

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 1 of 16

Financial Project No.: <u>439314-4-14-01 & 439314-4-14-02</u> (item-segment-phase-sequence)	Fund: <u>PL and SU</u> Function: <u>615 & 215</u> Federal Award Identification No. (FAIN): <u>0313-060-M</u> MPO SAM No.: <u>CNWJY78LD581</u>	FLAIR Approp.: <u>088854</u> FLAIR Obj.: <u>780000</u> Org. Code: <u>55012010130</u> Vendor No.: <u>F596000558161</u>
Contract No.: <u>G2821</u>		
CFDA Number & Title: <u>20.205 Highway Planning and Construction</u>		

THIS METROPOLITAN PLANNING ORGANIZATION AGREEMENT (Agreement) is made and entered into on this 7 day of June 2022, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (Department), an agency of the State of Florida, whose address is Office of the District Secretary, 801 North Broadway Ave., Bartow FL 33831 and the Collier Metropolitan Planning Organization (MPO), whose address is 2885 Horseshoe Drive S., Naples FL 34104, and whose System for Award Management (SAM) Number is: CNWJY78LD581 (collectively the "parties").

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

- 1. Authority:** The MPO and the Department have authority to enter into this Agreement pursuant to 23 U.S.C. 134, 23 Code of Federal Regulations (CFR or C.F.R.) §450 and Section 339.175, Florida Statutes (F.S.), which, require the Department and the MPO to clearly identify the responsibilities for cooperatively carrying out the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) components of the Metropolitan Planning Process and accomplish the transportation planning requirements of state and federal law.
- 2. Purpose of the Agreement:** The purpose of this Agreement is to pass financial assistance through the Department in the form of FHWA funds to the MPO for the completion of transportation related planning activities set forth in the Unified Planning Work Program (UPWP) of the MPO (Project), state the terms and conditions upon which FHWA funds will be provided, and set forth the manner in which work tasks and subtasks within the UPWP will be undertaken and completed. The Project is more fully described in the UPWP, which is attached and incorporated into this Agreement as Exhibit "A".
- 3. Consolidated Planning Grant (CPG):** The Department is electing to participate in the Consolidated Planning Grant (CPG) program starting with the State fiscal year (FY) 22/23 – 23/24 two-year UPWP cycle. The Department is selecting FHWA to serve as the CPG lead grant agency in accordance with FTA Circular 8100.D. Under the CPG, the FTA and FHWA annually deliver lump sum appropriations to the Department to allocate to MPOs for the metropolitan planning activities. The federal funds are delivered to the Department in the form of FTA 5305(d) and FHWA planning (PL). The Department will utilize the CPG to combine the FTA 5305(d) and FHWA PL MPO allocations into a single grant that is administered by FHWA. The Department calculates annual MPO funding allocations using the approved FTA 5305(d) and FHWA allocation formulas.
- 4. Scope of Work:** The UPWP, Exhibit "A", constitutes the Scope of Work for this Agreement.
- 5. Project Cost:** The total budgetary ceiling for the Project is \$2,393,310. The budget, including tasks, is summarized below and detailed in the UPWP, Exhibit "A". The budget may be modified by mutual agreement as provided for in paragraph 9, Amendments.

The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. No work shall begin before the Agreement is fully executed and a "Letter of Authorization" is issued by the Department. The total of all authorizations shall not exceed the budgetary ceiling established for this agreement and shall be completed within the term of this Agreement:



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC – 03/22
Page 2 of 16

FINANCIAL PROJECT NO.	AMOUNT
439314-4-14-01 PL	\$1,693,310.
439314-4-14-02 SU/GFSU	\$700,000.

6. **Non-federal Share:** PL & Surface Transportation Block Grant (STBG) Funds (FHWA Section 112): The Department uses the U.S. Department of Transportation sliding scale federal/non-federal match ratio for metropolitan planning funds. This ratio is 81.93 percent federal and 18.07 percent non-federal. It is the policy of the Department to fulfill the non-federal share or "soft match" with toll credits as authorized by Title 23 U.S.C. § 120 conditional on funding availability. The MPO must identify and describe the soft match in its 2-year UPWP introduction and show the total amount of toll credits used to match the FHWA funds in the UPWP Summary Budget Tables.
7. **Term of Agreement:** This Agreement shall have a term of two (2) years. This Agreement shall begin on the later of July 1, 2022 or the date the Agreement is fully executed, whichever is later, and expire on June 30, 2024. If the Agreement is fully executed after July 1, 2022, then the term of the Agreement shall be less than two (2) years and the Agreement shall expire on June 30, 2024. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of this Agreement will not be reimbursed by the Department.
8. **Renewals and Extensions:** This Agreement shall not be renewed or extended.
9. **Amendments:** Amendments may be made during the term of this Agreement. Any Amendment must be in writing and signed by both parties with the same formalities as the original Agreement.
- A. **Amendments and Modifications to the UPWP:** Revisions to the UPWP require an Amendment or Modification. Revisions may be budgetary and/or programmatic; and may be major or minor in scale. Minor UPWP revisions are processed by the MPO as a Modification, whereas more significant or major UPWP revisions are processed by the MPO as an Amendment. A significant change is defined as a change to the UPWP that alters the original intent of the Project or the intended Project outcome. MPO's shall process UPWP Modifications or Amendments as needed.

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

i. Amendments to the UPWP

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

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

ii. Modifications to the UPWP

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 3 of 16

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

* A key person is specified in the application or federal award. For the UPWP, the key person is the MPO's staff director.

- iii. If the MPO makes a modification to the UPWP budget, then the MPO shall immediately send any such modifications to the Department. Amendments to the UPWP must be approved by FHWA. Proposed amendments to the UPWP shall be filed with the Department. Within a reasonable amount of time, the Department shall review and transmit the proposed UPWP amendment and supporting documents to the FHWA with a recommendation for approval or denial. Transmittal of the proposed UPWP amendment and supporting documents to FHWA may be delayed by the Department due to the MPO failing to include all documentation required for the UPWP Amendment. The Department shall immediately forward to the MPO all correspondence that the Department receives from FHWA regarding the proposed UPWP amendment. If FHWA approves the amendment to the UPWP then this Agreement and supporting documentation must be amended immediately following such approval.

10. General Requirements:

- A. The MPO shall complete the Project with all practical dispatch in a sound, economical, and efficient manner, and in accordance with the provisions in this Agreement, the Interlocal Agreement establishing the MPO, and all applicable laws.
- B. Federal-aid funds shall not participate in any cost which is not incurred in conformity with applicable Federal and State laws, the regulations in 23 C.F.R. and 49 C.F.R., and policies and procedures prescribed by the Division Administrator of FHWA. If FHWA or the Department determines that any amount claimed is not eligible, federal participation may be approved in the amount determined to be adequately supported and the Department shall notify the MPO in writing citing the reasons why items and amounts are not eligible for federal participation. Where correctable non-compliance with provisions of law or FHWA requirements exists, Federal funds may be withheld until compliance is obtained. Where non-compliance is not correctable, FHWA or the Department may deny participation in Project costs in part or in total. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 15 of this Agreement.
- C. The MPO's financial management system must comply with the requirements set forth in 2 CFR §200.302, specifically:
 - i. Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received.
 - ii. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §§200.327 Financial reporting and 200.328 Monitoring and reporting program performance.
 - iii. Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
 - iv. Effective control over, and accountability for, all funds, property, and other assets.
 - v. Comparison of expenditures with budget amounts for each Federal award.
 - vi. Written procedures to implement the requirements of §200.305 Payment.
 - vii. Written procedures for determining the allowability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

11. Compensation and Payment:

- A. The Department shall reimburse the MPO for costs incurred to perform services satisfactorily during a



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC – 03/22
Page 4 of 16

monthly or quarterly period in accordance with Scope of Work, Exhibit "A". Reimbursement is limited to the maximum amount authorized by the Department. The MPO shall submit a request for reimbursement to the Department on a quarterly or monthly basis. Requests for reimbursement by the MPO shall include an invoice, an itemized expenditure report, and progress report for the period of services being billed that are acceptable to the Department. The MPO shall use the format for the invoice, itemized expenditure report and progress report that is approved by the Department. The MPO shall provide any other data required by FHWA or the Department to justify and support the payment requested.

- B. Pursuant to Section 287.058, Florida Statutes, the MPO shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project and the quantifiable, measurable, and verifiable units of deliverables are described in Exhibit "A".
- C. Invoices shall be submitted by the MPO in detail sufficient for a proper pre-audit and post-audit based on the quantifiable, measurable and verifiable units of deliverables as established in Exhibit "A". Deliverables must be received and accepted in writing by the Department's Grant Manager prior to payments.
- D. The Department will honor requests for reimbursement to the MPO for eligible costs in the amount of FHWA funds approved for reimbursement in the UPWP and made available by FHWA. The Department may suspend or terminate payment for that portion of the Project which FHWA, or the Department acting in lieu of FHWA, may designate as ineligible for federal-aid. Regarding eligible costs, whichever requirement is stricter between federal and State of Florida requirements shall control. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 15 of this Agreement.
- E. Supporting documentation must establish that the deliverables were received and accepted in writing by the MPO and must also establish that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in the UPWP, Exhibit "A", was met. All costs charged to the Project, including any approved services contributed by the MPO or others, shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of the charges. See Exhibit "D" for Contract Payment Requirements.
- F. Bills for travel expenses specifically authorized in this Agreement shall be documented on the Department's Contractor Travel Form No. 300-000-06 or on a form that was previously submitted to the Department's Comptroller and approved by the Department of Financial Services. Bills for travel expenses specifically authorized in this Agreement will be paid in accordance with Section 112.061 Florida Statutes.
- G. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes. If the Department determines that the performance of the MPO fails to meet minimum performance levels, the Department shall notify the MPO of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the Department. The MPO shall, within sixty (60) days after notice from the Department, provide the Department with a corrective action plan describing how the MPO will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the Department, the MPO shall be assessed a non-performance retainage equivalent to 10% of the total invoice amount. The retainage shall be applied to the invoice for the then-current billing period. The retainage shall be withheld until the MPO resolves the deficiency. If the deficiency is subsequently resolved, the MPO may bill the Department for the retained amount during the next billing period. If the MPO is unable to resolve the deficiency, the funds retained may be forfeited at the end of the Agreement's term.
- H. An invoice submitted to the Department involving the expenditure of metropolitan planning funds ("PL funds") is required by Federal law to be reviewed by the Department and issued a payment by the Department of Financial Services within 15 business days of receipt by the Department for review. If the invoice is not complete or lacks information necessary for processing, it will be returned to the MPO, and the 15-business day timeframe for processing will start over upon receipt of the resubmitted invoice by the Department. If there is a case of a bona fide dispute, the invoice recorded in the financial system of the Department shall contain a statement of the dispute and authorize payment only in the amount not disputed.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 5 of 16

If an item is disputed and is not paid, a separate invoice could be submitted requesting reimbursement, or the disputed item/amount could be included/added to a subsequent invoice.

- I. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the MPO's general accounting records and the Project records, together with supporting documents and records, of the consultant and all subconsultants performing work on the Project, and all other records of the Consultants and subconsultants considered necessary by the Department for a proper audit of costs.
- J. The MPO must timely submit invoices and documents necessary for the close out of the Project. Within 90 days of the expiration or termination of the grant of FHWA funds for the UPWP, the MPO shall submit the final invoice and all financial, performance, and related reports consistent with 2 CFR §200.
- K. The Department's performance and obligation to pay under this Agreement is also contingent upon FHWA making funds available and approving the expenditure of such funds.
- L. In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000 and which have a term for a period of more than 1 year."

- M. **Disallowed Costs:** In determining the amount of the payment, the Department will exclude all Project costs incurred by the MPO prior to the effective date of this Agreement, costs incurred by the MPO which are not provided for in the latest approved budget for the Project, and costs attributable to goods or services received under a contract or other arrangements which have not been approved in writing by the Department. It is agreed by the MPO that where official audits by the federal agencies or monitoring by the Department discloses that the MPO has been reimbursed by the Department for ineligible work, under applicable federal and state regulations, that the value of such ineligible items may be deducted by the Department from subsequent reimbursement requests following determination of ineligibility. Upon receipt of a notice of ineligible items the MPO may present evidence supporting the propriety of the questioned reimbursements. Such evidence will be evaluated by the Department, and the MPO will be given final notification of the amounts, if any, to be deducted from subsequent reimbursement requests.

In addition, the MPO agrees to promptly reimburse the Department for any and all amounts for which the Department has made payment to the MPO if such amounts become ineligible, disqualified, or disallowed for federal reimbursement due to any act, error, omission, or negligence of the MPO. This includes omission or deficient documentation of costs and charges, untimely, incomplete, or insufficient submittals, or any other reason declared by the applicable Federal Agency.

Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 15 of this Agreement.

- N. If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the MPO owing such amount if, upon demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 6 of 16

pursuant to this paragraph shall not be considered a breach of contract by the Department. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 16 of this Agreement.

- O. **Indirect Costs:** A state or federally approved indirect cost rate may be applied to the Agreement. If the MPO does not have a federally approved indirect cost rate, a rate up to the de minimis indirect cost rate of 10% of modified total direct costs may be applied. The MPO may opt to request no indirect cost rate, even if it has a federally approved indirect cost rate.

12. Procurement and Contracts of the MPO:

- A. The procurement, use, and disposition of real property, equipment and supplies shall be consistent with the approved UPWP and in accordance with the requirements of 2 CFR §200.
- B. It is understood and agreed by the parties to this Agreement that participation by the Department in a project with the MPO, where said project involves a consultant contract for engineering, architecture or surveying services, is contingent on the MPO's complying in full with provisions of Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act, the federal Brooks Act, 23 C.F.R. 172, and 23 U.S.C. 112. At the discretion of the Department, the MPO will involve the Department, to an extent to be determined by the Department, in the consultant selection process for all projects funded under this Agreement. In all cases, the MPO shall certify to the Department that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act and the federal Brooks Act.
- C. The MPO shall comply with, and require its consultants and contractors to comply with applicable federal law pertaining to the use of federal-aid funds.

13. Audit Reports: The administration of resources awarded through the Department to the MPO by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or limit the authority of any State agency inspector general, the State of Florida Auditor General or any other State official. The MPO shall comply with all audit and audit reporting requirements as specified below.

- A. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures including, reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the MPO agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The MPO further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO) or State of Florida Auditor General.
- B. The MPO, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement is subject to the following requirements:
- i. In the event the MPO expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the MPO must have a Federal single or program-specific audit for such fiscal year conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit "B", Federal Financial Assistance (Single Audit Act)**, to this Agreement provides the required Federal award identification information needed by the MPO to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the MPO must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 7 of 16

- ii. In connection with the audit requirements, the MPO shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.
- iii. In the event the MPO expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the MPO is exempt from Federal audit requirements for that fiscal year. However, the MPO must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the MPO's audit period for each applicable audit year. In the event the MPO expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (*i.e.*, the cost of such an audit must be paid from the MPO's resources obtained from other than Federal entities).
- iv. The MPO must electronically submit to the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facweb/> the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements, and this Agreement. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
- v. Within six months of acceptance of the audit report by the FAC, the Department will review the MPO's audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the MPO fails to have an audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:
 - 1. Temporarily withhold cash payments pending correction of the deficiency by the MPO or more severe enforcement action by the Department;
 - 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 - 3. Wholly or partly suspend or terminate the Federal award;
 - 4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
 - 5. Withhold further Federal awards for the Project or program;
 - 6. Take other remedies that may be legally available.
- vi. As a condition of receiving this Federal award, the MPO shall permit the Department, or its designee, the CFO or State of Florida Auditor General access to the MPO's records including financial statements, the independent auditor's working papers and Project records as necessary. Records related to unresolved audit findings, appeals or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller
605 Suwannee Street, MS 24
Tallahassee, Florida 32399-0450



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 8 of 16

FDOTSingleAudit@dot.state.fl.us

- C. The MPO shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department, or its designee, the CFO or State of Florida Auditor General access to such records upon request. The MPO shall ensure that the audit working papers are made available to the Department, or its designee, the CFO, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued unless extended in writing by the Department.

14. **Termination or Suspension:** The Department may, by written notice to the MPO, suspend any or all of the MPO's obligations under this Agreement for the MPO's failure to comply with applicable law or the terms of this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected. The Department will provide written notice outlining the particulars of suspension.

The Department may terminate this Agreement at any time before the date of completion if the MPO is dissolved or if federal funds cease to be available. In addition, the Department or the MPO may terminate this Agreement if either party fails to comply with the conditions of the Agreement. The Department or the MPO shall give written notice to all parties at least ninety (90) days prior to the effective date of termination and specify the effective date of termination.

The parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the parties shall agree upon the termination conditions.

Upon termination of this Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc., prepared by the MPO shall, at the option of the Department, be delivered to the Department.

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

The Department reserves the right to unilaterally cancel this Agreement for refusal by the MPO or any consultant, sub-consultant or materials vendor to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received in conjunction with this Agreement unless the records are confidential or exempt.

The conflict and dispute resolution process set forth in Section 16 of this Agreement shall not delay or stop the Parties' rights to terminate the Agreement.

15. **Remedies:** Violation or breach of Agreement terms by the MPO shall be grounds for termination of the Agreement. Any costs incurred by the Department arising from the termination of this Agreement shall be paid by the MPO.

This Agreement shall not be considered as specifying the exclusive remedy for any dispute, but all remedies existing at law and in equity may be availed of by either party and shall be cumulative.

16. **Conflict and Dispute Resolution Process:** This section shall apply to conflicts and disputes relating to matters subject to this Agreement, or conflicts arising from the performance of this Agreement. If possible, the parties shall attempt to resolve any dispute or conflict within thirty (30) days of a determination of a dispute or conflict. This section shall not delay or stop the Parties' rights to terminate the Agreement. In addition, notwithstanding that a conflict or dispute may be pending resolution, this section shall not delay or stop the Department from performing the following actions pursuant to its rights under this Agreement: deny payments; disallow costs; deduct the value of ineligible work from subsequent reimbursement requests, or; offset pursuant to Section 11.N of this Agreement.

- A. **Initial Resolution:** The affected parties to this Agreement shall, at a minimum, ensure the attempted early resolution of conflicts relating to such matters. Early resolution shall be handled by direct discussion between the following officials: for the Department - the Intermodal Systems Development Manager; and for the MPO - the Staff Director.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 9 of 16

- B. Resolution by Senior Agency Official:** If the conflict remains unresolved, the conflict shall be resolved by the following officials: for the Department - the District Secretary; and for the Collier MPO - the Chairperson of the MPO.
- C. Resolution of Conflict by the Agency Secretary:** If the conflict is not resolved through conflict resolution pursuant to the provisions, "Initial Resolution" and "Resolution by Senior Agency Official" above, the conflict shall be resolved by the Secretary for the Department of Transportation or their delegate. If the MPO does not agree with the resolution provided by the Secretary for the Department of Transportation, the parties may pursue any other remedies set forth in this Agreement or provided by law.
- 17. Disadvantaged Business Enterprise (DBE) Policy and Obligation:** It is the policy of the Department that DBE's, as defined in 49 C.F.R. Part 26, as amended, shall have the opportunity to participate in the performance of contracts financed in whole or in part with Department funds under this Agreement. The DBE requirements of applicable federal and state laws and regulations apply to this Agreement.

The MPO and its contractors and consultants agree to ensure that DBE's have the opportunity to participate in the performance of this Agreement. In this regard, all recipients and contractors shall take all necessary and reasonable steps in accordance with applicable federal and state laws and regulations to ensure that the DBE's have the opportunity to compete for and perform contracts. The MPO and its contractors, consultants, subcontractors and subconsultants shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts, entered pursuant to this Agreement.

18. Compliance with Federal Conditions and Laws:

- A.** The MPO shall comply and require its consultants and subconsultants to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project. Execution of this Agreement constitutes a certification that the MPO is in compliance with, and will require its consultants and subconsultants to comply with, all requirements imposed by applicable federal, state, and local laws and regulations.
- B.** The MPO shall comply with the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," in 49 C.F.R. Part 29, and 2 C.F.R. Part 200 when applicable and include applicable required provisions in all contracts and subcontracts entered into pursuant to this Agreement.
- C. Title VI Assurances:** The MPO will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964, the regulations of the U.S. Department of Transportation issued thereunder, and the assurance by the MPO pursuant thereto, including but not limited to the requirements set forth in Exhibit "C", Title VI Assurances. The MPO shall include the attached Exhibit "C", Title VI Assurances, in all contracts with consultants and contractors performing work on the Project that ensure compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Part 21, and related statutes and regulations.
- D. Restrictions on Lobbying** The MPO agrees that to no federally-appropriated funds have been paid, or will be paid by or on behalf of the MPO, to any person for influencing or attempting to influence any officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement. If any funds other than federally-appropriated funds have been paid by the MPO to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The MPO shall require that the language of this paragraph be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch or a state agency.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 10 of 16

E. The MPO must comply with FHWA's Conflicts of Interest requirements set forth in 23 CFR §1.33.

19. Restrictions, Prohibitions, Controls, and Labor Provisions: During the performance of this Agreement, the MPO agrees as follows, and shall require the following provisions to be included in each contract and subcontract entered into pursuant to this Agreement :

- A. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
- B. In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List, kept by the Florida Department of Management Services, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity.
- C. An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied or have further been determined by the Department to be a non-responsible contractor may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the MPO.
- D. Neither the MPO nor any of its contractors and consultants or their subcontractors and subconsultants shall enter into any contract, subcontract or arrangement in connection with the Project or any property included or planned to be included in the Project in which any member, officer or employee of the MPO or the entities that are part of the MPO during tenure or for 2 years thereafter has any interest, direct or indirect. If any such present or former member, officer or employee involuntarily acquires or had acquired prior to the beginning of tenure any such interest, and if such interest is immediately disclosed to the MPO, the MPO, with prior approval of the Department, may waive the prohibition contained in this paragraph provided that any such present member, officer or employee shall not participate in any action by the MPO or the locality relating to such contract, subcontract or arrangement. The MPO shall insert in all contracts entered into in connection with the Project or any property included or planned to be included in any Project, and shall require its contractors and consultants to insert in each of their subcontracts, the following provision:

"No member, officer or employee of the MPO or of the locality during his or her tenure or for 2 years thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof."

The provisions of this paragraph shall not be applicable to any agreement between the MPO and its fiscal depositories or to any agreement for utility services the rates for which are fixed or controlled by a governmental agency.

- E. No member or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or any benefit arising therefrom.

20. Miscellaneous Provisions:

A. Public Records:

- i. The MPO shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the MPO in conjunction with this Agreement, unless such documents are exempt from public access or are confidential pursuant to state and federal law. Failure by the MPO to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the Department.
- ii. In addition, the MPO shall comply with the requirements of section 119.0701, Florida Statutes.

CAO

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 11 of 16

- B. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof, a third party beneficiary hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the provisions of this Agreement..
 - C. In no event shall the making by the Department of any payment to the MPO constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the MPO and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
 - D. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law.
 - E. By execution of the Agreement, the MPO represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.
 - F. Nothing in the Agreement shall require the MPO to observe or enforce compliance with any provision or perform any act or do any other thing in contravention of any applicable state law. If any of the provisions of the Agreement violate any applicable state law, the MPO will at once notify the Department in writing in order that appropriate changes and modifications may be made by the Department and the MPO to the end that the MPO may proceed as soon as possible with the Project.
 - G. The MPO shall comply with all applicable federal guidelines, procedures, and regulations. If at any time a review conducted by Department and or FHWA reveals that the applicable federal guidelines, procedures, and regulations were not followed by the MPO and FHWA requires reimbursement of the funds, the MPO will be responsible for repayment to the Department of all funds awarded under the terms of this Agreement.
 - H. The MPO:
 - i. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by MPO during the term of the contract; and
 - ii. shall expressly require any contractor, consultant, subcontractors and subconsultants performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor or subconsultant during the contract term.
 - I. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.
 - J. The parties agree to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.
 - K. This Agreement and any claims arising out of this Agreement shall be governed by the laws of the United States and the State of Florida.
- 21. Exhibits:** The following Exhibits are attached and incorporated into this Agreement:
- A. Exhibit "A", UPWP
 - B. Exhibit "B", Federal Financial Assistance (Single Audit Act)
 - C. Exhibit "C", Title VI Assurances
 - D. Exhibit "D", Contract Payment Requirements



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 12 of 16

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day, month and year set forth above.

MPO

Florida Department of Transportation

Collier Metropolitan Planning Organization (MPO)
MPO Name

Council Member Paul Perry
Signatory (Printed or Typed)

Signature

Collier MPO Chair
Title

Legal Review
MPO
Scott R. Teach
Deputy County Attorney

L.K. Nandam
Department of Transportation

Signature

District Secretary
Title

DocuSigned by:
Atty. Don Conway

Legal Review
Department of Transportation
Attorney Don Conway, Senior Attorney

6/7/2022 | 1:18 PM EDT

DS
ADC

SPJ
(C.M.)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC – 03/22
Page 13 of 16

EXHIBIT "B"

FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.: 20.205
CFDA Title: HIGHWAY PLANNING AND CONSTRUCTION
Federal-Aid Highway Program, Federal Lands Highway Program
*Award Amount: \$2393310
Awarding Agency: Florida Department of Transportation
Indirect Cost Rate: 0
**Award is for R&D: No

*The federal award amount may change with supplemental agreements

**Research and Development as defined at §200.87, 2 CFR Part 200

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING AUDIT REQUIREMENTS:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
www.ecfr.gov

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:

Title 23 – Highways, United States Code
<http://uscode.house.gov/browse.xhtml>

Title 49 – Transportation, United States Code
<http://uscode.house.gov/browse.xhtml>

MAP-21 – Moving Ahead for Progress in the 21st Century, P.L. 112-141
www.dot.gov/map21

Federal Highway Administration – Florida Division
www.fhwa.dot.gov/fldiv

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
www.fsrs.gov

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 14 of 16

Exhibit "C"
TITLE VI ASSURANCES

During the performance of this Agreement, the MPO, for itself, its assignees and successors in interest (hereinafter collectively referred to as the "contractor") agrees as follows:

- (1.) **Compliance with REGULATIONS:** The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") *Title 49, Code of Federal Regulations, Part 21*, as they may be amended from time to time, (hereinafter referred to as the **REGULATIONS**), which are herein incorporated by reference and made a part of this contract.
- (2.) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, or sex in the selection and retention of sub-contractors, 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 contract covers a program set forth in **Appendix B** of the **REGULATIONS**.
- (3.) **Solicitations for Sub-contractors, including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under sub-contract, including procurements of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the **REGULATIONS** relative to nondiscrimination on the basis of race, color, national origin, or sex.
- (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 its facilities as may be determined by the *Florida Department of Transportation* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such **REGULATIONS**, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the *Florida Department of Transportation*, or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has 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 Florida Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:
 - a. withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b. cancellation, termination or suspension of the contract, in whole or in part.
- (6.) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (7) in every sub-contract, including procurements of materials and leases of equipment, unless exempt by the **REGULATIONS**, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contract or procurement as the *Florida Department of Transportation* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.
- (7.) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 15 of 16

discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
METROPOLITAN PLANNING ORGANIZATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 03/22
Page 18 of 18

Exhibit "D"
CONTRACT PAYMENT REQUIREMENTS
Florida Department of Financial Services, Reference Guide for State Expenditures
Cost Reimbursement Contracts

Invoices for cost reimbursement contracts must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). Supporting documentation shall be submitted for each amount for which reimbursement is being claimed indicating that the item has been paid. Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved agreement budget may be reimbursed. These expenditures must be allowable (pursuant to law) and directly related to the services being provided.

Listed below are types and examples of supporting documentation for cost reimbursement agreements:

Salaries: Timesheets that support the hours worked on the Project or activity must be kept. A payroll register, or similar documentation should be maintained. The payroll register should show gross salary charges, fringe benefits, other deductions and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay will be acceptable.

Fringe benefits: Fringe benefits should be supported by invoices showing the amount paid on behalf of the employee, e.g., insurance premiums paid. If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown. Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.

Travel: Reimbursement for travel must be in accordance with s. 112.061, F.S., which includes submission of the claim on the approved state travel voucher along with supporting receipts and invoices.

Other direct costs: Reimbursement will be made based on paid invoices/receipts and proof of payment processing (cancelled/processed checks and bank statements). If nonexpendable property is purchased using state funds, the contract should include a provision for the transfer of the property to the State when services are terminated. Documentation must be provided to show compliance with DMS Rule 60A-1.017, F.A.C., regarding the requirements for contracts which include services and that provide for the contractor to purchase tangible personal property as defined in s. 273.02, F.S., for subsequent transfer to the State.

Indirect costs: If the contract stipulates that indirect costs will be paid based on a specified rate, then the calculation should be shown. Indirect costs must be in the approved agreement budget and the entity must be able to demonstrate that the costs are not duplicated elsewhere as direct costs. All indirect cost rates must be evaluated for reasonableness and for allowability and must be allocated consistently.

Contracts between state agencies may submit alternative documentation to substantiate the reimbursement request, which may be in the form of FLAIR reports or other detailed reports.

The Florida Department of Financial Services, online Reference Guide for State Expenditures can be found at this web address <https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.



RESOLUTION 2022-06

**RESOLUTION OF THE COLLIER METROPOLITAN PLANNING ORGANIZATION
AUTHORIZING THE MPO CHAIRMAN TO EXECUTE THE METROPOLITAN
PLANNING ORGANIZATION AGREEMENT AND THE 2022/23-2023/24 UNIFIED
PLANNING WORK PROGRAM APPROVED ON MAY 13, 2022.**

WHEREAS, the Collier Metropolitan Planning Organization (MPO) has the authority to execute the Metropolitan Planning Organization Agreement (the "Agreement") (per 23 U.S.C § 134, 23 CFR § 450 and F.S. § 339.175) and the 2022/23-2023/24 Unified Planning Work Program (the "UPWP") (per 23 CFR § 450.308(b) and F.S. § 339.175(9); and

WHEREAS, on May 13, 2022, the MPO Chairman reviewed and approved the FY 2022/23-2023/24 UPWP and the Agreement.


**NOW, THEREFORE, BE IT RESOLVED BY THE COLLIER METROPOLITAN
PLANNING ORGANIZATION THAT:**

1. The Collier MPO has the authority to execute the attached: (a) Metropolitan Planning Organization Agreement, and (b) the 2022/23-2023/24 Unified Planning Work Program.
2. The Collier MPO authorizes its Chairman to execute the UPWP and the Agreement.
3. The Collier MPO authorizes its Chairman to sign any other related documents that may be required to process the UPWP and the Agreement.

This Resolution was PASSED and DULY ADOPTED by the Collier Metropolitan Planning Organization Board on May 13, 2022.

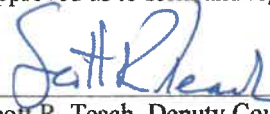
Attest:

**COLLIER COUNTY METROPOLITAN
PLANNING ORGANIZATION**

By: 
Anne McLaughlin
Collier MPO Executive Director

By: 
Council Member Paul Perry
MPO Chairman

Approved as to form and legality:


Scott R. Teach, Deputy County Attorney



RESOLUTION 2022-06

**RESOLUTION OF THE COLLIER METROPOLITAN PLANNING ORGANIZATION
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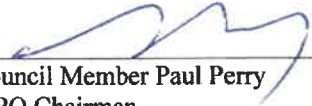
Attest:

COLLIER COUNTY METROPOLITAN
PLANNING ORGANIZATION

By:


Anne McLaughlin
Collier MPO Executive Director

By:


Council Member Paul Perry
MPO Chairman

Approved as to form and legality:


Scott R. Teach, Deputy County Attorney



COST ANALYSIS CERTIFICATION



525-010-06
POLICY PLANNING
02/19

Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

Cost Analysis Certification

Collier MPO

Unified Planning Work Program - FY 2023-FY2024

Adopted 5/13/2022

Revision Number: Initial Adoption

I hereby certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary, as required by [Section 216.3475, F.S.](#) Documentation is on file evidencing the methodology used and the conclusions reached.

Name: Victoria Peters

Florida Department of Transportation, D1: Planning Specialist III/Liaison
Title and District

Signature

5/13/2022

www.fdot.gov

To: Victoria.Peters@dot.state.fl.us

**FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL**

G2821

4/22/2022

CONTRACT INFORMATION

Contract:	G2821
Contract Type:	GD - GRANT DISBURSEMENT (GRANT)
Method of Procurement:	G - GOVERNMENTAL AGENCY (287.057,F.S.)
Vendor Name:	COLLIER COUNTY BOARD OF COUNTY
Vendor ID:	F596000558161
Beginning Date of This Agreement:	07/01/2022
Ending Date of This Agreement:	06/30/2024
Contract Total/Budgetary Ceiling:	bc = \$2,393,310.00
Description:	Costs Incurred to Perform Services Satisfactorily During a Monthly or Quarterly Period in Accordance with Scope of Work

Funds approval will be issued after the execution of the agreement, when an encumbrance is processed for each TWO/LOA or supplemental agreement.

Contract #G2821 has been assigned in FLAIR with Budgetary Ceiling request.

Funds Approval(s) will be provided pursuant to the Method of Compensation in the Contract/Agreement.

NO FUNDS ARE APPROVED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 4/22/2022

Please include this form with executed agreement and upload to the CFM image module within 30 days of execution

Available PL funds (total for FY23 and FY24) Central Office

Sum of Estimated		Item		Phase		Fed Proj		Item Description		Fund		FAC		Year		2024 Grand Total	
BD		Item		Phase		Fed Proj		Item Description		Fund		FAC		2023		2024 Grand Total	
01		439312-4	14			0261-060-M		LEE COUNTY MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,201,456		1,031,671	2,233,127
										22MP				310,827		621,654	
		439313-4	14			0262-060-M		POLK COUNTY MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,015,168		882,530	1,897,698
										22MP				216,577		216,577	433,154
		439314-4	14			0313-060-M		COLLIER COUNTY MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		727,933		652,571	1,380,504
										22MP				156,403		156,403	312,806
		439315-4	14			0264-060-M		SARASOTA/MANATEE MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,311,012		1,119,380	2,430,392
										22MP				367,845		367,845	735,290
		439316-4	14			0408-060-M		CHARLOTTE CITY/PUNTA GORDA FY 2022/2023-2023/2024 UPWP		PL		(blank)		555,132		514,228	1,069,360
										22MP				86,491		86,491	172,982
		439317-4	14			0710-060-M		HIGHLANDS/HEARTLAND REGIONAL TPO - FY 2022/2023-2023/2024 UPWP		PL		(blank)		430,810		414,537	845,147
										22MP				47,818		47,818	95,636
01 Total														6,427,072		5,800,678	12,227,750
02		439318-4	14			0241-060-M		GAINESVILLE MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		559,086		549,417	1,108,503
										22MP				244,136		244,136	488,272
		439319-4	14			0050-060-M		NORTH FLORIDA TPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,950,804		1,631,595	3,582,399
										22MP				692,271		692,271	1,384,542
02 Total														3,486,287		3,117,419	6,603,716
03		439320-4	14			0315-060-M		BAY COUNTY (PANAMA CITY) TPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		528,198		492,664	1,020,862
										22MP				83,235		83,235	166,470
		439321-4	14			0312-060-M		FLORIDA-ALABAMA (PENSACOLA) TPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		881,394		775,431	1,656,825
										22MP				194,869		194,869	389,738
		439322-4	14			0125-060-M		OKALOOSA-WALTON FY 2022/2023-2023/2024 UPWP		PL		(blank)		536,831		501,176	1,040,007
										22MP				88,664		88,664	177,328
		439323-4	14			0220-060-M		CAPITAL REGION TPA (TALLAHASSEE) FY 2022/2023-2023/2024 UPWP		PL		(blank)		665,532		602,613	1,268,145
										22MP				182,797		182,797	365,594
03 Total														3,163,520		2,921,449	6,084,969
04		439324-4	14			0058-060-M		BROWARD MPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		2,684,501		2,218,988	4,903,489
										22MP				1,233,535		1,233,535	2,467,070
		439325-4	14			0097-060-M		PALM BEACH UPWP FY 2022/2023-2023/2024		PL		(blank)		2,046,159		1,707,933	3,754,092
										22MP				772,863		772,863	1,545,726
		439326-4	14			0311-060-M		ST. LUCIE FY 2022/2023-2023/2024 UPWP		PL		(blank)		726,397		651,341	1,377,738
										22MP				133,549		133,549	267,098
		439327-4	14			0418-060-M		INDIAN RIVER FY 2022/2023-2023/2024 UPWP		PL		(blank)		525,003		480,106	1,015,109
										22MP				97,020		97,020	194,040
		439328-4	14			0413-060-M		MARTIN COUNTY FY 2022/2023-2023/2024 UPWP		PL		(blank)		519,732		485,887	1,005,619
										22MP				75,638		75,638	151,276
04 Total														8,814,397		7,866,860	16,681,257
05		439329-4	14			0457-060-M		LAKE SUMTER URBAN AREA FY 2022/2023-2023/2024 UPWP		PL		(blank)		789,796		702,098	1,491,894
										22MP				151,332		151,332	302,664
		439330-4	14			0263-060-M		BREVARD/SPACECOAST FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,045,942		907,167	1,953,109
										22MP				250,175		250,175	500,350
		439331-4	14			0314-060-M		OCALA/MARION URBAN AREA FY 2022/2023-2023/2024 UPWP		PL		(blank)		622,150		567,881	1,190,031
										22MP				101,834		101,834	203,668
		439332-4	14			0087-060-A		METROPLAN FY 2022/2023-2023/2024 UPWP		PL		(blank)		2,950,975		2,432,326	5,383,301
										22MP				1,227,552		1,227,552	2,455,104
		439333-4	14			0260-060-M		RIVER TO SEA TPO URBAN AREA FY 2022/2023-2023/2024 UPWP		PL		(blank)		1,074,040		929,662	2,003,702
										22MP				307,083		307,083	614,166
05 Total														8,520,879		7,577,110	16,097,989
06		439334-4	14			0021-060-D		MIAMI-DADE TPO FY 2022/2023-2023/2024 UPWP		PL		(blank)		3,759,833		3,079,892	6,839,725
										22MP				2,324,762		2,324,762	4,649,524
06 Total														6,084,595		5,404,654	11,489,249
07		439335-4	14			0412-060-M		HERNANDO/CITRUS FY 2022/2023-2023/2024 UPWP		PL		(blank)		634,624		577,888	1,212,492

DL Collier
Total PL
Total PL
1,693,310
Collier

TABLE 6 -- FY 2023/24 FUNDING SOURCE

Task #	Task Description	FHWA PL Federal	FHWA SU Federal	FDOT Soft Match	Total Federal Funding	State TD Trust	Local Funding	Total
1	Administration	\$ 368,800		\$ 81,340	\$ 368,800	\$ -	\$ -	\$ 450,140
2	Data Collection/Development	\$ 40,000		\$ 8,822	\$ 40,000	\$ -	\$ -	\$ 48,822
3	Transportation Improvement Program (TIP)	\$ 30,000		\$ 6,617	\$ 30,000	\$ -	\$ -	\$ 36,617
4	Long Range Planning	\$ 46,846	\$ 300,000	\$ 10,332	\$ 346,846	\$ -	\$ -	\$ 357,178
5	Special Projects and Systems Planning	\$ 134,925	\$ 50,000	\$ 29,758	\$ 184,925	\$ -	\$ -	\$ 214,683
6	Transit and Transportation Disadvantaged	\$ 156,403		\$ 34,495	\$ 156,403	\$ 27,954		\$ 218,852
7	Regional Coordination	\$ 32,000		\$ 7,058	\$ 32,000	\$ -	\$ -	\$ 39,058
8	Locally Funded Activities	\$ -		\$ -	\$ -	\$ -	\$ 8,000	\$ 8,000
	Total fiscal year 2023/24 funds for all tasks	\$ 808,974	\$ 350,000	\$ 178,422	\$ 1,158,974	\$ 27,954	\$ 8,000	\$ 1,373,350
	State Support/Match for MPO (1)	\$ -	\$ -	\$ 178,422	\$ -	\$ -		\$ 178,422
	FY 2023/24 Funding	\$ 808,974	\$ 350,000	\$ -	\$ -	\$ 27,954		\$ 1,186,928
	FY 2023/24 Local Funding	\$ -	\$ -	\$ -	\$ -		\$ 8,000	\$ 8,000
	Total cost, including carryover, for all tasks	\$ 808,974	\$ 350,000	\$ 178,422	\$ 1,158,974	\$ 27,954	\$ 8,000	\$ 1,373,350

TABLE 4 – FY 2022/23 FUNDING SOURCE

Task #	Task Description	FHWA PL Federal	FHWA SU Federal	FTA 5305 Carryforward	FDOT Soft Match	Total Federal Funding	State TD Trust	Local Funding	Total
1	Administration	\$ 363,800			\$ 80,238	\$ 363,800	\$ -	\$ -	\$ 444,038
2	Data Collection/Development	\$ 75,000			\$ 16,542	\$ 75,000	\$ -	\$ -	\$ 91,542
3	(TIP)	\$ 30,000			\$ 6,617	\$ 30,000	\$ -	\$ -	\$ 36,617
4	Long Range Planning	\$ 78,543	\$ 250,000		\$ 17,323	\$ 328,543	\$ -	\$ -	\$ 345,866
5	Special Projects and Systems Planning	\$ 138,133	\$ 100,000		\$ 30,466	\$ 238,133	\$ -	\$ -	\$ 268,599
6	Disadvantaged	\$ 166,860		\$ 252,743	\$ 99,988	\$ 166,860	\$ 27,954	\$ 8,000	\$ 555,545
7	Regional Coordination	\$ 32,000			\$ 7,058	\$ 32,000	\$ -	\$ -	\$ 39,058
8	Locally Funded Activities	\$ -			\$ -	\$ -	\$ -	\$ -	\$ -
	tasks	\$ 884,336	\$ 350,000	\$ 252,743	\$ 258,232	\$ 1,234,336	\$ 27,954	\$ 8,000	\$ 1,781,265
	State Support/Match for MPO (1)	\$ -	\$ -		\$ 258,232	\$ -	\$ -		\$ 258,232
	FY 2022/23 Funding	\$ 884,336	\$ 350,000		\$ -	\$ -	\$ 27,954		\$ 1,262,290
	FY 2022/23 Local Funding	\$ -	\$ -		\$ -	\$ -		\$ 8,000	\$ 8,000
	Roll Forward from Prior Fiscal Year			\$ 252,743	\$ -	\$ -	\$ -		\$ 252,743
	Total cost, including carryover, for all tasks	\$ 884,336	\$ 350,000	\$ 252,743	\$ 258,232	\$ 1,234,336	\$ 27,954	\$ 8,000	\$ 1,781,265

*Soft match includes \$195,046 at .1807% and \$63,186 at 20% to match PTGAs.



**COLLIER
METROPOLITAN PLANNING ORGANIZATION
BONITA SPRINGS (NAPLES), FL UZA**

**UNIFIED PLANNING WORK PROGRAM
FISCAL YEARS (FY) 2022/23-2023/24
July 1, 2022-June 30, 2024**

This document was approved and adopted by the
Collier Metropolitan Planning Organization on

May 13, 2022



Council Member Paul Perry, MPO Chair

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Federal Aid Program (FAP) - # 0313-060-M
Financial Management (FM) - # 439314-4-14-01 & 439314-4-14-02
FDOT Contract #G2821

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Financial Management (FM) - # 410113 1 14
Contract #G1J00
Contract #G1V40
Contract #G2594

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The MPO does not discriminate against anyone on the basis of race, color, religion, sex, age, national origin, disability or family status. For more information on the MPO's commitment to equity and nondiscrimination, or to express concerns visit <https://www.colliermopo.org/get-involved/civil-rights/>.

TABLE OF CONTENTS

COST ANALYSIS CERTIFICATION	4
INTRODUCTION	5
DEFINITION OF THE UPWP	5
OVERVIEW AND STATUS OF CURRENT PLANNING ACTIVITIES.....	5
LOCAL AND REGIONAL PLANNING PRIORITIES.....	7
AIR QUALITY PLANNING ACTIVITIES	8
SOFT MATCH.....	8
CPG PARTICIPATION STATEMENT.....	9
PUBLIC INVOLVEMENT PROCESS	9
FEDERAL PLANNING FACTORS.....	10
TABLE 1 – PLANNING FACTOR MATRIX	11
FEDERAL AND STATE PLANNING EMPHASIS AREAS	11
TABLE 2 – PLANNING EMPHASIS AREAS	13
MPO RESOLUTION	13
ORGANIZATION AND MANAGEMENT	14
IDENTIFICATION OF MPO PARTICIPANTS	14
OPERATIONAL PROCEDURES AND BYLAWS	15
EXECUTED AGREEMENTS.....	16
CERTIFICATIONS AND ASSURANCES	16
UPWP TASK OVERVIEW	17
TASK 1 ADMINISTRATION	19
TASK 2 DATA COLLECTION / DEVELOPMENT.....	23
TASK 3 TIP MONITORING AND DEVELOPMENT	26
TASK 4 LONG RANGE PLANNING	28
TASK 5 SPECIAL PROJECTS AND SYSTEMS PLANNING.....	30
TASK 6 TRANSIT AND TRANSPORTATION DISADVANTAGED PLANNING.....	33
TASK 7 REGIONAL COORDINATION	37
TASK 8 LOCALLY FUNDED ACTIVITIES.....	40

SUMMARY TABLES.....	42
TABLE 3 – FY 2022/23 AGENCY PARTICIPATION.....	43
TABLE 4 – FY 2022/23 FUNDING SOURCE	44
TABLE 5 – FY 2023/24 AGENCY PARTICIPATION.....	45
TABLE 6 – FY 2023/24 FUNDING SOURCE	46
APPENDICES	47
APPENDIX A – COMMONLY USED ACRONYMS.....	48
APPENDIX B – PLANNING STUDIES IN THE MPO AREA.....	51
APPENDIX C – STATEMENTS AND ASSURANCES.....	52
APPENDIX D – RESPONSE TO COMMENTS	59
APPENDIX E – MPO RESOLUTION	63

COST ANALYSIS CERTIFICATION



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

525-010-06
POLICY PLANNING
02/19

Cost Analysis Certification

Collier MPO

Unified Planning Work Program - FY 2023-FY2024

Adopted 5/13/2022

Revision Number: Initial Adoption

I hereby certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary, as required by [Section 216.3475, F.S.](#). Documentation is on file evidencing the methodology used and the conclusions reached.

Name: Victoria Peters

Florida Department of Transportation, D1: Planning Specialist III/Liaison
Title and District

Signature

5/13/2022

www.fdot.gov

INTRODUCTION

DEFINITION OF THE UPWP

The Unified Planning Work Program (UPWP) for the Collier Metropolitan Planning Organization documents transportation planning and transportation planning related activities for the two year period starting July 1, 2022 (FY 2022/23-2023/24). The UPWP is the basis for allocating federal, state, and local funds for transportation planning purposes in the Collier Metropolitan Planning area. At a minimum, a UPWP includes a description of the work and resulting products, indicates who will perform the work, provides timeframes and deadlines for completing the work, includes the cost of the work and the source(s) of funds.

This Work Program is consistent with all federal and state requirements. All products and planning concepts and factors follow Federal and State guidelines. The Collier MPO complies with Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, national origin, age, disability, religion or sex.

The objective of the Collier MPO is to provide for a Continuing, Comprehensive, and Cooperative approach to the planning process. The MPO performs a variety of tasks utilizing funds under Titles 23 and 49, and Title 49 Chapter 53, U.S.C. Those tasks include annual development of the Transportation Improvement Program (TIP); continually improving the Congestion Management Process; regular updates to the Transit Development Plan (TDP) and Transportation Disadvantaged Service Plan (TDSP); support of Bicycle and Pedestrian Planning activities; preparation of updates to the Long Range Transportation Plan (LRTP); periodically updating the Public Involvement Plan (PIP), expanding public outreach activities and implementing strategies to address environmental justice issues; and supporting FDOT District One and Collier County planning activities with emphasis on improving traffic modeling and Geographic Information Systems (GIS) capabilities. All eligible expenses will be reimbursed on an actual cost basis and therefore an indirect rate will not be utilized.

OVERVIEW AND STATUS OF CURRENT PLANNING ACTIVITIES

Long Range Transportation Plan

The LRTP is a critical tool in the MPO process. It is composed of a Needs Assessment, a Cost Feasible Plan, and several multi-modal transportation components. It is the primary document in which multi-modal components (such as pathways, transit, and other projects), land use data, and projected revenues are integrated in the long range planning process. The 2040 LRTP was adopted in December 2015. Three amendments to the plan were completed. The 2045 LRTP started in 2019 and was completed in December 2020. The development of the 2045 LRTP included coordination with member agencies and the Florida Department of Transportation.

The 2050 LRTP will be a focus for this UPWP. The MPO has started data collection to submit base year data for FDOT's District One Regional Planning Model. Next steps include obtaining a consultant to begin development of the 2050 LRTP. The document is required to be adopted by December 2025.

INTRODUCTION (cont.)

Congestion Management Process (CMP)

An operational Congestion Management System (CMS) plan was originally adopted in 1997 and was updated in 2006. The CMS was developed to reduce congestion by not adding travel lanes to existing highways, but by initiatives such as improving traffic signal timing, improving intersections (adding/lengthening turn lanes, etc.), and modifying medians. In 2008, the MPO updated the CMS and renamed it the Congestion Management Process (CMP). The CMP was updated in 2017. The 2017 update brought the document current with the 2040 LRTP and new federal legislation requiring performance-based, data driven planning. The 2017 update also adopted transportation performance measures and required project sponsors to establish baseline measures and report the results to the Congestion Management Committee and the MPO Board.

The CMP also recognized the need for a more extensive data analysis. This led to the completion of the first Transportation System Performance Report (TSPR). The TSPR called for updates to the CMP Goals, Objectives, and Performance Measures to be consistent with the analysis included in the report. An update to the CMP is underway and is expected to be completed in September 2022.

LOCAL AND REGIONAL PLANNING PRIORITIES

FY 2022/23 and FY 2023/24 UPWP Transportation Planning Priorities

Completing many technical plans and studies that support the development of the LRTP will be a focus of this UPWP. Additionally, the MPO will be updating the Environmental Justice analysis previously completed, by completing an Equity Analysis which will assist in the development of the LRTP and related technical plans.

Transportation System Performance Report (TSPR)

The first TSPR was approved in September 2020. The TSPR established a consistent methodology for identifying congested locations using a performance driven approach. The TSPR will be updated prior to the update of the 2050 LRTP and should be approved by June 2025. This is a supporting document of the LRTP.

Transit Planning

A major Transit Development Plan (TDP) update was completed in September 2020. The results of the TDP update were included in the transit element of the 2045 LRTP. A TDP update must be completed by June 2025 in order to coordinate with the 2050 LRTP. The Public Transit and Neighborhood Enhancement (PTNE) Department in coordination with the Collier MPO completes Annual Progress Reports to the TDP in-house.

A Regional Fares/Services study is being conducted to evaluate regional transit service and regional fares. The study will consist of information to guide analysis and decision making regarding potential cross-jurisdictional transit projects. This study is expected to be completed by May 2023.

The last Transportation Disadvantaged Service Plan (TDSP) major update was completed in 2018. The Collier MPO serves as the designated official planning agency and performs Transportation Disadvantaged Planning activities. A major TDSP update is required to be completed 120 days after reappointment of the Community Transportation Coordinator which will occur in 2023. This update must be completed and submitted to the Transportation Disadvantaged Commission by October 2023.

Local Road Safety Plan

The initial Local Roads Safety Plan (LRSP) was completed and approved on May 14, 2021. The plan, funded through the Congestion Management priority process, is a data driven, 5-year safety plan that will guide the MPO in identifying implementation efforts that support FDOT's "Vision Zero" goals. The update to the LRSP will be completed in house with an update to data and statistics prior to the 2050 LRTP update. This is a supporting document of the LRTP.

Equity Analysis

A preliminary identification of Environmental Justice Communities was conducted in 2016 and was further refined as part of the Existing Conditions analysis for the Bicycle and Pedestrian Master Plan. MPO Staff will prepare an updated Equity Analysis to assess changes throughout the community.

Regional Transportation Planning Activities

The Lee County and Collier MPOs meet annually to discuss regional issues and projects which may have a joint impact on the area. The Collier MPO participates in the Lee MPO's Technical Advisory

Committee (TAC) and the Lee MPO participates in the Collier TAC. The MPOs will continue to work together to endorse and adopt regional priorities for enhancements, TRIP, highway, and transit projects.

In addition, the Collier MPO participates in meetings of the Coordinated Urban Transportation Systems (CUTS), the Metropolitan Planning Organization Advisory Council (MPOAC), and in district and state-wide meetings with FDOT.

AIR QUALITY PLANNING ACTIVITIES

The Collier MPO is in an air quality attainment area and does not anticipate completing any non-attainment planning activities at this time; however, the MPO planning area's air quality continues to be monitored and staff participates in training as needed.

SOFT MATCH

Section 120 of Title 23, U.S.C, permits a state to use certain toll revenue expenditures as a credit toward the non-federal matching share of all programs authorized by Title 23, (with the exception of Emergency Relief Programs) and for transit programs authorized by Chapter 53 of Title 49, U.S.C. This is in essence a "soft-match" provision that allows the federal share to be increased up to 100% to the extent credits are available. The "soft match" amount being utilized to match the FHWA funding in this UPWP is 18.07% of FHWA program funds for a total of \$195,046 in FY 2022/23 and \$178,422 in FY 2023/24 for a total of \$373,468. The "soft match" amount being utilized to match carryover 5305(d) funding in this UPWP is 20% of FTA funds for a total of \$32,007 in FY 2020/21 and \$31,179 in FY 2021/22 for a total of \$63,186.

FDOT District One Planning Activities

Florida Department of Transportation- District One District Wide Planning activities for FY22/23-FY23/24 include the following:

- GIS Application Development and System Maintenance
- Systems Planning and Reviews
- Interchange Reviews
- Travel Demand Model Development
- ETDM/Community Impact Assessment
- Statistics
- Federal Functional Classification
- Traffic Counts Program
- Modal Development Technical Support
- Transportation Alternatives Program Development
- Commuter Services
- State Highway System Corridor Studies
- Growth Management Impact Reviews
- Complete Streets Studies
- Freight Mobility Support

- Promoting and coordinating Safety for all modes of transportation, including bicycle and pedestrian

As part of the 3 “C” planning process, District staff coordinate planning activities with the MPO. MPO Board and Advisory Committee members are notified of project meetings within the MPO area. FDOT staff present status reports to the MPO Board and Advisory Committees to solicit feedback on planning activities and to ensure that District planning studies and MPO planning activities are coordinated.

CPG PARTICIPATION STATEMENT

“The FDOT and the Collier Metropolitan Planning Organization participate in the Consolidated Grant Program (CPG). The CPG enables FDOT, in cooperation with the MPO, FHWA, and FTA, to annually consolidate Florida’s FHWA PL and FTA 5305(d) metropolitan planning fund allocations into a single grant that is administered by the FHWA’s Florida Division. These funds are annually apportioned to FDOT as the direct recipient and allocated to the MPO by FDOT utilizing formulas approved by the MPO, FDOT, FHWA, and FTA in accordance with 23 CFR 420.109 and 49 U.S.C. Chapter 53. The FDOT is fulfilling the CPG’s required 18.07% non-federal share (match) using Transportation Development Credits as permitted by 23 CFR 120(j) and FTA C 8100.1D.”

PUBLIC INVOLVEMENT PROCESS

The development of the UPWP has been subject to public review and comment and is consistent with the Collier MPO’s adopted Public Participation Plan (PPP). The draft is sent to the TAC and CAC for review, announced on the Collier MPO website and sent to interested parties via email to the MPO’s listserv on the date the TAC/CAC agenda packets are posted and distributed.

MPO staff responds in writing to input received from the public and all comments received from the public, advisory committee members and Board members are memorialized and addressed in this document. All comments received, including from FHWA, FTA, and FDOT have been addressed and incorporated into Appendix D of the final document.

A draft of this UPWP was endorsed by the Citizens and Technical Advisory Committees on February 28, 2022 and reviewed by the MPO Board on April 8, 2022. The final document was endorsed by the Citizens and Technical Advisory Committee on April 25, 2022 and approved by the MPO Board on May 13, 2022.

FEDERAL PLANNING FACTORS

In December 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law. The FAST act identified the following ten planning factors which have been incorporated into the MPO Planning Process and this UPWP:

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

In addition to the planning factors noted above, MAP-21 required that State DOTs and MPOs conduct performance-based planning by tracking performance measures and setting data-driven targets to improve those measures. Performance-based planning ensures the most efficient investment of federal transportation funds by increasing accountability, transparency, and providing for better investment decisions that focus on key outcomes related to seven national goals which include:

- Improving Safety;
- Maintaining Infrastructure Condition;
- Reducing Traffic Congestion;
- Improving the Efficiency of the System and Freight Movement;
- Protecting the Environment; and,
- Reducing Delays in Project Delivery.

The FAST Act supplemented the MAP-21 legislation by establishing timelines for State DOTs and MPOs to comply with the requirements of MAP-21. State DOTs are required to establish statewide targets and MPOs have the option to support the statewide targets or adopt their own. The Collier MPO has chosen to support the statewide targets. The transition to performance-based planning is ongoing and has been addressed within the tasks identified in this UPWP, specifically within the LRTP, the TIP, and the TSPR. The Collier MPO intends to coordinate with FDOT and member agencies to fully comply with the performance-based planning requirements.

In November 2021 the Infrastructure Investment and Jobs Act (IIJA) was signed into law. This legislation carries forward the policies, programs, and initiatives established by preceding legislation (FAST Act and MAP-21) to maintain and improve the nation's surface transportation system. The IIJA carries forward and expands on these policies and introduces new policies and programs that address

new and emerging issues that face the nation's transportation system. These issues include mitigating impacts to existing infrastructure due to climate change, developing and maintaining system resiliency, ensuring equity, researching and deploying new technologies, and improving safety for all users.

TABLE 1 – PLANNING FACTOR MATRIX

	Administration	Data Collection	TIP Maintenance & Development	Long Range Planning	Special Projects & Systems Planning	Transit & Transportation Disadvantaged Planning	Regional Coordination	Locally Funded Activities
Federal Planning Factors								
1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.			✓	✓	✓	✓	✓	
2. Increase the safety of the transportation system for motorized and non-motorized users.	✓	✓	✓	✓	✓	✓	✓	
3. Increase the security of the transportation system for motorized and non-motorized users.		✓	✓	✓	✓		✓	
4. Increase the accessibility and mobility of people and for freight.		✓	✓	✓	✓	✓	✓	
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.	✓	✓	✓	✓	✓	✓	✓	✓
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.		✓	✓	✓	✓	✓	✓	
7. Promote efficient system management and operation.		✓	✓	✓	✓	✓	✓	
8. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.		✓	✓	✓	✓		✓	
9. Enhance travel and tourism.	✓		✓	✓	✓	✓	✓	✓
10. Emphasize the preservation of the existing transportation system.		✓	✓	✓	✓		✓	

FEDERAL AND STATE PLANNING EMPHASIS AREAS

STATE PLANNING EMPHASIS AREAS – 2022

The Florida Department of Transportation Office of Policy Planning develops Planning Emphasis Areas on a two-year cycle in coordination with the development of Metropolitan Planning Organizations' respective unified planning work programs. Emphasis areas set planning priorities, support the Florida Transportation Plan, and give importance to topic areas which MPOs are encouraged to address as they develop their planning programs. Implementation of the seven goals of the Florida Transportation Plan requires embracing innovation; extensive collaboration across jurisdictions, modes and disciplines; an emphasis on customer service; data and performance feedback; and strategic investments for the efficient and effective allocation of resources.

The Collier MPO has considered the four topics shown below and included them in studies identified in this UPWP.

Safety

The Florida Transportation Plan and the State's Strategic Highway Safety Plan place top priority on safety, with a state target of zero traffic fatalities and serious injuries. In addition to adopting safety targets, the MPOs must show how their Long Range Transportation Plan (LRTP) and priority projects in their Transportation Improvement Program (TIP) support progress toward those targets. The UPWP should consider enhancements to data analyses and community involvement to better inform the identification and prioritization of safety projects.

Equity

Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, created the “Justice40 Initiative” that aims to deliver 40 percent of the overall benefits of relevant federal investments to disadvantaged communities. This initiative supports Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, outlines federal policy and defines equity as the consistent and systematic fair, just, and impartial treatment of individuals. The Florida Transportation Plan seeks transportation choices that improve accessibility and equity by including a key strategy to enhance affordable transportation, service, and information access options for all ages and abilities and throughout underserved communities. The MPOs are key to identifying and implementing improvements based on data-driven project prioritization that considers not only impacts of transportation projects on a community, but also benefits of projects that can enhance opportunities for a community. The UPWP should address approaches to furthering transportation equity.

Resilience

With the passage of the FAST Act, resilience was introduced as a federal planning factor: “Improve the resilience and reliability of the transportation system and mitigate stormwater impacts of surface transportation.” Resilience is defined as the ability to adapt to changing conditions and prepare for, withstand, and recover from disruption. These conditions can encompass a wide variety of environmental, technological, economic, or social impacts.

MPOs can address resilience within their planning processes by leveraging tools such as the FHWA Resilience and Transportation Planning guide and the FDOT Quick Guide: Incorporating Resilience in the MPO LRTP. It should be noted that while these documents focus primarily on the development of MPO LRTPs and TIPs, addressing resilience should be a consideration within every planning document prepared by an MPO. MPOs should place a particular emphasis on coordination with agency partners responsible for natural disaster risk reduction, or who may be developing local resilience planning initiatives. Additionally, MPOs should consider the additional costs associated with reducing vulnerability of the existing transportation infrastructure. Proactive resiliency planning will help the MPO develop planning documents that are ultimately more realistic and cost-effective.

Emerging Mobility

Advances in communication and automation technology result in new mobility options, ranging from automated and connected transport, electric vehicles, ridesharing, and micro-mobility, to flying cars and space travel. These changes may be disruptive and transformational, with impacts to safety, vehicle ownership, travel capacity, vehicle miles traveled, land-use, transportation design, future investment demands, supply chain logistics, economy, and the workforce. Implementation of all seven goals of the Florida Transportation Plan can be furthered through both the transformation of major corridors and hubs and the expansion of transportation infrastructure to embrace and support the adoption of emerging mobility.

The UPWP should recognize the important influence of emerging mobility on the multi-modal transportation system and include related planning studies, collaboration efforts, research, or other activities.

FEDERAL PLANNING EMPHASIS AREAS – 2022

FHWA and FTA have jointly issued PEAs for FY 22 UPWPs. The following items should be considered when developing tasks associated with the UPWP:

- Tackling the Climate Crisis – Transition to a Clean Energy, Resilient Future
- Equity and Justice40 in Transportation Planning
- Complete Streets
- Public Involvement
- Strategic Highway Network (STRAHNET)/ US Department of Defense (DOD) Coordination
- Federal Land Management Agency (FLMA) Coordination
- Planning and Environment Linkages (PEL)
- Data in Transportation Planning

TABLE 2 – PLANNING EMPHASIS AREAS

	Administration	Data Collection	TIP Maintenance & Development	Long Range Planning	Special Projects & Systems Planning	Transit & Transportation Disadvantaged Planning	Regional Coordination	Locally Funded Activities
FDOT Planning Emphasis Areas								
1. Safety	✓	✓	✓	✓	✓	✓	✓	
2. Equity	✓	✓		✓	✓	✓	✓	
3. Resilience		✓	✓	✓	✓		✓	
4. Emerging Mobility		✓	✓	✓	✓	✓	✓	
Federal Planning Emphasis Areas								
5. Tackling the climate crisis - Transition to a clean energy, resilient future		✓	✓	✓	✓	✓	✓	
6. Equity and Justice40 in Transportation Planning	✓	✓	✓	✓	✓	✓	✓	
7. Complete Streets	✓	✓	✓	✓	✓	✓	✓	
8. Public Involvement	✓		✓	✓	✓	✓	✓	
9. Strategic Highway Network (STRAHNET)/ US Department of Defense (DOD) Coordination		✓	✓	✓			✓	
10. Federal Land Management Agency (FLMA) (Coordination)			✓	✓	✓			
11. Planning and Environment Linkages (PEL)			✓	✓	✓	✓	✓	
12. Data in Transportation Planning		✓	✓	✓	✓	✓	✓	

MPO RESOLUTION

The Resolution dated May 13, 2022, signed by the Collier MPO Chair, is available in Appendix E.

ORGANIZATION AND MANAGEMENT OF THE METROPOLITAN PLANNING ORGANIZATION

IDENTIFICATION OF MPO PARTICIPANTS

The Collier MPO is the primary agency responsible for transportation planning in Collier County. The MPO Board consists of nine voting members representing the county government and three local municipalities, and one non-voting representative from the FDOT. The MPO is a legislative body with the power to develop and adopt plans, and to set priorities for the programming of improvements to the transportation system. The MPO membership includes the following:

COLLIER COUNTY

Commissioner Rick LoCastro, District 1
Commissioner Andy Solis., District 2
Commissioner Burt Saunders, District 3
Commissioner Penny Taylor, District 4
Commissioner William L. McDaniel, Jr., District 5

CITY OF NAPLES

Council Member Ted Blankenship
Council Member Paul Perry

CITY OF MARCO ISLAND

Council Member Greg Folley

CITY OF EVERGLADES CITY

Council Member Tony Pernas

FLORIDA DEPARTMENT OF TRANSPORTATION

L.K. Nandam, District Secretary, District One

The MPO Board is served by five advisory committees. The advisory committees are summarized as follows:

Technical Advisory Committee (TAC)

The MPO's TAC is composed of technically qualified representatives of agencies responsible for directing, developing, and improving the transportation system within the Collier County Metropolitan Planning Area. Committee duties include the coordination of transportation planning and programming activities arising from the review of all transportation technical studies and reports submitted to them.

Citizens Advisory Committee (CAC)

The MPO's CAC is composed of thirteen (13) individuals representing a cross-section of the geographic community and special interests, such as minorities and persons with disabilities. They are recruited to represent the City of Naples, the City of Marco Island, the City of Everglades City and the County Commission Districts of the unincorporated areas of the county. The CAC provides the MPO Board and staff with the citizen's perspective on the multimodal transportation planning process. The CAC is the focal point of the MPO's public involvement process.

Bicycle & Pedestrian Advisory Committee (BPAC)

The MPO's BPAC is composed of twelve (12) at-large voting members representing a wide cross-section of Collier County residents and neighborhoods, bicycle and pedestrian safety professionals, Safe Routes to Schools organizations, transit riders, local bicycle and pedestrian advocacy groups, organizations that encourage active transportation from a community health perspective, and advocates for persons with disabilities and other transportation disadvantaged populations.

The committee is responsible for providing citizen input into the deliberations of bicycle and pedestrian related issues within the community and to advise the MPO on developing a Bicycle and Pedestrian Plan. The BPAC is also involved in recommending priorities for bicycle and pedestrian projects and program implementation.

Congestion Management Committee (CMC)

The CMC serves the MPO in an advisory capacity on technical matters relating to the update of the MPO's Congestion Management System and the coordination of the CMS with the regional ITS architecture. The committee is responsible for creating and amending the Congestion Management Process (CMP) and for prioritizing candidate CMS projects to be funded from the MPO's CMS boxed funds.

Local Coordinating Board for the Transportation Disadvantaged (LCB)

The LCB for the Transportation Disadvantaged (TD) has been appointed by the MPO to carry out the duties described in Rule 41-2, Florida Administrative Code, as an integral part of the TD planning and delivery service program.

The LCB is composed of representatives from various State and local agencies, as well as citizen representatives. A member of the MPO Board is appointed to serve as the LCB's Chairman.

OPERATIONAL PROCEDURES AND BYLAWS

The MPO operates under an adopted set of Bylaws. The MPO Executive Director reports directly to the MPO Board. The additional MPO staff members are Collier County employees pursuant to a staff services agreement. Administrative services are provided by Collier County under the rules and procedures of Collier County and the State of Florida. Annual audits of the MPO Program are performed as part of the single audit process under the direction of the Clerk of Courts Finance Department.

Official records of MPO business are maintained in the MPO Offices located in the Collier County Growth Management Division, 2885 South Horseshoe Drive, Naples, Florida 34104. All MPO records are available for public inspection during normal business hours.

The Collier MPO's operational procedures fully comply with the public records laws and the Sunshine Laws of the State of Florida.

EXECUTED AGREEMENTS

The MPO has various agreements in place with State and local governments and agencies that promote the "3-C" planning process. The following is a list of agreements currently in place:

- Amended and Restated Interlocal Agreement for the Creation of the Collier County MPO – FDOT, City of Naples, City of Marco Island, City of Everglades City, Collier County (2/26/15)
- Metropolitan Planning Organization Agreement – FDOT/MPO (7/1/20) – Agreement for planning funding. *This agreement will be updated 6/22.*
- Staff Services Agreement – MPO/Collier County (5/28/19). *This agreement is in the process of being updated. Will be approved prior to 5/28/22.*
- Lease Agreement – MPO/Collier County (5/28/19) *This agreement is in the process of being updated. Will be approved prior to 5/28/22.*
- Interlocal Agreement – Lee and Collier MPO regional coordination (amended 3/20/09)
- Intergovernmental Coordination and Review (ICAR) and Public Transportation Coordination Joint Participation Agreement – FDOT/MPO/Collier County Airport Authority, Naples Airport Authority/ Southwest Florida Regional Planning Council (11/25/14) *Requested updates to boilerplate. Will update when boilerplate agreement has been updated to new federal law.*
- Public Transit Grant Agreement (G1J00) – FDOT/MPO (12/31/22)
- Public Transit Grant Agreement (G1V40) – FDOT/MPO (12/31/23)

These agreements are currently under review and will be updated as appropriate. Current executed agreements can be accessed by visiting the Collier MPO website at <https://www.colliermmpo.org/mpo-agreements-resolutions/>.

CERTIFICATIONS AND ASSURANCES

All required certifications and assurances are included in this document in Appendix C.

UPWP TASK OVERVIEW

The FY 2022/23-2023/24 UPWP covers the fiscal years starting July 1, 2022 and ending June 30, 2024. The specific planning activities to be undertaken over the next two years by MPO staff are organized into eight tasks, each of which includes individual activities. A brief overview of each of these tasks is provided below:

1. **Administration**

Administrative tasks provide for the primary management of MPO activities, including but not limited to, staff time to organize and conduct MPO Board and advisory committee meetings, public involvement efforts, and to participate in intergovernmental activities. In addition, this section includes all necessary expenditures to maintain operations, capital expenditures, Federal and State compliance documentation and all fiscally related tasks such as audits, progress reporting, maintenance of financial records, and the preparation of annual administrative reports, such as the UPWP, are also included. This task will include any necessary updates to agreements or documents related to the 2020 Census.

2. **Data Collection / Development**

Task activities in this section includes those needed to monitor and analyze travel behavior and factors affecting travel, such as socio-economic, land use, environmental, air quality, safety, security and freight and transportation system data. Evaluation of the data collected in this section is used for both long and short range planning for the transportation system.

3. **Transportation Improvement Program Maintenance and Development**

This task annually provides for the development of the TIP, a five-year program of transportation improvements. The TIP will be developed in cooperation with FDOT and the local governments. Transportation projects will be drawn from the currently adopted MPO Long Range Transportation Plan to ensure the program's consistency relative to priorities and financial constraints. The prioritization methodology for each State and Federal funding project category will be detailed in the introduction of each pertinent section of the TIP. Regionally significant projects, regardless of funding source, are also included in the Transportation Improvement Program. The TIP also includes a list of multi-modal unfunded State, county and municipal projects that have been prioritized by the MPO Board.

Task activities in this section include establishing project priorities, annually updating the TIP and reviewing transportation plans and reports for use in many other UPWP sections and tasks, including short range planning, the Long Range Transportation Plan (LRTP), Transit Planning, and project planning.

UPWP TASK OVERVIEW (cont.)**4. Long Range Planning**

Updates and amendments to the LRTP include multi-modal aspects of transportation planning such as highway planning, transit planning, reviewing enhancement priorities, bicycle/pedestrian programming, and congestion monitoring of the Systems Planning area. This section is intended to work with the other sections of the UPWP in the development, review, amending and updating of the Long Range Transportation Plan.

5. Special Projects and Systems Planning

This task includes various recurring and non-recurring planning projects, including bicycle and pedestrian planning support and congestion management planning. Complete Streets planning, and Bicycle and Pedestrian planning and support are conducted in order to provide a balanced transportation system to ensure that non-motorized travel options are safe, convenient and offer recreational opportunities. As part of the Congestion Management Process, a recurring Transportation System Performance Report will be completed in the second year of the UPWP.

6. Transit & Transportation Disadvantaged Planning

The UPWP addresses the continuing efforts of the Transit Program and Transportation Disadvantaged (TD) Program. Transit support is provided in order to develop the LRTP, TIP and other plans, programs and technical studies relating to public transportation. In addition, planning services are provided to ensure a coordinated Transportation Disadvantaged (TD) Program in Collier County.

7. Regional Coordination

This task provides for the creation of a region-wide multimodal transportation planning process in accordance with Federal and State guidelines to ensure the coordination of transportation planning and policy activities in FDOT District One. This includes travel expenditures, room rental, and any other necessary costs for regional planning.

8. Locally Funded Activities

This task allows staff to complete requests to prepare resolutions and policy position statements which are not eligible for grant reimbursement. In addition, travel expenses that are not eligible for grant reimbursement will be funded from this task.

TASK 1 ADMINISTRATION

PURPOSE:

To conduct activities (including staff travel and capital expenses) including the development and maintenance of administrative reports and grants contract administration. This task also includes all public involvement activities and administrative support for MPO planning and programs in general, including assistance to Federal, State, and local agency staff, as needed. It provides for the administration of the area-wide multimodal transportation planning process in accordance with Federal and State requirements, and for the technical management over each project included in the UPWP.

PREVIOUS WORK:

- Ongoing administrative activities
- Staff support for MPO Board and Committee meetings
- Develop and Update the UPWP
- Update Staff Services Agreement and Lease Agreement
- Public Involvement activities in compliance with the Public Participation Plan
- Procurement Activities
- Quarterly invoicing request
- Monthly invoicing activities
- Update to Public Participation Plan in 2020
- Maintained MPO website
- Strategic Plan and Annual Report

REQUIRED ACTIVITIES:

- Administer MPO Governing Board meetings and all Advisory Committee meetings including meeting advertisement and the preparation of minutes and agenda packages.
- Attend training at conferences, workshops, etc. (MPO staff and Governing Board members) Attend business meetings as required. Including but not limited to FDOT meetings, Title VI, ADA and Environmental Justice training opportunities.
- Perform grant and financial tasks including preparing grant agreements, grant compliance tasks, grant reimbursements, timekeeping, inventory, contract management, invoice payment.
- Purchase of office supplies, computers, printers, software, and audio-visual equipment.
- Rental lease payments for office space and MPO vehicle.
- Monthly payments for phone system, cell phones, website hosting, postage (monthly and annual permit) and administrative functions to run the MPO.
- Payment for MPO insurance.
- Participate in joint FDOT/MPO annual certification reviews and in Federal TMA reviews.
- Procure services, supplies, and equipment (including office supplies, printers, computers, iPads, software purchase and licensing, and audio-visual equipment. This includes preparation of Request for Proposals, Request for Professional Services, purchase orders, contracts, etc. Lease of necessary office equipment (printers, copiers, etc.).
- Review and maintain existing agreements, by-laws, and COOP. Modify as necessary to stay in compliance with federal/state rules and laws.

- Prepare and adopt the two-year UPWP; process modifications and amendments; submit progress reports and invoices.
- Monitor and update the annual Strategic Plan and Annual Report.
- Maintain the Public Participation Plan (PPP) and update as necessary. Conduct all activities to maintain compliance with plan including to maintain and update website, legal ads, press releases, etc.
- Monitor progress towards goals, including Disadvantaged Business Enterprise (DBE) goals and ensure compliance with DBE policy.

End Product/Deliverable(s)	Target Date
Administer MPO Governing Board and Advisory Committee meetings.	Ongoing
Progress Reports and Invoices to FDOT	Quarterly
Amendments and Modifications to FY 23/24 UPWP	As Needed
Draft FY 25/26 UPWP	March 2024
Final FY 25/26 UPWP	May 2024
Strategic Plan and Annual Report	October - Annually
Joint FDOT/MPO annual certification reviews.	Spring 2023/Spring 2024
Prepare for the 2024 Federal Certification review.	Summer 2024
Public Participation Plan (PPP) - Update as necessary.	Ongoing
Agenda packages and public notices for MPO Board and advisory committees	Monthly
Monitor progress towards goals, including Disadvantaged Business Enterprise (DBE) goals and ensure compliance with DBE policy.	Annually
Updated Bylaws, COOP, and MPO Agreements	As needed

RESPONSIBLE AGENCY: Collier MPO, Consultant Services

Task 1 - Financial Tables

Task 1 - Administration Estimated Budget Detail for FY 22/23						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$300,000	\$0	\$0	\$0	\$300,000
	Subtotal:	\$300,000	\$0	\$0	\$0	\$300,000
B. Consultant Services						
	Website maintenance, hosting fees, etc.	\$5,000	\$0	\$0	\$0	\$5,000
	Subtotal:	\$5,000	\$0	\$0	\$0	\$5,000
C. Travel						
	Travel and Professional Development	\$5,000	\$0	\$0	\$0	\$5,000
	Subtotal:	\$5,000	\$0	\$0	\$0	\$5,000
D. Other Direct Expenses						
	Building or room Rental/lease	\$17,000	\$0	\$0	\$0	\$17,000
	Insurance	\$6,000	\$0	\$0	\$0	\$6,000
	Cellular Telephone Access and expenses	\$3,600	\$0	\$0	\$0	\$3,600
	General Copying Expenses, equipment lease and purchase, printing charges, computer purchase, software purchase, repairs and maintenance	\$15,000	\$0	\$0	\$0	\$15,000
	General Office Supplies	\$3,000	\$0	\$0	\$0	\$3,000
	Legal Advertising	\$2,000	\$0	\$0	\$0	\$2,000
	Motor Pool Rental and Car Maintenance /expenses	\$5,000	\$0	\$0	\$0	\$5,000
	Postage, business reply permit, freight expenses, etc.	\$1,200	\$0	\$0	\$0	\$1,200
	Telephone Access, expenses and system maintenance	\$1,000	\$0	\$0	\$0	\$1,000
	Subtotal:	\$53,800	\$0	\$0	\$0	\$53,800
	Total:	\$363,800	\$0	\$0	\$0	\$363,800

Task 1 - Administration						
Estimated Budget Detail for FY 2023/24						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$305,000	\$0	\$0	\$0	\$305,000
	Subtotal:	\$305,000	\$0	\$0	\$0	\$305,000
B. Consultant Services						
	Website maintenance, hosting fees, etc.	\$5,000	\$0	\$0	\$0	\$5,000
	Subtotal:	\$5,000	\$0	\$0	\$0	\$5,000
C. Travel						
	Travel and Professional Development	\$5,000	\$0	\$0	\$0	\$5,000
	Subtotal:	\$5,000	\$0	\$0	\$0	\$5,000
D. Other Direct Expenses						
	Building or room Rental/lease	\$17,000	\$0	\$0	\$0	\$17,000
	Insurance	\$6,000	\$0	\$0	\$0	\$6,000
	Cellular Telephone Access and expenses	\$3,600	\$0	\$0	\$0	\$3,600
	General Copying Expenses, equipment lease, printing charges, repairs and maintenance	\$15,000	\$0	\$0	\$0	\$15,000
	General Office Supplies	\$3,000	\$0	\$0	\$0	\$3,000
	Legal Advertising	\$2,000	\$0	\$0	\$0	\$2,000
	Motor Pool Rental and Car Maintenance /expenses	\$5,000	\$0	\$0	\$0	\$5,000
	Postage, business reply permit, freight expenses, etc.	\$1,200	\$0	\$0	\$0	\$1,200
	Telephone Access, expenses and system maintenance	\$1,000	\$0	\$0	\$0	\$1,000
	Subtotal:	\$53,800	\$0	\$0	\$0	\$53,800
	Total:	\$368,800	\$0	\$0	\$0	\$368,800

TASK 2 DATA COLLECTION / DEVELOPMENT

PURPOSE:

Develop and monitor the multimodal transportation system to preserve capacity, maximize personal mobility and freight movement, ensure user safety and system security, and maintain the transportation system's integrity. Acquire data to evaluate the system's operating efficiency and conditions to assess current needs, validate the MPO's and FDOT D-1 regional transportation planning model, project future travel demand, and identify future improvements. Coordination with local agencies, jurisdictions and municipalities when reviewing and updating the forecasts and plans is essential. Update GIS database to address current conditions that include, but are not limited to functional classification; roadway network for District One Regional Transportation Demand Model; bicycle & pedestrian facilities inventory; and prepare various overlays for analytical purposes. Coordinate with Collier County staff on use of the County's Interactive Growth Model (CIGM) in analyzing amendments and updates to the Long Range Transportation Plan.

PREVIOUS WORK:

- Developed GIS maps for bike/pedestrian planning activities.
- Updated TAZs and socioeconomic data for 2045 LRTP.
- Updated socio-economic data and TAZ structures for the 2045 LRTP Update.
- 2045 Long Range Transportation Plan adoption in 2021.
- Adoption of FY 2022 performance measures.

REQUIRED ACTIVITIES:

- Coordinate with FDOT, local governments, and neighboring MPOs to collect and provide transportation data and information to support MPO, federal, and state planning activities, model development, and performance measures;
- Acquire and analyze data to support performance-based planning efforts such as the Long Range Transportation Plan, MPO Model Development, Transportation Improvement Program, Public Transit Safety Plan, Planning and Corridor Studies, Freight Studies, Complete Streets, Resiliency Studies, Congestion Management Process, etc.;
- Coordinate with federal, state, and local partners to prepare, analyze, and integrate 2020 U.S. Census data into MPO planning activities and efforts;
- Participate in the FDOT Statewide Model Task Force and regional modeling activities to support the FDOT D-1 model development, calibration, validation, and maintenance;
- Collaborate with Collier County to update the County Interactive Growth Model;
- Coordinate with the MPO Congestion Management Committee to evaluate data and data platforms used to analyze system conditions and needs.
- Review functional classifications, boundary information, and TAZ data based on 2020 census.
- Review and provide travel demand model information such as Annual Average Daily Traffic (AADT) and volume-to-capacity ratios for planning documents, other agency and citizen's requests.
- Prepare and maintain GIS files, and prepare and maintain maps.
- Coordinate with County staff on the County's Crash Data Management System (CDMS)
- Analyze bike/ped facilities and crash data.

- Complete equity analysis in preparation for 2050 LRTP.
- Continue coordination with jurisdictions, agencies, and municipalities within Collier County and adjacent to Collier County on community master plans, transportation system plans, multi-modal mobility plans, Local Road Safety Plan etc. and the data used to update and maintain such information.

End Task/Deliverable(s)	Target Date
Collier Data for 2020 Validation of the District 1 Regional Planning Model	August 2022
Updated GIS Files and maps	As needed
Coordinate with the County staff on updates to the County Interactive Growth Model (CIGM) so that both entities (County and MPO) are using the most current and accurate TAZ structure and socioeconomic data available	As needed
Equity Analysis	June 2024
Bike/Ped Crash Data Analysis	As needed

RESPONSIBLE AGENCY: Collier MPO, Consultant Services

Task 2 - Financial Tables

Task 2 - DATA COLLECTION/DEVELOPMENT						
Estimated Budget Detail for FY 2022/23						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$60,000	\$0	\$0	\$0	\$60,000
	Subtotal:	\$60,000	\$0	\$0	\$0	\$60,000
B. Consultant Services						
	Contract/Consultant Services	\$15,000	\$0	\$0	\$0	\$15,000
	Subtotal	\$15,000	\$0	\$0	\$0	\$15,000
	Total:	\$75,000	\$0	\$0	\$0	\$75,000

Task 2 - DATA COLLECTION/DEVELOPMENT						
Estimated Budget Detail for FY 2023/24						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$25,000	\$0	\$0	\$0	\$25,000
	Subtotal:	\$25,000	\$0	\$0	\$0	\$25,000
B. Consultant Services						
	Contract/Consultant Services	\$15,000	\$0	\$0	\$0	\$15,000
	Subtotal	\$15,000	\$0	\$0	\$0	\$15,000
	Total:	\$40,000	\$0	\$0	\$0	\$40,000

TASK 3 TIP MONITORING AND DEVELOPMENT

PURPOSE:

Develop Multimodal Transportation Improvement Programs (TIP) for FY 23/24-27/28 and FY 24/25-28/29 that identify all Federal, State, and locally funded transportation improvements consistent with the requirements of Federal and State laws. Coordinate with FDOT and member agencies to address integration of MAP-21 and FAST Performance Management Measures in the TIP as well as new requirements from the Bipartisan Infrastructure Law (BIL). This section also includes transportation system planning tasks related to contingency of operations and short-range transportation planning and programming.

PREVIOUS WORK:

- Coordinated with agencies and jurisdictions on transportation plans and programs.
- Annual preparation of TIP and TIP amendments.
- Annual list of project priorities for inclusion in the TIP.
- Adoption of FY 23-27 TIP

REQUIRED ACTIVITIES

- Develop annual project priorities identifying unfunded highway, transit, bicycle and pedestrian, planning and congestion management projects that are prioritized by the MPO. This activity includes review of applications and associated activities.
- Review FDOT Draft Tentative Work Program and Tentative Work Program for consistency with the LRTP and adopted priorities of the MPO Board.
- Prepare and adopt the TIP. This includes coordinating all efforts with FDOT, local agencies, jurisdictions and the STIP.
- Prepare and process amendments. This includes reviewing amendments for consistency with the TIP and LRTP.
- Coordinate with FDOT and member agencies to address integration of FAST Act Performance Management Measures in performance-based planning.

End Task	Target Date
Annual Project Priority Lists	June – Annually
FY 23/24-27/28 TIP	June - 2023
FY 24/25-28/29 TIP	June - 2024
TIP Amendments and Modifications	As needed
Adopted Safety Targets and Related Performance Measures	Annually

RESPONSIBLE AGENCY: Collier MPO

Task 3 - Financial Tables

Task 3 - TIP						
Estimated Budget Detail for FY 22/23						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$30,000	\$0	\$0	\$0	\$30,000
	Subtotal:	\$30,000	\$0	\$0	\$0	\$30,000
	Total:	\$30,000	\$0	\$0	\$0	\$30,000

Task 3 - TIP						
Estimated Budget Detail for FY 23/24						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$30,000	\$0	\$0	\$0	\$30,000
	Subtotal:	\$30,000	\$0	\$0	\$0	\$30,000
	Total:	\$30,000	\$0	\$0	\$0	\$30,000

TASK 4 LONG RANGE PLANNING

PURPOSE:

To begin the update to the 2050 Long Range Transportation Plan and to continue to evaluate plans and programs for consistency with the 2045 Long Range Transportation Plan (LRTP) during development of the plan. FAST Act Performance measures will be integrated into the 2045 LRTP as required. This task will work in coordination with other tasks throughout the UPWP, including Administration, Data Collection/Development, TIP, and Transit and Transportation Disadvantaged.

PREVIOUS WORK:

- Prepared and adopted 2045 LRTP. Transmitted to FDOT
- Began collecting base year data for 2050 LRTP.
- Prepared scope of work for the 2050 LRTP.

REQUIRED TASKS:

- Review projects and studies as needed for consistency with MPO plans.
- Continue to incorporate the Efficient Transportation Decision Making (ETDM) Process into the Long Range Multimodal transportation planning process. Continue to work with FDOT to review projects for the ETDM process as they relate to LRTP projects and priorities and to provide project specific comments as part of the ETDM process. Review purpose and needs statements for projects and provide comments.
- Attend meetings and participate on committees of FDOT District 1 Regional Transportation/Planning Model (RPM) Coordinating Committee, GIS Users Groups, Florida Standard Urban Transportation Model Structure (FSUTMS) Users Groups, and others as needed. Participate in FSUTMS training.
- Participate in freight planning, including updates to the regional freight plan, participation in various freight committees, and coordination with freight stakeholder.
- Participate in on-going studies related to resiliency. Monitor regional and local studies currently underway.
- Prepare any required amendments or updates to the 2045 LRTP as required.
- Begin coordination and development of the 2050 LRTP.
- Utilize consultant assistance for modeling support, data development and evaluation, and other support necessary to complete any required updates to the 2045 LRTP and the 2050 LRTP.
- Coordinate with County and Municipalities to review and comment on Local policy issues, such as Land Development Code and Growth Management Plan regulations as it relates to the Long Range Transportation Plan.

End Task/Deliverable(s)	Target Date
2045 LRTP Amendments	As needed
Data Collection – 2020 Model Validation for 2050 LRTP	September 2022
Socio-Economic forecasts for the 2050 LRTP	June 2024
Public Participation Plan for 2050 LRTP	June 2024
2050 Revenue Projections	June 2024

RESPONSIBLE AGENCY: Collier MPO, Consultant Services

Task 4 - Financial Tables

Task 4 – Long Range Planning Estimated Budget Detail for FY 22/23						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$50,000	\$0	\$0	\$0	\$50,000
	Subtotal:	\$50,000	\$0	\$0	\$0	\$50,000
B. Consultant Services						
	LRTP	\$28,543	\$250,000	\$0	\$0	\$278,543
	Subtotal:	\$28,543	\$250,000	\$0	\$0	\$278,543
	Total:	\$78,543	\$250,000	\$0	\$0	\$328,543

Task 4 – Long Range Planning Estimated Budget Detail for FY 2023/24						
Budget Category	Budget Category Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services						
	MPO staff salaries, fringe benefits, and other deductions	\$40,000	\$0	\$0	\$0	\$40,000
	Subtotal:	\$40,000	\$0	\$0	\$0	\$40,000
B. Consultant Services						
	LRTP	\$6,846	\$300,000	\$0	\$0	\$306,846
	Subtotal:	\$6,846	\$300,000	\$0	\$0	\$306,846
	Total:	\$46,846	\$300,000	\$0	\$0	\$346,846

TASK 5 SPECIAL PROJECTS AND SYSTEMS PLANNING

PURPOSE:

To complete various recurring and non-recurring planning projects. These projects will assist in providing a balanced, multimodal transportation system.

PREVIOUS WORK:

- Annual Work Program priorities for construction of new sidewalks, pathways and bike lanes.
- Served as liaison to FDOT to communicate the need for bicycle and pedestrian facilities on State roads.
- Completed first Transportation System Performance Report.
- Began Congestion Management Process Update, which will continue into this UPWP for completion.
- Completed first Local Road Safety Plan.

REQUIRED TASKS:

- Attend and participate in workshops and seminars sponsored by FHWA, FDOT and other professional organizations as appropriate.
- Coordinate with FDOT and member agencies to address continued integration of Performance Management measures into Bicycle and Pedestrian Planning and Congestion Management Planning.

Bicycle/Pedestrian Planning

- Participate in special events that promote bicycle/pedestrian activities and safety education.
- Participate in meetings/workshops related to bicycle/pedestrian initiatives, including those hosted by FDOT, FHWA, CTST, Naples Pathway Coalition, Blue Zones, Healthy Community Coalition of Collier County, and other agencies.
- Coordinate with FDOT and local governments to ensure that roadway expansion and retrofit projects work towards meeting the bicycle/pedestrian goals identified in the Bicycle and Pedestrian Master Plan.
- Maintain and update the current Bicycle Pedestrian Master Plan as needed, and prior to the LRTP update.
- Depending on new federal and state guidance, prepare documents to address one or more of the following programs:
 - Vision Zero Action Plan
 - Safe Streets for All
 - Complete Streets
 - Tackling the Climate Crisis – Transition to a Clean Energy, Resilient Future
- Prepare updates to SUNTrail maps as opportunity arises.

Congestion Management Planning

- Complete the Congestion Management Process Update.
- Prepare an updated Transportation System Performance Report prior to completion of the 2050 Long Range Transportation Plan. This document will become a guiding document of the 2050 LRTP.
- Attend Lee TMOC and Collier/Lee/Charlotte TIM Team to the extent feasible
- Attend and participate in technical meetings and workshops related to the CMC, CMP and congestion relief strategies
- Update the Local Road Safety Plan with current data and statistics. This document will become a guiding document of the 2050 LRTP.
- Facilitate “best practices” approach for incorporating CMP measures into existing plans and programs, including preliminary engineering, traffic simulation modeling, and project prioritization.

End Task/Deliverable	Target Date
Congestion Management Process Update	December 2022
Updated Transportation System Performance Report	June 2024
Updated Local Road Safety Plan	June 2024
Proposed revisions to SUNTrails Map	As needed
Safe Routes to School Program applications and prepare letters of support	As needed
Collier Bicycle/Pedestrian Facility Map Update	As needed
Bike/Ped Master Plan Update	June 2024

RESPONSIBLE AGENCY: Collier MPO, Consultant Services

Task 5 – Financial Tables

Task 5 - Special Projects & Systems Planning					
Estimated Budget Detail for FY 2022/23					
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services					
MPO staff salaries, fringe benefits, and other deductions	\$51,000	\$0	\$0	\$0	\$51,000
Subtotal:	\$51,000	\$0	\$0	\$0	\$51,000
B. Consultant Services					
Congestion Management Process Update	\$20,000	\$0	\$0	\$0	\$20,000
Transportation System Performance Report	\$0	\$100,000	\$0	\$0	\$100,000
Bike/Ped Master Plan	\$67,133	\$0	\$0	\$0	\$67,133
Subtotal:	\$87,133	\$100,000	\$0	\$0	\$187,133
Total:	\$138,133	\$100,000	\$0	\$0	\$238,133

Task 5 - Special Projects & Systems Planning					
Estimated Budget Detail for FY 2023/24					
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services					
MPO staff salaries, fringe benefits, and other deductions	\$80,000	\$0	\$0	\$0	\$80,000
Subtotal:	\$80,000	\$0	\$0	\$0	\$80,000
B. Consultant Services					
Transportation System Performance Report	\$0	\$50,000	\$0	\$0	\$50,000
Bike/Ped Master Plan	\$54,925	\$0	\$0	\$0	\$54,925
Subtotal:	\$54,925	\$50,000	\$0	\$0	\$104,925
Total:	\$134,925	\$50,000	\$0	\$0	\$184,925

TASK 6 TRANSIT AND TRANSPORTATION DISADVANTAGED PLANNING

PURPOSE:

To provide the necessary resources to support a multimodal transportation system in the Collier MPO area. This task includes beginning the Transit Development Plan, the 2050 Long Range Transportation Plan, a multimodal TIP and other plans, programs and technical studies relating to public transportation. This task includes coordination with the transit agency for the reporting of transit asset management target measures and target setting for the required Public Transit Safety Agency Plan. In addition, this task includes overseeing and providing planning services for a coordinated Transportation Disadvantaged (TD) Program in Collier County, in accordance with Chapter 427 of the Florida Statutes (FS) and Florida Administrative Code (F.A.C.) Rule 41-2.

PREVIOUS WORK

- TDP Major Update
- Park and Ride Study
- Transit Impact Analysis
- Coordinated with PTNE to review and adopt the Transit Asset Management Performance Measures for the Collier Metropolitan Area.
- Ongoing transit and transportation disadvantaged coordination between the Collier MPO and PTNE.
- Staff support to the Local Coordinating Board as required by the TD Planning Grant.
- TDSP Minor Update
- Community Transportation Coordinator (CTC) Evaluation
- Annual TD Planning Grant Requirements

REQUIRED TASKS:

- Conduct and maintain the operations of the MPO including providing administrative support activities such as financial management, contract management, public outreach, personnel matters, procurement of equipment and supplies and general management of Transit Planning at the system level within the MPO.
- MPO staff, Board, and PTNE staff will participate in meetings, trainings, workshops, or seminars related to fixed route which may include fixed routes, ADA or paratransit service.
- Prepare necessary progress reports and requests for reimbursement for Public Transit Grant Agreements. Participate in quarterly coordination meetings with FDOT to discuss status of agreements.
- Participate in quarterly coordination meetings with FDOT to discuss transit issues.
- Project Management and Consultant Services to complete the Transit Development Plan Major Update. Provide comments on the annual reports of the Transit Development Plan prepared by PTNE.
- Coordinate with PTNE on compliance with all Federal requirements to address transit performance measures including, Transit Asset Management and Public Transit Agency Safety Plan

- Consultant and staff services to conduct a Regional Fares/Services study which was identified as a part of the TDP major update.
- Coordinate with PTNE to identify Transit Priorities, review priorities for consistency with the TDP and LRTP.
- Complete designation of CTC in coordination with Commission for Transportation for Disadvantaged (CTD).
- Staff support to the LCB, including preparation of agendas, preparation of meeting materials including legal advertisements of meetings.
- Complete TD activities as required by TD Planning Grant, including annual updates to TDSP and major TDSP update, CTC Evaluation, annual review of bylaws, completion of LCB training, public workshop, etc.
- Prepare and submit grant application for TD Planning Grant. Execute grant agreement and prepare necessary progress reports and requests for reimbursement by the CTD.

End Task/Deliverable(s)	Target Date
Participation in meetings, trainings, workshops, or seminars (TD and Transit)	As needed
Regional Fares/Services Study	June 2023
Transit Development Plan Major Update	June 2025 (Due September 2025, early completion will assist with LRTP update)
TDP Annual Report (Prepared by PTNE)– Provide Comments	Annually
Coordinate with PTNE on compliance with all Federal requirements to address transit performance measures including, Transit Asset Management and Public Transit Agency Safety Plan	As directed by FDOT
Adopted Transit Priorities	June - Annually
TD Grant Application and Agreement	Annually
LCB Meetings	Quarterly
Minor TDSP Update	May 2023
CTC Designation	June 2023
Major TDSP Update	October 2023
CTC Evaluation	May - Annually

RESPONSIBLE AGENCY: Collier MPO, Collier County PTNE, Consultant Services

Task 6 - Financial Tables

Task 6 - Transit & TD Planning						
Budget Detail for FY 2022/23						
Budget Category & Description	FHWA PL	FTA 5305 (FY 21)	FTA 5305 (FY 22)	Trans. Disad.	Total	FTA 5305 Soft Match for FY 21 and FY 22
A. Personnel Services						
MPO staff salaries, fringe benefits, and other deductions	\$1,000	\$58,924	\$64,000	\$22,084	\$146,008	\$30,731
Subtotal:	\$1,000	\$58,924	\$64,000	\$22,084	\$146,008	\$30,731
B. Consultant Services						
Regional Fares and Service Study	\$20,000	\$58,984	\$49,995	\$0	\$128,979	\$27,245
TDSP Major Update	\$65,000	\$0	\$0	\$0	\$65,000	\$0
TDP Major Update	\$71,340	\$0	\$0	\$0	\$71,340	\$0
Subtotal:	\$156,340	\$58,984	\$49,995	\$0	\$265,319	\$27,245
C. Travel						
MPO Staff and PTNE staff attendance at training and conferences	\$9,000	\$9,600	\$9,600	\$2,000	\$30,200	\$4,800
Subtotal:	\$9,000	\$9,600	\$9,600	\$2,000	\$30,200	\$4,800
D. Other Direct Expenses						
Website	\$0	\$0	\$240	\$0	\$240	\$60
Legal Ads	\$0	\$0	\$0	\$2,760	\$2,760	
Fed Ex/ Postage	\$120	\$120	\$80	\$1,110	\$1,430	\$50
Office Supplies	\$400	\$400	\$800	\$0	\$1,600	\$300
Subtotal:	\$520	\$520	\$1,120	\$3,870	\$6,030	\$410
Total:	\$166,860	\$128,028	\$124,715	\$27,954	\$447,557	\$63,186

Task 6 - Transit & TD Planning Budget Detail for FY 2023/24			
Budget Category & Description	FHWA PL	Trans. Disad.	Total
A. Personnel Services			
MPO staff salaries, fringe benefits, and other deductions	\$25,000	\$22,084	\$47,084
Subtotal:	\$25,000	\$22,084	\$47,084
B. Consultant Services			
TDP Major Update	\$123,883	\$0	\$123,883
Subtotal:	\$123,883	\$0	\$123,883
C. Travel			
MPO Staff and PTNE staff attendance at training and conferences	\$7,000	\$2,000	\$9,000
Subtotal:	\$7,000	\$2,000	\$9,000
D. Other Direct Expenses			
Website	\$0	\$0	\$0
Legal Ads	\$0	\$2,760	\$2,760
Fed Ex/ Postage	\$120	\$1,110	\$1,230
Office Supplies	\$400	\$0	\$400
Subtotal:	\$520	\$3,870	\$4,390
Total:	\$156,403	\$27,984	\$184,357

TASK 7 REGIONAL COORDINATION

PURPOSE:

Provide for the continuation of a region-wide multimodal transportation planning process in accordance with Federal and State guidelines. To provide training to MPO staff, Board members and advisory committee members to support transportation planning and policy activities in the region.

PREVIOUS WORK:

- Represented the MPO at local, regional, State and Federal meetings, including quarterly Metropolitan Planning Organization Advisory Council (MPOAC) meetings and Coordinated Urban Transportation Studies (CUTS) meetings.
- Submitted freight projects to MPOAC for prioritization.
- Attendance at Lee MPO TAC and TMOC meetings.
- Conducted Joint Lee/Collier BPAC, CAC, TAC and MPO meets as needed.
- Updated Joint TRIP priorities and regional priorities with Lee County and submitted to FDOT.

REQUIRED ACTIVITIES:

- Conduct Joint Lee/Collier BPAC, CAC, TAC and MPO meetings as needed.
- Staff and MPO Board attend MPOAC meetings and workshops, including freight meetings, noteworthy practices meetings, and MPOAC weekend institute for Governing Board members.
- Staff participate in CUTS meetings and host as required.
- Participate in Lee MPO TAC, BPAC, and TMOC meetings.
- Monitor and participate in statewide plans and programs, including but not limited to FTP, SIS, and Vision Zero.
- Attendance at state and local conferences/meetings on Collier MPO related issues provided by FDOT, FHWA, NHI, USDOT, NTI, etc.
- Monitor and update joint priorities (TRIP, SIS, enhancement, SUNTrail) as necessary. Rank and prioritize for funding.
- Analysis of State and Federal laws and regulations for MPOs, committees and local government officials to aid them in the application of regional transportation policy strategies.
- Coordinate with municipalities to review local plans for consistency with MPO plans.
- Participate in regional freight workshops and seminars.
- Prepare and submit freight priorities as requested.

End Task/Deliverable(s)	Target Date
MPOAC Meeting Participation	Quarterly
CUTS Meeting Participation	Quarterly
Joint Priorities (TRIP, SIS, etc)	Annually – As requested by FDOT
Joint Lee/Collier MPO Meetings	Annually – As needed
Freight Priorities to MPOAC	As requested

RESPONSIBLE AGENCY: Collier MPO

Task 7 - Financial Tables

Task 7- Regional Coordination Estimated Budget Detail for FY 2022/23					
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services					
MPO staff salaries, fringe benefits, and other deductions	\$25,000	\$0	0	0	\$25,000
Subtotal:	\$25,000	\$0	\$0	\$0	\$25,000
B. Travel					
Travel to MPOAC and any other out of county activities as necessary	\$7,000	\$0	\$0	\$0	\$7,000
Subtotal:	\$7,000	\$0	\$0	\$0	\$7,000
Total:	\$32,000	\$0	\$0	\$0	\$32,000

Task 7- Regional Coordination Estimated Budget Detail for FY 2023/24					
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Total
A. Personnel Services					
MPO staff salaries, fringe benefits, and other deductions	\$25,000	\$0	0	0	\$25,000
Subtotal:	\$25,000	\$0	\$0	\$0	\$25,000
B. Travel					
Travel to MPOAC and any other out of county activities as necessary	\$7,000	\$0	\$0	\$0	\$7,000
Subtotal:	\$7,000	\$0	\$0	\$0	\$7,000
Total:	\$32,000	\$0	\$0	\$0	\$32,000

TASK 8 LOCALLY FUNDED ACTIVITIES

PURPOSE:

To cover any MPO expenses deemed not eligible or reimbursable by FHWA PL, TD or FTA Section 5305(d) funding.

PREVIOUS WORK:

- Reimbursement of travel and training expenses not eligible for reimbursement from the FHWA PL, TD or FTA Section 5305(d) Grants.
- Payment for staff time to attend safety training and HR training required by Collier County.

REQUIRED TASKS:

End Task/ Deliverable(s)	Target Date
Prepare resolutions and policy positions	As needed
Participate in Collier County required Safety and HR training courses	As needed
Payment of any shortfall of consultant or personnel costs or any invoices not eligible for grant reimbursement.	As needed

RESPONSIBLE AGENCY: Collier MPO

Task 8 - Financial Tables

Task 8 - Locally Funded Activities Estimated Budget Detail for FY 2022/23						
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Local	Total
A. Miscellaneous Expenses						
Resolutions and policy positions, travel, membership dues, and any other expenses not eligible for grant reimbursement	\$0	\$0	\$0	\$0	\$8,000	\$8,000
Total:	\$0	\$0	\$0	\$0	\$8,000	\$8,000

Task 8 - Locally Funded Activities Estimated Budget Detail for FY 2023/24						
Budget Category & Description	FHWA (PL)	FHWA (SU)	FTA 5305	Trans. Disad.	Local	Total
A. Miscellaneous Expenses						
Resolutions and policy positions, travel, membership dues, and any other expenses not eligible for grant reimbursement	\$0	\$0	\$0	\$0	\$8,000	\$8,000
Total:	\$0	\$0	\$0	\$0	\$8,000	\$8,000

SUMMARY TABLES

TABLE 3 – FY 2022/23 AGENCY PARTICIPATION

Task #	Task Description	FHWA CPG	FHWA PL	FHWA CPG	FHWA SU	FTA Section 5305 (FY 21) G1V40	FTA Section 5305(FY 22) G2594	FDOT Soft Match	Local	TD Trust	Total	Amount to Consultant
1	Administration			\$ 363,800		\$ -	Soft Match	\$ 80,238	\$ -	\$ -	\$ 444,038	\$ 5,000
2	Data Collection/ Development			\$ 75,000		\$ -		\$ 16,542	\$ -	\$ -	\$ 91,542	\$ 15,000
3	Transportation Improvement Program (TIP)			\$ 30,000		\$ -		\$ 6,617	\$ -	\$ -	\$ 36,617	\$ -
4	Long Range Planning			\$ 78,543	\$ 250,000	\$ -		\$ 17,323	\$ -	\$ -	\$ 345,866	\$ 278,543
5	Special Projects and Systems Planning			\$ 138,133	\$ 100,000	\$ -		\$ 30,466	\$ -	\$ -	\$ 268,599	\$ 187,133
6	Transit and Transportation Disadvantaged			\$ 166,860		\$ 128,028	\$ 124,715	\$ 99,988	\$ 27,954	\$ 547,545	\$ 265,319	
7	Regional Coordination			\$ 32,000		\$ -		\$ 7,058	\$ -	\$ -	\$ 39,058	\$ -
8	Locally Funded Activities			\$ -		\$ -		\$ -	\$ 8,000	\$ -	\$ 8,000	\$ -
	Total fiscal year 2022/23 funds for all tasks			\$ 884,336		\$ 128,028		\$ 258,232	\$ 8,000	\$ 27,954	\$ 1,306,550	
	Total De-obligation from prior fiscal years			\$ -		\$ -		\$ -	\$ -	\$ -	\$ -	
	Total cost, including carryover, for all tasks			\$ 884,336	\$ 350,000	\$ 128,028	\$ 124,715	\$ 258,232	\$ 8,000	\$ 27,954	\$ 1,781,265	\$ 750,995

	FHWA PL	FHWA SU	FDOT	TD Trust	Collier Co.	Naples	Everglade	Marco Is.	Total
State Support/Match for MPO (1)	\$ -		\$ 258,232	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 258,232
FY 2022/23 Funding	\$ 884,336	\$ 350,000	\$ -	\$ 27,954	\$ -	\$ -	\$ -	\$ -	\$ 1,262,290
FY 2022/23 Local Funding	\$ -		\$ -	\$ -	\$ 5,000	\$ 2,000	\$ -	\$ 1,000	\$ 8,000
5305 Carryover *	\$ -		\$ 252,743	\$ -			\$ -		\$ 252,743
De-Obligation from Prior Fiscal Years			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total cost, including carryover, for all tasks	\$ 884,336	\$ 350,000	\$ 510,975	\$ 27,954	\$ 5,000	\$ 2,000	\$ -	\$ 1,000	\$ 1,781,265

(1) For FY 2022/2023, FDOT will "soft match" the MPP/PL Funds using toll revenue expenditures as a credit toward the non-Federal matching share.
The amount identified on this line represent the amount of "soft match" required (both State and local) for the amount of Federal PL section 112 funds requested in this UPWP.

* - FTA Section 5305 includes FY 21 and FY 22 funding

TABLE 4 – FY 2022/23 FUNDING SOURCE

Task #	Task Description	FHWA PL Federal	FHWA SU Federal	FTA 5305 Carryforward	FDOT Soft Match	Total Federal Funding	State TD Trust	Local Funding	Total
1	Administration	\$ 363,800			\$ 80,238	\$ 363,800	\$ -	\$ -	\$ 444,038
2	Data Collection/Development	\$ 75,000			\$ 16,542	\$ 75,000	\$ -	\$ -	\$ 91,542
3	(TIP)	\$ 30,000			\$ 6,617	\$ 30,000	\$ -	\$ -	\$ 36,617
4	Long Range Planning	\$ 78,543	\$ 250,000		\$ 17,323	\$ 328,543	\$ -	\$ -	\$ 345,866
5	Special Projects and Systems Planning	\$ 138,133	\$ 100,000		\$ 30,466	\$ 238,133	\$ -	\$ -	\$ 268,599
6	Transit and Transportation Disadvantaged	\$ 166,860		\$ 252,743	\$ 99,988	\$ 166,860	\$ 27,954		\$ 547,545
7	Regional Coordination	\$ 32,000			\$ 7,058	\$ 32,000	\$ -	\$ -	\$ 39,058
8	Locally Funded Activities	\$ -			\$ -	\$ -	\$ -	\$ 8,000	\$ 8,000
	tasks	\$ 884,336	\$ 350,000	\$ 252,743	\$ 258,232	\$ 1,234,336	\$ 27,954	\$ 8,000	\$ 1,781,265
	State Support/Match for MPO (1)	\$ -	\$ -		\$ 258,232	\$ -	\$ -		\$ 258,232
	FY 2022/23 Funding	\$ 884,336	\$ 350,000		\$ -	\$ -	\$ 27,954		\$ 1,262,290
	FY 2022/23 Local Funding	\$ -	\$ -		\$ -	\$ -		\$ 8,000	\$ 8,000
	Roll Forward from Prior Fiscal Year			\$ 252,743	\$ -	\$ -	\$ -		\$ 252,743
	Total cost, including carryover, for all tasks	\$ 884,336	\$ 350,000	\$ 252,743	\$ 258,232	\$ 1,234,336	\$ 27,954	\$ 8,000	\$ 1,781,265

*Soft match includes \$195,046 at .1807% and \$63,186 at 20% to match PTGAs.

TABLE 5 – FY 2023/24 AGENCY PARTICIPATION

Task #	Task Description	FHWA CPG	FHWA PL	FHWA CPG	FHWA SU	FDOT Soft Match	Local	TD Trust	Total	Amount to Consultant
1	Administration	\$ 368,800		\$ -	\$ 81,340	\$ -	\$ -	\$ -	\$ 450,140	\$ 5,000
2	Data Collection/ Development	\$ 40,000		\$ -	\$ 8,822	\$ -	\$ -	\$ -	\$ 48,822	\$ 15,000
3	Transportation Improvement Program (TIP)	\$ 30,000		\$ -	\$ 6,617	\$ -	\$ -	\$ -	\$ 36,617	\$ -
4	Long Range Planning	\$ 46,846		\$ 300,000	\$ 10,332	\$ -	\$ -	\$ -	\$ 357,178	\$ 306,846
5	Special Projects and Systems Planning	\$ 134,925		\$ 50,000	\$ 29,758	\$ -	\$ -	\$ -	\$ 214,683	\$ 104,925
6	Transit and Transportation Disadvantaged	\$ 156,403		\$ -	\$ 34,495	\$ -	\$ -	\$ 27,954	\$ 218,852	\$ 123,883
7	Regional Coordination	\$ 32,000		\$ -	\$ 7,058	\$ -	\$ -	\$ -	\$ 39,058	\$ -
8	Locally Funded Activities	\$ -		\$ -	\$ -	\$ 8,000	\$ -	\$ -	\$ 8,000	\$ -
	Total fiscal year 2022/23 funds for all tasks	\$ 808,974		\$ 350,000	\$ 178,422	\$ 8,000	\$ 27,954	\$ 1,373,350	\$ -	\$ -
	Total De-obligation from prior fiscal years	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Total cost, including carryover, for all tasks	\$ 808,974		\$ 350,000	\$ 178,422	\$ 8,000	\$ 27,954	\$ 1,373,350	\$ 555,654	

	FHWA PL	FHWA SU	FDOT	TD Trust	Collier Co.	Naples	Everglades	Marco Is.	Total
State Support/Match for MPO (1)	\$ -	\$ -	\$ 178,422	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 178,422
FY 2023/24 Funding	\$ 808,974	\$ 350,000	\$ -	\$ 27,954	\$ -	\$ -	\$ -	\$ -	\$ 1,186,928
FY 2023/24 Local Funding	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ 2,000	\$ -	\$ 1,000	\$ 8,000
De-Obligation from Prior Fiscal Years	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total cost, including carryover, for all tasks	\$ 808,974	\$ 350,000	\$ 178,422	\$ 27,954	\$ 5,000	\$ 2,000	\$ -	\$ 1,000	\$ 1,373,350

(1) For FY 2023/2024, FDOT will "soft match" the MPP/PL Funds using toll revenue expenditures as a credit toward the non-Federal matching share.
The amount identified on this line represent the amount of "soft match" required (both State and local) for the amount of Federal PL section 112 funds requested in this UPWP.

TABLE 6 – FY 2023/24 FUNDING SOURCE

Task #	Task Description	FHWA PL Federal	FHWA SU Federal	FDOT Soft Match	Total Federal Funding	State ID Trust	Local Funding	Total
1	Administration	\$ 368,800		\$ 81,340	\$ 368,800	\$ -	\$ -	\$ 450,140
2	Data Collection/Development	\$ 40,000		\$ 8,822	\$ 40,000	\$ -	\$ -	\$ 48,822
3	Transportation Improvement Program (TIP)	\$ 30,000		\$ 6,617	\$ 30,000	\$ -	\$ -	\$ 36,617
4	Long Range Planning	\$ 46,846	\$ 300,000	\$ 10,332	\$ 346,846	\$ -	\$ -	\$ 357,178
5	Special Projects and Systems Planning	\$ 134,925	\$ 50,000	\$ 29,758	\$ 184,925	\$ -	\$ -	\$ 214,683
6	Transit and Transportation Disadvantaged	\$ 156,403		\$ 34,495	\$ 156,403	\$ 27,954		\$ 218,852
7	Regional Coordination	\$ 32,000		\$ 7,058	\$ 32,000	\$ -	\$ -	\$ 39,058
8	Locally Funded Activities	\$ -		\$ -	\$ -	\$ -	\$ 8,000	\$ 8,000
	Total fiscal year 2023/24 funds for all tasks	\$ 808,974	\$ 350,000	\$ 178,422	\$ 1,158,974	\$ 27,954	\$ 8,000	\$ 1,373,350
	State Support/Match for MPO (1)	\$ -	\$ -	\$ 178,422	\$ -	\$ -		\$ 178,422
	FY 2023/24 Funding	\$ 808,974	\$ 350,000	\$ -	\$ -	\$ 27,954		\$ 1,186,928
	FY 2023/24 Local Funding	\$ -	\$ -	\$ -	\$ -		\$ 8,000	\$ 8,000
	Total cost, including carryover, for all tasks	\$ 808,974	\$ 350,000	\$ 178,422	\$ 1,158,974	\$ 27,954	\$ 8,000	\$ 1,373,350

APPENDICES

APPENDIX A – COMMONLY USED ACRONYMS

Acronym	Full Name
AADT	Annual Average Daily Traffic
ADA	Americans with Disability Act
AMPO	Association of Metropolitan Planning Organizations
ARRA	American Recovery and Reinvestment Act
AASHTO	American Association of State Highway and Transportation Officials
AUIR	Annual Update and Inventory Report
BCC	Board of County Commissioners
BIL	Bipartisan Infrastructure Law
BPAC	Bicycle & Pedestrian Advisory Committee
CAC	Citizens Advisory Committee
CAT	Collier Area Transit
CEMP	County Emergency Management Plan
CFR	Code of Federal Regulations
CIA	Community Impact Assessment
CIE	Capital Improvement Element
CIGM	Collier Inter-Active Growth Model
CIP	Capital Improvement Program
CMC	Congestion Management Committee
CMP	Congestion Management Process
CMS	Congestion Management System
COA	Comprehensive Operational Analysis
COOP	Continuity of Operations Plan
CORSIM	Corridor Simulation
CR	County Road
CRA	Community Redevelopment Agency
CTC	Community Transportation Coordinator
CTD	(Florida) Commission for the Transportation Disadvantaged
CTST	Community Traffic Safety Team
CUTR	Center for Urban Transportation Research
CUTS	Coordinated Urban Transportation Studies
DBE	Disadvantaged Business Enterprise
DOPA	Designated Official Planning Agency
DRI	Development of Regional Impact
EAR	Evaluation and Appraisal Report
EMS	Emergency Medical Services
ETAT	Environmental Technical Advisory Team
ETDM	Efficient Transportation Decision Making
F.A.C.	Florida Administrative Code
FAP	Federal Aid Program
FAST	Fixing America's Surface Transportation
FDOT	Florida Department of Transportation
FHREDI	Florida's Heartland Rural Economic Development Initiative

COMMONLY USED ACRONYMS

Acronym	Full Name
FHWA	Federal Highway Administration
FM	Financial Management
FS	Florida Statutes
FSUTMS	Florida Standard Urban Transportation Model Structure
FTA	Florida Transit Administration
FTP	Florida Transportation Plan
FY	Fiscal Year
GIS	Geographical Information System
ICAR	Intergovernmental Coordination and Review
ICE	Intergovernmental Coordination Element
IJA	Infrastructure Investment and Jobs Act
IJR	Interchange Justification Report
IT	Information Technology
ITS	Intelligent Transportation Systems
JARC	Job Access Reverse Commute
JPA	Joint Participation Agreement
LAP	Local Agency Program
LCB	Local Coordinating Board for the Transportation Disadvantaged
LEP	Limited English Proficiency
LinC	Lee in Collier Transit Service
LOS	Level of Service
L RTP	Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century
MMP	Master Mobility Plan
MMTPP	Metropolitan Multimodal Transportation Planning Process
MPO	Metropolitan Planning Organization (includes references to the organization, MPO Board, Staff and Committees)
MPOAC	Metropolitan Planning Organization Advisory Council
MPP	Metropolitan Planning Program
NTD	National Transit Database
PD&E	Project Development & Environment
PEA	Planning Emphasis Area
PIP	Public Involvement Plan
PL	Highway Planning Funds
PTNE	Public Transit and Neighborhood Enhancement
PTOP	Public Transportation Operation Plan
QRC	Quick Response Code
RFP	Request for Proposal
ROW	Right-of-Way
SCE	Sociocultural Effects
SE	Socioeconomic
SHS	State Highway System

COMMONLY USED ACRONYMS

Acronym	Full Name
SIS	Strategic Intermodal System
SR	State Road
SSPP	System Safety Program Plan
SWFRPC	Southwest Florida Regional Planning Council
TAC	Technical Advisory Committee
TAZ	Traffic Analysis Zone
TD	Transportation Disadvantaged
TDM	Transportation Demand Management
TDP	Transit Development Plan
TDSP	Transportation Disadvantaged Service Plan
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TSM	Transportation Systems Management
TRIP	Transportation Regional Incentive Program
ULAM	Urban Land Allocation Model
UPWP	Unified Planning Work Program
USC	United States Code
USDOT	United States Department of Transportation
UZA	Urbanized Area
VE	Value Engineering
ZDATA	Zonal Data (land use and socio-economic)

APPENDIX B – PLANNING STUDIES IN THE MPO AREA

This list is compiled and/or updated by the Collier MPO staff for the purposes of regional planning. It is included here for reference.

SR 29 (in Collier County) – FDOT is completing a PD&E study that looks at several alternatives to provide more capacity through Immokalee. An alternative has been endorsed by the MPO Board, but the PD&E has not been approved by FHWA. This project has been going on since 2007. The Collier MPO 2045 Needs Plan and Cost Feasible Plan include this project

Old US 41 (Lee/Collier County) – FDOT is completing a PD&E study to evaluate alternatives for capacity and sidewalk improvements.

Collier Blvd. (Bridge Location Analysis from Golden Gate Parkway to Golden Gate Main Canal) – The design of this project reached approximately 60% plan phase and then was placed on hold. Collier County is revising the plans and permits and completing a study to look at the current traffic and future traffic to recommend a bridge crossing location. It is anticipated that a bridge crossing location will be recommended to the BCC.

Veteran's Memorial Blvd. Study – Collier County is studying from just west of the new High School entrance to Old US41 and the continuing on to US41. This work is being coordinated with the FDOT PD&E that is currently ongoing for Old US41 in Lee and Collier Counties. The purpose of this study is to more clearly define the corridor for the roadway and to start the environmental permitting process.

Immokalee Area Transportation Network Study – Collier County has initiated a multi-modal transportation planning study that will compile transportation and mobility projects to complete connections and expand mobility in the Immokalee area. The project will develop recommendations that identify enhancements to mobility for all transportation users including bicycle and pedestrians, transit riders and well as vehicles. It is anticipated that the tools developed from this plan could be used by the MPO, CRA, the County and other agencies to identify resources and advance projects.

I-75 Masterplan Studies

The Southwest Connect™ I-75 South Corridor Master Plan is evaluating improvements to I-75 in both Collier and Lee counties. The project team has completed the traffic analysis and currently evaluating alternatives along the corridor. The range of improvements under consideration include widening, managed lanes, modifying existing interchanges, and evaluating the need for new interchanges. The Master Plan tentative schedule includes public outreach in the fall of 2022 and will draft the Master Plan by the end of 2022.

APPENDIX C – STATEMENTS AND ASSURANCES

FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

525-01D-08
POLICY PLANNING
05/18

DEBARMENT and SUSPENSION CERTIFICATION

As required by the USDOT regulation on Governmentwide Debarment and Suspension at 49 CFR 29.510

- (1) The Collier MPO hereby certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in paragraph (b) of this certification; and
 - (d) Have not, within a three-year period preceding this certification, had one or more public transactions (federal, state or local) terminated for cause or default.
- (2) The Collier MPO also hereby certifies that if, later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above, it will promptly provide that information to the U.S.D.O.T.


Name: Council Member Paul Perry
Title: Collier MPO Chair

5/13/22
Date

Approved as to form and legality:

COLLIER COUNTY ATTORNEY

By: 
Scott R. Teach, Deputy County Attorney




FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

525-010-08
POLICY PLANNING
05/18

LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

In accordance with Section 1352 of Title 31, United States Code, it is the policy of the Collier MPO that:

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Collier MPO, to any person for influencing or attempting to influence an officer or employee of any Federal or state agency, or a member of Congress or the state legislature in connection with the awarding of any Federal or state contract, the making of any Federal or state grant, the making of any Federal or state loan, extension, continuation, renewal, amendment, or modification of any Federal or state contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Collier MPO shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts and subcontracts under grants, subgrants, loans, and cooperative agreement), which exceeds \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- (4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.


Name: Council Member Paul Perry
Title: Collier MPO Chair
Approved as to form and legality:

5/13/22
Date

COLLIER COUNTY ATTORNEY

By: 
Scott R. Teach, Deputy County Attorney



FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

525-010-08
POLICY PLANNING
05/18

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

It is the policy of the Collier MPO that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise Program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The Collier MPO, and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the Collier MPO, in a non-discriminatory environment.

The Collier MPO shall require its consultants to not discriminate on the basis of race, color, national origin and sex in the award and performance of its contracts. This policy covers in part the applicable federal regulations and the applicable statutory references contained therein for the Disadvantaged Business Enterprise Program Plan, Chapters 337 and 339, Florida Statutes, and Rule Chapter 14-78, Florida Administrative Code


Name: Council Member Paul Perry
Title: Collier MPO Chair

5/13/22
Date

Approved as to form and legality:

COLLIER COUNTY ATTORNEY

By: 
Scott R. Teach, Deputy County Attorney



FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

525-010-06
POLICY PLANNING
05/18


TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Collier MPO assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Collier MPO further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.


Name: Council Member Paul Perry
Title: Collier MPO Chair Approved as to form and legality:

5/13/22

Date

COLLIER COUNTY ATTORNEY

By: 
Scott R. Teach, Deputy County Attorney



FLORIDA DEPARTMENT OF TRANSPORTATION
**UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES**

525-010-08
POLICY PLANNING
05/18

APPENDICES A and E

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

- (1) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention 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 contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (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 its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has 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 *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.



FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

525-010-08
 POLICY PLANNING
 05/18

- (6) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials 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 Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- (7) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.)



APPENDIX D – RESPONSE TO COMMENTS

Agency	Comment Type	Comment	Response	Page
TAC – Collier County	Editorial	The CIGM target date shown in Task 2 is March 2021. Should it be 2023?	The target date has been revised to reflect that this task is ongoing.	24
FDOT	Enhancement	Financial Management (FM) #s PL: 439314-4-14-01 & SU: 439314-4-14-02	Acknowledged. The FM #s have been revised on the cover pg.	Cover pg.
FDOT	Enhancement	Federal Aid Program (FAP): # 0313-060-M	Acknowledged. The FAP # has been revised on the cover pg.	Cover pg.
FDOT	Enhancement	SU Fund Amount for FY 23 and FY 24 anticipated at \$700,000	Acknowledged. The total SU funds have been revised to \$700,000	
FDOT	Editorial	Great job Brandy! Everything is included, very concise, reader friendly, accurate and well organized! Kudos to you!!	Thank you for your positive comments.	
FHWA	Critical	The SU Funds are not listed in FDOT's "Tentative UPWP Funds" \$450,000 in Year 1 (22/23) & and 2 (23/24)	Acknowledged. FDOT is working to revise the spreadsheet. The final UPWP amounts will match the referenced spreadsheet.	43-46
FHWA	Critical	Task 4 - \$350,000 (SU) consultant for the LRTP in 22/23. FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP Approval Letter.	Understood. The scope of work for the LRTP will be sent to FDOT and FHWA prior to starting the task.	29
FHWA	Critical	Task 4 - \$46,846 (PL) & \$400,000 (SU) consultant for the LRTP in 23/24. FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP Approval Letter.	Understood. The scope of work for the LRTP will be sent to FDOT and FHWA prior to starting the task.	29
FHWA	Critical	Task 5 - \$20,000 (SU) for the CMP in 22/23 FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP Approval Letter.	This task is a continuation from the previous UPWP. FHWA has reviewed and approved the scope of services previously.	32
FHWA	Critical	Task 5 - \$100,000 (SU) for the Trans System Perf. Report in 22/23 FHWA must review & approve the scope of work prior to MPO starting the task.	Understood. The scope of work for the TSPR will be sent to FDOT and FHWA prior to starting the task.	32

Agency	Comment Type	Comment	Response	Page
		This will be noted in the UPWP Approval Letter.		
FHWA	Other	When submitting the final UPWP for approval, please include a copy of all documents to all the reviewing agencies.	Understood. Signed agreements and certifications will be included in the final document.	General
FHWA	Critical	Task 5 - \$67,133 (PL) for the Bike/Ped Master Plan in 22/23. FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP approval letter.	Understood. The scope of work for the BPMP will be sent to FDOT and FHWA prior to starting the task.	32
FHWA	Critical	Task 5 - \$50,000 (SU) for the Trans System Perf. Report in 23/24. FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP approval letter.	Understood. The scope of work for the TSPR will be sent to FDOT and FHWA prior to starting the task.	32
FHWA	Critical	Task 5 - \$54,925 (PL) for the Bike/Ped Master Plan in 23/24. FHWA must review & approve the scope of work prior to MPO starting the task. This will be noted in the UPWP approval letter.	Understood. The scope of work for the BPMP will be sent to FDOT and FHWA prior to starting the task.	32
FHWA	Other	Note, any equipment purchases equal to or greater than \$5,000 must have FHWA prior review and approval.	Understood.	
FTA Region IV	Other	If funding is being carried over from the prior-year UPWP, carry over amounts and activities should be listed in the document.	Understood. Carryover funding and activities have been listed in Task 6.	
FTA Region IV		Please identify any incomplete work elements or activities financed with Federal planning assistance awarded in previous fiscal years as carryover activities.	Activities have been listed as continued from previous fiscal years have been shown as carryover activities.	General
FTA Region IV		If any programmed 5305(d) funds are estimates, coordination with the State DOT may be required for UPWP modifications or amendment after review of FTA apportionments.	Understood. The MPO will coordinate with the State DOT to ensure that accurate amounts are reflected in the UPWP as actual funding is updated	General
FTA Region IV		If planning activities are proposed for funding under FTA Section 5307 or other FTA program, please ensure they're listed and programmed	Understood. PTNE has been notified that any planning activities proposed for funding under FTA Section 5307 must be listed in the UPWP. They have not identified any studies at this point. If a study is identified in the future, the	General

Agency	Comment Type	Comment	Response	Page
		in the UPWP (even if being undertaken by the transit agency and not the TPO).	UPWP will be amended to include the study and funding.	
FTA Region IV		The metropolitan transportation planning process should provide for the establishment and use of a performance-based approach...	Understood. This is noted in the purpose and required activities of Task 6.	General
		...includes Transit Asset Management (TAM) and Public Transportation Agency Safety Plans (PTASP), which require integration into the TIP and LRTP to the maximum extent practicable		

APPENDIX E – MPO RESOLUTION