




**TYLER AREA**  
**TA**



**MPO**

**2008-2009  
Unified Planning Work Program  
UPWP**

*The Unified Planning Work Program (UPWP)  
is developed to coordinate transportation and related  
planning activities for a cooperative, continuing and  
comprehensive planning process.*

**October 1, 2007 to September 30, 2009**

**Adopted by the  
Tyler Area MPO Policy Committee**

**Adopted: July 10, 2007  
Amended: January 31, 2008**

Prepared in cooperation with the Texas Department of Transportation  
and the U.S. Department of Transportation, Federal Highway  
Administration, and the Federal Transit Administration

The contents of this report reflect the views of the authors who are responsible  
for the opinions, findings, and conclusion presented herein. The contents do  
not necessarily reflect the views of the Federal Highway Administration, the  
Federal Transit Administration, or the Texas Department of Transportation.

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# UNIFIED PLANNING WORK PROGRAM

## I. INTRODUCTION

The Unified Planning Work Program (UPWP) is a transportation planning work program developed to coordinate transportation and related planning activities for a cooperative, continuing and comprehensive planning process. The Tyler Area Metropolitan Planning Organization (MPO) is again preparing a two-year UPWP as opposed to a one-year document. Although there are benefits to preparing a two-year program, it must also be understood that there may need to be more amendments than previously required for a one-year program. The primary objective of the UPWP is the development of an integrated planning program, which considers the planning activities of each modal group and coordinates these activities to produce a total transportation plan serving all segments of the population. The UPWP presents the budget and work tasks necessary to accomplish and maintain the transportation planning process within the Tyler MPO Study Area. In developing the UPWP the MPO was required to consider the current surface transportation authorizing legislation, passed in 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

### A. PURPOSE

The FY 2008-2009 UPWP is intended to describe the transportation-related planning activities scheduled to be performed in FY 2008 and FY 2009. These are the tasks to be undertaken using Federal Planning Assistance Funds. The administrative projects included in this work program are mandated in SAFETEA-LU. These projects comprise the primary mission of the MPO to provide local government with access to the transportation planning process. Under SAFETEA-LU the MPO must consider projects and strategies that will meet the following eight (8) factors:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase safety of transportation system for motorized and non-motorized users.
3. Increase security of transportation system for motorized and non-motorized users.
4. Increase the accessibility and mobility options available for freight and people.
5. Protect and enhance the environment, promote energy conservation, and improve the quality of life.
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.

The Policy Committee adopts a new or revised UPWP in an open public meeting. Before a public meeting is held on Transportation Improvement Program (TIP) or Metropolitan Transportation Plan (MTP) adoptions/revisions, notices are mailed to special interest groups and to individuals interested in transportation planning. Meeting notices and agendas as well as press releases for all public meetings are distributed to the news media in the Tyler area. Certified notices and agendas are posted at the Tyler City Hall, Tyler Development Center and at the Smith County Court House.

In order to comply with Environmental Justice (EJ) public involvement polices, public-meeting notices are mailed out to minority and low-income media and community leaders.

**B. DEFINITION OF AREA**

Currently, the Tyler Metropolitan Planning Area, see **Appendix A**, encompasses the entire urbanized area defined in the 2000 census. It includes the immediate and contiguous urban area surrounding the City of Tyler most likely to experience urban development expected to be urbanized within 20 years. This area includes the City of Tyler, the incorporated cities of Lindale, New Chapel Hill, Noonday, Whitehouse, Hideaway and other non-incorporated communities. All of the study area is located within Smith County.

**C. ORGANIZATION**

The City of Tyler serves as the fiscal agent to the Metropolitan Planning Organization (MPO). The Governor designates the MPO for all urban areas, which have a population over 50,000. The City of Tyler is the designated MPO for the Tyler urban area and uses the committee structure established pursuant to Section 134 of Chapter 1 of Title 23 U.S.C. as the group responsible for giving the Metropolitan Planning Organization overall transportation policy guidance. The MPO, in cooperation with the Texas Department of Transportation (TxDOT), is responsible for carrying out the urban transportation process. The MPO is intended to provide a forum for cooperative decision-making concerning transportation issues among many of the jurisdictions within the study area. The MPO provides continuity of various transportation planning and improvement efforts throughout the Tyler urban area. The Tyler Area MPO consists principally of two (2) standing committees, the Policy Committee and the Technical Committee.

**The MPO Policy Committee:** The Policy Committee is composed of the principal elected and appointed officials in the Tyler/Smith County area. The Policy Committee biennially approves the UPWP and develops the Transportation Improvement Program (TIP) every four years. This committee provides overall policy guidance and decision making for the transportation planning process in the Tyler urban area. The Policy Committee **consists of nine (9) voting members** and various non-voting members, which represent the participating agencies throughout the Tyler urban area. Representation of the Policy Committee is shown in **Appendix B**.

**The MPO Technical Committee:** The second standing committee is the Technical Committee, which is comprised of a cross section of individuals with knowledge and expertise in various transportation fields. The Technical Committee formulates the procedural details of the work program. It reviews and monitors the output of the various MPO activities identified in the work program. The Technical Committee is also responsible for assisting in developing the short and long-range transportation plans and informing the Policy Committee of various aspects of transportation planning in the Tyler urban area.

#### D. **PRIVATE SECTOR INVOLVEMENT**

The MPO also plans to hire a consultant to perform the following:

1. Regional Greenbelt and Trail Corridor Study
2. Traffic Counts
3. Socioeconomic Data update to perform 2002 Base year and 2040 Forecast
4. Participate in county-wide aerial photography project
5. Bicycle Route Study
6. Pedestrian Access Route Study

## II. **TASK 1.0 - ADMINISTRATION/MANAGEMENT**

### A. **OBJECTIVE**

To initiate and properly manage the “3-C” planning process, ensuring that it is continuous, cooperative, and comprehensive, and in compliance with applicable State and Federal laws and regulations.

### B. **EXPECTED PRODUCTS**

The Tyler Area MPO will perform administrative responsibilities necessary to verify the transportation planning process and retain eligibility for federal and state funding for transportation planning and projects.

### C. **PREVIOUS WORK**

General administrative functions were performed  
Development of required documentation  
Public involvement activities and training  
Provide staff access to training and education  
Analysis of low income and minority populations has been performed and is being used in all planning processes

### D. **SUBTASKS**

#### 1.1 Program Support and Administration

Prepare and submit required documents to maintain the continuity and credibility of the planning process. Sponsor and conduct meetings and provide support to policy and advisory committees. Prepare budgets, maintain financial records, and ensure monies are spent appropriately. Coordinate activities among participating agencies and other public and private interests. Assist participating agencies as needed.

Purchase/lease supplies, computer equipment and other equipment necessary to carry out planning efforts. Maintain current licenses for all GIS software and purchase most current versions of software when beneficial to the MPO. Equipment/ computer purchases of \$5,000 or greater require prior approval.

## 1.2 Title VI Civil Rights Evaluation

The MPO will continue to implement procedures compliant with federal law, which will analyze the areas of minority and low income that have been historically underserved communities. The MPO will continue to develop the appropriate Title VI Analysis Tools and Performance Measures and Indicators. Additionally, the MPO will educate and inform the Technical and Policy Committees concerning Title VI topics.

## 1.3 Public Outreach

Continue public participation process. Conduct public meetings during the development and update of Metropolitan Transportation Plan (MTP) and other planning documents as appropriate to keep the public informed. Develop opportunities to efficiently obtain public input in all aspects of multi-modal transportation planning, including participation from the Title VI target population. Provide information to the public as requested. The MPO will review and amend the Public Participation Plan as necessary to ensure Title VI issues are addressed properly, including minority and low-income communities, air quality conformity, and federal and state requirements for public participation are maintained.

## 1.4 Staff Training and Education

The MPO staff will participate in conferences, seminars, meetings, and other training opportunities to remain acquainted with the latest regulations and techniques related to the transportation planning field as provided by the Federal Transit Administration, Federal Highway Administration, Environmental Protection Agency, Texas Commission on Environmental Quality, TxDOT and other agencies. Attend, as necessary, any meetings concerning transportation or air quality hosted by TxDOT, EPA, TCEQ, Northeast Texas Air Care (NETAC), TEMPO or other agencies.

**E. FUNDING SUMMARY**

Subtask	Responsible Agency	TPF(1)	FTA Sect. 5307 (Sect. 9)	GTPF(2)	In-Kind	Total
1.1	MPO and TxDOT	181,168			123,309	304,477
1.2	MPO and TxDOT	7,800			7,254	15,054
1.3	MPO and TxDOT	12,000			11,160	23,160
1.4	MPO and TxDOT	25,000				25,000
<b>TOTAL</b>		<b>225,968</b>			<b>141,723</b>	<b>367,691</b>

TxDOT State Funds <sup>3</sup>	112,000
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(1) – This includes both FHWA PL-112, FTA Section 5303 funds and TxDOT’s non-federal \$20,664 cash match for FTA Section 5303 funds for FY 2008 and FY 2009.

<sup>3</sup> – Identifies TxDOT’s non-federal share for FHWA (PL-112) funds.



### III. **TASK 2.0 - DATA DEVELOPMENT AND MAINTENANCE**

#### A. **OBJECTIVE**

To create, update, and maintain spatial information, demographic data and analysis to support planning efforts. To monitor and identify development trends in the study area in an effort to determine their impact on the area's transportation system.

#### B. **EXPECTED PRODUCTS**

Continue to update and maintain the GIS database for data that the MPO utilizes for the planning process. Continue to develop and maintain applications to streamline land development services for eventual use in the transportation planning process. Maintain a complete database of consistent addresses throughout the Study Area. Integrate TXDOT traffic counts into the appropriate GIS database.

#### C. **PREVIOUS WORK**

Confirmed existing city limits and ETJ boundaries with other incorporated cities. Continued development, maintenance, and operation of a Geographic Information System that provides the MPO with spatial information to assist in the decision-making process. Review and modify existing (1998 Base Year) Traffic Analysis Zone (TAZ) structure as part of the development of the new (2003 Base Year) travel demand model update for the Tyler Urban Area. Assemble socioeconomic data for the 2002 base year travel demand model consistent with the modified TAZ structure.

The socioeconomic data and forecast was obtained through a contract with consultant, Alliance Transportation Group, and began in FY 2007 and will conclude into FY 2008. Traffic counts are obtained through a contract with consultants, Yvonne Newman Engineering. The aerial photography was obtained through a contract with consultant, Stewart GeoTechnologies, Inc., and was completed in summer of FY 2007.

#### D. **SUBTASKS**

##### 2.1 Socioeconomic Data and Forecast

Prepare updates and maintain data and maps related to population, building permits, land use, housing, and employment. Develop current estimates and forecasts of population and employment. Prepare documents for the non-attainment status, if needed. Continue compilation and mapping of data on existing alternative transportation systems, such as bikeways, pedestrian ways, rail, air, etc. Contract with a consultant to provide a 2040 socio-economic forecast

to include population, dwelling units, income, special generators and employment by SIC and extrapolated into traffic analysis zones. This project began in FY 2007 and will finish in FY 2008.

## 2.2 Geographic Information System

Continue to develop the GIS database. Compile all available data into a series of maps for use in the transportation planning process.

Continue lease and maintenance of computer hardware and software to improve GIS system and perform other data collection activities. Equipment/computer purchases of \$5,000 or greater will be sent to the TxDOT Study Office for their submittal to TxDOT TPP.

The established inter-local agreements and combined GIS database will allow for easier exchange of data between government entities and will reduce redundant work. The exchange and sharing of data will assist the MPO with future analysis of various data layers. Reproduce maps created in GIS as necessary.

Continue development of applications to streamline land development services for eventual use in the transportation planning process. Monitor consistency of physical addresses of structures within the Study Area.

## 2.3 Traffic Counts

Contract a traffic data collection program, which will collect data on major thoroughfares to be done by a consultant from the private sector. This data would include such information as roadway volumes, intersection traffic counts with turning movements, travel speed data accident data, etc. This data will be used to determine high traffic areas for future projects.

## 2.4 Digital Aerial Photography

Current aerial photography is a valuable tool utilized during the planning process. The MPO along with other local agencies including City of Tyler, Smith County 911, Smith County Appraisal District, Neches River Authority, and other entities will assist in the acquisition of digital aerial photography provided by a consultant at a total cost of \$193,544. The coverage area will consist of the Tyler city limits, including the 5-mile ETJ (6-inch) aerials and the remainder of the MPO area in 1-inch color aerial photography. The raster data will meet the City of Tyler's digital data base map at NAD 83, and the Texas State Plane Coordinate System.

**E. FUNDING**

Subtask	Responsible Agency	TPF(1)	FTA Sect. 5307 (Sect. 9)	GTPF(2)	In-Kind	Total
2.1	MPO and TxDOT	60,000			4,635	64,635
2.2	MPO and TxDOT	42,309			25,385	67,694
2.3	MPO and TxDOT	50,000			20,000	70,000
2.4	MPO and TxDOT	60,000			216,557	276,557
<b>TOTAL</b>		212,309			266,577	478,886

TxDOT State Funds <sup>3</sup>	16,800
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(1) – This includes both FHWA PL-112, FTA Section 5303 funds and TxDOT’s non-federal \$20,664 cash match for FTA Section 5303 funds for FY 2008 and FY 2009.

<sup>3</sup> – Identifies TxDOT’s non-federal share for FHWA (PL-112) funds.

#### IV. **TASK 3.0 - SHORT RANGE PLANNING**

##### A. **OBJECTIVE**

To provide innovative and integrated planning for the current transportation needs of the Study Area within a five-year period. Promote air quality and maintenance of ozone attainment status through voluntary community actions. Provide an integrated planning approach for the provision of transit service to improve the overall transit system.

##### B. **EXPECTED PRODUCTS**

Perform revisions to the Transportation Improvement Program (TIP), as needed. Participate in Northeast Texas Air Care and ad hoc committees as needed. Provide assistance on public transportation issues as needed.

##### C. **PREVIOUS WORK**

Developed the 2006-2008 Transportation Improvement Program. Held public hearings and meetings for the approval process. Corresponded with TxDOT District and Public Transportation Division concerning FTA rules and regulations.

##### D. **SUBTASKS**

###### 3.1 Transportation Improvement Program

Quarterly Revisions of the FY 2008-2011 TIP as needed. Ensure public involvement as part of the development of the 2008-2011 TIP. Review project selection procedures to determine effect on low-income, minorities, the disabled and senior citizens.

###### 3.2 Air Quality Activities and Planning

Coordinate with North East Texas Air Care to develop promotions and education programs that promote ozone awareness. Continue coordination with TxDOT, TTI, ETCOG, and the TCEQ on air quality conformity -- preparation of plans, documents, strategies and other necessary work activities.

### 3.3 Public Transportation Planning

To be performed by Tyler Transit with assistance by the MPO as needed: Prepare FTA grant for City of Tyler. Manage current grant to ensure monies are spent according to federal requirements. Prepare updates to the Title VI, Section 15 and Public Participation documents and analyze effectiveness of current policies related to meeting those requirements.

Gather and analyze rider ship indicators including passenger trips, vehicle miles, vehicle hours, and passengers by hour. Gather and analyze performance indicators such as on-time performance, miles between road calls and miles between preventable accidents. Analyze cost per mile, cost per hour and operating ratio.

Have a consultant develop a feasibility study for the establishment of a transfer station for Tyler Transit bus system. Tyler Transit has been utilizing for several years a bus shelter along a right of way area in Tyler as the main transfer point. The current transfer point has buses stopped in the right of way, restroom facilities are not available, and more space is needed for the expected growth.

Evaluation of ADA requirements and local service provision relating to those requirements. Investigate the applicability of video surveillance systems on fixed-route buses. Attendance of workshops and seminars related to transit planning. Members of MPO staff actively participate in Regional Public Transportation Steering Committee and monthly Task Force meetings.

**E. FUNDING SUMMARY**

Subtask	Responsible Agency	TPF(1)	FTA Sect. 5307 (Sect. 9)	GTPF(2)	In-Kind	Total
3.1	MPO and TxDOT	8,164			2,285	10,449
3.2	MPO and TxDOT	4,500			4,030	8,530
3.3	MPO, TxDOT and Tyler Transit	20,664	50,000		12,000	82,664
<b>TOTAL</b>		<b>33,328</b>	<b>50,000</b>		<b>18,315</b>	<b>101,643</b>

TxDOT State Funds <sup>3</sup>	00.00
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(1) – This includes both FHWA PL-112, FTA Section 5303 funds and TxDOT's non-federal \$20,664 cash match for FTA Section 5303 funds for FY 2008 and FY 2009.

<sup>3</sup> – Identifies TxDOT's non-federal share for FHWA (PL-112) funds.

V. **TASK 4.0 - METROPOLITAN TRANSPORTATION PLAN**

A. **OBJECTIVE**

To develop, document, amend and publish the MTP in accordance with local needs and federal and state regulations; to continue study and analysis of projects and data for long-range planning elements and long-range project level studies as needed. The plan shall be evaluated and updated at least every five years in attainment areas. If the MPO falls into non attainment status for air quality, the plan will then be revised every fourth year to comply with the State Implementation Plan (SIP). To development, document, amend and publish the Texas Urbanized Mobility Plan (TUMP) as directed through the Texas Department of Transportation (TxDOT) Commission.

B. **EXPECTED PRODUCTS**

Update land use elements. Reports and maps will be used to indicate the growth trends in the MPO area. Miscellaneous long-range planning will be done as needed.

C. **PREVIOUS WORK**

The Texas Urbanized Mobility Plan was prepared and adopted on July 24, 2006.

D. **SUBTASKS**

4.1 Metropolitan Transportation Plan Development

The project will consist of contracting with a consultant to assist with the development of the MTP through 2035 for the Tyler Metropolitan Planning Area. Continue to update land use maps in order to keep the information accurate as possible. The project will consist of contracting with a consultant to assist with the draft of the MTP. Public hearings will be held, in accordance with the MPO Public Participation Policy (PPP), throughout the process. Staff will oversee the entire process and will monitor plan implementation, including the eight factors.

**E. FUNDING SUMMARY**

Subtask	Responsible Agency	TPF(1)	FTA Sect. 5307 (Sect. 9)	GTPF(2)	In-Kind	Total
4.1	MPO and TxDOT	70,000			7,440	77,440
TOTAL		70,000			7,440	77,440

TxDOT State Funds <sup>3</sup>	00.00
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(1) – This includes both FHWA PL-112, FTA Section 5303 funds and TxDOT’s non-federal \$20,664 cash match for FTA Section 5303 funds for FY 2008 and FY 2009.

<sup>3</sup> – Identifies TxDOT’s non-federal share for FHWA (PL-112) funds.



## 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.

### B. **EXPECTED PRODUCTS**

A Corridor Study will be performed and recommendations will be made for improvements related to safety, improved traffic flow, and corridor enhancement.

### C. **PREVIOUS WORK**

The traffic signal optimization study was obtained through a contract with consultants, Bucher, Willis & Ratliff and was concluded in FY 2006. Planning Concepts was awarded a contract to begin The Regional Greenbelt and Trail Corridor Study in FY 2007 and will conclude in FY 2008.

### D. **SUBTASKS**

#### 5.1 Regional Greenbelt and Trail Corridor Study

Contract with a consultant to provide a Regional Greenbelt and Trail Corridor Study to increase public awareness and encourage alternate modes of transportation. The Regional Greenbelt and Trail Corridor Study began in FY 2007 and will conclude in FY 2008.

**E. FUNDING SUMMARY**

Subtask	Responsible Agency	TPF(1)	FTA Sect. 5307 (Sect. 9)	GTPF(2)	In-Kind	Total
5.1	MPO and TxDOT	35,000				35,000
TOTAL		35,000				35,000

TxDOT State Funds <sup>3</sup>	11,200
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(1) – This includes both FHWA PL-112, FTA Section 5303 funds and TxDOT’s non-federal \$20,664 cash match for FTA Section 5303 funds for FY 2008 and FY 2009.

<sup>3</sup> – Identifies TxDOT’s non-federal share for FHWA (PL-112) funds.

**BUDGET SUMMARY:**

**TABLE 1 – TYLER AREA METROPOLITAN PLANNING ORGANIZATION**

UPWP Task	FTA Task	Description	TPF1 Funds	FTA Sect. 5307 (Sect. 9)	GTP F	In-Kind Funds	TxDOT State Funds <sup>3</sup>	Total Funds
1.0	44.21.00 44.26.07 44.26.09	Administration- Management	225,968			141,723	112,000	479,691
2.0	44.22.00 44.26.11	Data Development and Maintenance	212,309			266,577	16,800	495,686
3.0	44.24.00 44.25.00	Short Range Planning	33,328	50,000		18,315		101,643
4.0	44.23.01 44.26.06	Metropolitan Transportation Plan	70,000			7,440		77,440
5.0	44.23.02	Special Studies	35,000			0	11,200	46,200
<b>Total</b>			<b>576,605</b>	<b>50,000</b>		<b>434,055</b>	<b>140,000</b>	<b>1,200,660</b>

<sup>1</sup> TRANSPORTATION PLANNING FUNDS

FHWA (PL-112) <sup>2</sup>	\$473,287
FTA Section 5303	\$82,654
TxDOT 5303 2008 Cash Match <sup>4</sup>	\$10,332
Transportation Development Credit (TDC) <sup>5</sup>	\$10,332
<b>TOTAL TPF</b>	<b>\$576,605</b>

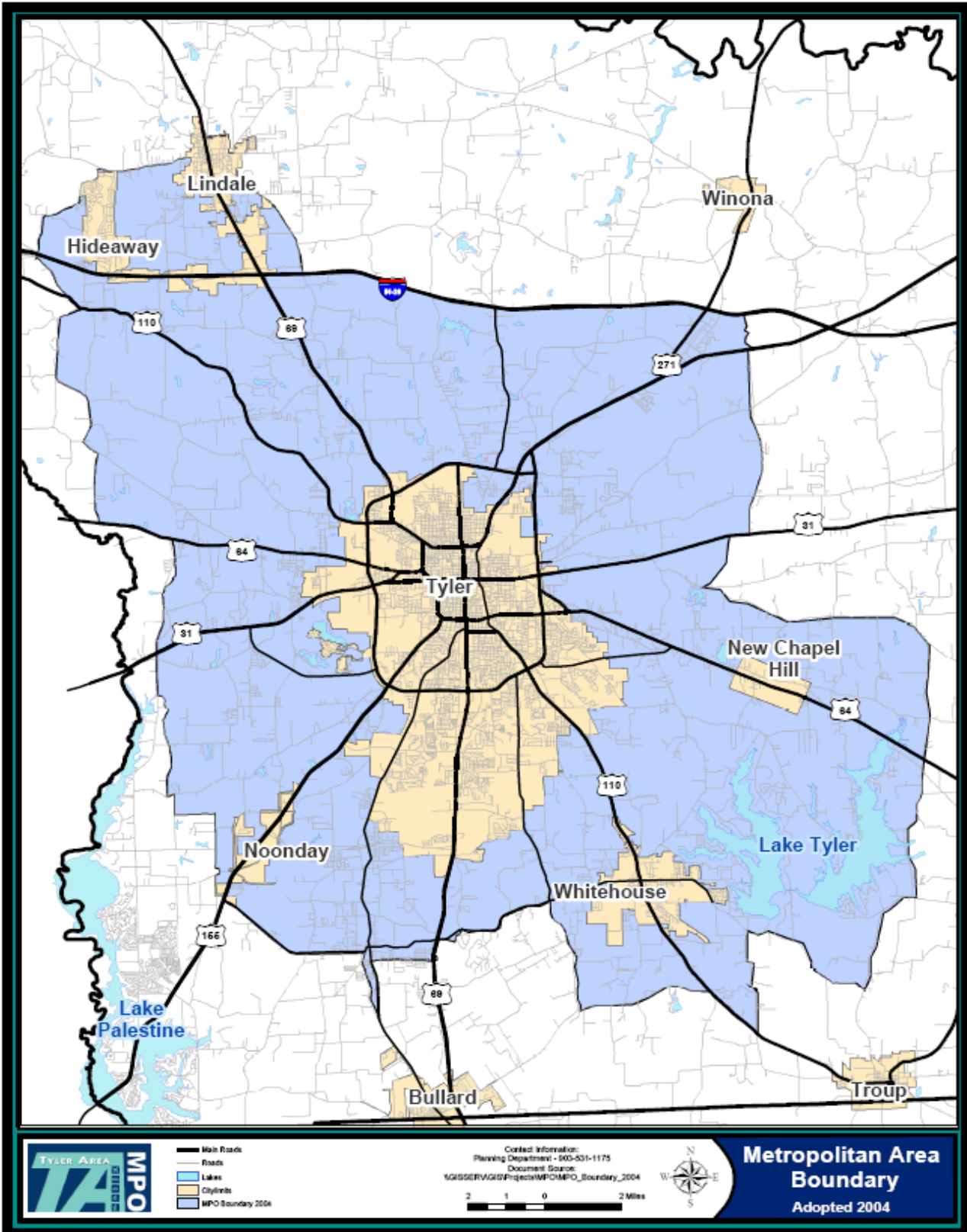
<sup>2</sup> Includes \$00.00 estimated carryover funds from FY 2006-2007 UPWP. These are federal funds only.

<sup>3</sup> Identifies TxDOT's non-federal share for FHWA (PL-112) funds.

<sup>4</sup>Identifies TxDOT's non-Federal \$10,332 cash match share for FTA (Section 5303 funds) for FY 2008. These funds are provided by TxDOT's Public Transportation Division (PTN).

<sup>5</sup>The Texas Transportation Commission has awarded transportation development credits (TDCs), non-federal share equivalent to \$10,332, sufficient to provide the required non-federal match.

# APPENDIX A



## APPENDIX B

### Tyler Area MPO

#### POLICY COMMITTEE MEMBERSHIP

<b>VOTING MEMBERS</b>		
The Honorable Joel Baker	County Judge	Smith County
The Honorable B. Van Ness	County Commissioner	Smith County
The Honorable Joey Seeber	Mayor	City of Tyler
Bob Turner	City Manager	City of Tyler
Owen Scott	City Manager	City of Lindale
Ronny Fite	City Manager	City of Whitehouse
Mary M. Owen, P.E.	District Engineer	TXDOT
Bill Ward, P.E.	Capital Projects	City of Tyler
Unfilled	County Engineer	Smith County

<b>NON-VOTING MEMBERS</b>		
Dale Spitz	Transportation Administrator	TxDOT
Dale Booth, P.E.	Advance Project Development Engineer	TxDOT
Randy Redmond, P.E.	Director, Transportation Planning and Development	TxDOT
Greg Morgan, P.E.	Infrastructure Services Coordinator	City of Tyler
Barbara C. Maley, AICP	Environmental & Transportation Planning Coordinator	FHWA
Charles Murray	Air Quality Specialist	TCEQ
Fred Marquez	Transportation Planner, TPP Austin	TxDOT
Davis Dickson	Airport Manager/Transit	City of Tyler
Michael Wilson, P.E.	Development Services Engineer	City of Tyler
Kirk Houser, P.E.	Traffic Engineer	City of Tyler
Vernon Webb, P.E.	Area Engineer-Tyler AO	TxDOT
Gary Rushing	Tyler Transit	City of Tyler
Tom Mullins	President/CEO	TACC/TEDC
David Cleveland	Executive Director	ETCOG
Gary Halbrooks	Finance Committee Chairman	NETRMA
Lynn Hayes	Community Planner FTA Region 6	FTA

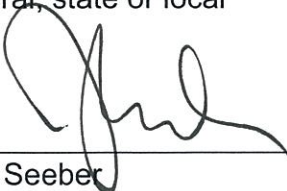
# APPENDIX C

## DEBARMENT CERTIFICATION

### (Negotiated Contracts)

- (1) The Tyler Area MPO 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



\_\_\_\_\_  
Joey Seeber  
Mayor City of Tyler  
Chairperson, Tyler Area MPO Policy Committee

\_\_\_\_\_  
Date

1/31/08



## APPENDIX D

### 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 subawards 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.



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Joey Seeber  
Mayor City of Tyler  
Chairperson, Tyler Area MPO Policy Committee

1/31/08

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Date

# APPENDIX E

## Certification of Compliance

I, Joey Seeber, Mayor, City of Tyler, Chairperson, a duly authorized officer/representative of City of Tyler, MPO Policy Committee do hereby certify that the contract and procurement procedures that are in effect and used by the forenamed MPO are in compliance with 49 CFR 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments," as it may be revised or superseded.



\_\_\_\_\_  
Joey Seeber  
Mayor, City of Tyler  
Chairperson, Tyler Area MPO Policy Committee

1/31/08

Date

**Attest:**



\_\_\_\_\_  
Signature

Heather Nick

Print

Senior Planner / MPO Coordinator

Title



## APPENDIX F

### Self-Certification Guidelines [Attachment 4.0]

#### **Metropolitan Planning:**

The State and the MPO shall annually certify to FHWA and FTA that the planning process is addressing major issues facing their area and is being conducted in accordance with all applicable transportation planning requirements. The planning process will undergo joint review and evaluation by FHWA, FTA and TxDOT to determine if the process meets requirements. The Federal administrators will take the appropriate action for each TMA to either issue certification action, or deny certification if the TMA planning process fails to substantially meet requirements. If FHWA and FTA jointly determine that the transportation planning process in a TMA does not substantially meet the requirements, they may withhold, in whole or in part, the apportionment attributed to the relevant metropolitan planning area or withhold approval of all or certain categories of projects. Upon full, joint certification by FHWA and FTA, all funds withheld will be restored to the metropolitan area, unless they have lapsed.

For non-TMA areas TxDOT will determine whether a MPO's transportation planning process substantially meets requirements and act accordingly.

(23 CFR 450.334; 49 CFR 613; USC Title 23, Sec. 134; and USC Title 49, Ch. 53, Sec's 5303 – 5306)

#### **Statewide Planning:**

The process for developing the transportation plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed. The State shall coordinate transportation planning activities for metropolitan areas of the State, and shall carry out its responsibilities for the development of the transportation portion of the State implementation plan (STIP) to the extent required by the Clean Air Act.

The State will carry out the long range planning processes and the STIP in cooperation and consultation with designated metropolitan planning organizations, affected local transportation officials and affected tribal governments.

Transportation improvement programs should include financial plans that demonstrate how the programs can be implemented, indicates resources from public and private sources reasonably expected to be made available for carrying out the programs, and recommend any additional financing strategies for needed projects.

23 CFR 450.220; USC Title 23, Sec. 135; and USC Title 49, Ch. 53, Sec's 5307 – 5311, 5323(l)

#### **Title VI, Civil Rights Act of 1964**

Title VI prohibits exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on grounds of race, color, or national origin. Title VI assurance regulations were also executed by each State prohibiting discrimination on the basis of sex or disability.

(23 USC 324, 29 USC 794)

### **Environmental Justice**

In support of Title VI regulations, each Federal agency must identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.

State Highway agency responsibilities are to develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, affected citizens and affected communities. Recipients of federally assisted programs shall keep documentation, for federal review, demonstrating extent to which members of target populations are beneficiaries of such programs.

(EO 12898, 23 CFR 200.9 (b)(4), and 49 CFR 21.9 (b))

### **Disadvantaged Business Enterprises**

The Disadvantaged Business Enterprise (DBE) program ensures equal opportunity in transportation contracting markets, addresses the effects of discrimination in transportation contracting, and promotes increased participation in federally funded contracts by small, socially and economically disadvantaged businesses, including minority and women owned enterprises. The statute provides that at least 10% of the amounts made available for any Federal-aid highways, mass transit, and transportation research and technology program be expended with certified DBEs.

(TEA-21, Pub. L. 105-178, Sec. 1101(b); CFR 49, Subtitle A, Part 26)

### **Americans with Disabilities Act of 1990**

Programs and activities funded with Federal dollars are prohibited from discrimination based on disability. Compliance with the applicable regulations is a condition of receiving Federal financial assistance from the Department of Transportation.

(Pub. L. 101-336, 104 Stat. 327 as amended; 49 CFR Parts 27, 37 and 38)

### **Restrictions on influencing certain Federal activities**

No appropriated funds may be expended by the recipient of a Federal contract, grant, loan, or cooperative agreement to pay any person for influencing a federal employee regarding the award of Federal contracts, grants, loans or cooperative agreements.

(49 CFR, Part 20)

### **Clean Air Act: Air Pollution Prevention & Control:**

All State and local transportation officials will take part in a 3-C planning process in non-attainment areas to determine which planning elements will be developed, adopted and implemented to maintain or improve the air quality for said area. In non-attainment areas that include more than one state, the affected states may jointly undertake and implement air quality planning procedures. Activities not conforming to approved plans will not be financially supported by the Federal government. Priority of funding will be given to those projects or programs that achieve and maintain national primary ambient air quality standards.


(42 USC, Ch. 85, Sec's. 7408, 7410, 7504, 7505a, 7511, 7512, 7506 (c) and (d) and 7604; 49 USC, Ch. 53, Sec. 134)

## MPO SELF-CERTIFICATION FOR ATTAINMENT AREAS

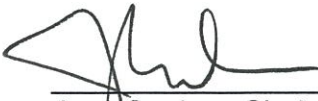
In accordance with 23 CFR Part 450.334 and 450.220 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the Texas Department of Transportation, and the Tyler Area Metropolitan Planning Organization for the Tyler urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (3) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (4) Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (5) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (6) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (7) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (8) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (9) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

TEXAS DEPARTMENT  
OF TRANSPORTATION  
TYLER DISTRICT

  
\_\_\_\_\_  
Mary Owen, P. E., District Engineer  
1/31/08  
\_\_\_\_\_  
Date

TYLER AREA  
METROPOLITAN PLANNING ORGANIZATION  
POLICY BOARD CHAIRPERSON

  
\_\_\_\_\_  
Joey Seeber, Chairperson  
1/31/08  
\_\_\_\_\_  
Date

<b>FTA/TxDOT Section 5303 Budget Worksheet for FY 2009</b>
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**MPO: TYLER AREA METROPOLITAN PLANNING ORGANIZATION**

<b>Metropolitan Planning</b>	<b>Amount</b>
44.21.00 Program Support and Administration	\$ <u>10,191</u>
44.22.00 General Development and Comprehensive Planning	\$ <u>12,407</u>
44.23.01 Long Range System Level Planning	\$ <u>5,760</u>
44.23.02 Long Range Project Level Planning	\$ <u>6,646</u>
44.24.00 Short Range Transportation Planning	\$ <u>3,545</u>
44.25.00 Transportation Improvement Program	\$ <u>5,760</u>
 <b>Other</b>	
44.27.00 Other Activities	\$ _____
<b>TOTAL</b>	<b>\$<u>44,309</u></b>

**PART B. FUND ALLOCATIONS**

How will the MPO's FTA funds be allocated:

- A) Metropolitan Planning Organization \$44,309
- B) Transit Agencies (Pass-through Funds) \$ \_\_\_\_\_
- C) State/Local Agencies (Pass-through Funds) \$ \_\_\_\_\_

Please identify individual agency(s)/amount(s) for pass-through funds

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL (Sec 5303 + 20% In-Kind Match) \$103,318**

**Person to contact regarding this worksheet:**

Name: Heather Nick/Senior Planner – MPO Coordinator

Phone: 903-531-1175

E-Mail hnick@tylertexas.com

TxDOT PTN Contact: Karen Dunlap  
Phone: 512-416-2817  
FAX: 512-416-2830  
E-mail: kdunlap@dot.state.tx.us

# FTA BUDGET CODE EXPLANATIONS

## **Metropolitan Planning**

**Program Support and Administration (44.21.00)** Include basic overhead, program support, and general administrative costs directly chargeable to the FTA project, i.e., direct program support, administration, interagency coordination, citizen participation, public information, local assistance, UPWP development, etc. (If direct program administrative and support costs are included in each work or activity, do not enter them a second time in this category.)

**General Development and Comprehensive Planning (44.22.00)** Include only the costs of activities *specifically emphasizing* regional policy and system planning for non-transportation functional areas, including the development and maintenance of related data collection and analysis systems, demographic analysis and non-transportation modeling and forecasting activity, i.e., land use, housing, human services, environmental and natural resources, recreation and open space, public facilities and utilities, etc.

**Long Range System Level Planning (44.23.01)** Include only the costs of activities *specifically emphasizing* long range transportation system planning and analysis, i.e., long range travel forecasting and modeling including appropriate data base development and maintenance for transportation in the entire metropolitan area or state, system analysis, sketch planning, system plan development, reappraisal or revision, and all long range, Transportation System Management (TSM) activities.

**Long Range Project Level Planning (44.23.02)** Include only the costs of activities *specifically emphasizing* long range project level planning and analysis, i.e., corridor and sub-area studies, cost effectiveness studies, feasibility and location studies, and the preparation of related draft environmental impact studies.

**Short Range Transportation Planning (44.24.00)** Include only the cost of activities *specifically emphasizing* short range transportation system or project planning and analysis proposed in the next three to five years, i.e., management analyses of internal operations such as, management/administration, maintenance, personnel, and labor relations; service planning including appropriate data base development and maintenance; TDP preparation; financial management planning, including alternative fare box policies; all short range Transportation System Management (TSM) activities including vanpool/ridesharing, high occupancy vehicles, parking management, etc.

**Transportation Improvement Program (44.25.00)** Include only the costs of activities *specifically emphasizing* TIP development and monitoring.

## **Other**

**Other Activities (44.27.00)** Include only the cost of those activities whose primary emphasis is unrelated to the specific types of activities described above.