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Morgantown, WV 26508
(304) 291-9571
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March 27, 2013

Mr. Robert Pennington
Planning and Administration
WVDOT Division of Highways
Bldg 5
1900 Kanahwa Blvd E.
Charleston, WV 25305

RE: 2013-2014 Morgantown Monongalia MPO Unified Planning Work Program

Mr. Pennington:

Enclosed please find enclosed our Unified Planning Work Program for FY 2013-2014. This document outlines the work to be performed by the MPO during the upcoming Fiscal Year. It was adopted by the MPO Policy Board at the March 21, 2013 meeting.

Thank you for your consideration in this matter. If you have any questions regarding the enclosed material, please contact me at (304) 291-9571.

Sincerely,


J. William B. Austin AICP
Greater Morgantown MPO Director

C Kevin Burgess, FHWA
Kathleen Zubrzycki, FTA
Todd Dorcas, WVPTD

UNIFIED PLANNING WORK PROGRAM

FISCAL YEAR 2013 – 2014



MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION

Adopted: March 21, 2013

Amended:

Morgantown Municipal Airport
82 Hart Field Road Suite 105
Morgantown, WV 26508
(304) 291-9571 phone
(304) 291-9573 fax

INTRODUCTION

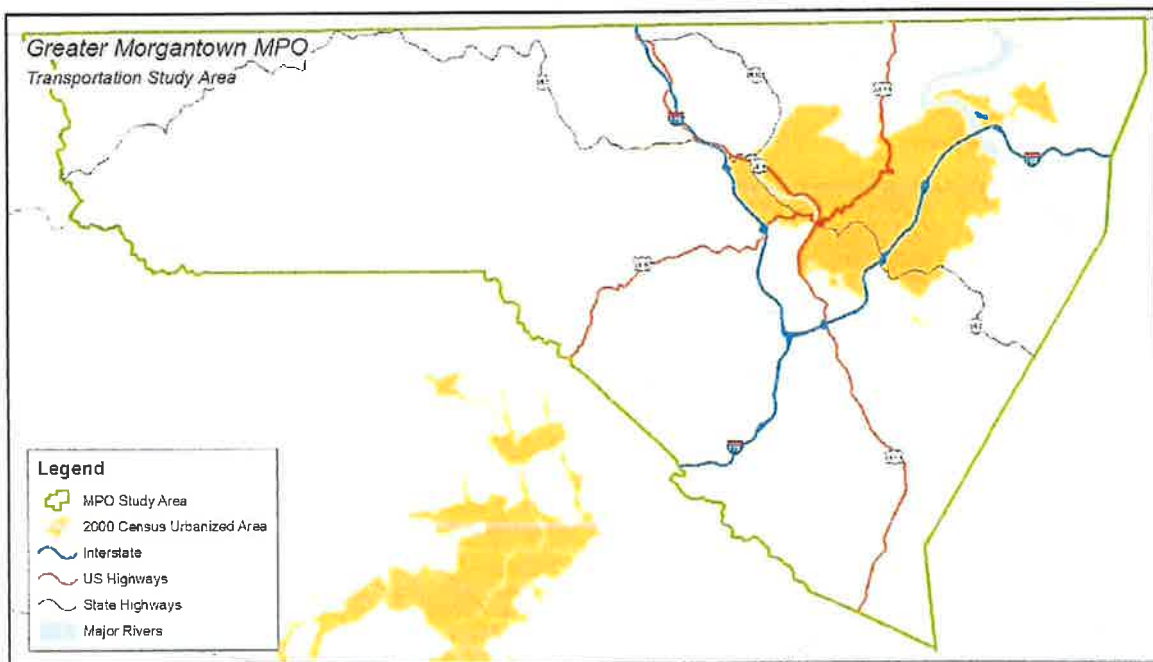
In accordance with Federal Regulations this document outlines the budget for the Morgantown Monongalia MPO. It provides information about the work the MPO will be performing in the upcoming year and summarizes the funding that will be used to accomplish that work.

STUDY AREA

The Morgantown Monongalia MPO covers Monongalia County including the municipalities of Blacksville, Granville, Morgantown, Star City, and Westover.

The MPO's Policy Board may include 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. Mountain Line Transit Authority — one representative
8. Monongalia County Board of Education — one representative
9. West Virginia University — one representative
10. West Virginia Department of Transportation — MPO liaison



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

Accomplishments

During Fiscal Year 2012-2013 the Morgantown Monongalia MPO has accomplished a great deal to assist the West Virginia Department of Transportation and the area's local governments in improving transportation in the area. Please find below a short description of these activities.

In addition to normal administrative activities, MPO staff coordinated with City of Morgantown staff and Star City to carry out the development of an updated Long Range Transportation Plan (LRTP) and updates to the municipal Comprehensive Plans. MPO staff has focused on the LRTP development and adoption. The LRTP planning process has involved numerous public meetings as well as concentrated staff effort. A priority for MPO staff has been working on strategies to acquire funding to implement the Plan.

The MPO facilitated discussions within the community and with the West Virginia Division of Highways for the Dynamic Signalization project along the WV 705 Corridor and in the Beechurst/University Avenue corridor and the Mileground Widening Project. The work being performed by DOH's consultants also includes a study of traffic operations in downtown Morgantown. MPO Staff will continue to assist State and local staff with this process. Staff will provide technical advice and assistance with public involvement efforts.

The first traffic counts for the MPO's annual traffic count program were taken in April of 2011 and the area's second set of annual counts were taken in April of 2012. This program is an ongoing effort to develop a database showing both the vehicle mix in the area and the directional peak periods on the major arterials in the area. The MPO has prepared a map of these locations which is available on the MPO's website.

MPO Staff also had traffic counts taken along West Run and Staff has prepared an analysis of both physical features of the West Run corridor and an analysis of the existing and projected future traffic conditions for the corridor. It is anticipated that this is the first of several similar studies the MPO will be preparing in the area as recommended in the MPO's Long Range Transportation Plan.

The MPO has been working to implement Transportation Demand Management programs in coordination with several large employers including WVU, Monongalia General Hospital, NETL, Mylan Pharmaceuticals and WVU Health Services. The vanpool effort was dormant for a short portion of FY 2012-2013 due to staff turnover. At the time of this writing the MPO has released an RFP to recruit potential vanpool providers to enter the Morgantown market and to utilize a grant from the West Virginia Department of Transportation to encourage the formation of vanpools in the area.

MPO Staff has also assisted Monongalia County, Star City and the City of Morgantown in evaluating the impact of ongoing development on the transportation network as new development is proposed. MPO staff hopes to provide more of this type of assistance in the future.

FOCUS FOR FISCAL YEAR 2013-2014

Local initiatives:

Major initiative to be under taken this year include: MPO Staff will evaluate the intersections and corridors proposed for improvement in the recently adopted LRTP. Staff is in the process of developing a list prioritizing the intersections and corridors to be looked at during this process. Staff will then evaluate the proposed area's for study utilizing the priorities established by the MPO Policy Board.

MPO Staff will develop an area wide bicycle plan encompassing the work already performed by the Morgantown Bicycle Board and expanding the area covered to reach further into the community. Staff has done preliminary work on this effort.

MPO Staff will seek to reinvigorate the MPO's Vanpool Program. As of this writing the MPO has released an RFP seeking potential vanpool service providers for the area.

MPO Staff will also continue work to develop potential local funding sources to implement the LRTP. Staff has been working with a committee from the LRTP Update effort and the Chamber of Commerce as well elected representatives to address this issue.

Other tasks:

The MPO will continue to update the annual traffic count database with counts taken for the MPO as well as counts taken by other local agencies. The first counts for this database were taken in April of 2011 and April 2012. This database provides 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. This data will continue to be available to the public at large for use in developing business plans and other marketing efforts and to the area's municipalities so they may evaluate the impact of proposed new development in the area. The traffic counts will be of use to the MPO in assessing the Long Range Transportation Plans model as well as in identifying area's where operational improvements to the road network may be needed. The information will also be useful to the Division of Highways when planning operational improvements to the area's transportation facilities.

In addition to performing vehicle counts the MPO will continue to explore the feasibility of performing automated bicycle counts and manual pedestrian counts. MPO staff will hire interns to perform manual pedestrian counts along corridors identified in the LRTP Project prioritization process during the upcoming Fiscal Year.

Staff will continue ongoing administrative functions including scheduling, minutes and other arrangements for the MPO's standing committee meetings, preparation of Transportation Improvement program amendments, preparation of the budget, human resource functions and intergovernmental relations and public involvement activities. Staff will also continue to provide technical assistance to area municipalities as well as the Bike Board and the Pedestrian Board.

SAFETEA-LU PLANNING FACTORS

The Federal transportation authorization bill, "SAFETEA-LU" outlines eight planning factors to be addressed in the Transportation Planning Process as a requisite for the use of transportation planning funds. The Morgantown Monongalia MPO (MMMPO) will address these issues in Fiscal Year 2013-14 as outlined below:

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

The MMMPO 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 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 Morgantown MPO will work on projects that promote regional connectivity and the coordination of land use and transportation to maximize the economic competitiveness of the area by planning transportation facilities that complement the economic objectives of the area.

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

The MMMPO 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 on transportation safety education when applicable. The MPO will work with the Bicycle and Pedestrian Committees 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, Intelligent Transportation System (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.

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

The MMMPO will work with all local governments in the region as needed to make changes and update the 2030 Regional Transportation Plan to 2040. 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. The MMMPO sought freight stakeholders advice the MPO during the development of the 2040 Plan. MPO Staff will continue to reach out to freight stakeholders.

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:

The MMMPO will continue to implement the recommendations of the Transportation Demand Management Study working with area employers. The MPO will also seek to expand the number of environmentally responsible transportation modes available to the citizens of the area. These efforts include promoting transit services, pedestrian facilities and accommodations for cyclists. The MMMPO has strengthened these elements by coordinating the development of the Long Range Plan Update with the Comprehensive Plans being developed by the City of Morgantown and Star City.

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

The MMMPO will coordinate activities to examine the integration of transportation systems for the MPO region. The Morgantown MPO will continue working alongside the Mountain Line Transit Authority to implement its Transit Master Plan to create a multi-modal transportation network.

Implementation of the Transit Master Plan Elements include:

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

The MMMPO will support the maintenance and upgrade of WVU's Personal Rapid Transit System (PRT). The PRT is an important part of the area's transit system.

7. Promote efficient system management and operation:

The MMMPO, along with a number of local government and private interests, are working with WVDOT's 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 systems management and operations. The MPO is implementing Transportation Demand Management strategies to reduce peak hour stress on the transportation network. These efforts are included in the 2040 Long Range Transportation Plan.

8. Emphasize the preservation of the existing transportation system:

In all plans and projects the MMMPO 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.

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.

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

II-A-1 Traffic Counts- MPO will continue the annual traffic count program with the initial 58 locations counted in the spring of 2012 and add count locations for 2013. The data collected includes daily directional traffic volumes, peak period traffic volumes and vehicle classification counts at selected locations. These counts 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 as they consider the impact of proposed development in the area. They will also be available to the public for their use. These counts will be performed by a consultant team already on contract with the State of West Virginia to perform these services. The MPO will also seek to augment these counts by upgrading traffic count technology to have the capability to collect data on both bicycle and pedestrian travel at selected points.

II-A-9 Travel Time Studies-The MPO and Mountain Line will continue funding for a program to use GIS to track Mountain Line vehicle speeds for use in monitoring the travel speeds on the areas transportation network.

II-A-10 Mapping- The MPO is using ArcGIS to work with Monongalia County to share data. This work will also include supplementing the County's recently acquired aerial photography with additional data.

II-B Long Range Transportation Plan Development

II-B-6 Community Goals and Objectives- MPO and consulting staff will continue to work with area communities to assist them with the development of their community goals and objectives as part of their comprehensive planning efforts. Staff will also be available to work with Westover, and Granville in their Comprehensive Planning efforts. Staff will review the 2040 LRTP's Goals and Objectives to insure they are consistent with the Communities objective.

II-B-8 Deficiency Analysis-The MPO's consultant will perform deficiency analysis of proposed projects as required.

II-B-9 Highway Element-The MPO will update the Highway Element of the LRTP as required.

II-B-10 Transit Element- The MPO's will update the LRTP Transit Element as required.

II-B-11 Bicycle and Pedestrian Planning- MPO will work with the established Bicycle Board, to develop the LRTP Countywide Bicycle Plan.

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 are consistent with the capacity anticipated in the Long Range Transportation Plan.

II-B-16 Financial Planning- MPO Staff will continue to work for the development of funding streams for transportation and implementing the LRTP.

II-B-17 Congestion Management Strategies- MPO will review and coordinate with WVDOT/DOH on potential congestion mitigation strategies including ongoing TDM activities, as well as, the operational improvements that may assist in the mitigation of congestion including an ongoing study of signalization improvements and the operation of the downtown Morgantown street network being conducted by the State.

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 2015 Planning Work Program.

III-B Transportation Improvement Program

MPO staff will amend and update the Transportation Improvement Program as needed.

III-C-6 Public Involvement

The MPO will continue ongoing public involvement activities associated with the development of revisions to the TIP and the creation of a new UPWP. The MPO will continue to televise Policy Board Meetings. Staff also anticipates increased public involvement activities associated with the implementation of the recommendations of the Transportation Demand Management Study, the Long Range Transportation Plan and the Transportation Demand Management initiative.

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, as well as, involving the private sector in the development of the LRTP.

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

III-D-2 Environmental Coordination-MPO Staff will work with WVDOH to environmental resource agencies with information on projects proposed in the updated Long Range Transportation Plan to help ensure that environmental concerns are recognized as potential projects move forward to implementation.

III-D-3 Special Studies-MPO Staff will perform special studies on high priority corridors as identified in the LRTP.

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 normal management and operational functions as required. Tasks include monitoring the performance of the Long Range Transportation Plan consultant and MPO Staff. This line item 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:

MORGANTOWN MONONGALIA MPO OPERATING BUDGET FY 2013-2014

Revenues and Expenditures by Major Category

Task Number	Task Item	Category	Consolidated Federal Planning Funds	WVDOT	City/County/MPO	Other	Total Cost Allocatio
II-A	Inventory of Facilities						
	1	Traffic Counts	12,000	1,500	1,500		\$15,000
	10	Mapping	16,000	2,000	2,000		\$20,000
	12	Bicycle and Ped Fac.	12,000	1,500	1,500		\$15,000
		Total	40,000	5,000	5,000		\$50,000
II-B	L RTP						
	6	Community goals	400	50	50		\$500
	8	Deficiency Analysis	2,000	250	250		\$2,500
	9	Highway Element	2,400	300	300		\$3,000
	10	Transit Element	2,400	300	300		\$3,000
	11	Bicycle and Ped.	12,000	1,500	1,500		\$15,000
	13	Collector Street	2,400	300	300		\$3,000
	16	Financial Planning	16,000	2,000	2,000		\$20,000
	17	Cong. Mgmt. Strat.	12,000	1,500	1,500		\$15,000
		Total	\$49,600	\$6,200	\$6,200		\$62,000
III	Admin.						
	A	Work Program	\$4,000	\$500	500		\$5,000
	B	TIP	\$8,000	\$1,000	1,000		\$10,000
	C-6	Public Involvement	\$9,600	\$1,200	1,200		\$12,000
	C-7	Private Sector	\$8,000	\$1,000	1,000		\$10,000
	D-1	Enhancement Plan	\$4,800	\$600	600		\$6,000
	D-2	Env. And Pre-TIP	\$8,000	\$1,000	1,000		\$10,000
	D-3	Special Studies	\$9,600	\$1,200	1,200		\$12,000
	D-4	Regional and State	\$9,600	\$1,200	1,200		\$12,000
	E	Management and Ops	\$40,800	\$5,100	5,100		\$51,000
		Total	\$102,400	\$12,800	\$12,800		\$128,000
Grand Totals - All Programs			\$192,000	\$22,500	\$22,500		\$240,000

Morgantown Monongalia MPO Operating Budget FY 2013-14

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	\$ 56.72 Incl. benefits + Overhead/Contract
Planner I	\$ 29.96 Incl. benefits + Overhead/Contract
Additional Travel	Monongalia County Rate as adjusted

Line Item Fixed Operating Expenses

Category	Consolidated Federal Planning Funds	WVDOT	City/CountyMPO	Total Cost Allocation
Salaries				
Director	\$64,800	\$8,100	\$8,100	\$81,000
Planner I	\$32,800	\$4,100	\$4,100	\$41,000
Benefits (see below)	\$39,903	\$4,987	\$4,987	\$49,879
Contracted/Cap. Expenses				
Contracted Services	\$12,000	\$1,500	\$1,500	\$15,000
Consulting Services	\$9,200	\$1,150	\$1,150	\$11,500
Computer Equipment	\$6,400	\$800	\$800	\$8,000
Software	\$4,000	\$500	\$500	\$5,000
Public Notices/Publishing	\$1,600	\$200	\$200	\$2,000
Overhead				
Travel & Training	\$8,000	\$1,000	\$1,000	\$10,000
Office Rent	\$7,600	\$950	\$950	\$9,500
Utilities (phone, internet, web site)	\$4,800	\$600	\$600	\$6,000
Copier lease, supplies, postage	\$880.00	\$110.00	\$110.00	\$1,100
Total	\$191,983	\$23,997	\$23,997	\$239,979

MORGANTOWN MONONGALIA MPO OPERATING BUDGET FY 2013-201

The Executive Director and Planner I positions are salaried and therefore all costs including benefits are allocated to a 2080 hour work year.

Employee Benefit Expenditure Detail (Calculated on Total Wages = \$122,136)				
Description	Consolidated Federal Planning Funds	WVDOT	(City/County)MPO	Total Cost Allocation
FICA (6.2%)	\$ 6,051.20	\$ 756.40	\$ 756.40	\$ 7,564.00
Worker's Compensation (2.3%)	\$ 2,244.80	\$ 280.60	\$ 280.60	\$ 2,806.00
Medicaid (1.45%)	\$ 1,416.78	\$ 177.10	\$ 177.10	\$ 1,770.97
Retirement (12.5%)	\$ 15,134.50	\$ 1,891.81	\$ 1,891.81	\$18,918.12
Health Insurance (PEIA Rates- Same as FY 2013)	\$ 13,280.00	\$ 1,660.00	\$ 1,660.00	\$16,600.00
Dental & Vision Insurance (2011-2012 rates)				\$ 2,220.00
Total Employee Benefit Package				\$49,879.09
<p>Note: The Director and Assistant to the Director are salaried positions. Therefore, all holidays, vacation and sick leave benefits are included in the base wage rate and shall be calculated on an hourly basis using a 2080 hour work year as the base line.</p>				

METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

WHEREAS the USDOT Moving Ahead for Progress in the 21st Century (MAP-21) legislation requires the Metropolitan Planning Organization (MPO) to certify that its transportation planning process is in conformance with regulations; in accordance with 23 CFR 450.334, the West Virginia Department of Transportation and the Morgantown Monongalia Metropolitan Planning Organization, the Metropolitan Planning Organization for the Morgantown, WV urbanized area, 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:

- I. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- II. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- III. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- IV. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- V. 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;
- VI. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- VII. 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;
- VIII. 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;
- IX. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- X. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Morgantown Monongalia Metropolitan
Planning Organization


Signature


Title


Date

West Virginia Department of Transportation


Signature


Title


Date

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 March 21, 2013 for the period July 1, 2013 through June 30, 2014 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: MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION

Date:

3/21/13

**ASSURANCE CONCERNING NONDISCRIMINATION ON THE
BASIS OF DISABILITY IN FEDERALLY-ASSISTED PROGRAMS
AND ACTIVITIES RECEIVING OR BENEFITING FROM
FEDERAL FINANCIAL ASSISTANCE**

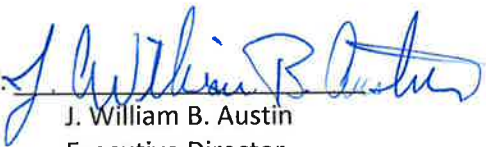
Implementing the Rehabilitation Act of 1973, as amended, and
the Americans With Disabilities. Act of 1990

(Federal Transit Administration)

Morgantown Monongalia 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 21st day of March, 2013

BY: 
J. William B. Austin
Executive Director

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The **MORGANTOWN MONONGALIA 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 MORGANTOWN MONONGALIA 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 MORGANTOWN MONONGALIA 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, 1978 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: March 21, 2013

EXECUTIVE DIRECTOR

A handwritten signature in blue ink that reads "J. William B. Austin". The signature is written in a cursive style and is positioned above a horizontal line.

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 Morgantown Monongalia 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 21st day of March 2013

BY: 

J. William. B. Austin

Executive Director

MORGANTOWN MONONGALIA METROPOLITAN PLANNING ORGANIZATION

TITLE VI PROGRAM CIVIL RIGHTS ACT OF 1964

COMPLIANCE REVIEW STATEMENT FOR FY 2012-2013 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 two fulltime employees with one minority staff. The MPO will continue to ensure that there is no discrimination in hiring practices.

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

The Agency will utilize the complaint process identified in the Agency By-Laws for harassment for discrimination complaints. The By-Laws will be amended to identify this 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 includes 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?

Minority consultants are encouraged to submit proposals.

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

Yes

- B. Have consultants made positive efforts to employ qualified minority subcontractors? If so, to what extent?

Not that we are aware of.

- C. What are the MPO's procedures for monitoring consultant compliance with Title VI contract provisions?

The MPO will examine the hours worked by minority contractors and subcontractor on bills submitted for processing.

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 MPO regularly examines the impact of proposed projects on the area's minority community utilizing the most recently available Census data.

- 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?

MPO staff utilizes GIS to examine the location of low income and minority populations and their location in relation to proposed facilities.

- 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 utilizes GIS to identify minority and low income populations and to assess the potential impact that any proposed project may have on these communities. The MPO performs these assessments as part of the LRTP update 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 formally adopted citizen participation 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 are no specific minority groups represented in the MPO, outreach efforts seek to reach these communities through outreach to transit dependent and or low income employees.

- 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 MORGANTOWN MONONGALIA 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.

Executed this 21st day of March, 2013

BY: 

J. William B. Austin
Executive Director

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

1. The Morgantown Monongalia 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 shall 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: Morgantown Monongalia Metropolitan Planning Organization
Address: 82 Hart Field Road Suite 105
City: Morgantown
County: Monongalia
State: West Virginia
Zip Code: 26505



J. William B. Austin

Executive Director
Title of Authorized Official

Morgantown Monongalia Metropolitan Planning Organization
Name of Applicant

March 21, 2013
Date

DRUG FREE WORKPLACE POLICY

It is the policy of the **MORGANTOWN MONONGALIA 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.

3/21/13
DATE

J. William B. Carter
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 Morgantown Monongalia 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) \$24,000 _____, _____; \$ _____, _____;
(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.

Executed this 21st day of March, 2013

By: 

J. William B. Austin
Executive Director

Morgantown Monongalia Metropolitan Planning Organization

FISCAL AND MANAGERIAL CAPABILITY CERTIFICATION

NAME OF APPLICANT: Morgantown Monongalia 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 Monongalia 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 Monongalia 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 21st day of March, 2013

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 Morgantown Monongalia 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 21st day of March, 2013

BY: 

J. William B. Austin
Executive Director

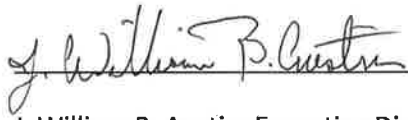
**CERTIFICATION
REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS**

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

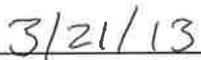
- 1) The Applicant (Primary Participant) certifies to the best of its knowledge and belief, that it and its principles:
 - (a) Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal Department or Agency.
 - (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