

Unified Planning Work Program

Fiscal Year 2010 - 2011

Greater Morgantown Planning Organization

Adopted: June 17, 2010

Amended: August 26, 2010



Morgantown Municipal Airport

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Morgantown, WV 26508

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Introduction

The Greater Morgantown Metropolitan Planning Organization is moving forward to improve transportation in the area and through the activities planned through the fiscal year 2010-2011 Unified Planning Work Program and Budget.

Focus for Fiscal Year 2011:

Local initiatives: The implementation of the 2030 Regional Transportation Plan remains the priority work undertaken by the MPO this fiscal year.

Given the outlook for funding transportation improvements on the Local, State and Federal levels the prospects for finding funds for the many needs outlined in the 2030 Transportation Plan are limited. The MPO will focus on providing staff support to the Policy Board member governments and to researching and developing more specific plans for projects identified on the MPO's Priority List. This research will refine the cost of the projects and reexamine their feasibility. The first project to be examined will be the Grumbein Island Pedestrian project. The cost estimate for this project has been identified as being potentially unreliable. WVU has agreed to provide the matching cost for evaluating the cost and feasibility of the project. The MPO will also continue to work with lower-cost initiatives including the ongoing Transportation Demand Management initiative, intersection improvements, alternative-mode travel such as mass transit and bicycling, complete initiatives and operational improvements. Staff will move forward to enhance the bicycle and pedestrian element of the transportation planning process by working to create a Bicycle and Pedestrian Advisory Committee.

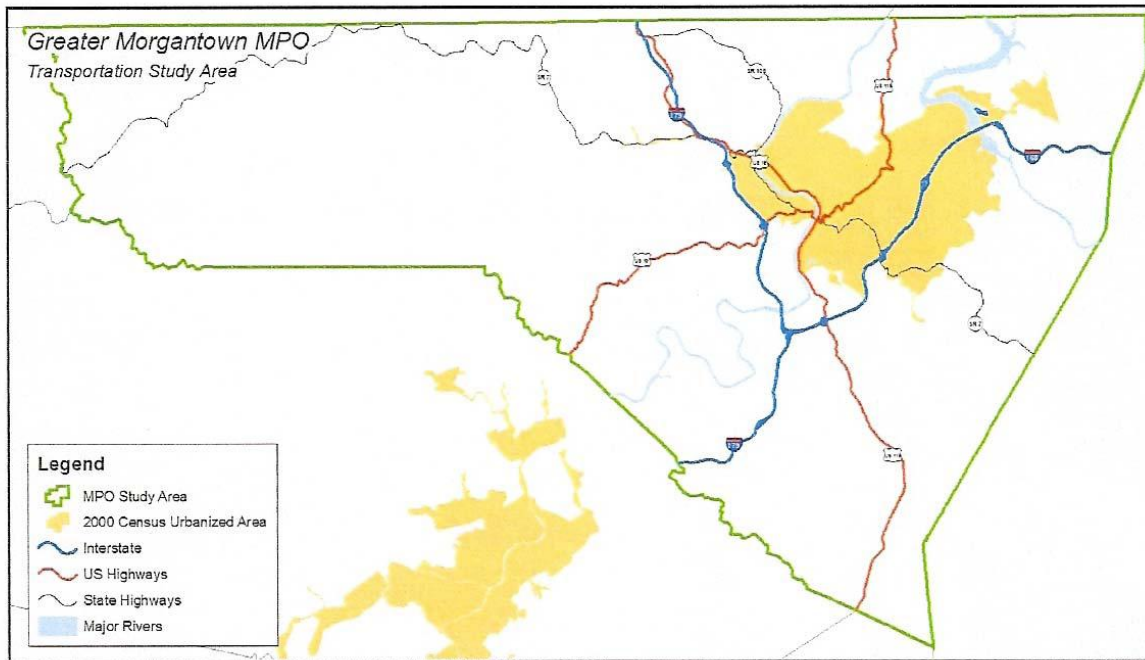
The Board along with staff and committees will work to implement the priority list for major projects adopted at the January 2010 meeting.

Other tasks: Other major projects for the MPO will be the development of an ongoing traffic count database. This database will provide the MPO with base data which may be used to project the future growth of traffic as well as to provide decision makers with complete information about the existing conditions in the area. Staff also anticipates performing travel time studies on selected corridors to establish a baseline for the operations of the transportation network. This work may include may utilize data available from Mountain Line, float car studies and other technology as available. It is anticipated that both the traffic counts and the travel time studies will be performed at a limited set of locations but that the studies will be repeated annually to create a long-term database. Staff plans to more fully develop our GIS resources as well as the in-house modeling capabilities of the MPO by hiring an individual with the skills to perform these functions.

Study Area

The MPO covers Monongalia County and includes representatives from:

1. Monongalia County (pays one half of any local match requirements) - three county commissioners
2. City of Morgantown (pays one half of any local match requirements) - three council members
3. City of Westover — one elected representative
4. Town of Star City — one elected representative
5. Town of Granville — one elected representative
6. Town of Blacksville — one elected representative
7. The Mountain Line Transit Authority — one representative
8. The Monongalia County Board of Education — one representative
9. West Virginia University — one representative
10. The West Virginia Department of Transportation — MPO liaison



Prepared By: Morgantown MPO, 02/16/2005 Source: US Census Bureau

SAFETEA-LU Planning Factors

SAFETEA-LU emphasis areas and the accompanying MPO responsibility:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency:

The Greater Morgantown MPO will coordinate transportation projects with local governments and agencies to improve the region's global competitiveness. This will be achieved by promoting transportation corridors that improve access to the MPO study area, thus enhancing flow of goods and services to the global market. A prime example of this is the cooperation between the West Virginia Department of Transportation and the Greater Morgantown MPO on the design and construction of the Mon-Fayette Expressway as well as regular maintenance and upgrades on both major interstate corridors in the region. The Greater Morgantown MPO will continue to work on projects that promote regional connectivity.

2. Increase the safety of the transportation system for motorized and non-motorized users:

The Greater Morgantown MPO will encourage projects that include enhanced safety features for transportation in the region. The safety measures to be included are pedestrian crossings where viable, improved bicycle and pedestrian corridors, and working with local emergency service providers on transportation safety education when applicable. The MPO will also seek to create a Bicycle and Pedestrian Committee to provide decision makers and planning staff with input on those elements of the Long Range Transportation Plan.

3. Increase the security of the transportation system for motorized and non-motorized users:

For highway security, ITS monitoring systems are being implemented by WVDOT in discussion with local governments and the MPO at key highway intersections to aid in transportation security. Additionally the Greater Morgantown MPO is working with West Virginia University and MECCA-911 as applicable to promote transportation security awareness.

4. Increase the accessibility and mobility of people and for freight:

The Greater Morgantown MPO will work with all local governments in the region as needed to make changes and update the 2030 Regional Transportation Plan. One of the components of the plan has been to examine the current highway network and project future network demand based on a computer model. The model results are incorporated in the plan.

5. Protect and enhance the environment, promote energy conservation, and promote consistency between transportation improvements and state and local planned growth and economic development patterns:

As always the Greater Morgantown MPO will work with state and local governments and agencies to coordinate transportation projects in a consistent and environmentally sound manner.

6. Enhance the integration and connectivity of the transportation system across and between modes, for people and freight:

The Greater Morgantown MPO will coordinate activities which examine the integration of transportation systems for the MPO region. To address this issue the Greater Morgantown MPO will be working alongside the Mountain Line Transit Authority in the implementation of its Transit Master Plan and revisions as needed to the human services transportation coordination plan. As part of these studies and all other multi-modal decisions, West Virginia University will be part of the discussion, especially in considering the expansion of PRT services to the greater community.

7. Implementation of Transit Master Plan Elements:

A number of planning components have been identified which need additional planning study and consideration. These items include:

- a. Bus Rapid Transit Study —feasibility and cost analysis
- b. Targeted Highway Improvement Recommendations (Transit Lanes, Transit Only Lanes, left turn lanes, restriping, contra-flow lanes, and signal priority studies).
- c. Car Sharing and Van Pool Programs — demand modeling and development of an actual implementation plan for the community
- d. Transit Oriented Development — working with local municipalities to develop land use policies integrating public transportation.

8. Promote efficient system management and operation:

The Greater Morgantown MPO, along with a number of local government and private interests, are working with WVDOT's initiatives to develop options for the use of Intelligent Transportation Systems (ITS) technology in the region. The architecture promotes the efficient use of technology to improve transportation management systems and operations. The MPO is also working to implement Transportation Demand Management strategies to reduce peak hour stress on the transportation network.

9. Emphasize the preservation of the existing transportation system:

In all plans and projects the Greater Morgantown MPO will examine the existing transportation system before making recommendations for improvements. To facilitate this effort the MPO will continue to develop its GIS based information system, incorporating the Transportation Improvement Program, for the Greater Morgantown area.

Budget Items by Major Category

In March of 2010 the MPO adopted a new Prospectus that defines the MPO's work tasks. The Project codes used in this document refer to the work task codes identified in the Prospectus. Line Item II-B-17 was amended August 26, 2010.

II-A Continuing Transportation Planning Activities-Surveillance of Inventory Data

II-A-1 Traffic Counts-The MPO will establish an annual traffic count program at 40 to 50 locations. The data collected will include daily directional traffic volumes, peak period traffic volumes and vehicle classification counts at selected locations. These counts will supplement traffic counts taken every three years in the area by the Division of Highways and they will be used both as base data for traffic modeling efforts and as information for decision makers considering the impact of proposed development in the area. They will also be available to the public for their use. It is anticipated that these counts will be performed by a consultant team already on contract with the State of West Virginia to perform these services.

II-A-9 Travel Time Studies-MPO staff will conduct limited travel time studies to establish a baseline for travel in the area. These studies will be utilized in the modeling process to help improve the accuracy of modeling as well as providing a benchmark against which to measure the impact of improvements as they come on line. This work may utilize data available from Mountain Line, float car studies and other technology as available. It is anticipated that both the traffic counts and the travel time studies will be performed at a limited set of locations but that the studies will be repeated annually to create a long-term database.

II-A-10 Mapping-MPO staff will work to improve the MPO's GIS Capabilities including gaining access to the County's recently acquired aerial photography for the data it may contain that may be used in the upcoming update of the area's LRTP.

II-A-12 Bicycle and Pedestrian Facility Inventory-MPO Staff will work with local agencies to develop a comprehensive data base of bicycle and pedestrian facilities for use in the development of the Long Range Transportation Plan. This work will be coordinated with WVDOT's Bicycle and Pedestrian Coordinator.

II-B Long Range Transportation Plan Development

II-B-6 Community Goals and Objectives-MPO staff will work with area communities to assist them with the development of their community goals and objectives as well as to insure that they are reflected in the MPO's goals and objectives. Staff anticipates participating in the City of Morgantown's Comprehensive Planning process as part of this assistance.

II-B-11 Bicycle and Pedestrian Planning-MPO staff will establish a Bicycle and Pedestrian Advisory Committee to assist in the development of the LRTP Countywide Bicycle and Pedestrian element during the development of the MPO's updated LRTP in 2012

II-B-13 Collector Street Planning-MPO Staff will provide support to area municipalities in reviewing proposed development to insure that the proposed collector streets are adequate. Staff will also review proposals to insure that the proposed connection between major arterials and collector streets for their impact on the arterials and that they are adequate.

II-B-16 Financial Planning-MPO Staff will continue to monitor ongoing development of funding streams for transportation and begin to devise funding strategies to be incorporated in the update of the LRTP in 2012.

II-B-17 Congestion Management Strategies-Review and coordination with WVDOT/DOH on potential congestion mitigation strategies including ongoing TDM activities as well operational improvements that may assist in the mitigation of congestion including an ongoing study of signalization improvements by the State. The MPO will complete Phase One of the Transportation Demand Management Study begun in FY 2010 and seek to implement the programs identified in the Project. Project implementation efforts will consist of staff support including the employment of temporary staff by the MPO and training of this staff by Parsons Brinckerhoff as Phase 2 of the TDM Project. This staff will serve the Employers TDM Committee established during Phase One of the Project. The Employers Committee will work to implement the TDM strategies Identified in the Study.

III Administration

III-A Planning Work Program

MPO staff will monitor the revised Planning Work Program process to insure it is being adequately implemented. Staff will also develop the 2012 Planning Work Program.

III-B Transportation Improvement Program

MPO staff will need to develop a revised Transportation Improvement Program. The current TIP expires in 2011.

III-C-6 Public Involvement

The MPO will continue ongoing public involvement activities associated with the development and implementation of the LRTP as well as the development of the revised TIP and the UPWP. Staff also anticipates increased public involvement activities associated with the implementation of the recommendations of the Transportation Demand Management Study as well as public involvement with corridor studies that may be completed during the fiscal year.

III-C-7 Private Sector Participation-The MPO will seek to encourage private sector participation wherever possible with projects as they move forward. This effort will immediately focus on the implementation of the MPO's TDM Project .

III-D-1 Transportation Enhancement Planning-MPO Staff will provide assistance with enhancement planning activities as requested by area agencies.

III-D-2 Environmental Analysis and Pre-TIP Planning-MPO staff has been asked to provide the Policy Board with an estimate of the cost of the Grumbein Island Pedestrian project included in the MPO's LRTP. Working with WVU, MPO staff proposes to have preliminary design and cost estimation performed by a consultant to determine the cost of the project. WVU has agreed to provide the local match needed to perform this work.

III-D-4 Regional or Statewide Planning-MPO staff will assist WVDOT on regional and or Statewide issues as requested.

III-E Management and Operations

MPO staff will perform management and operational functions as required. It is anticipated that these duties will include hiring new staff as well as regular ongoing administrative duties. This line item also includes the cost of the MPO audit, supplies, rent, insurance and other administrative costs.

The allocation of resources to each of the Work Tasks may be found on the table below:

Greater Morgantown Metropolitan Planning Organization Operating Budget FY 2010-11							
Budgeted line items By Major Category							
Task Number	Task Item	Category	Consolidated Federal Planning Funds	WVDOT	(City/County) MPO	Other	Total Cost Allocation
II-A	Inventory						
	1	Traffic Counts	12,000	1,500	1,500		\$15,000
	9	Travel Time Studies	4,800	600	600	\$ -	\$6,000
	10	Mapping	12,000	1,500	1,500	\$ -	\$15,000
	12	Bicycle and Ped. Inv.	8,000	1,000	1,000	\$ -	\$10,000
		Total	36,800	4,600	4,600		\$46,000
II-B	LRTP Dev						
	6	Community goals	4,000	500	500	\$ -	\$5,000
	11	Bicycle and Ped.	8,000	1,000	1,000	\$ -	\$10,000
	13	Collector Street	6,400	800	800	\$ -	\$8,000
	16	Financial Planning	4,000	500	500		\$5,000
	17	Con, Mgmt. Strat.	52,000	6,500	6,500		\$65,000
		Total	\$74,400	\$9,300	\$9,300		\$93,000
III	Administration						
	A	Work Program	\$4,000	\$500	\$500		\$5,000
	B	TIP	\$9,600	\$1,200	\$1,200		\$12,000
	C-6	Public Involvement	\$8,000	\$1,000	\$1,000		\$10,000
	C-7	Private Sector	\$4,000	\$500	\$500		\$5,000
	D-1	Enhancement Plan	\$3,200	\$400	\$400		\$4,000
	D-2	Env. And Pre-TIP	\$24,000	\$500	\$500	\$5,000	\$30,000
	D-4	Regional and State	\$4,000	\$500	\$500		\$5,000
	E	Management and Ops	\$62,400	\$7,800	\$7,800		\$78,000
		Total	\$119,200	\$12,400	\$12,400	\$5,000	\$149,000
Grand Totals - All Programs			\$230,400	\$26,300	\$26,300	\$5,000	\$288,000

Amended August 26, 2010

The breakdown of the MPO's budget by expenses may be found on the tables on the following page:

Morgantown Monongalia County MPO Budget FY 2010-2011

Cost Allocation Rate Table	
All work performed outside program areas shall be charged at an hourly rate to cover actual expenses. Reimbursement/allocation rates are as follows:	
Position	Hourly Rate
Executive Director	\$ 67.00 Incl. benefits + Overhead/Contract
Asst. to Director	\$ 41.96 Incl. benefits + Overhead/Contract
Additional Travel	Monongalia Co. Commission Rate as adjusted

The Executive Director and Assistant to the Director positions are salaried and therefore all costs including benefits are allocated to a 2080 hour work week.

Employee Benefit Expenditure Detail				
(Calculated on Total Wages = \$107.1k)				
Description	Consolidated Federal Planning Funds	WVDOT	(City/County) MPO	Total Cost Allocation
FICA (6.2%)	\$ 5,359.28	\$ 669.91	\$ 669.91	\$ 6,699.10
Worker's Compensation (2.3%)	\$ 199.00	\$ 24.87	\$ 24.87	\$ 248.75
Medicaid (1.45%)	\$ 1,254.54	\$ 156.82	\$ 156.82	\$ 1,568.18
Retirement (County 17%)	\$ 14,708.40	\$ 1,838.55	\$ 1,838.55	\$ 18,385.50
Health Insurance (County, Family, \$19,576/yr/person for employer contribution)	\$ 31,321.73	\$ 3,915.22	\$ 3,915.22	\$ 39,152.16
Dental & Vision Insurance \$756/yr/person				\$ 1,512.00
Total Employee Benefit Package				\$ 67,565.68

Line Item Fixed Operating Expenses				
Category	Consolidated Federal Planning Funds	WVDOT	City/County/ WVU MPO	Total Cost Allocation
Salaries				
Director	\$ 57,680.00	\$ 7,210.00	\$ 7,210.00	\$ 72,100
Asst. to Director	\$ 28,000.00	\$ 3,500.00	\$ 3,500.00	\$ 35,000
Benefits (see below)	\$ 54,052.54	\$ 6,756.57	\$ 6,756.57	\$ 67,566
Contracted/Capital Expenses				
Contracted Services	\$ 4,800.00	\$ 600.00	\$ 600.00	\$ 6,000
Consulting Services	\$ 60,000.00	\$ 7,500.00	\$ 7,500.00	\$ 75,000
Computer Equipment	\$ 800.00	\$ 100.00	\$ 100.00	\$ 1,000
Software	\$ 4,000.00	\$ 500.00	\$ 500.00	\$ 5,000
Public Notices/Publishing	\$ 2,800.00	\$ 350.00	\$ 350.00	\$ 3,500
Overhead				
Travel & Training	\$ 6,400.00	\$ 800.00	\$ 800.00	\$ 8,000
Office Rent	\$ 6,240.00	\$ 780.00	\$ 780.00	\$ 7,800
Utilities (phone, internet, web site)	\$ 2,400.00	\$ 300.00	\$ 300.00	\$ 3,000
Copier lease, supplies, postage	\$ 3,200.00	\$ 400.00	\$ 400.00	\$ 4,000
Total	\$ 230,372.54	\$ 28,796.57	\$ 28,796.57	\$ 287,966

Amended August 26, 2010

CERTIFICATION

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

- (1) All Costs included in this proposal dated June 17, 2010 for the period July 1, 2010 through June 30, 2011 are allowable in accordance with the requirements of the grant(s), contract(s), and agreement(s) to which they apply and which they apply and with the cost principles applicable to those agreements.
- (2) This proposal does not include any costs which are allowable under applicable cost principles, such as (without limitation): Advertising and public relations costs, entertainment costs, fines and penalties, lobbying costs, and defense and prosecution of criminal and civil proceedings.
- (3) All costs included in this proposal are properly allocable to grant(s), contract(s), and agreement(s) on the basis of a beneficial or causal relationship between the expenses incurred and the grant(s), contract(s), and agreement(s) to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare under penalty of perjury that the foregoing is true and correct.

Authorized Official

J. William B. Austin
Executive Director

Signature: _____

Organization:

GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION

Date:

Assurance Concerning Nondiscrimination on the
Basis of Disability in Federally-Assisted Programs
and Activities Receiving or Benefiting from
Federal Financial Assistance

Implementing the Rehabilitation Act of 1973, as amended, and
the Americans With Disabilities. Act of 1990

(Federal Transit Administration)

Greater Morgantown Metropolitan Planning Organization, AGREES THAT, as a condition to the approval or extension of any federal financial assistance from the Federal Transit Administration (FTA) to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research or to participate in or obtain any benefit from any program administered by the FTA, no otherwise qualified person with a disability shall, solely be the reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance administered by the FTA or any entity within the United States Department of Transportation (DOT).

Specifically, the Recipient **GIVES ASSURANCE** that it will conduct any program or operate any facility so assisted in compliance with all applicable requirements imposed by DOT regulations implementing the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (and any subsequent amendments thereto) set forth at 49 FA Parts 27, 37, and 38, as well as all applicable regulations and directives issued pursuant thereto by other federal departments or agencies.

Executed this 17th day of June, 2010

BY: _____
J. William B. Austin
Executive Director

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Administration Act, as amended, it will ensure that:

1. No Person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.
4. A standard DOT Title VI Assurance, signed and dated March, 2004 has been filed with the state.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

J. WILLIAM B. AUSTIN

DATE: June 17, 2010

EXECUTIVE DIRECTOR

SIGNATURE OF AUTHORIZED OFFICER

If any complaints of civil rights violations have been received during the last 12 months, a description of the complaints and their disposition or proposed disposition should be attached. (Further information may be requested, if needed.)

NONDISCRIMINATION ASSURANCE

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex or age and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of the Title VI of the Civil Rights Act, "49

CFR part 21 at 21.7, the Greater Morgantown Metropolitan Planning Organization assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, "Title VI program Guidelines for Federal Transit Administration Recipients", and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA as *follows*:

- 1.) The applicant assures that each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.
- 2.) The applicant assures that it will take appropriate action to ensure that any transferee receiving property financed with Federal assistance derived from FTA will comply with the applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21.
- 3.) The Applicant assures that it will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.
- 4.) The Applicant assures that it will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.
- 5.) As required by 49 CFR 21.7(a)(2), the Applicant will include in each third party contract or sub agreement provisions to invoke the requirements of 49 U.S.C. 5332 and 49 CFR part 21, and include provisions to those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

To implement the Equal Employment Provisions of the Americans with Disabilities Act," (29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.

- (iv) The Applicant hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the U.S. Department of Transportation, to the end that, in accordance with Title VI of the Act, no persons in the United States shall, on the grounds of race, color, creed, national origin, sex or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant received Federal financial assistance from the Department

under Federal Transit Administration Programs; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department under Federal Transit Administration Programs, this certification shall-obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real, property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided this certification shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department under Federal Transit Administration Programs.

THIS CERTIFICATION is given in the consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Department under Federal Transit Administration Programs. The Applicant recognizes and agrees, that such Federal financial assistance will be extended in reliance on the representations and agreements made in this certification, and that the United States shall have the right to seek judicial enforcement of this certification. This certification is binding on the Applicant, its successors, transferees, and assignees. The person or persons whose signatures appear on the Declaration page are authorized to sign the certification on behalf of the Applicant.

Executed this 17th day of June, 2010.

BY: _____

J. William. B. Austin

Executive Director

TITLE VI PROGRAM CIVIL RIGHTS ACT OF 1964

COMPLIANCE REVIEW STATEMENT FOR FY 2010/2011 OVERALL UNIFIED PLANNING WORK PROGRAM (UPWP)

I. Metropolitan Planning Organization Handling Agency Compliance

- A. To What extent does the MPO Handling Agency employ minority staff personnel in the program area under review?

The MPO only has one fulltime employee with no minority staff. However, the MPO is in the process of developing policies guaranteeing that there will be no discrimination in future hiring practices.

- B. Has the Agency adopted a formal Title VI complaint process?

The Agency is in the process of developing a complaint process.

- C. Has the MPO received any specific Title VI complaints in the program area under review? If so, what corrective action has been taken?

There have been no complaints to our knowledge.

II. Consultant Contracts

- A. What consideration is given to minority contractors in the selection of consultants for the transportation planning work?

Advertisement for potential consultant work include reference to Title VI compliance and minority contractors are invited to participate in procurements.

1. Does the Agency establish and monitor annual Title VI contracting goals?

No, the agencies contracting opportunities are limited by the small size of the agency. The agency will track and encourage minority participation in contracting opportunities.

2. Does the consultant selection process include maintenance of records of qualified minority consultants?

Yes

3. What other methods or procedures are utilized to encourage use of qualified minority consultants?

4. Are Title VI assurances and provisions included on consultant contracts?

- B. Have consultants made positive efforts to employ qualified minority subcontractors? If so, to what extent?
- C. What are the MPO's procedures for monitoring consultant compliance with Title VI contract provisions?

III. Urban Transportation Planning Process

- A. What techniques and procedures are employed to provide data relative to minority populations, neighborhoods, income levels, physical environment, travel habits, etc.?

The impact of proposed transportation actions on minority populations are reviewed using the latest available census data at the time of adoptions of the LRTP and the TIP.

- B. To what extent is the data considered in determining that a proposed transportation system will be capable of responding favorably to minority to group requirements? What techniques are used?

- C. Do the MPO Transportation Plan and TIP include assessments of the impacts that planned transportation system investments will have on both minority and non minority areas? Discuss the assessment methodology and resulting documentation.

The MPO Longrange Transportation Plan reviews the impact of proposed changes to the transportation impact on minority and non-minority areas utilizing the most recently available Census data.

- D. To what extent has the MPO developed a formalized procedure (organization, responsibilities, etc.) to provide for citizen participation in the transportation planning process?

The MPO has a standing Citizens Advisory Committee to review all proposed actions by the MPO. The MPO also encourages citizens participation at all stages of the planning process.

- E. Are minorities, both individually and through their organizers, represented in the citizen participation effort? If so, how many and in what capacity?

There is no targeted minority representation on the MPO's Committee's. Minority applicants are encouraged to apply.

- F. Are there any further affirmative actions taken by the MPO to enlist the involvement and support of minority populations in the transportation planning process?

DISADVANTAGED BUSINESS ENTERPRISE ASSURANCE

In accordance with CFR 26.13(a), the GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION assures that it shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any third party contract, or sub agreement supported with Federal assistance derived from the U.S. DOT or in the administration of its DBE program or the requirements of 49 CFR part 26. The Applicant assures that it shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third party contracts and sub agreements supported with Federal assistance derived from the U.S. DOT.

LITIGATION CERTIFICATION

I, J. WILLIAM B. AUSTIN. Executive Director hereby certifies that to the best of my knowledge there is no litigation pending or threatened which might affect the performance of this project.

J. William. B. Austin
Executive Director

**DRUG-FREE WORKPLACE ACT CERTIFICATION
FOR A PUBLIC OR PRIVATE ENTITY**

1. The Greater Morgantown Metropolitan Transportation Planning Organization

(Name of Applicant)

Certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition:

- B. Establishing an ongoing drug-free awareness program to inform employees about-
 - 1) The dangers of drug abuse in the workplace
 - 2) The Applicant's policy of maintaining a drug-free workplace
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs
 - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace

- C. Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (A).

- D. Notifying the employee in the statement required by paragraph (A) that as a condition of employment under the grant or cooperative agreement the employee will:
 - 1) Abide by the terms of the statement; and,
 - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

- E. Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (D.) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shag include the identification number(s) of each affected grant or cooperative agreement.

- F. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2), with respect to any employee who is so convicted:

- 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or Local health, law enforcement, or other appropriate agency.

G. Making a good faith effort to continue to maintain a drug-free work place through implementation of paragraphs: A), B), C), D), and F).

2. The Applicants headquarters is located at the following address. The addresses of all Workplaces maintained by the Applicant are provided on an accompanying list.

Name of Applicant: Greater Morgantown Metropolitan Planning Organization
Address: 180 Hart Field Rd.
City: Morgantown
County: Monongalia
State: West Virginia
Zip Code: 26505

J. William B. Austin

Executive Director

Title of Authorized Official

Greater Morgantown Metropolitan Planning Organization

Name of Applicant

June 17, 2010

Date

It is the policy of the **GREATER MORGANTOWN METROPOLITAN PLANNING ORGANIZATION** to maintain a work place that is conducive to efficient and productive work. In order to attain that goal, it is further the policy of the Organization that the unlawful use, manufacture, distribution, dispensing or possession of a controlled substance is prohibited in the Organization's work place.

As an employee of the Organization, I agree to abide by that policy and am aware that violation of the policy regarding substance abuse will result in disciplinary action up to and including dismissal.

DATE

SIGNATURE

**THIS IS A SAMPLE OF THE DRUG FREE WORK PLACE FORM
GIVEN TO EACH MORGANTOWN MPO EMPLOYEE FOR SIGNATURE
AND CERTIFICATION. COPIES OF SIGNED STATEMENTS ARE ATTACHED.**

**CERTIFICATION OF PROVISION OF NECESSARY
LOCAL MATCHING FUNDS**

The Greater Morgantown Metropolitan Planning Organization hereby certifies that the
(Name of Applicant)

ten percent (10%) local match requirement of the total project cost shall be provided in

(check and complete one) \$ 23,796 _____; _____, \$ _____;
(cash) (total cash amount)(in Kind services) (total in Kind value)

or, _____, \$ _____ + \$ _____ : \$ _____.
(combination of both) (cash amount) (in kind value) (total amount)

It is my understanding that if in kind is used as match, proper documentation detailing the cash
Value of those services shall be included with this application. If cash is used as match, the source of
These funds is (are) ___ from ___ Monongalia County, and ___ City of Morgantown _____.

Date

BY: _____

J. William B. Austin
Executive Director
Greater Morgantown metropolitan Planning Organization

FISCAL AND MANAGERIAL CAPABILITY CERTIFICATION

NAME OF APPLICANT: Morgantown Metropolitan Planning Organization

And a review of the Applicant's records, that the Applicant has the requisite legal, financial and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5303; and to implement and manage the project.

FEDERAL REQUIREMENTS

NAME OF APPLICANT: Morgantown Metropolitan Planning Organization

Hereby certifies that it will comply with any existing Federal requirements, as well as any changes that occur in the future, in carrying out this project.

INSPECTION

NAME OF APPLICANT: Morgantown Metropolitan Planning Organization

Hereby certifies that it shall permit the FTA, the Comptroller General of the United States and, of appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

Executed this 17th day of June, 2010.

BY: _____

J. William B. Austin
Executive Director

**CERTIFICATION
OF
RESTRICTIONS ON LOBBYING**

I, J. William B. Austin, Executive Director, hereby certify on behalf of
(Name and Title of Grantee Official)

the Greater Morgantown Metropolitan Planning Organization that:
(Name of Grantee)

- 1) No federal appointed 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 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 disclose accordingly.

This certification is a material representation of fact upon which reliance is 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.

Executed this 17th day of June, 2010.

BY: _____

J. William B. Austin
Executive Director

**CERTIFICATION
REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

As required by U.S. DOT regulations on Government wide Debarment and Suspension (Non procurement) at 49 CFR 29.51 0:

- 1) The Applicant (Primary Participant) certifies to the best of its knowledge and belief, that it and its principles:
 - (a) Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal Department or Agency.
 - (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - (c) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity, (Federal, State, and Local) with commission of any of the offenses listed in paragraph (2) of this certification.
 - (d) Have not within a three year period preceding this certification had one or more public transactions (federal, State, and Local) terminated for cause or default.
- 2) The Applicant also certifies that if later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above; it will promptly provide that information to the Division.
- 3) If the Applicant (Primary Participant) is unable to certify to the statements within paragraphs (1) and (2) above, it shall indicate so on its Signature Page and provide a written explanation to the Division.

Procurement Compliance

Applicant certifies that its procurements and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220. 1 D, "Third Party Contracting Requirements", and other implementing guidance or manuals FTA may issue. The applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that its contractor(s) will also include in its sub agreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

J. William B. Austin, Executive Director

Date

