions and MDOT, and reimbursing local agencies for conducting any necessary traffic counts. The location and number of counts will be set up to fulfill Performance Planning needs, Highway Performance Monitoring System (HPMS) requirements or GLBR Model requirements. MIRE data collection will be done on as needed basis. 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. These activities are all covered under **work item 2.0 (Short-Term Planning)**.

Due to a multitude of other required activities, the majority of transit planning activities will be conducted by DART staff and not MATS staff. DART will conduct various tasks within three areas of transit planning: Transit Administration/Public Involvement, Data Development and Management, and Transportation System Management. MATS tasks will primarily comprise of administration of invoices from DART and forwarding appropriate paperwork to MDOT with respect to transit planning reimbursements. Transit planning activities by DART and MATS are covered under **work item 2.0 (Short-Term Planning)**.

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 County Road Commission, EMCOG and other agencies to develop, document, and submit Rural Task Force (RTF) projects within MATS area to MDOT Statewide Planning Section. MATS will conduct work in various other areas including Regional Planning Cooperation, Ladders of Opportunity, Safety Conscious Planning (SCP), and Transportation System Management (TSM). 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, transportation plans and programs across adjacent MPOs (two of those programs being *Regional Prosperity Initiative* and *Regional Transit Mobility Initiative*). MATS will work with MDOT, other MPOs and operators of public transportation on identifying transportation connectivity gaps in access to essential services (i.e. housing, employment, health care, schools/education, and recreation) and derivation of solutions to address those gaps. MATS will promote Safety Conscious Planning through derivation of safety goals and safety improvements, participation in safety planning activities such as workshops and webinars, identification and mapping of high crash locations within its planning area. Time permitting, MATS will provide planning assistance regarding Transportation System Management, including access management coordination and congested location management. All these activities are covered under **work item 2.0 (Short-Term Planning)**.

MATS will provide the asset management services for FY 2020 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, specific 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 2020, MATS will start implementing newly completed FY 2020-2023 Transportation Improvement Program (TIP) Report within its metropolitan planning area. The TIP Report names and categorizes the programmed projects throughout the four-year time period of 2020-2023 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 are met. The TIP report also includes an environmental justice chapter with 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. MATS will continue working with MDOT and public transit providers to cooperatively develop estimates of funds that are reasonably expected to be available to support TIP implementation.

Within FY 2020, MATS will process any needed project amendments or administrative changes to the FY 2020-2023 TIP. 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. MATS will continue working with MDOT, FHWA, FTA and other MPOs on streamlining of TIP process with JobNET software, and developing next phase of JobNET to deliver the program more efficiently. MATS will prepare an annual listing of obligated projects as required by federal regulations. All these activities will be accomplished under **work item 4.0 (Transportation Improvement Program)**.

MATS will strive to provide a balanced transportation system that ensures safe and convenient non-motorized travel options. MATS will continue working on non-motorized issues in its planning area, including region-wide Non-Motorized Plan, Midland Region Bike/Pedestrian Map, and other documents as needed. 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 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, involving all interested parties. 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 2020, MATS will continue work regarding an update of its Metropolitan Transportation Plan (required every 5 years), facilitating participation of all interested agencies and general public. MATS will work cooperatively with MDOT's SUTA Section on updating the Great Lakes Bay Region Travel Demand Model, covering the areas of Bay, Saginaw, and Midland. To that end, MATS will collect current information on economic development, demographics, land use and zoning; compare current master plans and zoning plans and evaluate for conditions that will lead to change. MATS will also review and identify long-term transportation issues within its geographical area, re-evaluate long-term transportation goals and objectives, re-examine policies for transportation decision making in the future, and collect necessary information/data. MATS will use the GLBR Model to identify future deficiencies within the transportation network, test various land use and roadway improvement alternatives and identify corresponding street system impacts. MATS will review strategies and ascertain transportation projects that will fulfill identified goals and objectives. MATS will conduct, if needed, 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 following page.

Work Task Schedule												
Tasks by MATS	Oct '19	Nov '19	Dec '19	Jan '20	Feb '20	Mar '20	Apr '20	May '20	Jun '20	Jul '20	Aug '20	Sep '20
1.0 Administration	[Blue bar]											
2.0 Short-Term Planning	[Blue bar]											
Unified Work Program (UWP)	[Blue bar]											
2020 MTPA Conference	[Blue bar]											
Data Collection & Analysis, GIS	[Blue bar]											
Transit Planning	[Blue bar]											
Other Areas (RPI, RTF, RTM, SCP, TSM)	[Blue bar]											
3.0 Asset Management	[Blue bar]											
4.0 Transportation Improvement Program (TIP)	[Blue bar]											
5.0 Long-Term Planning	[Blue bar]											
Non-Motorized Planning	[Blue bar]											
Performance-based Planning	[Blue bar]											
Metropolitan Transportation Plan	[Blue bar]											

Work Task Schedule												
Tasks by Others	Oct '19	Nov '19	Dec '19	Jan '20	Feb '20	Mar '20	Apr '20	May '20	Jun '20	Jul '20	Aug '20	Sep '20
1.0 Administration	[Red bar]											
2.0 Short-Term Planning	[Red bar]											
Unified Work Program (UWP)	[Red bar]											
Data Collection & Analysis, GIS	[Red bar]											
Transit Planning	[Red bar]											
Other Areas (RPI, RTF, RTM, SCP, TSM)	[Red bar]											
3.0 Asset Management	[Red bar]											
4.0 Transportation Improvement Program (TIP)	[Red bar]											
5.0 Long-Term Planning	[Red bar]											
Non-Motorized Planning	[Red bar]											
Performance-Based Planning	[Red bar]											
Metropolitan Transportation Plan	[Red bar]											

FY 2020 UWP FUNDING SUMMARY

	FY 2020 Funds				Sum
	FHWA PL112/FTA 5303	LOCAL	MATS	AMC	
TASKS CONDUCTED BY MATS:					
1.0 Administration	\$ 79,162	\$ 17,554	\$ -	\$ -	\$ 96,716
2.0 Short-term Planning	\$ 39,650	\$ 8,792	\$ -	\$ -	\$ 48,442
3.0 Asset Management (PASER)	\$ -	\$ -	\$ -	\$ 6,000	\$ 6,000
4.0 Transportation Improvement Program	\$ 28,283	\$ 6,271	\$ -	\$ -	\$ 34,554
5.0 Long-term Planning	\$ 14,461	\$ 3,207	\$ -	\$ -	\$ 17,668
Subtotal:	\$ 161,556	\$ 35,824	\$ -	\$ 6,000	\$ 203,380
TASKS CONDUCTED BY OTHERS:					
Agencies Reimbursement for PL112-related services	\$ 2,455	\$ 545	\$ -	\$ -	\$ 3,000
Agencies Reimbursement for Asset Mngmt services		\$ -	\$ -	\$ 15,000	\$ 15,000
DART Reimbursement for FTA5303-related services	\$ 24,555	\$ 5,445	\$ -	\$ -	\$ 30,000
Total:	\$ 188,566	\$ 41,814	\$ -	\$ 21,000	\$ 251,380

Indirect Rate of 20.4% applies only to MATS-performed tasks

FHWA - Federal Highway Administration

MDOT - Michigan Department of Transportation

FTA - Federal Transit Administration

AMC- Asset Management Council

MATS - Midland Area Transportation Study

DETAILS OF WORK ITEMS

Work Item 1.0 Administration

Administration (FY 2020 Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$79,162		\$17,554
Expenditures		\$96,716	
Staff Time (hours)		1,671	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 20.4%

There is a multitude of tasks associated with the MPO Administration, 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, and purchase of office equipment/supplies. Other administrative activities include attendance of technical training seminars, conferences and professional workshops, participation in the Michigan Transportation Planning Association. 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.

Another administrative activity is continued contact with various public interest groups to keep the public informed of transportation related issues. MATS's programs serve all people within MATS planning area, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the area. MATS publishes notices of its meetings on MATS' website, in the local newspaper, and distribute meeting announcements and news releases to all interested parties. In addition, MATS provides a forum for feedback to the planning program through open discussions and presentations to interested groups. Public participation principles are also 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 in the development/updates of the Metropolitan Transportation Plan (otherwise known as Long-Range Plan), Transportation Improvement Program (TIP) and Unified Work Program (UWP). MATS will continue to reach out to the stakeholders and general public and will work to engage them in discussion and input.

At the present time, MATS MPO is not really known in the community, as to what it is and what it does, this is a result of agency's recent creation. MATS staff believes that expanded outreach efforts would result in the MPO performing its duties better and providing more benefits to the community it serves. Potential outreach strategies include advertising MATS at local public events, getting to know/collaborating with other organizations doing related work, creating easily-understood description

of MATS that can be shared with other agencies, developing newsletter, and developing strong partnerships with Committee members.

MATS recognizes its responsibility to provide fairness and equity in all of its programs, services and activities, and that it must abide by and enforce 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 state departments such as the Department of Natural Resources (DNR), the Department of Environmental Quality (DEQ), the State Historic Preservation Office (SHPO), and tribal governments such as the Saginaw-Chippewa Indian Tribe of Michigan.

Products:

1. Regular attendance at MATS Technical and Policy Committee meetings.
2. Agendas, minutes and necessary support for each MATS meeting and other meetings.
3. Participation in the Michigan Transportation Planning Association, and other organizations where transportation issues are commonly discussed.
4. Coordination of planning activities with various MDOT sections and other units of government.
5. 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.
6. Preparation of progress reports and invoices for payment to MDOT as per authorizations, utilization of ProjectWise system and SIGMA system.
7. Preparation of Final Acceptance Report on Work Program elements for FY 2019.
8. Development of arrangements for the required financial and compliance audits. Assistance in carrying out audits of programs.
9. 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.
10. Administration and coordination of activities regarding implementation of the federally mandated transportation planning process.
11. Development/update of formal agreements between various local agencies, transit providers and MDOT with respect to MATS (resolutions, memorandums, local cost agreements, etc).
12. Continued development of MATS organizational structure (By-Laws amendments, Subcommittees' operations, etc).
13. Periodical evaluation of MATS staffing needs.
14. Continued assessment of MATS office needs and subsequent purchases/updates/upgrades.
15. MATS website – administration, maintenance and updates as needed.
16. Continued efforts towards increased public participation of MATS activities.
17. Outreach Program and Marketing of MATS.
18. Training of MATS staff with respect to various transportation programs and corresponding computer assisted techniques. Purchase and installation of needed transportation software.

Work Item 2.0 Short-Term Planning

Short-Term Planning (FY 2020 Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$39,650		\$8,792
Expenditures		\$48,442	
Staff Time (hours)		900	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 20.4%

There are multiple tasks that fall under the Short-Term Planning category, such as preparation of Unified Work Program, organization and hosting of MTPA Conference, data collection/analysis and GIS-related work, transit planning, and work pertaining to Rural Task Force 7B and 7C, Regional Planning Cooperation (RPI and RTM), Ladders of Opportunity, Safety Conscious Planning (SCP), and Transportation System Management (TSM). These tasks are described in detail herein.

Unified Work Program (UWP)

Within FY 2020, MATS will develop FY 2020 Unified Work Program (UWP). The tasks necessary in preparation of the FY 2020 UWP are: attendance at the Pre-UWP meeting with state and federal officials to determine deadlines, review MATS' program content, estimate PL (metro planning) and Section 5303 (transit) funding; assess requirements for authorizations and or agreements. A draft FY 2020 UWP will be submitted for review to the MATS Technical and Policy Committees, and MDOT. This document will describe the transportation planning tasks scheduled for the period from October 1, 2020 to September 30, 2021, 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. MATS will revise the draft FY 2021 UWP based on comments from reviewing agencies, addressing any deficiencies. The final FY 2021 UWP will be submitted to the MATS Technical and Policy Committees for endorsement, and then transmitted to MDOT, FHWA and FTA for final approval. MATS will conduct periodic review of the work program to ensure its timely completion.

Also within FY 2020, there will be some tasks associated with funding authorizations and expenditure correlations, and potential amendments or administrative changes that might be necessary with respect to the current (2020) Unified Work Program.

Products:

1. Various correspondence and meetings.
2. Monitor FY 2020 Unified Work Program (amendments, billing reconciliation, etc).
3. Draft, finalize and adopt Unified Work Program for FY 2021.
4. Update Indirect Cost Allocation Plan.

2020 MTPA Conference

MATS will organize and host 2020 MTPA Conference. As a consequence, within FY 2020, MATS will conduct any task necessary to secure the venue for the conference, develop conference itinerary, and develop/set up/organize all that is required to bring the conference about to its successful conclusion.

Products:

1. Various correspondence and meetings with MTPA Educational Committee.
2. Secure venue for conference.
3. Develop conference itinerary and engage keynote speakers.
4. Set up conference registration.
5. Produce schedule of events and other handouts.
6. Organize conference-related events (awards dinner, mobile tours).
7. Conference hosting and administration.
8. Documentation of expenses and revenues related to the conference.

Data Collection, Analysis & GIS

MATS will continue development of a local traffic count program for the MATS planning area, determining traffic data needs, scheduling traffic counts, and obtaining all recent traffic counts from local jurisdictions and the MDOT/others. The location and number of counts will be set up to fulfill local needs, HPMS requirements or the regional travel demand model requirements (housed and operated by MDOT). MATS will also prepare a traffic count report and traffic flow maps and build a traffic database (if time allows).

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, Moving Ahead for Progress in the 21st Century Act (MAP-21), and Fixing America's Surface Transportation Act (FAST Act). Support is defined as (but not limited to): outreach, training and education, data coordination with Local agencies, data compilation, evaluation, load, transfer and reporting. 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.

MAP-21 and 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. MATS will participate and provide support to MDOT in any

of their planning efforts for MIRE FDE data collection. This is the precursor to the MIRE FDE data collection using Roadsoft and other tools.

The MATS program will utilize the assistance and efforts of local agencies, primarily but not limited to the City of Midland and Midland County Road Commission. 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 (PL 112/FTA 5303 Funding)				
	FHWA PL112 & FTA 5303	City of Midland	MCRC	LOCAL
Source	\$2,455			\$545
Expenditures		\$1,000	\$2,000	
Staff Time (hours)		NA	NA	

Local agencies costs: both direct and indirect costs accounted. Local agencies numbers not based on indirect cost rate of 20.4%

MATS will utilize GIS for MPO purposes. This includes subcontracting Midland County’s GIS department to utilize computer aided drafting and GIS programs to enable development and maintenance of the MATS’ GIS database and creation of various data layers regarding transportation infrastructure within MATS planning area. GIS programs/software are expected to be utilized for the purposes of creation of MATS-related maps/presentation charts, socio-economic/environmental justice data needs, traffic database, and corresponding data evaluation and presentation. It is noted that some GIS-related activities (including maintenance of the GIS database and creation of various data layers) will be done by Midland County’s GIS Department and not by MATS staff. Other GIS-related activities such as creation of various maps, collection, coding, checking, manipulation and analysis of data within GIS layers will be done by MATS staff. MATS will reimburse the County of Midland for GIS services and related GIS maintenance costs necessary for completion of MATS GIS-related tasks at a monthly rate of \$270.91, corresponding to \$3,251 for October 1, 2019 through September 30, 2020. A copy of Memorandum of Agreement between MATS and Midland County is included in the Appendix.

Products:

1. 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 collection, if feasible, as needed.
4. Develop traffic count program based on MATS’ program needs.
5. Obtain all recent traffic counts from City of Midland, Midland County Road Commission, other local agencies within the MATS designated area.
6. Schedule traffic counts as needed (counts to be collected by the City of Midland, Midland County Road Commission, others as needed).
7. Compile, code the data in GIS layer(s), analyze, and create FY 2020 MATS traffic count report.

8. Development and maintenance of GIS database.
9. Creation of MPO-wide GIS data layers regarding transportation infrastructure.
10. Creation of MPO-wide GIS maps (MATS boundary, MATS road projects, roads' details, traffic count summary, accident summary, etc.).

Transit Planning

The majority of transit planning activities will be conducted by DART staff and not MATS staff in FY 2020. MATS will review and process invoices from DART and forward appropriate paperwork to MDOT with respect to billing for transit planning. \$30,000 of MPO funding will be passed-through to Dial-A-Ride Transportation (DART). A copy of the Pass-Through Agreement between MATS and DART is included in the Appendix. Transit related activities that will be conducted by DART are described below.

Transit Administration/Public Involvement: This work item includes 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: This includes 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: This includes 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. Committee agendas and minutes.
4. Visual aids and various information products for citizen group meetings.
5. Monthly and yearly ridership and efficiency comparison reports.
6. Coordination of regional transportation efforts.
7. Development of revenue vehicle roster.
8. Preparation of Transit Planning invoices.

Transit Planning (FY 2020 Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	DART	LOCAL
Source	\$24,555		\$5,445
Expenditures		\$30,000	
Staff Time (hours)		NA	

DART costs: both direct and indirect costs accounted for.

Regional Planning Cooperation (RPI and RTM), Rural Task Force, Ladders of Opportunity, Safety Conscious Planning (SCP), Transportation System Management (TSM).

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 (two of such programs are *Regional Prosperity Initiative (RPI)* and *Regional Transit Mobility (RTM)*). It will also include collaboration among MDOT, MPOs, and operators of public transportation on activities such as: data collection, analysis, and performance base planning. MATS will work closely with Bay City Area Transportation Study (BCATS), Saginaw Metropolitan Area Transportation Study (SMATS) and 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 EMCOG to develop, document, and submit RTF projects to MDOT Statewide Planning Section. MATS will assist local units as needed and as time allows in applying for STP Safety and Enhancement funding.

MATS will work with other agencies on identifying transportation connectivity gaps in access to essential services. These essential services include housing, employment, health care, schools/education, and recreation. This emphasis area is known as Ladders of Opportunity, it includes identification of performance measures and analytical methods to measure the transportation system’s connectivity to essential services, use of this information to identify gaps in the system that preclude access of the public to essential services, and identification of solutions to address those gaps.

MAP-21 requires the metropolitan planning process to provide for the consideration of projects and strategies that will increase the safety and security of the transportation system for the motorized and non-motorized users. Safety Conscious Planning (SCP) is a proactive approach to the prevention of accidents and unsafe transportation conditions. SCP achieves road safety improvements through small, but measurable changes, targeted at the whole network. MATS will promote SCP through identification and mapping of high crash locations within its planning area (time permitting). MATS will identify goals, improvements and performance measures to address safety issues. MATS will determine process and timetables for integrating the safety measures into the project selection process (time permitting). As well, MATS will promote and participate in safety planning activities such as workshops and webinars available through LTAP, MDOT, FHWA, and other organizations.

Products:

1. Identification and mapping of high crash locations. Analysis of Crash/Safety data (may be done by MATS staff or local agencies).
2. Identification of safety goals, safety improvements. Action plan detailing how identified safety issues will be addressed in the planning process.
3. Awareness and increased knowledge through participation in safety workshops and webinars.
4. Involvement in the development of plans and programs that impact transportation network within MATS planning area.

5. Coordination of transportation programs and projects with adjacent MPOs, as well collaboration with respect to data collection, analytical tools, and performance base planning.
6. Identification of gaps in the transportation system that preclude access of the public to essential services, and identification of solutions to address those gaps.
7. Involvement in TEDF-D Program, local STP safety program, Rural Task Force Program, coordinated identification of RTF projects within MATS planning area.
8. Execution of TSM studies addressing specific problems.
9. Applications for various funding sources as needed by local agencies.

Work Item 3.0 Asset Management (PASER)

Asset Management (FY 2020 MTF Funds)			
	MTF	MATS	LOCAL AGENCIES
Source	\$21,000		
Expenditures		\$6,000	\$15,000
Staff Time (hours)		126	NA

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 20.4%

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 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. Data Collection Participation and Coordination

A. Federal Aid System:

1. Organize schedule with 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 approximately 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 approximately 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. 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.

III. Equipment

- A. Ensure rating teams have the necessary tools to complete the federal aid 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 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.

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 2019 PASER condition data by local agency, functional classification, and Act 51 Legal System; provide links to the Regional Annual Report on agency website and submit copies to TAMC Coordinator.
- 5. Prepare a draft status report of 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 (FY 2020 Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$28,283		\$6,271
Expenditures		\$34,554	
Staff Time (hours)		650	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 20.4%

During the FY 2020, MATS will start implementing newly completed FY 2020-2023 Transportation Improvement Program (TIP) Report within its metropolitan planning area. The TIP Report names and categorizes the programmed projects throughout the four-year time period of 2020-2023 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 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.

The MATS' FY 2020-2023 TIP, developed in FY 2019, includes all transportation projects, or identified phases of a project within the metropolitan planning area funded under Title 23 and the Federal Transit Act. For informational purposes, all regionally significant projects to be funded with non-federal funds are also included. For each project, TIP includes descriptive material to identify the project or phase, estimated total cost, the amount of federal funds to be obligated during each program year, proposed source of federal and non-federal funds, identification of the recipient/sub-recipient and state and local agencies responsible for carrying out the project. The 2020-2023 TIP is financially constrained, i.e. only projects for which construction and operating funds can reasonably be expected to be available are included.

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 2020, MATS will process any needed project amendments or administrative changes to its FY 2020-2023 TIP. Additionally, MATS will prepare an annual listing of obligated projects as required by federal regulations. MATS will incorporate new GPA regulations into TIP process. MATS will continue working with MDOT, FHWA, FTA and other MPOs on streamlining of TIP process with JobNET software, and developing next phases 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 continue incorporation of performance planning process and performance measures in the TIP Report and throughout the TIP process, ensuring that all federal regulations and deadlines are met.

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. MATS will work with local implementing agencies to review their Surface Transportation Program (STP) street project contracts and with MDOT to ensure compliance with state and federal regulations.

Products:

1. Various correspondence and meetings.
2. MATS' FY 2020-2023 TIP monitored and project amendments and administrative modifications processed in a timely manner.
3. Amendment of FY 2020-2023 TIP Report incorporating new performance measures and planning processes (if needed).
4. Incorporation of new GPA regulations into TIP process.

5. Project monitoring and programming utilizing JOBNET. Participation in continued development of JOBNET in cooperation with MDOT/other MPOs.
6. Prioritization of Federal-Aid Eligible Roads in the MATS area to assist in requests for STP funding.
7. Development of the required Annual Listing of Obligated Projects.

Work Item 5.0 Long-Term Planning

Long-Term Planning (FY 2020 Consolidated Metro Funding)			
	FHWA PL112 & FTA 5303	MATS	LOCAL
Source	\$14,461		\$3,207
Expenditures		\$17,668	
Staff Time (hours)		325	

Accounts for both direct and indirect costs for all agencies; MATS utilizing indirect cost rate of 20.4%

There are multiple tasks that fall under the Long-Term Planning category, such as non-motorized planning, performance-based planning, and work pertaining to Metropolitan Transportation Plan. These tasks are described in detail herein.

Non-Motorized Planning

MATS will strive to provide a balanced transportation system that ensures safe and convenient non-motorized travel options. MATS will continue working on non-motorized issues in its planning area, including region-wide Non-Motorized Plan, Midland Region Bike/Pedestrian Map, and other documents as needed. 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 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.

Products:

1. Various correspondence and meetings with all interested agencies.
2. Continued review of initiatives/plans within MATS area.
3. Continued development of MATS area-wide Non-Motorized Plan.
4. Continued development of Midland Region Bike/Pedestrian Map.
5. Continued development of Non-Motorized list of future projects/improvements.
6. Identification of viable Non-Motorized funding sources.
7. Continued prioritization of Non-Motorized projects in the MATS planning area to assist in requests for funding.
8. Continued promotion of area-wide integration of non-motorized infrastructure and initiatives.

9. Monitor Non-Motorized transportation projects and manage associated TIP changes in a timely manner.
10. Assist local agencies with Non-Motorized issues, plans, and projects.

Performance-Based Planning

MAP-21 and Fast Act require 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 state-wide performance targets and ways to evaluate 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

MATS finalized its first Metropolitan Transportation Plan (otherwise known as Long-Range Plan (LRP)) in FY 2017 and will continue activities pertaining to its maintenance or any needed updates or amendments. The LRP 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. If needed, the plan also meets air quality conformity requirements of the Clean Air Act Amendments.

Within FY 2020, MATS will continue work regarding an update of its Metropolitan Transportation Plan (required every 5 years, to be completed in 2022), facilitating participation of all interested agencies and general public. MATS will work cooperatively with MDOT's SUTA Section on updating the Great Lakes Bay Region Travel Demand Model, covering the areas of Bay, Saginaw, and Midland. The model is an excellent tool to supplement and improve upon existing long-term traffic projections. To that effect, MATS will collect current information on economic development, demographics, land use and zoning; compare current master plans and zoning plans and evaluate for conditions that will lead to change. Refining and coding of socio-economic data may be needed to the Traffic Analysis Zone (TAZ) level.

Time permitting, MATS will also review and identify long-term transportation issues within its geographical area, re-evaluate long-term transportation goals and objectives, re-examine policies for transportation decision making in the future, and collect necessary information/data. MATS will continue developing strategies and ascertain transportation projects that fulfill identified long-term goals and objectives. MATS will continue to pinpoint transportation facilities (including major roadways, transit, multimodal and intermodal facilities, non-motorized transportation facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system giving emphasis to those that serve national and regional transportation functions. It will collect information on rail, air, truck, and non-motorized systems within its planning area. MATS staff will work closely with local, state and Federal agencies to integrate freight planning into the transportation planning process. To that extent, MATS will evaluate freight related issues within its planning area and inventory and monitor freight routes and intermodal facilities.

MATS will use the GLBR Model to identify future deficiencies within the transportation network, test various land use and roadway improvement alternatives and identify corresponding street system impacts. MATS will review strategies and ascertain transportation projects that will fulfill identified goals and objectives.

Products:

1. Any needed administrative changes or amendments to the current MATS' MTP.
2. Continuation of work started in FY 2019 on an update to MTP (to be completed in 2022).
3. 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.
4. Continued identification of long-term transportation issues within MATS planning area.
5. Continued development of policies, strategies and identification of transportation projects that fulfill identified long-term goals and objectives.
6. Collection of employment, housing, population, auto availability, and other data, as needed. Refining and updating the socio-economic data to the Traffic Analysis Zone (TAZ) level within MATS's planning area.
7. Collaboration with MDOT in the updates/revisions of GLBR Travel Demand Model.
8. Utilization of the GLBR travel demand model to identify future deficiencies within the MATS' transportation network, testing of various land use and roadway improvement alternatives and identification of impacts on the transportation system.

FY 2020

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

e-mail: info@midlandmpo.com

Website: www.midlandmpo.org

MATS MPO BUDGET

FY 2020 (October 1, 2019 - September 30, 2020)

MATS 2020 PROJECTED FUNDS:

Projected PL 112 Planning Funds for FY 2020	\$	181,533	includes \$148,585 FHWA funds and \$32,948 local match
Projected FTA 5303 Transit Planning Funds for FY 2020	\$	48,847	includes \$34,981 FTA 5303 & \$5,000 FTA 5304 funds; and \$8,866 overall local match
MTF Funds (Asset Management)	\$	21,000	State's MTF Funding for Paser Ratings only
Total:	\$	251,380	

MATS 2019 PROJECTED COSTS:

Staff Costs:		
Direct Wages: MATS Director	\$	66,778 1816 work hrs at \$36.772/hr; (with projected annual wages of \$76,486, 2080 hrs at \$36.772)
MATS Planner	\$	40,355 1856 work hrs at \$21.743/hr; (with projected annual wages of \$45,226, 2080 hrs at \$21.743)
		\$ 107,133
Fringe Costs: MATS Director	\$	19,708 Holiday/paid time off (264 hrs at 36.772/hr), benefits bonus (\$10,000)
	\$	7,316 7.65% for social security and medicare, withholding & unemployment taxes(@ \$700);
	\$	10,000 Retirement benefits
	\$	3,500 assumed for mileage/parking incidentals
MATS Planner	\$	11,870 Holiday/paid time off (224 hrs at 21.743/hr), benefits bonus (\$7,000)
	\$	4,395 7.65% for social security and medicare, withholding & unemployment taxes(@ \$400);
	\$	3,000 Retirement benefits (eligible April 2020)
	\$	2,000 assumed for mileage/parking incidentals
		\$ 61,789 \$ 168,922 all staff costs
Office Costs:		
Rent/Utilities/GIS Services/MATS Insurance Policies	\$	15,572 \$760/month for rent/utilities and \$271/month for GIS licences,maintenance through Midland County, @ \$3,200 per year re MATS insurances
Accounting/Payroll/Tax Services	\$	4,800 Approx \$4,800/year Accounting/Payroll/Taxes
Office operations including:	\$	8,086 approx \$2,200 - office equipment & supplies, presentation aids, business cards, logo paper, postage, bank fees, publications, member dues,
various supplies and new office equipment		provision of water/beverages at monthly Tech/Policy meetings
advertising/public notices		approx \$3,400 advertisements/public notices (newspaper notices, Annual Report, TIP notifications, etc)
MATS website, communication and office equipment service plans/maintenance		approx \$500 Website maintenance; approx \$2,000 data plan cost for I-pads and IT support/fix, printer agreement (toner/cartridges/paper usage cost), etc
Outreach Program/Marketing of MATS	\$	1,000
Educational Training and Travel - mileage, seminars, conferences, food	\$	5,000 MTPA/AMPO/MAP conference registration/travel/hotel/food costs, seminar/webinar/conference fees, educational travel/hotel/food expenses
		\$ 34,458 all office costs
Other Costs:		
Pass-Thru/Reimbursement for Transit Planning Services (FTA 5303)	\$	30,000 \$30,000 passed thru to DART for transit planning
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	\$	3,000 Traffic Counts/HPMS/MIRE data/ Performance data/ Other Planning activities by City of Midland, Midland County Road Commission, other agencies
		48,000 all reimbursements for services
TOTAL:	\$	251,380

\$ 0 BUDGET BALANCE CHECK (2020 projected allocation versus 2020 projected expenses)

FY 2020 UWP PROJECTED DIRECT COSTS BY PROGRAM TASK

Total MATS Staff - FY 2020

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	1671	47.1%	\$ 80,329	\$ 65,749	\$ 14,580			
2.0 Short-term Planning	900	25.4%	\$ 40,235	\$ 32,932	\$ 7,303			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ 0	\$ -	126	\$ 4,986	
4.0 Transp Improvement Program (TIP)	650	18.3%	\$ 28,699	\$ 23,490	\$ 5,209			
5.0 Long-Term Planning	325	9.2%	\$ 14,673	\$ 12,010	\$ 2,663			
Total Time (in hours):	3546	100.0%				126		
Total Task Projected Cost:			\$ 163,936	\$ 134,182	\$ 29,754		\$ 4,983	
	\$ 168,922	check	\$ 163,936	\$ 134,182	\$ 29,754		\$ 4,986	
Associated Office Cost:	\$ 34,458		\$ 33,441	\$ 27,371	\$ 6,070		\$ 1,017	
Total Staff and Office Cost:	\$ 203,377		\$ 197,377	\$ 161,553	\$ 35,824		\$ 6,000	
FY 2020 \$ Allocations:	\$ 203,380		\$ 197,380	\$ 161,556	\$ 35,824		\$ 6,000	
difference:			\$ 3	\$ 3	\$ 0		\$ 0	

adjusted so \$6,000 not exceeded

Task allowable cost based on direct wages, mileage and fringe costs
PL & 5303: \$178,533 + \$18,847 = \$ 197,380
Asset Management: \$6,000

MATS Director - FY 2020

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	960	53.8%	\$ 56,723	\$ 46,428	\$ 10,295			
2.0 Short-term Planning	400	22.4%	\$ 23,635	\$ 19,345	\$ 4,290			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	31	\$ 1,832	
4.0 Transp Improvement Program (TIP)	275	15.4%	\$ 16,249	\$ 13,300	\$ 2,949			
5.0 Long-Term Planning	150	8.4%	\$ 8,863	\$ 7,254	\$ 1,609			
Total Time (in hours):	1785	100.0%				31		
Total Task Projected Cost:			\$ 105,470	\$ 86,327	\$ 19,143		\$ 1,832	
		check	\$ 105,470	\$ 86,327	\$ 19,143			
Associated Office Cost:			\$ 21,515	\$ 17,611	\$ 3,905		\$ 374	

MATS Director = 1816 regular work hrs

MATS Director = 1785 hrs allocated for PL 112 and 5303 reimbursable tasks, 31 hrs for Asset Mngt reimbursable tasks)

Task allowable cost based on direct wages, mileage and fringe costs (\$107,302)

ave rate per hr: \$ 59.087 (\$107,302/1816 hrs)
1785 x \$ 59.087 = \$105,470
31 x \$ 59.087 = \$ 1,832

MATS Transportation Planner - FY 2020

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	711	40.4%	\$ 23,606	\$ 19,321	\$ 4,284			
2.0 Short-term Planning	500	28.4%	\$ 16,600	\$ 13,587	\$ 3,013			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	95	\$ 3,154	
4.0 Transp Improvement Program (TIP)	375	21.3%	\$ 12,450	\$ 10,190	\$ 2,260			
5.0 Long-Term Planning	175	9.9%	\$ 5,810	\$ 4,756	\$ 1,055			
Total Time (in hours):	1761	100.0%				95		
Total Task Projected Cost:			\$ 58,466	\$ 47,854	\$ 10,612		\$ 3,151	
		check	\$ 58,466	\$ 47,854	\$ 10,612			
Associated Office Cost:			\$ 11,926	\$ 9,762	\$ 2,165		\$ 643	

Planner - 1856 regular working hrs, 1761 hrs allocated for PL 112 and 5303 reimbursable tasks, 95 hrs for Asset Management

Task allowable cost based on direct wages, mileage and fringe costs (\$61,620)

ave rate per hr: \$ 33.200 (\$61,620/1856 hrs)
1761 x \$ 33.200 = \$58,466
95 x \$ 33.200 = \$3,154

adjusted so \$6,000 not exceeded

Reimbursement for Services from PL 112, FTA 5303 and Asset Management Funds - FY 2020

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	NA	0.0%	\$ -	\$ -	\$ -			
2.0 Short-term Planning	0	0.0%	\$ -	\$ -	\$ -			
Transit Planning (DART)	NA	90.9%	\$ 30,000	\$ 24,555	\$ 5,445			
Data Collection (Local Agencies)	NA	9.1%	\$ 3,000	\$ 2,455	\$ 545			
3.0 Asset Management (PASER)	0	0.0%	\$ -	\$ -	\$ -	NA	\$ 15,000	
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:			\$ 33,000	\$ 27,010	\$ 5,990		\$ 15,000	
FY 2020 \$ Allocations towards reimbursement for services:			\$ 33,000	\$ 27,010	\$ 5,990		\$ 15,000	
FY 2020 Total MATS \$ Projected Expenses:	\$ 251,377		\$ 230,377	\$ 188,563	\$ 41,813		\$ 21,000	
FY 2020 Total MATS \$ Allocations:	\$ 251,380		\$ 230,380	\$ 188,566	\$ 41,814		\$ 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 20.4 % utilized

FY 2020 UWP FUNDING TABLE CALCULATIONS

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

	FY 2020 Funds				Sum
	FHWA PL112/FTA 5303	LOCAL	MATS	AMC	
TASKS CONDUCTED BY MATS:					
1.0 Administration	\$ 65,750.00	\$ 14,580.00	\$ -	\$ -	\$ 80,330.00
2.0 Short-term Planning	\$ 32,933.00	\$ 7,302.00	\$ -	\$ -	\$ 40,235.00
3.0 Asset Management (PASER)	\$ -	\$ -	\$ -	\$ 4,983.00	\$ 4,983.00
4.0 Transp Improvement Program (TIP)	\$ 23,491.00	\$ 5,209.00	\$ -	\$ -	\$ 28,700.00
5.0 Long-term Planning	\$ 12,011.00	\$ 2,663.00	\$ -	\$ -	\$ 14,674.00
MATS Office Cost	\$ 27,371.00	\$ 6,070.00	\$ -	\$ 1,017.00	\$ 34,458.00
TASKS CONDUCTED BY OTHERS:					
Agencies Reimbursement for PL112-related services	\$ 2,455.00	\$ 545.00	\$ -	\$ -	\$ 3,000.00
Agencies Reimbursement for Asset Mngmt services	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 15,000.00
DART Reimbursement for FTAS303-related services	\$ 24,555.00	\$ 5,445.00	\$ -	\$ -	\$ 30,000.00
Total:	\$ 188,566.00	\$ 41,814.00	\$ -	\$ 21,000.00	\$ 251,380.00

Indirect Cost Rate = \$ Indirect Costs/\$ Direct Costs: \$34,458/\$168,922 = 20.4 % (overall)

Table B. Calculations utilizing Indirect Cost Rate of 20.4% to roll in office running costs into task costs

	FHWA	LOCAL	AMC
Multiplier:	0.204	0.204	0.204
1.0 Administration	\$ 13,412.0	\$ 2,974.3	
2.0 Short-term Planning	\$ 6,717.3	\$ 1,489.6	
3.0 Asset Management (PASER)	\$ -	\$ -	\$ 1,016.5
4.0 Transp Improvement Program (TIP)	\$ 4,791.2	\$ 1,062.6	
5.0 Long-term Planning	\$ 2,450.2	\$ 543.3	
Total:	\$ 27,370.7	\$ 6,069.8	\$ 1,016.5
Reimbursement for PL112-related services	Reimbursement for Serices/Pass-Thru Funds to DART, cannot apply MATS indirect rate		
Reimbursement for FTAS303-related services	Reimbursement for Serices 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 2020 Funds				Sum
	FHWA PL112/FTA 5303	LOCAL	MATS	AMC	
TASKS CONDUCTED BY MATS:					
1.0 Administration	\$ 79,162.0	\$ 17,554.3	\$ -	\$ -	\$ 96,716.3
2.0 Short-term Planning	\$ 39,650.3	\$ 8,791.6	\$ -	\$ -	\$ 48,441.9
3.0 Asset Management (PASER)	\$ -	\$ -	\$ -	\$ 5,999.5	\$ 5,999.5
4.0 Transp Improvement Program (TIP)	\$ 28,282.2	\$ 6,271.6	\$ -	\$ -	\$ 34,553.8
5.0 Long-term Planning	\$ 14,461.2	\$ 3,206.3	\$ -	\$ -	\$ 17,667.5
Subtotal:	\$ 161,555.7	\$ 35,823.8	\$ -	\$ 5,999.5	\$ 203,379.1
TASKS CONDUCTED BY OTHERS:					
Agencies Reimbursement for PL112-related services	\$ 2,455.00	\$ 545.00	\$ -	\$ -	\$ 3,000.00
Agencies Reimbursement for Asset Mngmt services	\$ -	\$ -	\$ -	\$ 15,000.00	\$ 15,000.00
DART Reimbursement for FTAS303-related services	\$ 24,555.00	\$ 5,445.00	\$ -	\$ -	\$ 30,000.00
Total:	\$ 188,565.7	\$ 41,813.8	\$ -	\$ 20,999.5	\$ 251,379.1

Indirect Rate of 20.4% applies only to MATS-performed tasks

FHWA - Federal Highway Administration
FTA - Federal Transit Administration
MATS - Midland Area Transportation Study

MDOT - Michigan Department of Transportation
AMC - Asset Management Council
TIP - Transportation Improvement Program

CALCULATION OF INDIRECT COST RATE & FRINGE RATE
FY 2020 (October 1, 2019 - September 30, 2020)

MATS 2020 PROJECTED COSTS:

	Direct	Indirect	
Staff Costs:			
Direct Wages: MATS Director	\$ 66,778		1816 work hrs at \$36.772/hr; (with projected annual wages of \$76,486, 2080 hrs at \$36.772)
MATS Planner	\$ 40,355		1856 work hrs at \$21.743/hr; (with projected annual wages of \$45,226, 2080 hrs at \$21.743)
			\$ 107,133
Fringe Costs: MATS Director	\$ 19,708		Holiday/paid time off (264 hrs at 36.772/hr), benefits bonus (\$10,000)
	\$ 7,316		7.65% for social security and medicare, withholding & unemployment taxes(@ \$700);
	\$ 10,000		Retirement benefits
	\$ 3,500		assumed for mileage/parking incidentals
MATS Planner	\$ 11,870		Holiday/paid time off (224 hrs at 21.743/hr), benefits bonus (\$7,000)
	\$ 4,395		7.65% for social security and medicare, withholding & unemployment taxes(@ \$400);
	3,000		Retirement benefits (eligible April 2020)
	\$ 2,000		assumed for mileage/parking incidentals
			\$ 61,789 \$ 168,922 all staff costs
Office Costs:			
Rent/Utilities/GIS Services/MATS Insurance Policies		\$ 15,572	\$760/month for rent/utilities and \$271/month for GIS licences,maintenance through Midland County, @ \$3,200 per year re MATS insurances
Accounting/Payroll/Tax Services		\$ 4,800	Approx \$4,800/year Accounting/Payroll/Taxes
Office operations including: various supplies and new office equipment advertising/public notices MATS website, communication and office equipment service plans/maintenance Outreach Program/Marketing of MATS		\$ 8,086	approx \$2,200 - office equipment & supplies, presentation aids, business cards, logo paper, postage, bank fees, publications, member dues, provision of water/beverages at monthly Tech/Policy meetings approx \$3,400 advertisements/public notices (newspaper notices, Annual Report, TIP notifications, etc) approx \$500 Website maintenance; approx \$2,000 data plan cost for I-pads and IT support/fix, printer agreement (toner/cartridges/paper usage cost), etc
Educational Training and Travel - mileage, seminars, conferences, food		\$ 1,000	
		\$ 5,000	MTPA/AMPO/MAP conference registration/travel/hotel/food costs, seminar/webinar/conference fees, educational travel/hotel/food expenses
			\$ 34,458 all office costs
Other Costs:			
Pass-Thru/Reimbursement for Transit Planning Services (FTA 5303)	\$ 30,000		\$30,000 passed thru to DART for transit planning
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	\$ 3,000		Traffic Counts/HPMS/Planning activities by staff of City of Midland, Midland County Road Commission, other local agencies
			\$ 48,000 all reimbursements for services
TOTAL:	\$ 216,922	\$ 34,458	Total: \$ 251,380

Provisional FY 2020 Indirect Cost Rate = Total \$ Indirect Costs/Total \$ Direct Costs

$\$ 34,458 / \$ 168,922 = 0.20399$

FY 2020 Indirect Cost Rate = 20.4%

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

Provisional FY 2020 Fringe Cost Rate = Total \$ Direct Fringe/Total \$ Direct Wages

$\$ 61,789 / \$ 107,133 = 0.57675$

FY 2020 Fringe Cost Rate = 57.7%

Midland Area Transportation Study (MATS)

Indirect Cost Allocation Plan for FY 2020

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 FAST Act is essentially a continuation of the 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 UWP, TIP and Transportation Plan, 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 2018 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

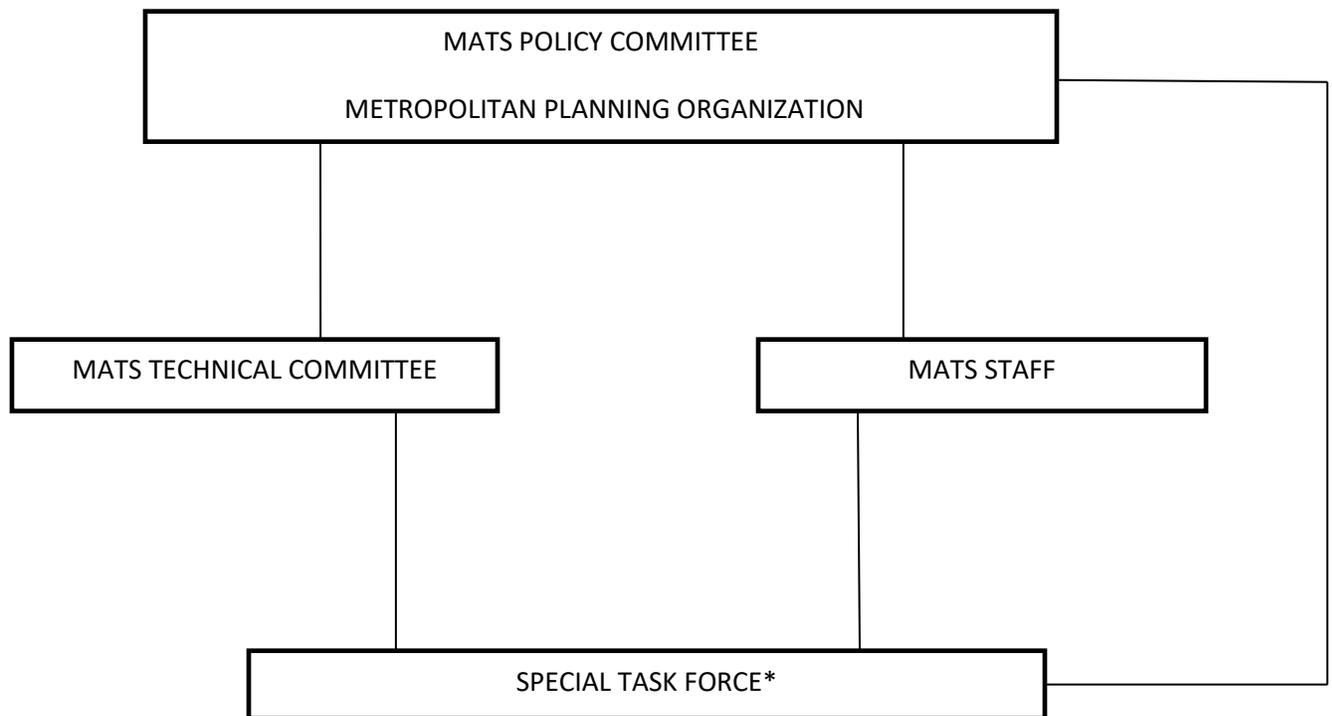
The Director is a full-time, wage position. The Director is responsible for the development, supervision and management of MPO activities. In fulfilling the above role, the Director's time is divided between indirect (management and administrative activity) and direct (technical work). The Director performs 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 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; updates to the transportation network database; 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 MATS Director include the following: vacation, holidays, retirement payments, social security, health/dental/disability/life insurances, unemployment insurance and workman's compensation. The fringe benefit costs for Transportation Planner include all of the above with the exception of retirement payments.

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.

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 2020 is shown herein: 20.4%.**

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 2020 (October 1, 2019 through September 30, 2020) are allowable in accordance with the requirements of the Federal award(s) to which they apply 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 2020 (October 1, 2019 - September 30, 2020)

MATS 2020 PROJECTED FUNDS:

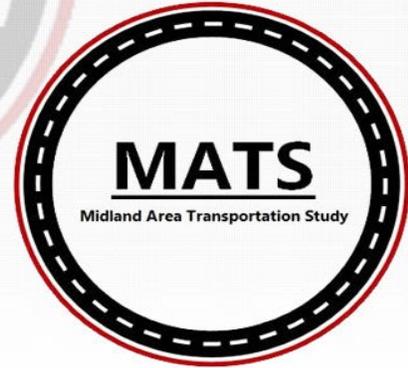
Projected PL 112 Planning Funds for FY 2020	\$	181,533	includes \$148,585 FHWA funds and \$32,948 local match
Projected FTA 5303 Transit Planning Funds for FY 2020	\$	48,847	includes \$34,981 FTA 5303 & \$5,000 FTA 5304 funds; and \$8,866 overall local match
MTF Funds (Asset Management)	\$	21,000	State's MTF Funding for Paser Ratings only
Total:	\$	251,380	

FY 2020 LOCAL MATCH REQUIREMENTS:

	City of Midland	DART	MCRC	SCRC	BCRC	City of Auburn	Total Local Match
Regarding PL 112 Planning Funds for FY 2019	\$ 16,474.00	\$ -	\$ 16,474.00	\$ -	\$ -	\$ -	\$ 32,948.00
Regarding FTA 5303 Transit Planning Funds for FY 2019	\$ 1,711.00	\$ 5,444.00	\$ 1,711.00	\$ -	\$ -	\$ -	\$ 8,866.00
Regarding MTF Funds (Asset Management)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total:	\$ 18,185.00	\$ 5,444.00	\$ 18,185.00	\$ -	\$ -	\$ -	\$ 41,814.00

Metropolitan Planning Organization

Midland Area Transportation Study



**FHWA PL PLANNING FUNDS AND LOCAL MATCH RESOLUTION
BETWEEN MATS AND LOCAL AGENCIES FOR FY 2020 UNIFIED WORK PROGRAM**

WHEREAS, the urban transportation planning regulations implementing sections of the Fixing America's Surface Transportation Act (FAST Act) 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 estimated planning funds allocation for FY 2020 is **\$148,585** (provided as FHWA PL 112 Funds) with required local matching contribution equal to **\$32,948**; 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 2020 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 **\$16,474*** to the Midland Area Transportation Study (MATS) by October 1, 2019.
(*equal to 50% of entire FY 2020 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 **\$16,474*** to the Midland Area Transportation Study (MATS) by October 1, 2019.
(*equal to 50% of entire FY 2020 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 2020 Unified Work Program, subject to MDOT's approval of activity eligibility.

Chairperson, Midland Area Transportation Study (MATS) _____
Date

Director, Midland Area Transportation Study (MATS) _____
Date

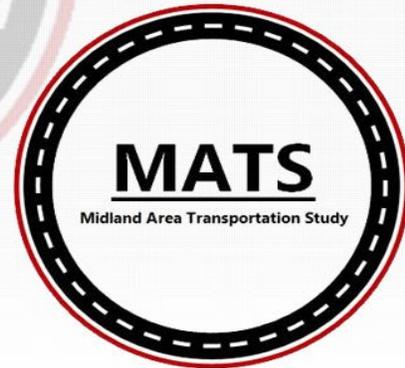
Managing Director, Midland County Road Commission
Date _____

City Engineer, City of Midland _____
Date

Engineer-Manager, Bay County Road Commission _____
Date

Metropolitan Planning Organization

Midland Area Transportation Study



**FTA 5303/5304 PLANNING FUNDS AND LOCAL MATCH
RESOLUTION**

BETWEEN MATS AND LOCAL AGENCIES FOR FY 2020 UNIFIED WORK PROGRAM

WHEREAS, the urban transportation planning regulations implementing sections of the Fixing America's Surface Transportation Act (FAST Act) 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 estimated transit planning funds allocation for FY 2020 is **\$39,981** (provided by the Federal Transit Administration as FTA 5303 or 5304 Funds) with required local matching contribution of 18.15 percent equal to **\$8,866**; and

WHEREAS, the Midland Area Transportation Study (MATS) has recommended that the majority of FTA 5303/5304 Funds for FY 2020, in the amount of **\$24,555 with corresponding local match of \$5,445**, 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 5303/5304 Funds for FY 2020, in the amount of **\$15,426 with corresponding local match of \$3,421**, for transit planning purposes and general planning purposes.

NOW THEREFORE BE IT RESOLVED, that **the Dial-A-Ride Transportation** will accept and utilize the portion of FTA 5303/5304 Funds allocated to MATS in the amount of **\$24,555 with corresponding local match of \$5,445** 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 5303/5304 funding by providing **\$5,444*** to the Midland Area Transportation Study (MATS) by October 1, 2019.
(*equal to 61.4% of entire FY 2020 local match obligation for 5303/5304 funds)

BE IT FURTHER RESOLVED, that **the Midland County Road Commission** agrees to participate in the funding of the local match costs for 5303/5304 funding by providing **\$1,711**** to the Midland Area Transportation Study (MATS) by October 1, 2019.
(**equal to 19.3% of entire FY 2020 local match obligation for 5303/5304 funds)

BE IT FURTHER RESOLVED, that **the City of Midland** agrees to participate in the funding of the local match costs for 5303/5304 funding by providing **\$1,711**** to the Midland Area Transportation Study (MATS) by October 1, 2019.
(**equal to 19.3% of entire FY 2020 local match obligation for 5303/5304 funds)

Chairperson, Midland Area Transportation Study (MATS) _____
Date

Director, Midland Area Transportation Study (MATS) _____
Date

Director of Public Services, Dial-a-Ride Transportation _____
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)

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 2020-2023 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.

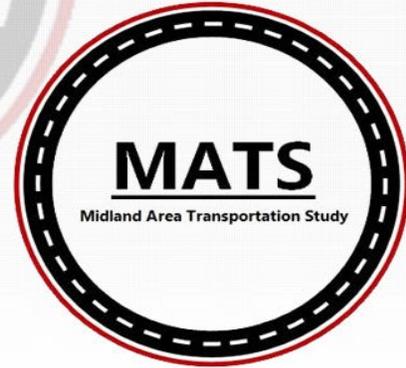
5. Non-Motorized Planning – Local Agencies’ staff will review proposed road projects for potential inclusion of non-motorized facilities. Local Agencies will conduct a needs assessment with respect to non-motorized facilities on the road network within MATS planning area.

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.

Metropolitan Planning Organization

Midland Area Transportation Study



MEMORANDUM OF AGREEMENT

FOR

SUBCONTRACTING GIS SERVICES WITHIN FY 2020 UNIFIED WORK PROGRAM BETWEEN MATS AND THE COUNTY OF MIDLAND

AGREEMENT between the MIDLAND AREA TRANSPORTATION STUDY, a Metropolitan Planning Organization, hereinafter referred to as “MATS”, Suite 326, Midland County Services Building, 220 West Ellsworth Street, Midland, MI 48640, and the COUNTY OF MIDLAND, a Michigan Municipal Corporation, 220 West Ellsworth Street, Midland, MI 48640.

WHEREAS, the urban transportation planning regulations implementing sections of the Fixing America’s Surface Transportation Act (FAST Act) 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, FY 2020 UWP specifies that MATS utilize tools such as spreadsheets, database, computer aided drafting and GIS programs to enable development and maintenance of the GIS database and creation of various data layers regarding transportation infrastructure within MATS area boundaries; and

WHEREAS, GIS is expected to be utilized for socio-economic/environmental justice data needs with respect to preparation of Transportation Improvement Program (TIP) and Long Range Plan, creation of various maps, traffic database and road/intersection database development, and corresponding data evaluation and presentation; and

WHEREAS, the Midland Area Transportation Study (MATS) has recommended that the GIS Services as identified in FY 2020 UWP be provided by County of Midland.

NOW THEREFORE BE IT RESOLVED, that MATS agrees to reimburse the County of Midland for GIS services and related GIS maintenance costs necessary for the completion of GIS-related tasks identified within the MATS FY 2020 Unified Work Program at a monthly rate of \$270.91, corresponding to \$3,250.92 October 1, 2019 through September 30, 2020.

Chairperson, Midland Area Transportation Study (MATS)

Date

Director, Midland Area Transportation Study (MATS)

Date

GIS Coordinator, County of Midland

Date

Administrator, County of Midland

Date

**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 _____ 2019 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 **2018-0026**, 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, **2018-0026**, 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 10/01/19 through 09/30/20 for the amount of \$30,000 (\$24,555 federal and \$5,445 local funding) as budgeted in the MATS' FY 2020 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.