



MPO POLICY COMMITTEE MEETING

www.laredompo.org

Meeting Date & Time: June 21st, 2021 at 1:30 p.m.

Meeting Location: City of Laredo Council Chambers, 1110 Houston St., Laredo, Texas 78040

Meeting Link: <http://laredotx.swagit.com/live>

Public Access Channel: Spectrum TV channel 1300

REC'D CITY SEC OFF
JUN 18 '21 AM 10:47

AGENDA:

- I. CHAIRPERSON TO CALL MEETING TO ORDER
- II. CHAIRPERSON TO CALL ROLL
- III. CITIZEN COMMENTS

Citizens interested in providing comments on a particular item are to submit their comments in writing via the "Online Response Form", available at the "CONTACT US" tab of the MPO website located at <http://www.laredompo.org/contact-us/>. Speakers are required to fill out witness cards, which must be submitted to MPO Staff no later than 1:15 p.m. the day of the meeting. Speakers shall identify themselves at the microphone. Comments are limited to three (3) minutes per speaker. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a specific issue, they should select not more than three (3) representatives to speak on their behalf. The presiding officer may further limit public on the interest of order or time. Speakers may not transfer their minutes to any other speaker. Comments should be relevant to MPO business and delivered in a professional manner. No derogatory remarks shall be permitted.

MPO POLICY COMMITTEE MEETING AGENDA

IV. ITEMS REQUIRING POLICY COMMITTEE ACTION:

- A. Approval of the minutes for the virtual meeting held on May 17th, 2021.
- B. Receive public testimony and approve Resolution No. MPO 2021-06, adopting the proposed amendment(s) of the MPO Bylaws:
 - 1. Article II, Section 2.3 Membership, Terms and Administration, shall be amended to allow a permanent Director for the MPO separate from the City of Laredo Planning Director who is appointed by the City Manager and confirmed by City Council.
- C. Discussion with possible action on the approval of Resolution No. MPO 2021-07 reaffirming support for adjusted statewide pavement and bridge condition (PM2) targets.
- D. Receive public testimony and initiate a twenty-day public review and comment period for the draft FY 2022 Unified Planning Work Program (UPWP).
- E. Discussion and possible action to direct the Interim MPO Director to issue a Request For Qualifications (RFQ) for an independent accounting firm to conduct an audit of the MPO, including but not limited to, determining that the MPO's Federal Aid expenditures comply with Federal Planning Program requirements, determining that expenditures are allowable, necessary, reasonable, allocable and in accordance and compliance with Federal requirements, determining that proper approval was given for expenditures, that there is adequate documentation to support the MPO's expenditures, determine that there are sufficient controls in place to prevent fraud or misappropriation of Federal funds and any other matters incident thereto.
- F. Discussion with possible action to allow staff to initiate a request for an MPO process review by the Texas A&M Transportation Institute (TTI).
- G. Discussion with possible action on providing a letter of support to the City of Laredo and El Metro Transit for the USDOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant application for the new North Transit Hub.
- H. Discussion with possible action on changing the regularly scheduled meeting dates of the MPO Policy Committee currently held on the 3rd Monday of each month.
- I. Discussion with possible action on the appointment of a permanent MPO Director, and any other matters incident thereto.
- J. Discussion with possible action on the Hachar-Reuthinger road project.

MPO POLICY COMMITTEE MEETING AGENDA

V. REPORT(S) AND PRESENTATIONS (No action required).

A. Status report by the Regional Mobility Authority (RMA).

VI. DIRECTOR'S COMMENTS

VII. ADJOURNMENT

NOTICE INFORMATION:

Notice of this meeting was posted at the municipal government offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted 72 hours before the meeting date and time. The agenda and meeting information was also posted online at <http://www.laredompo.org/agendas-minutes/>.

All meetings of the MPO Committee are open to the public. Persons who plan to attend this meeting and who may need auxiliary aid or services such as: interpreters for persons who are deaf or hearing impaired, readers of large print or Braille, or a translator for the Spanish language are requested to contact MPO Staff at 956-794-1613, or via email at planner@ci.laredo.tx.us prior to the meeting so that appropriate arrangements can be made. Materials in Spanish may also be provided upon request.

Disability Access Statement: This meeting is wheelchair accessible. The accessible ramps are located at 1110 Victoria and 910 Flores. Accessible parking spaces are located at City Hall, 1110 Victoria.

Ayuda o Servicios Auxiliares: Todas las reuniones del Comité del MPO están abiertas al público. Personas que planean asistir a esta reunión y que pueden necesitar ayuda o servicios auxiliares como: interpretes para personas con discapacidad auditiva, lectores de letra grande o en Braille, o un traductor para el idioma español deben comunicarse con el personal del MPO al 956-794-1613 o por correo electrónico planner@ci.laredo.tx.us antes de la reunión para que se puedan hacer los arreglos apropiados. Material en español está disponible mediante una petición.

Declaración de Acceso a la Discapacidad: Esta reunión permite el acceso a personas en silla de ruedas. Las rampas de acceso están ubicadas en 1110 Victoria y 900 Flores. Los espacios de estacionamiento para discapacitados se encuentran por la calle Victoria.

Información en español: Si usted desea esta información en español o si desea explicación sobre el contenido, por favor llámenos al teléfono (956) 794-1613 o comunicarse con nosotros mediante correo electrónico a planner@ci.laredo.tx.us.

MPO POLICY COMMITTEE MEETING AGENDA

POLICY COMMITTEE MEMBERSHIP:

City of Laredo Representatives:

Honorable Pete Saenz, Mayor and LWCAMPO Chairperson
Honorable Ruben Gutierrez, Jr., City Councilmember, District V
Honorable Dr. Marte Martinez, City Councilmember, District VI

County of Webb Representatives:

Honorable Tano E. Tijerina, Webb County Judge and LWCAMPO Vice-Chairperson
Honorable Jesse Gonzalez, Webb County Commissioner, Pct. 1
Honorable John Galo, Webb County Commissioner, Pct. 3

Laredo Mass Transit Board Representative:

Honorable Vanessa Perez, City Councilmember, District VII

State Representative:

Mr. David M. Salazar, Jr. P.E., TxDOT District Engineer

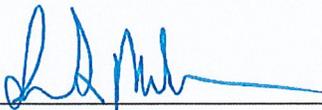
Private Sector Representative (Member at Large):

Mr. Humberto "Tito" Gonzalez, Jr., P.E.

Ex-Officio Representatives:

Honorable Judith Zaffirini, State Senator, District 21
Honorable Richard Raymond, State Representative, District 42
Honorable Tracy O. King, State Representative, District 80

AGENDA REVIEWED:



Juan S. Mendive,
LWCAMPO Interim Director

for: 
Jose A. Valdez, Jr.
Laredo City Secretary



LAREDO & WEBB COUNTY

AREA METROPOLITAN PLANNING ORGANIZATION

POLICY COMMITTEE

VIRTUAL MEETING MINUTES

MAY 17TH, 2021

LIVE WEB LINK: <http://laredotx.swagit.com/live>
PUBLIC ACCESS CHANNEL: Spectrum TV channel 1300

I. CHAIRPERSON TO CALL MEETING TO ORDER

Mayor Saenz called the meeting to order at 1:32 p.m.

II. CHAIRPERSON TO CALL ROLL

Graciela Briones, LWCAMPO Staff, called roll and verified a quorum existed.

Regular members present:

Honorable Pete Saenz, Mayor and LWCAMPO Chairperson
Honorable Tano E. Tijerina, Webb County Judge
Honorable Jesse Gonzalez, Webb County Commissioner, Pct. 1
Honorable John Galo, Webb County Commissioner, Pct. 3
Honorable Ruben Gutierrez, Jr., City Councilmember District V
Honorable Dr. Marte A. Martinez, City Councilmember, District VI
Honorable Vanessa Perez, City Councilmember District VII
David M. Salazar, Jr., P.E., TxDOT District Engineer
Humberto "Tito" Gonzalez, P.E., Private Sector

Ex-Officio members not present:

Honorable Judith Zaffirini, State Senator, District 21
Honorable Richard Raymond, State Representative, District 42
Honorable Tracy O. King, State Representative, District 80

Staff present:

J. Kirby Snideman, City Planning/LWCAMPO Staff
Graciela Briones, City Planning/LWCAMPO Staff
Juan Mendive, City Planning/LWCAMPO Staff
Julio Niño, City Planning/LWCAMPO Staff

Jason Hinojosa, City Planning/LWCAMPO Staff
Angie Quijano, City Planning/LWCAMPO Staff

Guests:

Robert A. Eads, City Manager's Office
Riazul Mia, City Manager's Office
Ramon Chavez, City Engineering Department
Danny Magee, City Traffic Safety Department
Roberto Rodriguez, TxDOT
Sara Garza, TxDOT
Luis Perez Garcia, Webb County Engineering
Guillermo Cuellar, Webb County Engineering
Melisa Montemayor, HNTB, Inc.
Antonio Rodriguez, HNTB, Inc.
Douglas Howland, RMA

III. CITIZEN COMMENTS

Speakers are required to fill out witness cards, which must be submitted to MPO Staff no later than 15 minutes after the start of the meeting. Speakers shall identify themselves at the microphone. Comments are limited to three (3) minutes per speaker. No more than three (3) persons will be allowed to speak on any side of an issue. Should there be more than three (3) people who wish to speak on a specific issue, they should select not more than three (3) representatives to speak on their behalf. The presiding officer may further limit public on the interest of order or time. Speakers may not transfer their minutes to any other speaker. Comments should be relevant to City business and delivered in a professional manner. No derogatory remarks shall be permitted.

There were no citizen comments.

IV. ITEMS REQUIRING POLICY COMMITTEE ACTION:

A. Approval of the minutes for the virtual meeting held on April 19th, 2021.

Dr. Martinez made a motion to approve the minutes for the meeting held on April 19th, 2021.

Second: CM. Gutierrez
For: 9
Against: 0
Abstained: 0

Motion carried unanimously

B. Discussion with possible action on a letter of support requested by Webb County for a Grant Application to the Texas Department of Transportation – Transportation Alternatives Set-Aside Program 2021 for the improvements of sidewalks in the City of Rio Bravo, Texas.

Kirby Snideman, MPO Director, stated that only governmental agencies or those that were in agreement with a governmental organization were eligible to apply for said program funds.

Dr. Martinez made a motion to approve the item.

Second: CM. J. Gonzalez
For: 9
Against: 0
Abstained: 0

Motion carried unanimously

C. Discussion with possible action on the Hachar-Reuthinger road project.

Guillermo Cuellar, Webb County Engineering, stated that Webb County had submitted the required files regarding the project for TxDOT review.

David Salazar, TxDOT, stated that the most important part at the moment was to move forward so that TxDOT could get the agreements in place and be able to proceed with the production of the plans and continue with the letting date. He stated that the main goal was to start with the agreements for the commencement of the project.

Humberto Gonzalez, TxDOT, stated TxDOT had already received executed Advance Funding Agreements (AFA's) from both, the City and the County; and TxDOT would take over the development of the plans on the City side for the Hachar-Reuthinger portion. As for the County side, Mr. Gonzalez stated TxDOT already had their consultant on board to complete the pending environmental clearance items and as soon as these items were attained, it would allow the City to complete the transfer of the Right-of-Way (ROW). Once the City had legal rights to the property, TxDOT would look into doing a transfer of roadways with the City of Laredo. He further mentioned that the TxDOT agreement showed that the City was responsible for the development of the entire Plans, Specifications, and Estimates (PS&E) to let the project.

D. Discussion with possible action on the adoption of the proposed LWCAMPO Independent MPO Plan.

Kirby Snideman, MPO Director, gave a brief presentation on the proposed item. He provided a history of how the idea of a more independent MPO had previously been initiated and discussed by the Policy Committee since 2019.

He provided an overview detailing the elements of the proposed independent plan. He described some advantages and disadvantages of being under the current structure. Furthermore, Mr. Snideman presented a recommended staff organizational chart and a proposed timeline for the transition if the plan was approved.

Mayor Saenz stated his concerns regarding the item. He stated he was aware that the MPO becoming independent was something that needed to happen. But, he also asked when the employees under the MPO needed to decide whether they would want to stay with the City or move forward with the transition of the County taking over as the fiscal agent.

Mr. Snideman stated that the proposed plan would not create any employee vacancies. MPO staff would be fully working for the MPO. He further mentioned that the City would not lose employees because said employees were already working under the MPO and regardless of who the fiscal agent would be, all expenses would be reimbursed. Mr. Snideman stated that the City could still remain as the fiscal agent. However, he mentioned that the reason for recommending to change the fiscal agent was so that the MPO could start a fresh relationship with the County. He further stated that it was possible to maintain the City as the fiscal agent by entering into Memorandums of Understanding (MOUs) that clearly detail roles and responsibilities of each party.

Dr. Martinez asked Mr. Snideman if he could elaborate on the concerns or issues he was having with the City as the fiscal agent that was leading him to propose changing the fiscal agent. He also asked what projects or what was he working on that he was not able to accomplish during his two years as MPO Director. Dr. Martinez stated the committee had not heard about said change before and wanted to know what the issue was and why the concerns had not been previously brought to the attention of this committee.

Mr. Snideman stated that about a year and a half ago he had proposed a work plan that the Policy Committee adopted with a budget that set aside how much the MPO Director could pay the candidates he selected to be hired. He stated it was very difficult to hire qualified candidates. He also stated he was not able to hire a very well qualified candidate above the minimum amount within the approved salary range. He stated that because the MPO has to follow the City's hiring process, he was only authorized to hire the candidate with the minimum pay.

Mr. Snideman stated that if the MPO would transfer to the County, there would be Memorandums of Understanding (MOUs) written into the contract stating that human resources nor administration for the County would have authority over the MPO. The MPO would answer directly to the Policy committee.

Dr. Martinez asked if there were any projects that were not able to go through or any granting opportunity that was missed because of the way the MPO was set up.

Judge Tano Tijerina, Webb County, stated this was not the case. However, he also stated he has been supporting the MPO to be independent for many years.

Another example Mr. Snideman gave was that the Transportation Set-Aside program which were funds that the MPO received every year that could be spent on creative projects to encourage alternative transportation. He stated there had been a call for projects for said program funds and the MPO received very few submittals. He stated he wanted to do another call for projects where the MPO actively would go out the community for said call for projects. By doing that, the MPO would better evaluate how the funds would be spent.

CM. Vanessa Perez, thanked Mr. Snideman for all the work that he has done and understood the conflicts he was having. She also stated she believed Mr. Snideman was not to blame because he was just trying to protect his job. She encouraged the City to take the examples Mr. Snideman gave and take them into consideration and see that this might be for the best interest of the greater good overall.

CM. Galo stated he was concerned about the transition but also said he was open to look at the options.

Mr. Snideman stated that whether the City or the County would stay as the fiscal agent, there would be MOUs in place to stipulate that Policy Committee would be in charge of the MPO, not any other administration.

CM. Gutierrez stated he agreed for the MPO to become independent. He stated there were still a lot of questions to be answered and recommended to have those questions answered before voting on the item.

Judge Tijerina stated that the proposed structure was very well planned and should not create any issues, and was ready to move forward with the transition.

CM. Gutierrez made a motion to **table** the item.

Second: Dr. Martinez
For: 2
Against: 7

Motion died

Robert Eads, City Manager, expressed his concerns. He stated he would have liked to be made aware of said agenda item before the meeting. He stated he had reached out to Mr. Snideman Friday night to inquire about this agenda item as he hadn't previously been advised. He would have liked for Mr. Snideman to address it with him prior to the meeting.

Judge Tijerina made a motion to **adopt** the proposed LWCAMPO Independent MPO Plan.

Second: CM. Galo
For: 9
Against: 0

Motion carried unanimously.

Mr. Snideman stated it did not bind anyone to do anything. It simply allowed staff to move forward with working on future agenda items that would be brought to the Policy committee for a decision.

David Salazar, TxDOT, thanked Mr. Snideman for his tremendous job and stated TxDOT was in full support of whatever direction the MPO committee decided to go. He also stated Federal Highway Administration (FHWA) and division would be there for said transition and to answer any questions.

E. Discussion with possible action on the appointment of an Interim MPO Director separate from the Interim City of Laredo Planning Director who was appointed by the Laredo City Council.

Mr. Snideman recommended Mr. Juan Mendive for Interim MPO Director. He stated he was very confident Mr. Mendive would do an outstanding job as Interim MPO Director.

Mr. Mendive introduced himself and stated that he was willing to play a role for the MPO and contribute to the team and have the MPO succeed.

CM. Galo made a motion to **accept** Mr. Snideman's recommendation and named Mr. Juan Mendive as the Interim MPO Director.

Second: Judge Tijerina
For: 9
Against: 0

Motion carried unanimously

F. Receive public testimony and initiate a 10-day public review and comment period, for the following proposed amendment(s) of the MPO Bylaws:

- 1. Article II, Section 2.3 Membership, Terms and Administration, shall be amended to allow a permanent Director for the MPO separate from the City of Laredo Planning Director who is appointed by City Council.**

CM. Galo made a motion to **open** the public hearing and **initiate** a 10-day public review and comment period, for the following proposed amendment(s) of the MPO Bylaws:

1. Article II, Section 2.3 Membership, Terms and Administration, shall be amended to allow a permanent Director for the MPO separate from the City of Laredo Planning Director who is appointed by City Council.

Second: CM. Perez
For: 9
Against: 0

Motion carried unanimously

V. REPORT(S) AND PRESENTATIONS (No action required).

A. Status report by the Regional Mobility Authority (RMA).

Antonio Rodriguez, HNTB, Inc., representing the RMA provided a status report via email which read as followed:

1. Killam Industrial Blvd. Turn Lanes – Construction start date is anticipated for the month of July. The reason for the delay is due to a lag in time for the ordering of the signal poles in the project. This is lag in time from the ordering to the arrival of signal poles is an issue that is being seen on various street projects across the state.
2. Los Presidentes (Cuatro Vientos to Brownwood) – Construction has commenced. Our first construction progress meeting was 5/11/21. The team is preparing their first change order for the project to incorporate the concrete pavement into the project from Cuatro Vientos to Brownwood and match the pavement section from Cuatro Vientos to Concord Hills. A forthcoming change order will be developed to include a traffic signal into the project at Concord Hills as passed by City Council resolution on 4/26/21. Regarding the Cuatro Vientos Acceleration/ Deceleration Lane project, the 90% plans were submitted to TxDOT on the week of the 5th of May. The project is scheduled for letting in October of this year.
3. Vallecillo Road – Chairman Brown is scheduled to meet with Transportation Commissioner Chairman Bruce Bugg to discuss the Vallecillo Road project on 5/25/21.
4. Other Items – The WCCL RMA will have their May Board Meeting on 5/19/21.

VI. DIRECTOR’S COMMENTS

Mr. Snideman thanked the City and the MPO for allowing him to work as both, the Planning Department and MPO Director.

VII. ADJOURNMENT

CM. Gutierrez made a motion to adjourn the meeting at 3:10 p.m.

Second: CM. Perez

For: 9

Against: 0

Motion carried unanimously

Juan S. Mendive
Interim MPO Director

Pete Saenz, Mayor and LW-CAMPO
Chairperson

**LAREDO WEBB COUNTY AREA MPO
ACTION ITEM**

DATE: 06-21-21	SUBJECT: RESOLUTION Receive public testimony and approve Resolution No. MPO 2021-06, adopting the proposed MPO By-Laws: 1. Article II, Section 2.3 Membership, Terms and Administration, shall be amended to allow a permanent Director for the MPO from the City of Laredo Planning Director who is appointed by the City Manager and confirmed by City Council.
INITIATED BY: Staff	STAFF SOURCE: Juan S. Mendive, Interim MPO Director
PREVIOUS ACTION: The MPO Policy Committee adopted the By-Laws in 1997, and subsequently amended them in 2000, 2007, 2009, 2012, 2013, 2014, 2015, 2020, and January of 2021.	
BACKGROUND The Policy Committee of the MPO has requested in the past that Staff present a plan for a more independent MPO that can better facilitate regional transportation planning through the collaboration of multiple local government organizations. As part of the plan to become a more independent MPO, during the meeting of May 17, 2021, the Policy Committee initiated a 10-day public review and comment period on the proposed MPO by-laws amendment to allow a permanent Director for the MPO separate from the City of Laredo Planning Director who is appointed by City Manager and confirmed by City Council.	
COMMITTEE RECOMMENDATION: The LWCAMPO Technical Committee recommended approval pending any required changes to the agreement between the Texas Department of Transportation, LWCAMPO, and City of Laredo (Fiscal Agent) to ensure conformity between the by-laws and tri-party agreement (Contract No: 50-19XF0011) dated 9/24/2018.	STAFF RECOMMENDATION: Approve as recommended by the Technical Committee.

RESOLUTION NO. MPO 2021-06

BY THE LAREDO WEBB COUNTY AREA
METROPOLITAN PLANNING ORGANIZATION
POLICY COMMITTEE

AMENDING THE LWCAMPO BY-LAWS

WHEREAS, the Laredo Webb County Area Metropolitan Planning Organization, as the designated Metropolitan Planning Organization (MPO), for the Laredo Urbanized Area has reviewed the revisions to the LWCAMPO Bylaws; and,

WHEREAS, the Laredo Webb County Area Metropolitan Planning Organization finds that the revisions to the LWCAMPO Bylaws meet federal and state requirements, and meet the transportation needs of the Laredo Metropolitan Area; and,

NOW THEREFORE BE IT RESOLVED, that the Laredo Webb County Area Metropolitan Planning Organization, as the designated Metropolitan Planning Organization for the Laredo Urban Area, revised the LWCAMPO Bylaws, which are attached hereto and made a part hereof for all purposes on this the 21st day of June, 2021.

Honorable Pete Saenz
Mayor of Laredo and Chairperson of the
LWCAMPO Policy Committee

We certify that the above resolution was adopted on the above cited date, at a public meeting of the Policy Committee of the Laredo Webb County Area Metropolitan Planning Organization.

Juan S. Mendive
Interim MPO Director

David Salazar, P.E.
Laredo District Engineer

BYLAWS AND OPERATING PROCEDURES
LAREDO WEBB COUNTY AREA METROPOLITAN PLANNING ORGANIZATION
DRAFT

MISSION STATEMENT

To set transportation related policy, identify existing and future local transportation needs in cooperation with TxDOT, and propose and recommend projects for all modes of transportation including mass transit and active transportation, with special attention to freight

ARTICLE I
DEFINITIONS, PURPOSE AND AUTHORITY

Section 1.1 Definitions

- **Laredo Webb County Area Metropolitan Planning Organization (LWCAMPO)** – is the organization, formerly known as the Laredo Urban Transportation Study, designated by the Governor of the State of Texas, to serve as the Metropolitan Planning Organization for the Laredo Urbanized Area. It shall be hereinafter referred to as the “MPO.”
- **Metropolitan Planning Area-** The geographic area for which the MPO is responsible and in which the metropolitan transportation planning process must be carried out pursuant to Title 23 USC Section 134 and Title 49 USC Section 5303.
- **Metropolitan Planning Organization (MPO)** - The forum for cooperative transportation decision-making, as designated by the Governor, and units of general-purpose local government representing 75 percent of the affected metropolitan population. The MPO is responsible for identifying local transportation needs, in cooperation with the Texas Department of Transportation (TxDOT), following a "Continuing, Comprehensive, and Cooperative" transportation planning process pursuant to 23 USC 134. The MPO is also responsible for proposing and recommending projects for all modes of urban transportation to those governmental units that are responsible for program development and project implementation.
- **Metropolitan Planning Organization Policy Committee (Policy Committee)** - The policy body, established pursuant to 23 USC 134, with the responsibility for establishing overall transportation for, and taking the required approval actions as the Metropolitan Planning Organization. The Policy Committee is comprised of those governmental agencies identified in the original designation agreement and those agencies or organizations subsequently added to the membership of the board. The Policy Committee shall have decision-making authority over issues such as the Unified Planning Work Program (UPWP), the Transportation Improvement Program (TIP) and the Metropolitan Transportation Plan (MTP).
- **Metropolitan Planning Organization Technical Review Committee (Technical Committee)** - The body of the MPO responsible for professional and technical review of work programs, policy recommendations and transportation planning activities. The Technical Committee shall review issues for accuracy and advise the Policy Committee on recommended actions. The Technical Committee is composed of representatives of the City

BYLAWS AND OPERATING PROCEDURES
LAREDO WEBB COUNTY AREA METROPOLITAN PLANNING ORGANIZATION
DRAFT

of Laredo, the County of Webb, the Texas Department of Transportation and private sector representatives.

- **Metropolitan Planning Organization Active Transportation Committee** – the body of the MPO responsible for improving and promoting active modes of mobility in the MPO study area by monitoring the implementation of the Laredo Webb County Active Transportation Plan, and providing recommendations on MPO active transportation related activities.
- **Fiscal Agent for the Metropolitan Planning Organization (Fiscal Agent)** – The governmental entity or agency designated by written agreement between the MPO Policy Committee and the governmental entity or agency providing fiscal administrative services and other services (which may include personnel and staff support) to the MPO Policy Committee and the Staff of the MPO.
- **Laredo Metropolitan Transportation Plan (MTP)** - The MTP is an official, comprehensive, intermodal transportation plan developed and adopted for the Laredo Metropolitan Area through the transportation planning process. The MTP identifies the existing and future transportation needs and develops coordinated strategies to provide the necessary transportation facilities essential for the continued mobility and economic vitality of Laredo. These coordinated transportation strategies include roadway development and operations, truck and rail freight movement, transit operations, bikeways and pedestrian facilities. The development of the MTP is required under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) to assure the continuation of federal transportation funds. The plan shall address a continuous twenty-year planning horizon.
- **Transportation Improvement Program (TIP)** - A staged, multiyear, intermodal program, of transportation projects which is consistent with the metropolitan transportation plan and which is also financially constrained.
- **Unified Planning Work Program (UPWP)** - Shall mean the program of work that includes goals, objectives and/or tasks required by each of the several agencies involved in the metropolitan transportation planning process. The UPWP shall describe metropolitan transportation and transportation-related planning activities anticipated in the area during the next one-year period and reflect transportation planning work to be funded by federal, state or local transportation or transportation-related planning funds.

Section 1.2 Purpose

The MPO is the designated organization responsible for identifying local transportation needs in cooperation with the Texas Department of Transportation (TxDOT). The MPO is also the entity responsible for proposing and recommending projects for all modes of urban transportation to those governmental units that are responsible for program development and project implementation.

BYLAWS AND OPERATING PROCEDURES
LAREDO WEBB COUNTY AREA METROPOLITAN PLANNING ORGANIZATION
DRAFT

Section 1.3 Authority

The MPO shall have the following authority pursuant to 23 CFR Part 450:

- (a) To develop and establish policies, procedures, plans and programs for the metropolitan area.
- (b) To certify such actions as may be necessary to comply with state and federal regulations.
- (c) To establish such rules of procedure and approve such actions as it deems necessary to fulfill its purposes.
- (d) To ensure those requirements of 23 USC 134 and 135 and 49 USC, Chapter 53, 5301, et seq. are carried out.
- (e) To use federal transportation planning funds, as well as in-kind matching funds as authorized by the Texas Transportation Commission, to develop and maintain a comprehensive regional transportation planning program in conformity with requirements of 23 USC 135 and 49 USC 5303.
- (f) To adopt a Metropolitan Transportation Plan (MTP) for the metropolitan planning area that will complement the Statewide Transportation Plan required by state and federal laws, a Transportation Improvement Program and a Unified Planning Work Program and such other planning documents and reports that may be required by state or federal laws or regulations.
- (g) To establish one or more advisory committees to assist in the transportation planning process and/or assist in promoting the implementation of approved plans. The Policy Committee may create ad-hoc committees or other technical subcommittees.

ARTICLE II
MEMBERSHIP, TERMS AND ADMINISTRATION

Section 2.1 Membership and Qualifications

- (a) The MPO shall be comprised of a Policy Committee and a Technical Committee. The Policy Committee shall include the following members:

City of Laredo:	Mayor (Chairperson)
	Two City Councilmembers, as appointed by the Mayor in his/her sole discretion.

BYLAWS AND OPERATING PROCEDURES
LAREDO WEBB COUNTY AREA METROPOLITAN PLANNING ORGANIZATION
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Laredo Mass Transit Board One Laredo Mass Transit Board member as appointed by the Board's presiding officer/Mayor in his/her sole discretion.

County of Webb: County Judge (Vice-Chairperson)
Two County Commissioners as appointed by the Webb County Judge in his/her sole discretion.

State of Texas: TxDOT District Engineer

Member at Large Member to be appointed by the Policy Committee

*** EX-OFFICIO ***

State of Texas: State Senator(s)
State Representative(s)

- (b) Members shall serve until a replacement is qualified pursuant to section 2.1 Subsection (e).
- (c) The Mayor of the City of Laredo shall appoint the two City Councilmembers that represent the City of Laredo.
- (d) Laredo Mass Transit Board's presiding officer/Mayor shall appoint one member to represent the Laredo Mass Transit Board.
- (e) The County Judge of the County of Webb shall appoint the two County Commissioners that represent the County of Webb.
- (f) Appointments to the Policy Committee shall be for a period of two years. A member may be reappointed with no limitation to number of terms, except that such term will not continue in the event an officer becomes ineligible for membership on the Policy Committee.

Section 2.2 Meetings, Quorum and Voting

- (a) The Policy Committee shall meet at least twice per year or as often as necessary to fulfill its purposes.
- (b) Quorum shall consist of four (4) members of the voting membership.
- (c) The use of proxies by the voting members of the Policy Committee is prohibited.
- d) The official actions of the Policy Committee shall be by affirmative action of the majority of the voting membership present and voting at public meetings. All meetings are to be held as

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open meetings as defined in Chapter 551, Texas Government Code (Texas Open Meetings Act), and the ~~Transportation Planning~~ Director of the MPO shall insure that the written notice of the meeting is posted at City of Laredo City Hall and Webb County Commissioners Court Building at least 72 hours prior to the meeting. Additionally, the notice may be posted at TxDOT Laredo District Office, and on the City of Laredo and Webb County website. The ~~Transportation Planning~~ MPO Director shall insure that at least two copies of the agenda and such supporting documentation as is available to the Policy Committee are made available for public inspection in the MPO offices at the same time they are made available to the Policy Committee members.

- (e) All official actions of the Policy Committee shall be duly recorded in the minutes of the meeting.
- (f) The Mayor of the City of Laredo shall serve as Chairperson of the Policy Committee. The responsibilities of the Chairperson shall include, but are not limited to the following:
 - 1. Preside at all meeting of the Policy Committee.
 - 2. Authenticate, by signature, all resolutions adopted by the Policy Committee.
 - 3. Serve as chief policy advocate for the Policy Committee.
 - 4. Represent the committee at hearings, conferences, and other events as required or designate another member of the Committee or the Chairperson of the Technical Committee to represent the Chairperson.
- (g) The County Judge of the County of Webb shall serve as Vice Chairperson of the Policy Committee. During the absence of the Chairperson, the Vice Chairperson shall preside over meetings and shall exercise all the duties of the Chairperson.
- (h) In the absence of the Chairperson and Vice Chairperson from a Policy Committee meeting at which a quorum is present, the remaining members present shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairperson or Vice Chairperson.

Section 2.3 Administration

- (a) ~~The City of Laredo Planning Director shall act as the Transportation Planning Director for the MPO.~~ The MPO Policy Committee shall hire a full-time MPO Director. The responsibilities of the Director shall include, but are not limited to the following:
 - 1. All staff support for the Policy Committee, oversight and coordination of MPO administration and transportation planning activities, grant administration, maintaining records and providing notice of meetings as required by the Public Participation Process.

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2. Shall act as Chairperson of the Technical Committee with responsibility for drafting findings and recommendations of the Technical Committee for review by the Policy Committee.
3. Shall be responsible for all plans and reports prepared by and for the review and consideration of the Policy Committee and for submitting the recommended policies, procedures and programs of the Technical Committee to the Policy Committee.
4. Supervise the MPO staff.
5. Serve as a liaison to the Texas Department of Transportation's planning program through the department's district office and the department's Transportation Planning and Programming Division's representative.
6. In cooperation with the Texas Department of Transportation, collect, maintain, forecast, and report to the department appropriate socioeconomic, roadway, and travel data.
7. Prepare and submit all required plans, reports, programs, data, and certifications.
8. Develop and present to the MPO Policy Committee a Metropolitan Transportation Plan for the metropolitan planning area, a Transportation Improvement Program and a Unified Planning Work Program and such other planning documents and reports that may be required by state or federal laws or regulations.

(b) The Technical Committee shall include the following:

1. City Representatives:
Laredo City Planner
The General Manager of the City Transit System
Laredo Director of Traffic Safety
Laredo Airport Manager
Laredo City Engineer
Laredo Bridge Director
2. County and Regional Representatives:
MPO Director (Chairperson)
Webb County Planning Director
South Texas Development Council Regional Planning Director
The General Manager of the Rural Transit System
Webb County Engineer
3. State Representatives:

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TxDOT Planning Representative (Vice-Chairperson)
TxDOT Planning Representative
TxDOT Area Engineer
TxDOT TPP Field Representative

4. Federal representatives:
FHWA Planning Representative (Austin)

5. Private Sector Representatives:
A representative of the Kansas City Southern Railroad Company
A representative of the Union Pacific Railroad Company
A representative of the Laredo Transportation Association
A Transportation Provider Representative who shall also serve on the Laredo Transportation & Traffic Safety Advisory Committee

6. School system representatives
A representative of the Laredo Independent School District
A representative of the United Independent School District
A representative of Texas A&M International University
A representative of Laredo Community College

- (c) Each voting member of the Technical Committee may have a designated alternate member to serve on the committee in the member's absence. Appointed alternate members will have the voting rights and privileges of members when serving in the absence of the Technical Committee member.

The responsibilities of the Technical Committee include technical review of work programs, policy recommendations and transportation planning activities.

- (d) The Active Transportation Committee (ATC)

1. The responsibilities of the Active Transportation Committee shall include the following:
 - a. Monitor the implementation of the Laredo and Webb County Active Transportation Plan.
 - b. Recommend active transportation related planning studies to be conducted.
 - c. Provide recommendations to the MPO Policy Committee regarding active transportation planning activities.
 - d. Advise the MPO Policy Committee on active transportation related technical and policy issues.
 - e. Explore and recommend funding options and opportunities for active transportation related projects.
 - f. Promote community outreach efforts such as bicycle and pedestrian safety campaigns and educational programs.

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2. Membership

- a. The Active Transportation Committee shall be composed of a broad group of representatives from the regional community.
- b. Members shall be selected by MPO staff.
- c. The MPO Director shall select the Active Transportation Committee Chair.

Section 2.4 Ethic Policy for MPO Policy Members and Employees

(a) A policy board member or employee of a metropolitan planning organization may not:

- (1) accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct; or,
- (2) accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position; or,
- (3) accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties; or,
- (4) make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or,
- (5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

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**ARTICLE III
AMENDMENTS**

Section 3.1 Bylaw Revisions

The Bylaws may be revised or amended by approval of the Policy Committee at a meeting at which a quorum, as defined herein, is present.

PASSED AND APPROVED, on this the _____, 2021.

Honorable Pete Saenz
Mayor of Laredo and Chairperson of the
LWCAMPO Transportation Planning Committee

We certify that the LWCAMPO By-laws were revised at a public meeting of the Policy Committee of the Laredo Webb County Area Metropolitan Planning Organization.

MPO Director

David M. Salazar
TxDOT District Engineer

Contract No.:	50-19 XF0011
Federal Highway Administration:	
CFDA Title:	
CFDA No.:	20.205/20505

STATE OF TEXAS §

COUNTY OF WEBB §

AGREEMENT WITH METROPOLITAN PLANNING ORGANIZATION

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the "Department," the Laredo Urban Transportation Study Metropolitan Planning Organization (MPO) Policy Committee, called the "MPO", which has been designated by the Governor of the State of Texas as the MPO of the Laredo urbanized area, and the City of Laredo, which serves as the Fiscal Agent for the MPO.

WITNESSETH

WHEREAS, 23 United States Code (USC) §134 and 49 USC §5303 require that MPOs, in cooperation with the Department and transit agencies, develop transportation plans and programs for urbanized areas of the State; and

WHEREAS, 23 Code of Federal Regulations (CFR) 450.314 requires the MPO, State, and public transportation operators within each metropolitan planning area to enter into a written agreement to clearly identify the responsibilities of the parties in carrying out the metropolitan planning process; and

WHEREAS, 23 USC §104(d) authorizes Metropolitan Planning funds and 49 USC §5305 authorizes funds to be made available to MPOs designated by the Governor to support the urban transportation planning process; and

WHEREAS, the Department participates in the Consolidated Planning Grant program in which federal transit planning funds authorized under 49 USC §5305 are transferred to the Federal Highway Administration, combined with additional federal funds, and distributed to the state as a single distribution; and

WHEREAS, the federal share payable for authorized activities using the Consolidated Planning Grant funds is eighty percent (80%) of allowable costs; and

WHEREAS, Texas Transportation Code §221.003 authorizes the Department to expend federal and state funds for improvements to the state highway system; and

WHEREAS, Texas Transportation Code §201.703 authorizes the Department to expend federal funds and to provide state matching funds for allowable costs necessary for the improvement of roads not in the state highway system; and

WHEREAS, this agreement outlines the requirements and responsibilities of the parties for federal reimbursement using Consolidated Planning Grant funds and other federal transportation funds that may be used for planning (e.g., Surface Transportation Program, National Highway System, Congestion Mitigation and Air Quality, etc.); and

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WHEREAS, the Governor of the State of Texas and the City of Laredo have executed an agreement pursuant to the MPO designation; and

WHEREAS, an area equal to or larger than the above-mentioned urbanized area has been delineated in accordance with federal and state guidelines where required metropolitan transportation planning activities may take place; and

WHEREAS, 23 Code of Federal Regulations (CFR) §420.117(a) requires that in accordance with 49 CFR §18.40, the Department shall monitor all activities performed by its staff or by sub-recipients with Federal Highway Administration (FHWA) planning and research funds to assure that the work is being managed and performed satisfactorily and that time schedules are being met; and

A G R E E M E N T

Article 1. Agreement Period

- A. This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed. The Department shall not continue its obligation to the MPO under this agreement if the Governor's designation of the MPO is withdrawn; if federal funds cease to become available; or if the agreement is terminated as provided below.
- B. This agreement expires on September 30, 2024. No fewer than one hundred and twenty (120) days before the expiration date, the Department may, at its sole discretion, exercise in writing an option to extend the agreement by a period of no more than two years. The Department may exercise this option no more than two times. If all terms and conditions of this agreement remain viable and no amendment to the existing agreement or new agreement is required, a letter from the Department to the MPO shall constitute renewal of this agreement subject to all terms and conditions specified in this agreement. However, an amendment or a new agreement may be executed, if necessary.

Article 2. Responsibilities of the Department

The responsibilities of the Department are as follows:

- A. Assist in the development of the Unified Planning Work Program (UPWP), approve the format of work programs submitted by the MPO, and, where required by federal law or regulation, monitor the MPO's performance of activities and expenditure of funds under a UPWP. Where monitoring is not required, the Department is responsible for reviewing the MPO's activities and expenditure of funds, and will comment on and make suggestions relating to those activities and expenditures.
- B. Develop a time line for development of the UPWP by the MPO; and in consultation with the MPOs, shall develop a standard UPWP format to be used by all MPOs.
- C. Make available to the MPO its share of all federal metropolitan planning funds and provide the required non-federal match as authorized by the Texas Transportation Commission. The Department will distribute federal transportation planning funds to the MPO based on a formula developed by the Department, in consultation with the MPOs, and approved by FHWA, the Federal Transit Administration (FTA), and other applicable federal agencies.
- D. Provide to the MPO, as appropriate, technical assistance and guidance for the collection, processing, and forecasting of socio-economic data needed for the development of traffic forecasts, plans, programs, and planning proposals within the metropolitan area, including

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collecting, processing, and forecasting vehicular travel volume data in cooperation with the MPO, as appropriate.

- E. Jointly promote the development of the intermodal transportation system within the metropolitan area by identifying points in the system where access, connectivity, and coordination between the modes and inter-urban facilities would benefit the entire system.
- F. Share with the MPO information and information sources concerning transportation planning issues that relate to this agreement.
- G. Cooperatively develop and share information with the MPO related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS).

Article 3. Responsibilities of the MPO

The MPO is an organization created to ensure that existing and future expenditures on transportation projects and programs are based on a continuing, cooperative, and comprehensive planning process. The responsibilities of the MPO are as follows:

- A. Document planning activities in a UPWP to indicate who will perform the work, the schedule for completing it, and all products that will be produced. In cooperation with the Department and public transportation operators as defined by 23 CFR Part 450, the MPO must annually or bi-annually develop a UPWP that meets federal requirements.
- B. Prepare and submit to the Department an annual performance and expenditure report of progress no later than December 31 of each year. A uniform format for the annual report will be established by the Department, in consultation with the MPOs.
- C. Use funds provided in accordance with 43 Texas Administrative Code (TAC) §16.52 and Article 2 (Responsibilities of the Department) of this agreement to develop and maintain a comprehensive regional transportation planning program in conformity with the requirements of 23 USC §134, 49 USC §5303, and the Texas Comptroller of Public Accounts Uniform Grant Management Standards (UGMS).
- D. Develop a Metropolitan Transportation Plan (MTP), a Transportation Improvement Program (TIP), and a UPWP for the Metropolitan Planning Area (MPA), all of which are consistent with the Statewide Long-Range Transportation Plan (SLRTP), as required by the state and federal law. At a minimum, the MPO shall consider in their planning process the applicable factors outlined in 23 USC §134.
- E. Assemble and maintain an adequate, competent staff with the knowledge and experience that will enable them to perform all appropriate MPO activities required by law.
- F. Forecast, collect, and maintain appropriate socio-economic, roadway, and travel data on a timely basis, in cooperation with the Department.
- G. Prepare all required plans, programs, reports, data, and obtain required certifications in a timely manner.
- H. Share information with the Department and information sources concerning transportation planning issues.

Article 4. Responsibilities of the MPO Policy Committee

The MPO Policy Committee is the policy body that is the forum designated under 23 USC §134 with the responsibility for establishing overall transportation policy for the MPO and for making required approvals. The MPO Policy Committee is comprised of those governmental agencies identified in the original designation agreement and those agencies or organizations

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subsequently added to the membership of the committee. The responsibilities of the MPO, acting through its Policy Committee, are as follows:

- A. Ensure that requirements of 23 USC §§134 and 135 and 49 USC, Chapter 53, are carried out.
- B. Use funds provided in accordance with Article 2 (Responsibilities of the Department) of this agreement to develop and maintain a comprehensive regional transportation planning program in accordance with requirements of 23 USC §134 and 49 USC §5303.
- C. Develop and adopt an MTP for the MPA that is consistent with the SLRTP required by state and federal laws; a TIP and a UPWP; and other planning documents and reports that may be required by state or federal laws or regulations.
- D. Exercise sole responsibility to supervise, and direct the MPO Transportation Planning Director.
- E. Provide planning policy direction to the MPO Transportation Planning Director.

Article 5. Responsibilities of the Fiscal Agent

The Fiscal Agent for the MPO is the entity responsible for providing fiscal, human resource, and staff support services to the MPO. The responsibilities of the Fiscal Agent are as follows:

- A. Maintain required accounting records for state and federal funds consistent with current federal and state requirements.
- B. Provide all appropriate funding, as identified by fiscal year in the UPWP, to allow the MPO staff to effectively and efficiently operate the program.
- C. Provide human resource services to the MPO.
- D. Provide benefits for the MPO staff that shall be the same as the Fiscal Agent normally provides its own employees; or as determined through an agreement between the MPO and the Fiscal Agent. Costs incurred by the Fiscal Agent for these benefits may be reimbursed by the MPO.
- E. Establish procedures and policies for procurement and purchasing, when necessary, in cooperation with the MPO.
- F. Exercise sole responsibility to hire, evaluate, and terminate the MPO Transportation Planning Director.

Article 6. Responsibilities of the MPO Transportation Planning Director

The responsibilities of the MPO Transportation Planning Director are as follows:

- A. Administer the MPO's UPWP. The Director shall take planning policy direction from and be responsible to the designated MPO Policy Committee.
- B. Act as a liaison to the Department, relevant to the Department's transportation planning activities.
- C. Oversee and direct all MPO transportation planning staff work performed using MPO funds.
- D. Prepare and submit all required plans, programs, reports, data, and certifications in a timely manner.
- E. Develop and present to the MPO Policy Committee an MTP for the MPA that is consistent with the SLRTP required by state and federal laws; a TIP and a UPWP; and other planning documents and reports that may be required by state or federal laws or regulations.
- F. Share with the Department information and information resources concerning transportation planning issues.

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Article 7. Unified Planning Work Program

- A. Each year the MPO shall submit to the Department a program of work that includes goals, objectives, and tasks required by each of the several agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP), or any successor name. The UPWP shall be approved by the MPO Policy Committee, in accordance with 23 CFR §450.314.
- B. The UPWP will be prepared for a period of one (1) year or two (2) years unless otherwise agreed to by the Department and the MPO. The UPWP shall reflect only that work that can be accomplished during the time period of the UPWP, in accordance with TAC §16.52.
- C. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation related (e.g. air quality) planning funds. The budget and statement of work will be included in the UPWP. The MPO may not incur costs until final approval of the UPWP is granted. The maximum amount payable will not exceed the budget included in the UPWP.
- D. The effective date of each UPWP will be October 1st of each year or the date of approval from the appropriate oversight agency, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.
- E. The UPWP shall comply with all applicable federal and state requirements and will describe metropolitan transportation and transportation-related planning activities anticipated in the area.
- F. The use of federal metropolitan transportation planning funds shall be limited to transportation planning activities affecting the transportation system within the boundaries of a designated metropolitan planning area. If an MPO determines that data collection and analysis activities relating to land use, demographics, or traffic or travel information, conducted outside its boundaries, affects the transportation system within its boundaries, then those activities may be undertaken using federal planning funds, if the activities are specifically identified in an approved UPWP. Any other costs incurred for transportation planning activities outside the boundaries of a designated metropolitan planning area are not eligible for reimbursement.
- G. Travel outside the State of Texas by MPO staff and other agencies participating in the MPO planning process must be approved by the Department if funded with federal transportation planning funds. The MPO must receive approval prior to incurring any costs associated with the actual travel (e.g., registration fee). This provision will not apply if the travel is at the request of the Department. Travel to the State of Arkansas by the Texarkana MPO staff and travel to the State of New Mexico by the El Paso MPO staff shall be considered in-state travel.
- H. The cost of travel incurred by elected officials serving on the MPO Policy Committee is eligible for reimbursement with federal transportation planning funds in accordance with 43 TAC §16.52.
- I. The use of federal transportation planning funds is limited to corridor/subarea level planning or multimodal or system-wide transit planning studies. Major investment studies and environmental studies are considered corridor level planning. Unless otherwise authorized by federal law or regulation, the use of such funds beyond environmental document preparation or for specific project level planning and engineering (efforts directly related to a specific project instead of a corridor) is not allowed.
- J. Failure to adhere to the time line developed by the Department may result in a delay in the authorization to the MPOs to proceed in incurring costs.

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- K. A UPWP will not be approved if it is submitted in a format other than the standard format developed by the Department. The UPWP and subsequent amendments may be submitted electronically.
- L. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., adding new work tasks or changing the scope of existing work tasks) prior to receiving approval from the Department. Any costs incurred prior to receiving Department approval are not eligible for reimbursement from federal transportation planning funds.
- M. Costs incurred by the MPO shall not exceed the total budgeted amount of the UPWP without prior approval of the MPO Policy Committee and the Department. Costs incurred on individual work tasks shall not exceed that task budget by 25 percent without prior approval of the MPO Policy Committee and the Department. If the costs exceed 25 percent of the task budget, the UPWP shall be revised, approved by the MPO Policy Committee, and submitted to the Department for approval.
- N. The MPO Policy Committee must approve the UPWP and any subsequent revisions, and shall not delegate the approval authority, except for corrective actions. Corrective actions do not change the scope of work, result in an increase or decrease in the amount of task funding, or affect the overall budget. Examples include typographical, grammatical, or syntax corrections.
- O. Should any conflict be discovered between the terms of this agreement and the UPWP, the terms of this agreement shall prevail.
- P. The MPO is not authorized to request payment for any work it may perform that is not included in the current UPWP.

Article 8. Compensation

The Department's payment of any cost incurred under this agreement is contingent upon all of the following:

- A. Federal funds are available to the Department in a sufficient amount for making payments.
- B. The incurred cost is authorized in the UPWP. The maximum amount payable under this agreement shall not exceed the total budgeted amount outlined in the UPWP in accordance with 43 TAC §16.52.
- C. The cost has actually been incurred by the MPO and meets the following criteria:
 - 1. Is verifiable from MPO records;
 - 2. Is not included as match funds for any other federally-assisted program;
 - 3. Is necessary and reasonable for the proper and efficient accomplishment of program objectives;
 - 4. Is the type of charge that would be allowable under 2 CFR 200 Revised, "Cost Principles for State, Local, and Indian Tribal Governments" and the state's UGMS; and
 - 5. Is not paid by the Department or federal government under another assistance program unless authorized to be used as match under the other federal or state agreement and the laws and regulations to which it is subject.
- D. After October 1st of each year, the Department will issue a work order to the MPO establishing the effective date of work and the total funds authorized. If the UPWP is subsequently revised, necessitating a revision to the original work order, or the Department deems a revision necessary, a revised work order may be issued at any time throughout the fiscal year. If the amount in the UPWP differs from the amount in the work order, the amount in the work order prevails.
- E. The MPO is authorized to submit requests for payment of authorized costs incurred under this agreement on a semi-monthly basis, but no more than twenty four (24) times a year and

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no less than monthly as expenses occur. Each request for payment shall be submitted in a manner acceptable to the Department, which includes, at a minimum, the following information:

1. UPWP budget category or line item;
 2. Description of the cost;
 3. Quantity;
 4. Price;
 5. Cost extension; and
 6. Total costs
- F. The MPO shall submit the final bill from the previous fiscal year to the Department no later than December 31st of the calendar year in which that fiscal year ended. Any bills submitted after December 31 for a fiscal year in which the funds have been de-obligated will be processed against the current year's UPWP.
- G. Payment of costs is contingent upon compliance with the terms of Article 3 (Responsibilities of the MPO) of this agreement. Noncompliance may result in cancellation of authorized work and suspension of payments after a thirty (30) day notification by the Department to the MPO.

Article 9. Reporting

To permit program monitoring and reporting, the MPO shall submit reports as required in Article 3 (Responsibilities of the MPO) of this agreement. If task expenditures overrun or underrun a budgeted task amount by twenty-five percent (25%) or more, the annual performance and expenditure report must include an explanation for the overrun or underrun.

Article 10. Indemnification

- A. The MPO shall save harmless the Department and its officers and employees from all claims and liability that are due to activities of the MPO, its agents, or its employees performed under this agreement and that are caused by or result from error, omission, or negligent act of the MPO or of any person employed by the MPO.
- B. To the extent possible under state law, the MPO shall also save harmless the Department from any and all expense, including but not limited to, attorney fees that may be incurred by the Department in litigation or otherwise resisting claims or liabilities that may be imposed on the Department as a result of the activities of the MPO, its agents, or its employees.

Article 11. Inspection of Work and Retention of Documents

- A. The Department and, when federal funds are involved, the U. S. Department of Transportation (USDOT), and their authorized representatives shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises on which it is being performed.
- B. If any inspection or evaluation is made on the premises of the MPO or a subcontractor, the MPO shall provide or require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.
- C. The MPO agrees to maintain all books, documents, papers, computer generated files, accounting records, and other evidence pertaining to costs incurred and work performed under this agreement, and shall make those materials available at its office during the time period covered and for seven (7) years from the date of final payment under the UPWP.

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Those materials shall be made available during the specified period for inspection by the Department, the USDOT, and the Office of the Inspector General of the USDOT and any of their authorized representatives for the purpose of making audits, examinations, excerpts, and transcriptions.

- D. The state auditor may conduct an audit or investigation of any entity receiving funds from the Department directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit under the state's UGMS.

Article 12. Work Performance

All work performed under this agreement shall be carried out in a professional and orderly manner, and the products authorized in the UPWP shall be accurate and exhibit high standards of workmanship.

Article 13. Disputes

The MPO shall be responsible for the settlement of all contractual and administrative issues arising out of procurement entered into in support of work under this agreement. In the event of a dispute between the Department and the MPO concerning the work performed under this agreement in support of the urban transportation planning process, the dispute shall be resolved through binding arbitration. Furthermore, the arbiter shall be mutually acceptable to the Department and the MPO.

Article 14. Non-Collusion

The MPO shall warrant that it has not employed or retained any company or person, other than a bona fide employee working for the MPO, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the MPO breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of the fee, commission, brokerage fee, gift, or contingent fee.

Article 15. Subcontracts

- A. Any subcontract for services rendered by individuals or organizations not a part of the MPO's organization shall not be executed without prior authorization and approval of the subcontract by the Department and, when federal funds are involved, the USDOT. All work in the subcontract is subject to the state's UGMS. If the work for the subcontract is authorized in the current approved UPWP, and if the MPO's procurement procedures for negotiated contracts have been approved by the Department either directly or through self-certification by the MPO, the subcontract shall be deemed to be authorized and approved, provided that the subcontract includes all provisions required by the Department and the USDOT.
- B. Subcontracts in excess of \$25,000 shall contain all required provisions of this agreement.
- C. No subcontract will relieve the MPO of its responsibility under this agreement.

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Article 16. Termination

- A. The Department may terminate this agreement at any time before the date of completion if the Governor withdraws his designation of the MPO. The Department or the MPO may seek termination of this agreement pursuant to Article 13 (Disputes) 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.
- B. The Department may terminate this agreement for reasons of its own, subject to agreement by the MPO.
- C. 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.
- D. 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.
- E. 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.

Article 17. Force Majeure

Except with respect to defaults of subcontractors, the MPO shall not be in default by reason of failure in performance of this agreement in accordance with its terms (including any failure by the MPO to progress in the performance of the work) if that failure arises out of causes beyond the control and without the default or negligence of the MPO. Those causes may include but are not limited to acts of God or of the public enemy, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. In every case, however, the failure to perform must be beyond the control and without the fault or negligence of the MPO.

Article 18. Remedies

- A. 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.
- B. 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.

Article 19. Gratuities

- A. Employees of the Department or the MPO shall not accept any benefits, gifts, or favors from any person doing business with, or who may do business with the Department or the MPO under this agreement.
- B. Any person doing business with, or who may do business with the Department or the MPO under this agreement, may not make any offer of benefits, gifts, or favors to Department or

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the MPO employees. Failure on the part of the Department or the MPO to adhere to this policy may result in termination of this agreement.

Article 20. Compliance with Laws

The parties to this agreement shall comply with all federal and state laws, statutes, rules, and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, the MPO shall furnish the Department with satisfactory proof of its compliance.

Article 21. Successors and Assigns

No party shall assign or transfer its interest in this agreement without written consent of the other parties.

Article 22. Debarment Certifications

The MPO is prohibited from making any award or permitting any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, Debarment and Suspension. By executing this agreement, the MPO certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The MPO shall require any party to a subcontract or purchase order awarded under this agreement as specified in 49 CFR Part 29 (Debarment and Suspension) to certify its eligibility to receive federal funds and, when requested by the Department, to furnish a copy of the certification.

Article 23. Equal Employment Opportunity

The parties to this agreement agree to comply with Executive Order 11246 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 and as supplemented in Department of Labor Regulations (41 CFR §60).

Article 24. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. 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.
- B. 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).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. 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.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).

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- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. 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, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits 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.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination 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.
- K. 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, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

Article 25. Nondiscrimination on the Basis of Disability

The MPO agrees that no otherwise qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under this agreement. The MPO shall ensure that all fixed facility construction or alteration and all new equipment included in the project comply with applicable regulations regarding Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance, set forth in 49 CFR Part 27, and any amendments to it.

Article 26. Disadvantaged Business Enterprise (DBE) Program Requirements

If federal funds are used:

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall submit its proposed scope of services and quantity estimates to the State

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to allow the State to establish a DBE goal for each Local Government contract with a subprovider. The Local Government shall be responsible for documenting its actions.

- D. The Local Government shall follow all other parts of the State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State’s DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.

Article 27. Procurement and Property Management Standards

- A. The parties to this Agreement shall adhere to the procurement standards established in Title 49 CFR §18.36, to the property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government’s procurement procedures for purchases to be eligible for state or federal funds.
- B. The MPO agrees to comply with applicable Buy America requirements set forth in the Surface Transportation Assistance Act of 1978 (Pub. L. 95-599) §401 and the FTA’s Buy America regulations in 49 CFR Part 661.
- C. The MPO agrees to comply with the cargo preference requirements set forth in 46 USC §55305 and Maritime Administration regulations set forth in 46 CFR Part 381.

Article 28. Environmental Protection and Energy Efficiency

- A. The MPO agrees to comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, 42 USC §7602; Section 508 of the Clean Water Act 33 USC §1368; Executive Order 11738 and Title 40 CFR, “Protection of Environment.” The MPO further agrees to report violations to the Department.

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- B. The MPO agrees to recognize standards and policies relating to energy efficiency that are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).

Article 29. Federal Reimbursement

The MPO shall be responsible for any funds determined to be ineligible for federal reimbursement, and shall reimburse the Department the amount of those funds previously provided to it by the Department.

Article 30. Control of Drug Use

The MPO agrees to comply with the terms of the FTA regulation, "Prevention of Alcohol Misuse and Prohibited Drug Use in Mass Transit Operations," set forth in 49 CFR Part 655.

Article 31. Lobbying Certification

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties 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 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.
- B. 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 agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the MPO shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. 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 such failure.

Article 32. Amendments

Any change to one or more of the terms and conditions of this agreement shall not be valid unless made in writing and agreed to by the parties before the change is implemented.

Article 33. Distribution of Products

- A. The MPO shall provide a number of copies to be specified by the Department of all information, reports, proposals, brochures, summaries, written conclusions, graphic presentations, and similar materials developed by the MPO and financed, in whole or in part, as provided in this agreement. All reports published by the MPO shall contain the following prominent credit reference to the Department, USDOT, FHWA, and FTA:
Prepared in cooperation with the Texas Department of Transportation and the U.S.

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Department of Transportation, Federal Highway Administration, and Federal Transit Administration.

- B. Upon termination of this agreement, all documents prepared by the MPO or furnished to the MPO by the Department, shall be delivered to the Department. All documents, photographs, calculations, programs, and other data prepared or used under this agreement may be used by the Department without restriction or limitation of further use.

Article 34. Legal Construction

In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

Article 35. Sole Agreement

This agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this agreement.

Article 36. Copyrights

The Department and the USDOT shall, with regard to any reports or other products produced under this agreement, reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for government purposes.

Article 37. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B. The MPO agrees that it shall:
1. Obtain and provide to the Department a Central Contracting Registry (CCR) number (Federal Acquisition Regulation, Part 4, Sub-part 4.1100) if this award provides for more than \$25,000 in Federal funding. The CCR number may be obtained by visiting the CCR web-site at <https://www.sam.gov/portal/public/SAM/>;
 2. Obtain and provide to the Department a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website at <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five (5) executives to the Department if:
 - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

Contract No.:	50-18XF0011
Federal Highway Administration:	
CFDA Title:	
CFDA No.:	20.205/50.205

Article 38. Single Audit Report

If federal funds are used:

- A. The parties shall comply with the single audit report requirements stipulated in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division by email at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the Project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the Agreement, unless otherwise amended or the Project has been formally closed out and no charges have been incurred within the current fiscal year.

Article 39. Notices

All notices to any party by the other parties required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to the party at the following addresses:

MPO:	Director Laredo Urban Transportation Study 1120 San Bernardo Avenue Laredo, Texas, 78042
Fiscal Agent:	City Manager City of Laredo 1110 Houston Street Laredo, Texas 78040
Department:	Director, Transportation Planning & Programming Division Texas Department of Transportation 125 E. 11 th Street Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided in this agreement. Any party may change the above address by sending written notice of the change to the other parties. Any party may request in writing that notices shall be delivered personally or by certified U.S. mail and that request shall be honored and carried out by the other parties.

Contract No.:	50-19AP 0011
Federal Highway Administration:	
CFDA Title:	
CFDA No.:	20.205 / 20.505

Article 40. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the Department, the MPO, and the Fiscal Agent in triplicate.

THE MPO

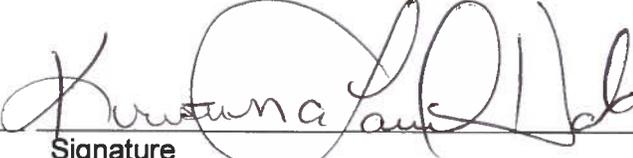
 Signature
 Pete Saenz
 Typed or Printed Name
 MPO Chairman and City of Laredo, Mayor
 Title
 08/20/18
 Date

THE FISCAL AGENT

 Signature
 Horacio A. De Leon, Jr.
 Typed or Printed Name
 City of Laredo, City Manager
 Title
 8/20/18
 Date

THE DEPARTMENT

 Signature
 Peter Smith
 Typed or Printed Name
 Director, Transportation Planning and
 Programming Division, Texas Department of
 Transportation
 Title
 9/24/2018
 Date


 Signature
 Kristina Laurel Hale
 Typed or Printed Name
 City Attorney, City of Laredo
 Title
 8/13/2018
 Date


 Signature
 Jose A. Valdez, Jr.
 Typed or Printed Name
 City Secretary
 Title
 8/21/18
 Date



**LAREDO WEBB COUNTY AREA MPO
ACTION ITEM**

Date: 06-21-21	SUBJECT: RESOLUTION Receive public testimony and approve Resolution No. MPO 2021-07, reaffirming support for adjusted statewide pavement and bridge condition (PM2) targets.
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INITIATED BY: Staff	STAFF SOURCE: Juan S. Mendive, Interim MPO Director
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PREVIOUS COMMITTEE ACTION: On January 22, 2019 the Laredo MPO approved resolution MPO 2019-01 adopting the pavement, bridge, and travel time reliability performance measures and targets, established by the Texas Department of Transportation (TxDOT), as required by Fixing America’s Surface Transportation (FAST) Act of 2015.

BACKGROUND:
Moving Ahead for Progress in the 21st Century (MAP-21), surface transportation legislation required that metropolitan and statewide transportation planning processes incorporate performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection. Fixing America’s Surface Transportation (FAST) Act of 2015 continued the requirements established by MAP-21, and stipulated that States and MPOs must:

- Use a set of federally established performance measures; and,
- Set targets and monitor progress for each of the performance measures.

On June 21, 2018 TxDOT adopted six (6) targets for (PM2) Pavement and Bridge Condition Measures. The rulemaking established an October 1, 2020 deadline for State Departments of Transportation (DOTs) to consider mid-range adjustments to statewide 2022 pavement and bridge targets as they each submit a Mid-Performance Period (MPP) Progress Report to the Federal Highway Administration (FHWA). TxDOT adjusted five of the six PM2 targets according to their submittal. As a result, MPOs are required to either reaffirm support for the adjusted statewide targets or establish new targets for their Metropolitan Planning Area.

The adjusted statewide pavement and bridge condition (PM2) targets are as follow:

Performance Measure	Baseline	2020 Target	2022 Target (Original)	2022 Target (Updated)
Pavement on Interstate Highway (IH)				
% in "good" condition			66.4%	66.5%
% in "poor" condition			0.3%	0.2%
Pavement on Non- Interstate Highway (NHS)				
% in "good" condition	54.5%	52.0%	52.3%	54.1%
% in "poor" condition	14.0%	14.3%	14.3%	14.2%
NHS Bridge Deck Condition				
% in "poor" condition	0.9%	0.8%	0.8%	1.5%
% in "good" condition	50.7%	50.7%	50.4%	50.4%

FINANCIAL IMPACT: N/A

COMMITTEE RECOMMENDATION: Approval.	STAFF RECOMMENDATION: Approval.
---	---

RESOLUTION NO. MPO 2021-07

**BY THE LARED WEBB COUNTY AREA
METROPOLITAN PLANNING ORGANIZATION
POLICY COMMITTEE**

**REAFFIRMING SUPPORT FOR THE ADJUSTED STATEWIDE PAVEMENT AND
BRIDGE CONDITION (PM2) TARGETS**

WHEREAS, the Laredo Webb County Area Metropolitan Planning Organization (LWCAMPO), is the designated Metropolitan Planning Organization, for the Laredo Urbanized Area; and,

WHEREAS, Moving Ahead for Progress in the 21st Century (MAP-21), required metropolitan and statewide transportation planning processes include the incorporation of performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection; and,

WHEREAS, Fixing America's Surface Transportation Act of 2015 (FAST Act), continued the requirements established by MAP-21, and stipulated that States and MPOs must: use a set of federally established performance measures, set targets and monitor progress for each of the performance measures; and,

WHEREAS, On June 21, 2018 the Texas Department of Transportation (TxDOT) adopted six (6) targets for (PM2) Pavement and Bridge Condition Measures as indicated below:

1. Percentage on Interstate System pavement in good or better condition.
2. Percentage on Interstate System pavement in poor condition.
3. Percentage of Non-Interstate National Highway System pavement in good condition.
4. Percentage of Non-Interstate National Highway System pavement in poor condition.
5. Percentage of Bridge Deck on the National Highway System in good condition.
6. Percentage of Bridge Deck on the National Highway System in poor condition; and,

WHEREAS, Metropolitan Planning Organizations (MPOs) are required to either reaffirm support for the adjusted statewide targets or establish new targets for their Metropolitan Planning Area;

NOW THEREFORE BE IT RESOLVED, by the Laredo Webb County Area Metropolitan Planning Organization (LWCAMPO), that:

Section 1: The Laredo Webb County Area MPO agrees to reaffirm support for the adjusted statewide pavement and bridge condition (PM2) targets updated as listed below:

Adjusted Statewide Pavement and Bridge Condition (PM2) Targets

Section 2 The MPO agrees to plan and program projects that contribute to the accomplishment of said targets:

Performance Measure	Baseline	2020 Target	2022 Target (Original)	2022 Target (Updated)
Pavement on Interstate Highway (IH)				
% in "good" condition			66.4%	66.5%
% in "poor" condition			0.3%	0.2%
Pavement on Non- Interstate Highway (NHS)				
% in "good" condition	54.5%	52.0%	52.3%	54.1%
% in "poor" condition	14.0%	14.3%	14.3%	14.2%
NHS Bridge Deck Condition				
% in "poor" condition	0.9%	0.8%	0.8%	1.5%
% in "good" condition	50.7%	50.7%	50.4%	50.4%

We certify that the above resolution was adopted on June 21, 2021, at a public meeting of the Policy Committee of the Laredo Webb County Area Metropolitan Planning Organization (LWCAMPO).

Honorable Pete Saenz
Mayor of Laredo and Chairperson of the
MPO Policy Committee

Juan S. Mendive
Interim MPO Director

David M. Salazar,
TxDOT, District Engineer

**LAREDO WEBB COUNTY AREA MPO
ACTION ITEM**

DATE: 06-21-21	SUBJECT: A MOTION Receive public testimony and initiate a 20-day public review and comment period for the draft FY 2022 Unified Planning Work Program (UPWP).																											
INITIATED BY: Staff	STAFF SOURCE: Juan S. Mendive, Interim MPO Director																											
PREVIOUS ACTION: None																												
<p>BACKGROUND:</p> <p>The Unified Planning Work Program describes and schedules work to be undertaken by the Metropolitan Planning Organization during the 2022 fiscal period.</p> <p>The final approved Unified Planning Work Program (UPWP) is due July 30th, 2021. Listed below is the proposed program budget:</p> <table style="width: 100%; margin-left: 40px;"> <thead> <tr> <th style="text-align: left;"><u>Subtask</u></th> <th style="text-align: right;"><u>Amount</u></th> </tr> </thead> <tbody> <tr><td>1.1 Regional Planning and Administration</td><td style="text-align: right;">\$450,000.00</td></tr> <tr><td>1.2 Travel, training, equipment</td><td style="text-align: right;">\$50,000.00</td></tr> <tr><td>2.1 General Data Administration</td><td style="text-align: right;">\$100,000.00</td></tr> <tr><td>3.1 General Administration (short range-planning)</td><td style="text-align: right;">\$30,000.00</td></tr> <tr><td>4.1 2020-2045 Metropolitan Transportation Plan (MTP)</td><td style="text-align: right;">\$25,000.00</td></tr> <tr><td>4.2 Preparation for 2025-2050 MTP Update</td><td style="text-align: right;">\$25,000.00</td></tr> <tr><td>5.1 Long Range Freight Mobility Plan</td><td style="text-align: right;">\$100,000.00</td></tr> <tr><td>5.2 Transit Comprehensive Operational Analysis</td><td style="text-align: right;">\$250,000.00</td></tr> <tr><td>5.3 Sidewalk Gap Analysis</td><td style="text-align: right;">\$50,000.00</td></tr> <tr><td>5.4 Bus Rapid Transit Study</td><td style="text-align: right;">\$200,000.00</td></tr> <tr><td>5.5 Resiliency Study</td><td style="text-align: right;">\$30,000.00</td></tr> <tr style="border-top: 1px solid black;"><td>Total</td><td style="text-align: right;">\$1,310,000.00</td></tr> </tbody> </table> <p>The total estimated Transportation Planning Funds (TPF) that will be available for FY 2022 is \$2,430,738. This consists of an estimated \$562,039 TPF estimated to be awarded in FY 2022 based on authorizations from previous years and an estimated unexpended carryover of \$1,868,699 from FY2021. A total of \$1,310,000 in TPF is proposed to be programmed in FY 2022.</p>			<u>Subtask</u>	<u>Amount</u>	1.1 Regional Planning and Administration	\$450,000.00	1.2 Travel, training, equipment	\$50,000.00	2.1 General Data Administration	\$100,000.00	3.1 General Administration (short range-planning)	\$30,000.00	4.1 2020-2045 Metropolitan Transportation Plan (MTP)	\$25,000.00	4.2 Preparation for 2025-2050 MTP Update	\$25,000.00	5.1 Long Range Freight Mobility Plan	\$100,000.00	5.2 Transit Comprehensive Operational Analysis	\$250,000.00	5.3 Sidewalk Gap Analysis	\$50,000.00	5.4 Bus Rapid Transit Study	\$200,000.00	5.5 Resiliency Study	\$30,000.00	Total	\$1,310,000.00
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5.4 Bus Rapid Transit Study	\$200,000.00																											
5.5 Resiliency Study	\$30,000.00																											
Total	\$1,310,000.00																											
COMMITTEE RECOMMENDATION: The LWCAMPO Technical Committee recommends approval.	STAFF RECOMMENDATION: Approval																											



LAREDO & WEBB COUNTY

AREA METROPOLITAN PLANNING ORGANIZATION

1413 Houston St.

Laredo, TX. 78040

(956) 794-1613

<http://www.laredompo.org/>

UNIFIED PLANNING WORK PROGRAM

FY 2022

DRAFT

ADOPTED BY THE POLICY COMMITTEE ON: _____ 2021

AMENDED ON: _____

This document has been prepared in cooperation with the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). All contents of this report reflect the views of the authors who are responsible for the opinions, findings and conclusions presented herein. The contents do not necessarily reflect the views or policies of FHWA, FTA or TxDOT.

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I. INTRODUCTION

The Federal Aid Highway Act of 1962 promulgated the requirement that all urban areas of 50,000 or more population develop and maintain a comprehensive, cooperative, and continuing (3-C) transportation planning process. The process would establish a transportation plan and provide the procedure by which it would be maintained and revised on a continuing basis.

In July 1979, the Governor of Texas designated Laredo Urban Transportation Study (LUTS) Steering Committee as the MPO for the Laredo urbanized area. In February 2020, The Policy Committee approved the amendment of the MPO Bylaws to change the name of the MPO from Laredo Urban Transportation Study (LUTS) to the Laredo Webb County Area Metropolitan Planning Organization (LWCAMPO).

A. PURPOSE

The Unified Planning Work Program (UPWP) is the instrument that serves as the document for coordinating and identifying ways to carry out the continuing, cooperative and comprehensive transportation planning process for Laredo, Texas and portions of Webb County. An MPO is required to perform all planning tasks set forth in federal laws and regulations, many of which are conducted annually. This UPWP is a one-year transportation planning work program which describes in detail transportation planning programs, and activities to be performed in LWCAMPO for the FY 2022.

However, some tasks require more than one year to complete and are carried forward from one UPWP to the next. To effectively identify all work tasks, the Laredo MPO prepares this UPWP with input from federal, state and local jurisdictions, and transportation providers in the region.

The MPO's Unified Planning Work Program (UPWP) will comply with all applicable federal and state regulations. Several transportation bills have been implemented in the past. These include the following:

- **ISTEA**—The Intermodal Surface Transportation Efficiency Act of 1991, which emphasized the efficiency of the intermodal transportation system.
- **TEA-21**—The Transportation Equity Act for the 21st Century, signed by the President in 1998, builds on the initiatives established in ISTEA with a particular focus on equity through access, opportunity, and fairness.
- **SAFETEA-LU**—The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, was enacted in 2005 authorizing the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.
- **MAP-21**—The Moving Ahead for Progress in the 21st Century Act, was enacted in 2012 and created a streamlined and performance-based surface transportation program and builds on many of the highway, transit, bike, and pedestrian programs and policies established in 1991.
- **FAST Act**—The Fixing America's Surface Transportation Act, was passed in 2015 covering a 5-year period and was the first Federal law in over ten years to provide long-term funding certainty for surface transportation (for fiscal years 2016 through 2020). The FAST Act continues the Metropolitan Planning Program and authorizes \$305 billion for the Department's highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology and statistics programs.

FAST Act Planning Factors

FAST Act contains ten (10) planning factors that should be considered when developing plans and programs. The work tasks contained in this UPWP have considered the following areas, some more directly than others:

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 accessibility and mobility of people and 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. Emphasize the preservation of the existing transportation system;
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation; and
10. Enhance travel and tourism.

Further, the work tasks consider the federal performance goals (23 USC § 150.b) in the following seven areas:

1. **Safety:** achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
2. **Infrastructure Condition:** maintain the highway infrastructure asset system in a state of good repair.
3. **Congestion Reduction:** achieve a significant reduction in congestion on the National Highway System.
4. **System Reliability:** improve the efficiency of the surface transportation system.
5. **Freight Movement and Economic Vitality:** Improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
6. **Environmental Sustainability:** enhance the performance of the transportation system while protecting and enhancing the natural environment.
7. **Reduced Project Delivery Delays:** reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agency work practices.

Performance Management

MAP-21 instituted Performance Management to provide greater accountability and transparency and help achieve the most efficient and effective investment of transportation resources. The FAST Act continued MAP-21's overall performance management approach, within which States invest resources in projects that collectively will make progress toward national goals.

The U.S. Secretary of Transportation in consultation with stakeholders establishes performance measures to chart progress toward accomplishment of national goals established in MAP-21: safety, infrastructure condition, interstate system condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays. Performance targets established by the State and MPO will be based on national performance measures and will improve decision making through performance-based planning and programming.

The FAST Act adjusts the timeframe for States and metropolitan planning organizations to make progress toward meeting their performance targets under the National Highway Performance Program and clarifies the significant progress timeline for the Highway Safety Improvement Program performance targets.

The MPO believes in the proactive involvement of citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, and other interested parties in the development and updates of transportation plans and programs. The Laredo MPO has a Public Participation Plan (PPP) intended to provide an opportunity for meaningful, active, ongoing public participation and involvement for citizens, groups, agencies, and public providers of transportation. The Laredo MPO conducts all planning activities in accordance with the adopted (PPP).

The MPO continues to engage interested parties during the development of the Public Participation Plan (PPP), and the short-term and long-term transportation plans. Per 23 CFR 450.316, interested parties such as those listed below, shall have reasonable opportunities to comment on projects of the short-term and long-term transportation plans:

- Affected public agencies
 - Freight shippers
 - Private providers of transportation services
 - Representatives of public transportation employees
 - Representatives of the disabled
 - Representatives of users of public transportation
 - Representatives of users of pedestrian walkways and bicycle transportation facilities
 - Other interested parties
- The MPO continues to consult and cooperate with federal, state, and local agencies and tribal nations responsible for land use, natural resources, and other environmental issues during the adoption of long and short-term plans. The MPO consults with agencies responsible for historic preservation, natural resource conservation, environmental protection, and land use management, as appropriate, in the development of the short and long-term transportation plans.

B. DEFINITION OF AREA

The Laredo Metropolitan Area Boundary (MAB) includes the City of Laredo and portions of Webb County. (See Map, Appendix B.) The MAB was approved by the Governor in 2004. The Laredo urbanized area (as determined by the 2010 Census) surpassed 200,000 in population and was designated a Transportation Management Area (TMA) effective July 18th, 2012.

C. ORGANIZATION

The Laredo Metropolitan Planning Organization is governed by the Policy Committee established in accordance with adopted MPO Bylaws. The Policy Committee is the MPO body that holds review and decision-making authority over transportation planning efforts undertaken by the MPO. The Committee is chaired by the Mayor of the City of Laredo and includes as voting members: three members from the City of Laredo, City Council (including two members representing the City of Laredo, and one Councilman representing the Laredo Mass Transit Board), the Laredo TxDOT District Engineer, the Webb County Judge, two Webb County Commissioners, and one Member at Large. The State Senator for District 21, the State Representative for District 80 and the State Representative for District 42 serve as non-voting, ex-officio members. The MPO Technical Committee responsibilities include professional and technical review of work programs, policy recommendations and transportation planning activities. A list of the Technical Committee and Policy Committee Membership is provided in Appendix A.

The Title VI/EJ Working Group is comprised of 9 members, including representatives of the City of Laredo, the MPO, TxDOT, transit and the County Planning Department. The Group's purpose is to assist the MPO in improving data collection, monitoring and analysis to ensure that transportation related programs and policies do not have a disproportionately high and adverse human health or environmental effects on minority and low-income populations. The City of Laredo staff providing service and support to the MPO include: the Planning Director, a division manager, 3 planners, an administrative secretary, and administrative assistant, an accountant and others as may be required.

Metropolitan Planning Organization

The Laredo Webb County Area MPO, in cooperation with the TxDOT, Webb County/City of Laredo Regional Mobility Authority (WC-CL RMA), mass transit operators, planning agencies and local governments is responsible for carrying out and maintaining the urban transportation planning process to include:

1. Cooperative decision-making, principally, by elected officials of local governments.
2. Unified Planning Work Program (UPWP),
3. Transportation Improvement Program (TIP),
4. Metropolitan Transportation Plan (MTP), and
5. Congestion Management Process (CMP).

The MPO also executes contracts and/or agreements necessary to carry out the work outlined in the UPWP. In addition, the MPO develops and maintains transportation databases and analytical tools.

MPO staff has the following general responsibilities:

1. Provide staff support to the Transportation Policy Board (TPB), the Technical Advisory Committee (TAC), and committees of the Policy Board and TAC;
2. Review and report on items on the agenda(s) for the TPB, TAC, and appropriate committees;
3. Coordinate and perform the planning and data collection activities contained in the UPWP;
4. Prepare and submit an annual budget outlined in the UPWP for approval;
5. Receive and review all bills from consultants that the MPO has contracted with to perform work outlined in the UPWP;
6. Submit requests for reimbursement to the appropriate federal and/or state agencies for work performed according to the UPWP;
7. Prepare and submit grant applications for federal/other assistance in transportation planning, and related fields, as appropriate;
8. Prepare and submit the annual performance and expenditure report and annual project listing;
9. Coordinate the activities for the development and maintenance of the Unified Planning Work Program, the long-range metropolitan transportation plan and the Transportation Improvement Program;
10. Refine and maintain a process for engaging the public in the transportation planning process;
11. Perform any other administrative duties as required by the Transportation Policy Board; and,
12. Ensure compliance with Title VI Civil Rights, Environmental Justice and other federal requirements related to the MPO's operations, activities and programs.

D. PRIVATE SECTOR INVOLVEMENT

The private sector is encouraged to participate in the development of all transportation programs and plans including the TIP and MTP development. Staff also maintains and periodically updates a list of consultant firms that provide transportation planning services.

E. PLANNING ISSUES AND EMPHASIS

Planning Issues

Roadways and Livability - System capacity issues will pose a major challenge in light of expected population and freight movement growth levels. However, while investments are made in transportation infrastructure, the safety and livability of communities in the Laredo MPO should be considered.

- **Population** - The number of jobs and people in the Laredo MPO region are expected to grow by more than 50 percent over the next 25 years. Growth in the past has been accommodated mainly thorough sprawl. The City of Laredo recognizes that for many reasons this type of growth is unsustainable. In order to plan for future growth in the region—a considerable share of which is expected to occur through infill and redevelopment—a more efficient allocation of transportation resources should be considered. There is an increased desire for multi-modal transportation alternatives, but facilities for walking, biking, and other options are lacking.
- **Freight** - Recent projections indicate that the trade values of all outbound, inbound or internal types of freight movement are projected to be more than double than the current levels. Said growth will continue to add capacity burdens on the network.
- **Transit** - Key issues facing the transit system in the upcoming years include: more customers, more service needs, and less funding.

- **More customers** - Population projections show a growing transit dependent population, especially in growth areas in south Laredo.
- **More service needs** - Recent ridership surveys revealed concerns regarding the frequency of service, slowness of buses, and the length of wait times. Increased bus frequency and longer service hours were suggested.
- **Less funding** - The 2010 census revealed that the Laredo region's population had surpassed 200,000 people which resulted in a decrease in federal and state operation funding assistance. Said decrease in outside funding makes it necessary to rely on more local funding sources.

In light of all of the above, careful and effective transportation planning and investment will be critical to providing for the area's future transportation needs while balancing the livability of communities.

Emphasis Areas

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in a memorandum to Metropolitan Planning Organizations, dated March 18, 2015, jointly issued Planning and Emphasis Areas (PEAs). The PEAs are topical areas in planning that FHWA and FTA want to emphasize as MPOs develop work task associated with PEAs in the UPWP. The PEAs include:

- **MAP-21 Implementation** - *Transition to Performance Based Planning and Programming.* Performance based planning and programming includes using transportation performance measures, setting targets, reporting performance, and programming transportation investments directed toward the achievement of transportation system performance outcomes. Relevant UPWP work tasks include working with local planning partners to identify ways to implement performance-based planning provisions such as collecting performance data, selecting and reporting performance targets for metropolitan areas, and reporting actual system performance related to those targets. The Laredo MPO uses scenario planning through the Travel Demand Model process to develop the Laredo Metropolitan Transportation Plan.
- **Regional Models of Cooperation** - *Ensure a Regional Approach to Transportation Planning by Promoting Cooperation and Coordination across Transit Agency, MPO, and State Boundaries.* The Laredo MPO will continue to work with its planning partners to improve the effectiveness of transportation decision-making by thinking beyond traditional borders and adopting a coordinated approach to transportation planning. A coordinated approach supports common goals and capitalizes on opportunities related to project delivery, congestion management, safety, freight, livability, and commerce across boundaries. Improved multi-jurisdictional coordination between the Laredo MPO, TxDOT, El Metro, area providers of public transportation, and the Regional Mobility Authority (RMA) can reduce project delivery times and enhance the efficient use of resources. The Laredo MPO will periodically revisit its metropolitan area planning agreements to ensure that there are effective processes for cross-jurisdictional communication between TxDOT, the Laredo MPO and local area transit providers to improve collaboration, policy implementation, technology use, and performance management.

- ***Ladders of Opportunity - Access to essential services.***

The Laredo MPO will continue to work with TxDOT, and the local area transit providers, as part of the transportation planning process to identify transportation connectivity gaps in accessing essential services. Essential services include employment, health care, school/education, and recreation. At the behest of the local transit provider, the Laredo MPO UPWP routinely includes the development of transit related studies, including the development of a five-year plan, a bus/rapid transit feasibility study, and a paratransit and Americans with Disability Act compliance study. The Laredo MPO will also periodically evaluate the effectiveness of its public participation plan (PPP) for engaging transportation-disadvantaged communities in the transportation decision making process. The Laredo MPO also works with its planning partners to assess the need and availability of pedestrian and bicycle facilities in the study area. Furthermore, through the Active Transportation Committee, the MPO will continue working on the implementation of the recommendations provided by the Active Transportation Plan.

II. TASK 1.0 – ADMINISTRATION & MANAGEMENT

A. OBJECTIVE

To accomplish, on a continuing basis, the plans and programs necessary to administer Federal transportation planning requirements and maintain the “3-C” transportation planning process in and for the Laredo and Webb County Metropolitan Organization’s planning area.

B. EXPECTED PRODUCTS

The operation of the Metropolitan Planning Organization including the following:

1. Administration of the LWCAMPO to include the updating of existing or the completion of new plans, studies, and reports.
2. Fulfillment of planning objectives.
3. Supply/Equipment purchases
4. Compliance with state and federal requirements.
5. Maintenance, updates and dissemination of the Public Participation Plan (PPP) and Title VI Program and Environmental Justice (EJ) material(s).
6. Continuation of a proactive public involvement process.
7. Maintenance of LWCAMPO Website and Social Media.

C. PREVIOUS WORK

Staff performed general administrative functions for the operation of the Organization to include the coordination of public meetings as required by FHWA, FTA, the State and local government in the development of transportation planning documents, and reports. Both, the Technical and Policy Committee meetings were virtually held on an ongoing basis to make appropriate revisions to documents and approve programs including the maintenance of the PPP, Title VI Civil Rights, Environmental Justice, and Limited English Proficiency Plans, professional development training, and Bylaw/policy amendments and implementation. Staff attended various meetings, and workshops, and made presentations at public meetings. Staff updated and implemented policies to maintain the “3-C” Planning Process.

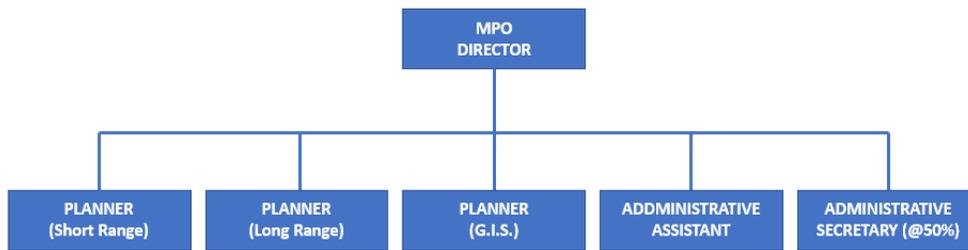
D. SUBTASKS

SUBTASK 1.1 - Regional Planning and Administration.

This includes program administration, record keeping, and monitoring completion of UPWP projects, audit, preparation of reports, interagency coordination, facilitating citizen participation, and preparation of meeting minutes. In addition, staff will be hired, trained, and developed to complete regional plans, studies, and reports. (Routine work effort – carried over from previous year).

In the past the MPO staff consisted of 2 positions, demanding staff to limit their role to administration and primarily utilize consultants for all planning activities. During FY 2020-2021, the MPO increased the number of staff by hiring 2 additional Planners and has utilized City of Laredo staff to temporarily fulfill the role of unfilled positions. This action helped significantly with accomplishing not only the administrative duties of the MPO but, has also represented considerable cost savings and time reductions (over hiring consultants), and has led to better planning outcomes where expertise is maintained in-house. A good example is the creation and adoption of the Active Transportation Plan and Active Transportation Committee.

A revised organizational structure for the MPO is displayed below.



Two Planner positions are currently vacant. The MPO will attempt to fill these or any positions that may become vacant during fiscal year 2021-2022. These positions may be filled as named, or under different titles of equivalent experience and pay grade. The MPO may continue utilizing City of Laredo staff or to enter into contracts for private consultants in an effort to reach the goals of the MPO.

SUBTASK 1.2 - Travel, training, equipment, furnishings, and supplies.

This activity supports staff development in the technical activities associated with the transportation planning process through travel to and attendance at appropriate conferences, courses, seminars, and workshops. This activity includes all equipment, furnishings, and supplies needed by personnel filling MPO staff roles. All computer hardware, software, and equipment expenditures of Federal Planning funds over \$5,000 will receive prior approval from TxDOT. The MPO intends to register key planning staff for the Texas APA Conference in November 2021. For out of state travel, the MPO will seek prior TxDOT (TPP) approval. (Routine work effort).

E. FUNDING & PARTICIPATION SUMMARY

Task 1.0 - FY 2022

Subtask	Responsible Agency	Transportation Planning Funds (TPF)¹	FTA Sect. 5307	Local	Total
1.1	LWCAMPO	\$ 450,000	\$ 0	\$ 0	\$ 450,000
1.2	LWCAMPO	\$ 50,000	\$ 0	\$ 0	\$ 50,000
TOTAL		\$ 500,000	\$ 0	\$ 0	\$ 500,000

¹TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

III. TASK 2.0 - DATA DEVELOPMENT AND MAINTENANCE

A. OBJECTIVE

Provide updated information, demographic data and analysis to support the Metropolitan Planning Organization's planning efforts.

B. EXPECTED PRODUCTS

The expected products include an enhanced and regularly updated website with online interactive maps and data to help with performance-based planning and programming. MPO staff will continue to create and maintain databases including traffic crash locations, roadway network information, bicycle counts, and demographic data. In addition, data and mapping support will be provided for MPO plans, studies, and reports.

C. PREVIOUS WORK

Updated MPO website regularly with online data and maps. It was also continually updated to provide access to meeting agendas, packets, and publications as they became available. Project maps were developed, retrieved and or printed as new projects were approved or considered. The Demographic Data Development Project (also identified as the 2013-2045 Travel Demand Model Update Project) was also completed. Staff continued to work with TxDOT and Texas Transportation Institute representatives in the development of the 2013-2045 Travel Demand Model to be used in the development of the 2020-2045 MTP. Data and mapping support was provided for the Active Transportation Plan and other MPO activities.

D. SUBTASKS

SUBTASK 2.1 - General Data Administration.

This subtask allows for planning and administrative activities related to data development, maintenance, procurement, and contract management for the developing related performance measures and the following activities: (To be conducted as routine work effort, by consultants, or by contracted personnel if needed)

- a) General GIS: Specific activities will include reviewing and providing direction on the development and dissemination of geospatial databases on residential and commercial growth and transportation data; mapping databases supporting Laredo MPO programs; maintenance of the demographic and modeling databases of the MPO; develop and maintain the interactive web viewer for sharing GIS data on growth and projects; develop maps and materials for work group and public meetings; support MPO staff in the creation of plans, studies, and reports. (Routine work effort)
- b) Demographic Forecasting: Create a database of population and demographic statistics for the Laredo MPO and develop projections to be utilized for the MPO planning effort. (Routine work effort)
- c) Travel Demand Modeling: Coordinate with TxDOT on development and maintenance of updated travel demand models to be used for the TIP and other plans; refinements of in-house modeling capabilities; and regular updates of computer hardware, software, and necessary peripherals for supporting the demographic forecasting and travel demand modeling activities. (Routine work effort)

E. FUNDING & PARTICIPATION SUMMARY

Task 2.0 – FY 2022

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
2.1	LWCAMPO	\$ 100,000	\$ 0	\$ 0	\$ 100,000
TOTAL		\$ 100,000	\$ 0	\$ 0	\$ 100,000

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

IV. TASK 3.0 - SHORT RANGE PLANNING

A. OBJECTIVE

To complete those activities associated with short-range planning and implementation of projects that will be undertaken within the next five years.

B. EXPECTED PRODUCTS

The MPO will develop and/or revise as necessary the UPWP, the TIP, the MPO By-Laws, the Limited English Proficiency Plan (LEP), Title VI documentation and the Public Participation Plan. Staff will continue to address the recommendations resulting from the formal certification review conducted in 2020. The MPO also anticipates continued participation in the regional service planning process, as well as, any activity associated with FTA’s 5310 Senior’s with Disabilities Program or 5339 - Bus and

Bus Facilities Program. MPO staff will also update the project selection criteria and Call for Projects process. Additionally, the MPO will continue to provide staff support to MPO committees, and will assist in implementation activities related to the MTP and Active Transportation Plan.

C. PREVIOUS WORK

Staff assisted in the development and continued revision of the 2019-2022 TIP and the 2021-2024 TIP. MPO staff also assisted in the development and revision of previous year UPWPs. In June of 2016, the Office of Civil Rights notified MPO Staff the Laredo MPO had demonstrated good faith efforts in meeting the requirements of the Title VI review. Staff developed a Limited English Proficiency Plan which was adopted and implemented in accordance with federal and state guidelines. A 2019 call for TAP projects was initiated in March of 2019. In April of 2020, 3 projects including the Meir/Plum Street Shared Use Paths, 9 Bus Stop Rehabilitation, and the East Chacon Creek Hike and Bike Trail Project were awarded TAP funds. In 2021, the Active Transportation Committee was formed to help improve and promote active modes of mobility within the MPO boundary; staff helped in the creation of the committee and helped coordinate its activities. In FY2021, staff initiated the Public Participation Plan update and is expected to be completed in FY 2022.

D. SUBTASKS

SUBTASK 3.1 - General Administration.

This subtask allows for MPO staff support for administrative activities related to short range planning, including the development and management of agency contracts; procurement, development and management of consultant contracts for projects in Task 3; and the review and processing of monthly billings for work related to Task 3. Specific activities will include, but are not limited to the update and/or revision of (TIP), UPWP, Bylaws, the Public Participation Plan, the Limited English Proficiency Plan, and Title VI documents. This subtask also includes public outreach activities such as video production, developing website information, writing articles, developing other printed materials, and public meeting facilitation as needed. (Routine work effort)

E. FUNDING & PARTICIPATION SUMMARY

Task 3.0 - FY 2022

Subtask	Responsible Agency	Transportation Planning Funds (TPF)¹	FTA Sect. 5307	Local	Total
3.1	LWCAMPO	\$ 30,000	\$ 0	\$ 0	\$ 30,000
TOTAL		\$ 30,000	\$ 0	\$ 0	\$ 30,000

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

V. TASK 4.0 – METROPOLITAN TRANSPORTATION PLAN / LONG RANGE PLAN

A. OBJECTIVE

To continue study and analysis of projects and data for long-range planning elements and long-range project studies. Includes activities associated with publishing or updating the Metropolitan Transportation Plan, formerly called the Long Range Plan.

B. EXPECTED PRODUCTS

Staff expects to assist in the continual revision of the existing Metropolitan Transportation Plan (MTP) as well as the development of the updated plan to conform to state and federal requirements, particularly those of the FAST Act. This will include working with TTI and TxDOT to update the Travel Demand Model. Additionally, the CMP will be updated as needed in preparation for the next MTP update.

C. PREVIOUS WORK

Staff assisted in the continuous revision of the 2015-2040 Laredo Metropolitan Transportation Plan and the development of the 2020-2045 MTP. Staff also assisted with required amendments and revisions of the 2020-2045 MTP that was adopted on January 21, 2020. The Laredo & Webb County Active Transportation Plan was developed by staff in 2020 and was adopted by the City of Laredo in February 2021. Staff continues to monitor implementation of the 2020-2045 MTP and the recently adopted the Active Transportation Plan.

D. SUBTASKS

SUBTASK 4.1 - 2020-2045 Laredo Metropolitan Transportation Plan (MTP).

The current 2015-2040 MTP and TIP will continue to be reviewed and amended in order to comply with the Fixing America's Surface Transportation (FAST) Act requirements as needed. Specifically, the review and amendments will address and achieve conformity with all FAST Act requirements. The existing MTP will also be updated to conform to state and federal requirements. Staff will continue to monitor the implementation of the MTP and assist with any necessary amendments to the MTP. (To be conducted as routine work effort or by consultant if needed).

SUBTASK 4.2 - Preparation for the 2025-2050 MTP Update.

MPO staff will develop a project task list and schedule related to the upcoming MTP update and will evaluate which tasks will be performed internally and which will be carried out by consultants. This subtask will entail updating the Travel Demand Model and CMP with the assistance of consultants if needed. (To be conducted as routine work effort or by consultant if needed).

E. FUNDING & PARTICIPATION SUMMARY

Task 4.0 - FY 2022

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Sect. 5307	Local	Total
4.1	LWCAMPO	\$ 25,000	\$ 0	\$ 0	\$ 25,000
4.2	LWCAMPO	\$ 25,000	\$ 0	\$ 0	\$ 25,000
TOTAL		\$ 50,000	\$ 0	\$ 0	\$ 50,000

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

VI. TASK 5.0 - SPECIAL STUDIES

A. OBJECTIVE

To further the goals and objectives of the transportation planning process through special studies undertaken by MPO staff or consultants in support of existing or projected local needs. To maintain the transportation management systems required by federal and state regulations, to assist decision-makers in selecting cost-effective strategies to improve the efficiency and safety of and protect the investment systems.

B. EXPECTED PRODUCTS

These are specific studies and projects that address special problem areas or help promote and support transportation related topics.

C. PREVIOUS WORK

In FY 15, the 2015-2040 MTP, the TMA Certification Project, and the Congestion and Delay Study were completed. The Congestion Management Process (CMP) network and performance measures were adopted, and the Rail Road Quiet Zone study was completed. The Transit Plan Update of 2016, the transit Asset Management Plan of 2016 and a review and analysis of the transit marketing plan were all completed. In coordination with FHWA and TTI, the MPO conducted Bicycle and Pedestrian workshops in December of 2016, and June of 2017. 2015 Quiet Zone Study Update project which was initiated in 2017 and completed in January of 2019.

The Laredo & Webb County Area Metropolitan Planning Organization (LWCAMPO), in coordination with Laredo Transit Management Inc. (LTMI), locally known as El Metro, solicited Request For Qualifications (RFQ) for the development of a Comprehensive Operational Analysis (COA) study of El Metro's service and operations. The objective of the plan is to evaluate both the current fixed route and paratransit bus service, and provide recommendations to improve the system's service, efficiency, effectiveness, and connectivity. The RFQ Invitation was issued on May 20, 2020 and closed on June 2, 2020.

D. SUBTASKS

SUBTASK 5.1 - Long Range Freight Mobility Plan.

This study will evaluate freight movement in the study in order to: identify freight mobility needs and challenges, develop goals and objectives to improve goods movement, evaluate the impact of freight movement on the regional economy, identify freight transportation facilities and investments necessary for economic growth, define freight policies and programs, and provide recommendations for short, mid-range and long-term recommendations for infrastructure improvements. Expected This study that will serve as an investment guide for freight mobility improvements in the region. It is intended that Staff will primarily be responsible for completing the plan but consultants may be utilized to provide additional technical assistance to complete the plan. (To be conducted as routine work effort or by consultant if needed).

SUBTASK 5.2 - Transit Comprehensive Operational Analysis (COA).

This study will evaluate the current fixed route and ADA demand response transit system's structure and performance. Expected: The study should provide recommendations to address current and future service needs including but not limited to: the realignment of existing services, proposal of new routes, optimal locations for transit hubs, discontinuation and/or reduction of non-productive routes/service, and the identification of preferred methodology for the on-going evaluation of the fixed route system, staffing and administration. This study is currently ongoing and is in the stakeholder engagement phase. (Work being conducted by Consultant; ongoing contract).

SUBTASK 5.3 - Sidewalk Gap Analysis.

This study will help identify existing gaps in the current sidewalk network to help local officials prioritize strategic improvements based on key criteria. The sidewalk gap analysis is a recommendation of the Laredo & Webb County Active Transportation Plan adopted by the City of Laredo in February 2021. The study will entail collection of data to develop an inventory of sidewalks and network gaps, the development of prioritization criteria for sidewalk improvements, and recommendations. (To be conducted as routine work effort or by consultant if needed).

SUBTASK 5.4 - Bus Rapid Transit Study.

To evaluate the existing transit system and demographic forecasts to assess the feasibility of implementing bus rapid transit service along selected corridors that will help improve regional mobility and reduce congestion. (To be conducted by consultant).

SUBTASK 5.5 - Resiliency Study.

This study is intended to assess the current transportation system's vulnerabilities to major transportation incidents or weather-related hazards, the existence of alternative routes, and ability to recover. This study will help advance FHWA's efforts in working with MPOs to consider resilience in the transportation planning process. (To be conducted by consultant).

E. FUNDING & PARTICIPATION SUMMARY

Task 5.0 - FY 2022

Subtask	Responsible Agency	Transportation Planning Funds (TPF)¹	FTA Sect. 5307	Local	Total
5.1	LWCAMPO	\$ 100,000	\$ 0	\$ 0	\$ 100,000
5.2	LWCAMPO	\$ 250,000	\$ 0	\$ 0	\$ 250,000
5.3	LWCAMPO	\$ 50,000	\$ 0	\$ 0	\$ 50,000
5.4	LWCAMPO	\$ 200,000	\$ 0	\$ 0	\$ 200,000
5.5	LWCAMPO	\$ 30,000	\$ 0	\$ 0	\$ 30,000
TOTAL		\$ 630,000	\$ 0	\$ 0	\$ 630,000

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

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LAREDO WEBB COUNTY AREA METROPOLITAN PLANNING ORGANIZATION – FY 2022

UPWP Task	Description	TPF¹ Funds	FTA Sect. 5307	Local	Total Funds
1.0	Management & Administration	\$ 500,000	\$ 0	\$ 0	\$ 500,000
2.0	Data Development and Maintenance	\$ 100,000	\$ 0	\$ 0	\$ 100,000
3.0	Short Range Planning	\$ 30,000	\$ 0	\$ 0	\$ 30,000
4.0	MTP / Long Range Plan	\$ 50,000	\$ 0	\$ 0	\$ 50,000
5.0	Special Studies	\$ 630,000	\$ 0	\$ 0	\$ 630,000
TOTAL		\$ 1,310,000	\$ 0	\$ 0	\$ 1,310,000

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

¹ TPF – This includes both FHWA PL-112 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor man-hours, they are not reflected in the funding tables.

FY 2021-2022 Combined Transportation Planning Funds ²	\$ 562,039
<u>Estimated Unexpended Carryover³</u>	<u>\$ 1,868,699</u>
TOTAL TPF	\$ 2,430,738
<u>Total TPF Programmed</u>	<u>\$ 1,310,000</u>

² Estimate based on prior years' authorizations

³ The accounting below provides the estimated unexpended carryover for FY 2020-2021 (as shown above).

FY 2019-2020 Unexpended Carryover	\$ 1,710,216
<u>FY 2020-2021 Combined Transportation Planning Funds</u>	<u>+ \$ 562,039</u>
<u>FY 2020-2021 Expenditures (estimated)</u>	<u>- \$ 403,556</u>
FY 2020-2021 Unexpended Carryover (estimated)	\$ 1,868,699

VII. APPENDICES

APPENDIX A

Policy Committee Membership

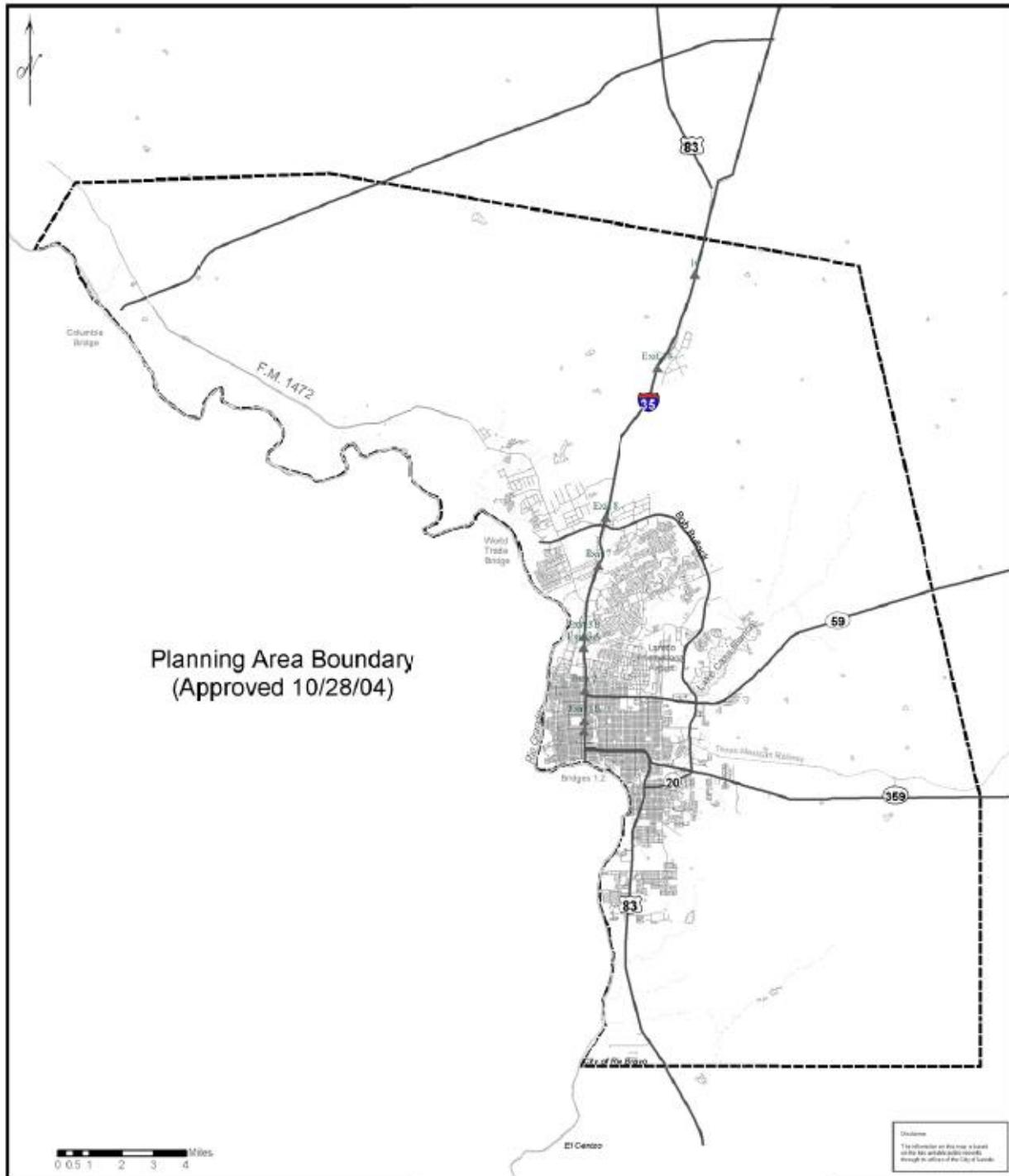
Honorable Pete Saenz	Mayor	City of Laredo
Honorable Vanessa Perez	City Councilmember	Laredo Mass Transit Board
Honorable Ruben Gutierrez, Jr.	City Councilmember	City of Laredo
Honorable Dr. Marte A. Martinez	City Councilmember	City of Laredo
Honorable Tano E. Tijerina	Webb County Judge	Webb County
Honorable John Galo	Webb County Commissioner	Webb County
Honorable Jesse Gonzalez	Webb County Commissioner	Webb County
Humberto "Tito" Gonzalez, Jr. P.E.	Member At Large	Private
David Salazar, P.E.	TxDOT District Engineer	TxDOT
Ex-Officio		
Honorable Judith Zaffirini	Senator - District 21	State of Texas
Honorable Richard Raymond	Representative - District 42	State of Texas
Honorable Tracy O. King	Representative- District 80	State of Texas

Technical Committee Membership

<u>MPO Representative:</u> <ul style="list-style-type: none"> MPO Director (Chairperson) <u>City Representatives:</u> <ul style="list-style-type: none"> The General Manager of the City Transit System Laredo Director of Traffic Safety Laredo Airport Director Laredo City Engineer Laredo Bridge Director 	<u>State Representatives:</u> <ul style="list-style-type: none"> TxDOT Planning Representative (Vice-Chairperson) TxDOT Planning Representative TxDOT Area Engineer TxDOT Transportation Planning and Programming Field Representative
<u>Federal representatives:</u> <ul style="list-style-type: none"> FHWA Planning Representative (Austin) 	<u>School system representatives</u> <ul style="list-style-type: none"> A representative of the Laredo Independent School District A representative of the United Independent School District A representative of Texas A&M International University A representative of Laredo Community College
<u>County and Regional Representatives:</u> <ul style="list-style-type: none"> Webb County Planning Director South Texas Development Council Regional Planning Director The General Manager of the Rural Transit System Webb County Engineer 	<u>Private Sector Representatives:</u> <ul style="list-style-type: none"> A representative of the Kansas City Southern Railway Company A representative of the Union Pacific Railroad Company A representative of the Laredo Transportation Association A Transportation Provider Representative who shall also serve on the Laredo Transportation Advisory Committee

APPENDIX B
METROPOLITAN AREA BOUNDARY MAP

Laredo Metropolitan Planning Organization



**APPENDIX C
DEBARMENT CERTIFICATION**

NEGOTIATED CONTRACTS

- 1) The Laredo Webb County Area Metropolitan Planning Organization, as Contractor, 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* 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 * with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions* terminated for cause or default.

- 2) Where the **Contractor** is unable to certify to any of the statements in this certification, such **Contractor** shall attach an explanation to this certification.

* Federal, State, or Local

Pete Saenz
Chairperson, MPO Policy Committee
Mayor City of Laredo

Date

**APPENDIX D
LOBBYING CERTIFICATION**

**CERTIFICATION FOR CONTRACTS, GRANTS,
LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies to the best of his or her knowledge and belief, that:

- 1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, 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 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.
- 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 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 undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclosure accordingly.

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 such failure.

Pete Saenz
Chairperson, MPO Policy Committee
Mayor
City of Laredo

Date

**APPENDIX E
CERTIFICATION OF COMPLIANCE**

I, **Pete Saenz**, Chairperson of the Laredo MPO Policy Committee, a duly authorized representative of the Laredo Webb County Area Metropolitan Planning Organization (MPO), do hereby certify that the contract and procurement procedures that are in effect and used by the forenamed MPO are in compliance with 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," as it may be revised or superseded.

Chairperson, MPO Policy Committee
Mayor
City of Laredo

Date

Attest:

Jose A. Valdez, Jr.
City Secretary
City of Laredo

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APPENDIX F
CERTIFICATION OF INTERNAL ETHICS AND COMPLIANCE PROGRAM

I, **Pete Saenz**, Chairperson of the Laredo Urban Transportation Study, a duly authorized officer/representative of the Laredo Metropolitan Planning Organization (MPO) do hereby certify that the forenamed MPO has adopted and does enforce an internal ethics and compliance program that is designed to detect and prevent violations of law, including regulations and ethical standards applicable to this entity or its officers or employees and that the internal ethics and compliance program satisfies the requirements of by 43 TAC § 31.39 “Required Internal Ethics and Compliance Program” and 43 TAC § 10.51 “Internal Ethics and Compliance Program” as may be revised or superseded.

Chairperson, MPO Policy Committee
Mayor
City of Laredo

Date

Attest:

Jose A. Valdez, Jr.
City Secretary
City of Laredo

- E. Discussion and recommendation to direct the Interim MPO Director to issue a Request For Qualifications (RFQ) for an independent accounting firm to conduct an audit of the MPO, including but not limited to, determining that the MPO's Federal Aid expenditures comply with Federal Planning Program requirements, determining that expenditures are allowable, necessary, reasonable, allocable and in accordance and compliance with Federal requirements, determining that proper approval was given for expenditures, that there is adequate documentation to support the MPO's expenditures, determine that there are sufficient controls in place to prevent fraud or misappropriation of Federal funds and any other matters incident thereto.

F.. Discussion and recommendation to allow staff to initiate a request for an MPO process review by the Texas A&M Transportation Institute (TTI).

G. Discussion and recommendation to provide a letter of support to the City of Laredo and El Metro Transit for the USDOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant application for the new North Transit Hub.

- H. Discussion with possible action on changing the regularly scheduled meeting dates of the MPO Policy Committee currently held on the 3rd Monday of each month.

- I. Discussion with possible action on the appointment of a permanent MPO Director, and any other matters incident thereto.

J. Discussion with possible action the Hachar-Reuthinger road project.

Angelica Quijano

From: Antonio Rodriguez <anrodriguez@HNTB.com>
Sent: Tuesday, June 15, 2021 8:33 PM
To: Angelica Quijano; Juan Mendive
Cc: Melisa Montemayor; Jed Brown; Doug Howland; .62804 WCCL Project Documents Control
Subject: RE: MPO Policy Committee Packet/May 17th, 2021

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Team, please see the update below. Please include in the Policy Committee packet.

1. FM 1472 and Killam Industrial Blvd. Turn Lanes – Construction start is scheduled for June 28, 2021. This project is being constructed as part of the TxDOT Project, FM 1472 from Big Bend Blvd. to Killam Industrial Blvd. The Killam Industrial Blvd. Turn Lanes section will be constructed as part of Phase 2 of the project. Tentatively, the Killam Industrial Blvd. Turn Lanes section is scheduled to commence in September 2021. It should be noted that this change in phasing was needed to accommodate the extremely long lag time for the signal poles to arrive to the project. Anderson Columbia ordered the poles in February and construction projects across the state are seeing up to months in lag time for the arrival of steel signal poles.
2. Los Presidentes (Cuatro Vientos to Brownwood) – Construction is ongoing. Our 2nd construction progress meeting is scheduled for 6/30/21. Regarding the Cuatro Vientos Acceleration/ Deceleration Lane project, the 100% plans are to be submitted to TxDOT the week of the 21st of June. The project is scheduled for letting in October of this year.
3. Vallecillo Road – Chairman Brown met with Transportation Commissioner Chairman Bruce Bugg to discuss the Vallecillo Road project on 5/25/21.
4. Other Items – The WCCL RMA is targeting their next Board meeting for the month of July.

If you have any other questions, please let us know. I hope you have a great day.

Antonio Rodriguez, PE

WCCL RMA GEC Deputy Program Manager
Cell (512) 800-0382

From: Angelica Quijano <aquijano@ci.laredo.tx.us>
Sent: Thursday, April 15, 2021 4:55 PM
Subject: MPO Policy Committee Packet/April 19th, 2021

Good afternoon,

Below please find website link to packet for Monday's (April 19th, 2021) MPO Policy Committee virtual meeting. If you have any questions or need any additional information, please do not hesitate to contact our offices. Thank you.

<http://www.laredompo.org/agendas-minutes/>

Angie Quijano-Administrative Assistant