

TRI-CITIES AREA METROPOLITAN PLANNING ORGANIZATION UNIFIED PLANNING WORK PROGRAM

If you would like this document translated to Spanish please contact the MPO at dhyder@craterpdc.org

Si desea que este documento se traduzca al español, póngase en contacto con el MPO en dhyder@craterpdc.org

For Fiscal Year 2019

Revision Number	Date	Description of Action
1	July 2, 2018	USDOT Approval Letter Added to the Document. Pages Renumbered to reflect the addition. No Other changes.
0	June 14, 2018	Adoption

Disclaimer

This document reflects the views of the Tri-Cities Area Metropolitan Planning Organization. The staff of the Crater Planning District Commission is responsible for the facts and the accuracy of the data presented herein. The contents may not reflect the views or policies of the Federal Highway Administration, the Federal Transit Administration, or the Commonwealth Transportation Board. This report is not a standard, specification, or regulation. Acceptance of this document by the Federal Highway Administration and the Federal Transit Administration, is evidence of fulfillment of the objectives of this planning document, does not constitute approval for the location and design or commitment to fund improvements. Additional environmental assessments and/or studies of alternatives may be necessary.

Acknowledgement

The staff of the Crater Planning District Commission prepared this work plan for the Tri-Cities Metropolitan Planning Organization in cooperation with the U. S. Department of Transportation, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDR&PT).

Title VI Non-Discrimination

Non-Discrimination

The Tri-Cities Metropolitan Planning Organization (MPO) complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, see http://www.craterpdc.org/transportation/title_vi.htm

NO DISCRIMINACIÓN

La Organización Tri-Cities Area Metropolitana de Planificación (TCAMPO) Cumple totalmente con el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos y los reglamentos relacionados con toda programas y actividades. El TCAMPO se esforzará para proporcionar ajustes razonables y servicios para personas que requieran asistencia especial para participar en este público oportunidad de participación. Para obtener más información sobre el cumplimiento de la accesibilidad, o para obtener una Formulario de Queja Título VI, ver http://www.craterpdc.org/transportation/title_vi.htm o llame al Título VI Coordinador en el 804-861-1666.

Table 1: Tri-Cities MPO Policy Board Members

Jurisdiction	Representative
Chesterfield County Mr. Steve Elswick Voting	
Colonial Heights Mr. John Wood Voting	
Crater Planning District Commission Mr. Dennis Morris Voting	
Dinwiddie County Mr. William Chavis Voting (Chair)	
City of Hopewell Ms. Brenda S. Pelham Voting	
City of Petersburg Mr. Samuel Parham Voting	
Petersburg Area Transit Mr. Charles Koonce Voting	
Prince George County Mr. T. J. Webb Voting	
For the Secretary of Transportation Mr. Bart Thrasher, P. E. Voting	

MPO Secretary – Nonvoting
Mr. David Hyder



Table 2: Self Certification Checklist

Federal Title/Requirement	Summary	Compliance Status
23 U. S. C. 134	Encourages safe, efficient, surface transportation systems.	Complies
49 U. S. C. 5303	Encourages safe, efficient transportation systems to meet mobility needs in urbanized areas.	Complies
42 U. S. C. 7504, 7506(c), 7506(d) ; 40 CFR § 93	General Conformity and Transportation Conformity	Not Applicable
Title VI of the Civil Rights Act of 1964 (as Amended) (42 U. S. C 2000d 01) (49CFR § 21)	Prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance	Complies
49 U. S. C. 5332	Prohibits discrimination based upon race, color, creed, national origin, sex, or age in employment or business opportunity.	Complies

Self-Certification Resolution

The Tri-Cities Metropolitan Planning Organization and the Commonwealth of Virginia hereby certify that the transportation planning process for the southern portion of the Richmond, Virginia Urbanized Area is addressing transportation needs in the metropolitan planning area and is being conducted in accordance with applicable requirements including as follows:

WHEREAS, The MPO encourages safe, efficient surface transportation as required by 23 U.S.C 134, and 49 U.S.C 5303 and 5304; and

WHEREAS, The MPO is an attainment area and neither General Conformity nor Transportation Conformity Applies; and

WHEREAS, the MPO complies with Title VI of the Civil Rights Act of 1964 as Amended; and

WHEREAS, the MPO complies with 49 CFR § 21 requiring nondiscrimination in Federally-assisted programs of the Department of Transportation; and

WHEREAS, the MPO complies with 49 U.S.C 5332 (prohibiting discrimination based upon race, color, creed, national origin, sex, or age in employment or business opportunity; and

WHEREAS, the MPO encourages the use of disadvantaged business enterprises on USDOT funded projects as required by Section 1101(b) of the FAST ACT (Pub. L. 114-357) and 49CFR § 26; and

WHEREAS, the MPO complies with 23 CFR §230 regarding equal opportunity in Federal and Federal-Aid Highway Construction projects; and

WHEREAS, the MPO complies with the Americans with Disabilities Act (42 U.S.C. 6101); and


WHEREAS the MPO complies with the Older Americans Act (42 U.S.C. 6101); and

WHEREAS the MPO complies with Title 23 U.S.C. § 324; and

WHEREAS the MPO complies with Section 504 of the Rehabilitation Act of 1973

NOW, THEREFORE, BE IT RESOLVED that the Tri-Cities Area MPO Planning Process meets Federal Transportation Planning Requirements.

Upon a motion by Wolb, seconded by Parham and carried by a voice vote, a motion was adopted on June 14, 2018 with 5 of the 5 Tri-Cities Area MPO Policy Committee members present certifying that the transportation planning process in the Tri-Cities Area is being conducted in accordance with the above legislative provisions.



The Honorable William Chavis
Chair, Tri-Cities Metropolitan Planning Organization



David W. Hyder
Secretary, Tri-Cities Metropolitan
Planning Organization

June 14, 2018



Mr. Ron Svejkovsky
District Planner, Virginia Department of Transportation

June 14, 2018

Adoption Resolution

WHEREAS, the U.S. Department of Transportation provides financial assistance to public agencies for transportation technical studies; and


WHEREAS, the U.S. Department of Transportation requires approval of regional transportation plans and programs by the Metropolitan Planning Organization (MPO) in accordance with 23 U.S. C. Part 450; and

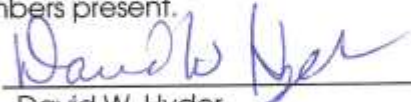
WHEREAS, the Tri-Cities Area Transportation Policy Committee is the duly designated Metropolitan Planning Organization for the Tri-Cities Area; and

WHEREAS, the Tri-Cities Area Metropolitan Planning Organization, pursuant to its adopted participation process, has considered public comments received on the 2040 Transportation Plan.

NOW, THEREFORE BE IT RESOLVED, the Policy Committee of the Tri-Cities Area Metropolitan Planning Organization hereby endorses the Tri-Cities Area 2018 Unified Planning Work Program.

Upon a motion by Webb seconded by Parker and carried, a motion was adopted to endorse the 2018 Unified Planning Work Program presented on June 14, 2019 with 5 of the 9 voting members present.


The Honorable William Chavis
Chair- Tri-Cities Metropolitan Planning
Organization


David W. Hyder
Secretary - Tri-Cities Metropolitan
Planning Organization

June 14, 2019

USDOT Approval



U.S. Department
of Transportation

Federal Transit Administration
Region III
1760 Market Street, Suite 500
Philadelphia, PA 19103
215-656-7100
215-656-7280 (fax)

Federal Highway Administration
Virginia Division
400 North 6th Street, Suite 750
Richmond, VA 23240
804-775-3320
804-775-3356 (fax)

July 2, 2018

The Honorable William Chavis, Chairman
c/o Dennis Morris, Executive Director
Tri-Cities Metropolitan Planning Organization
1964 Wakefield Street
Petersburg, VA 23805

Re: Approval of FY 2019 Final Unified Planning Work Program

Dear Chairman Chavis:

The FY 2018 Unified Planning Work Program (UPWP) for the Tri-Cities region that was developed and adopted by the Tri-Cities Metropolitan Planning Organization (TCAMPO) on June 14, 2018, has been jointly reviewed by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and is approved effective July 1, 2018, with the following comments for all agencies cooperatively responsible for regional transportation planning TCAMPO, Virginia Department of Transportation (VDOT), Virginia Department of Rail and Public Transportation (VDRPT), Petersburg Area Transit (PAT) and Greater Richmond Transit Company (GTRC) to consider.

The UPWP is an appropriate place to include activities that address corrective actions and recommendations from the recent Federal Certification Review. To ensure that the Policy Board and/or Transportation Advisory Committee (TAC) are familiar with and can provide appropriate consideration and response to the corrective actions, suggestions, and recommendations contained in the report, we strongly recommend that TCAMPO staff present all corrective actions, recommendations, and suggestions contained in the report for discussion, consideration and/or action and that the resulting activities should be reflected in the current or future UPWPs.

At a minimum, we want to emphasize a couple of corrective actions and recommendations in particular so that the Policy Board can assess whether the activities and/or end products described in the 2019 UPWP adequately demonstrate attention/action ahead of our recommended Title VI review of the TCAMPO by VDOT and/or VDRPT.

We recommend the UPWP clearly demonstrate attention to the following:

1. The TCAMPO develop and execute updated Bylaws that provide the transit operator, Petersburg Area Transit (PAT) with the responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials on the Policy Board.

Mr. Chavis
Page 2

2. Consistent with Executive Order 12898, the TCAMPO staff identify and address any adverse or disparate impacts to minority and low-income populations based on staff's analysis of the 2040 Long Range Transportation Plan.
3. The MPO ensure that the Policy Board Committee consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the MPA and appropriate State transportation officials. A staff person from the Crater Planning District Commission is noted with the UPWP as a voting member of the Policy Board Committee. Under Federal law, an appointed or other non-elected person does not satisfy the requirement of "local elected official."
4. In coordination with the Secretary of Transportation for the Commonwealth, discuss whether there is value in having VDRPT represent and advocate for the State's interest in public transportation and rail as a voting member of the TCAMPO. We note in our report that VDRPT is a valued voting member on other large MPOs in Virginia.

Additionally, we have enclosed an errata sheet with comments on the UPWP for ease of reference. In closing, we thank you for your efforts to address the corrective actions and recommendations contained in the report and your expressed commitment to improving Tri-Cities regional transportation planning and project selection process.

Sincerely,


Digitally signed by Melissa P McGill
DN: cn=Melissa P McGill, o=VTA,
ou=VTA, email=melissa.mcgill@vta.gov,
c=US
Date: 2018.07.02 11:57:22 -0400

Melissa McGill
Federal Transit Administration
Region III

 07/02/2018
Mack Frost
Federal Highway Administration
Virginia Division

cc: Ms. Marsha Fiol, VDOT Central Office
Mr. Bart Thrasher, VDOT Richmond District and Secretary of Transportation Designee
Mr. Mark Riblett, VDOT Richmond District
Ms. Sandra Norman, VDOT Central Office
Ms. Jennifer Debruhl, DRPT
Mr. David Green, Greater Richmond Transit Company
Ms. Von Tisdale, RideFinders
Mr. Charles Koonce, Petersburg Area Transit

Tri-Cities Area MPO FY2019 Unified Planning Work Program Comment Errata Sheet

Topic Area	Comment	Reference Page Number
General	The activities in the Tables of the document do not match the text	All
Voting Membership	A Planning District Commission (PDC) member is still listed as a voting member.	Page #3
Voting Membership	A PDC member is written into the organization and structure as a voting member.	Page #9
Planning Certification	Should be "Conditionally Certified May 24, 2018"	Page #11
CFR References	CFR Reference is incorrect. Should be 23 CFR 450.314(e)	Page #11
Planning Agreements	To address corrective action	Page #11
Transit Planning	Section should address certification recommendation: to work with State to obtain 20-year revenue projections for inclusion in the MTP.	Page #19
System Surveillance Tasks and Budget	Should safety conscious planning be at the end of this sentence?	Page #21. First paragraph.
System Surveillance Tasks and Budget	Where is the funding item for 4.1 in table 8? It looks like the numbering and labeling are inconsistent.	Page #21

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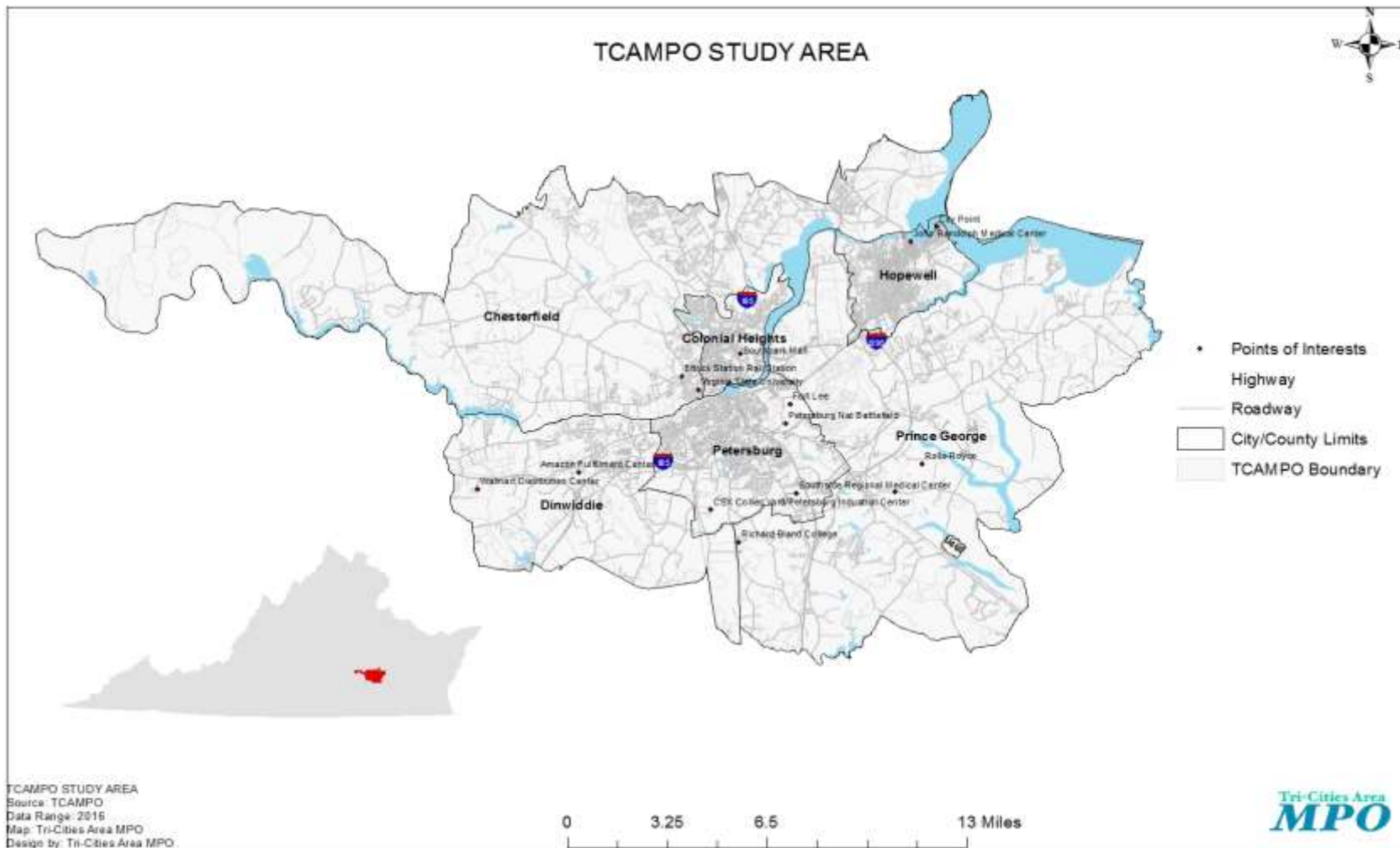


Figure 1: Tri-Cities MPO Area

Introduction

Congress intends that the Metropolitan Planning Process be:

- Continuous,
- Cooperative,
- Comprehensive
- Performance Based and
- Multimodal (USDOT, 2016).

The Tri-Cities Metropolitan Planning Organization was created on March 21, 1974, under Title 23 of the United States Code, by cooperative agreement between the Crater Planning District Commission and the Virginia Department of Highways. The Cities of Colonial Heights, Hopewell, Petersburg and the Counties of Chesterfield, Dinwiddie and Prince George entered into subsequent agreements in support of a continuing transportation planning process for the metropolitan area. On November 7, 1979 Virginia's Secretary of Transportation designated the Tri-Cities Area Policy Committee as the Metropolitan Planning Organization for the Tri-Cities Area.

Organization and Structure

The MPO consists of a Policy Committee, and a Technical Committee. The Policy Committee is responsible for transportation planning for the region including:

- the Unified Planning Work Program (UPWP);
- the Metropolitan Transportation Plan (MTP);
- the Transportation Improvement Program (TIP);
- the Congestion Management Process (CMP);
- the Stakeholder Participation Plan;
- the Title VI Compliance Plan; and
- Ensuring that plans meet federal requirements.

Elected representatives from the six study area jurisdictions, appointed representatives from the Office of the Virginia Secretary of Transportation, the Crater Planning District Commission (CPDC) and Petersburg Area Transit (PAT) are the voting members of the MPO – Policy Committee. Representatives from the Federal Transit Administration, the Federal Highway Administration and the Virginia Department of Rail and Public Transportation (VDR&PT) also participate on the MPO – Policy Committee as nonvoting members. Table 1 lists the current members of the MPO's Policy Committee and the agency or jurisdiction that they represent.

The Technical Advisory Committee is composed of representatives from public works, engineering, planning, or traffic engineering staffs of the six local jurisdictions, VDR&PT, VDOT, PAT and the CPDC. It gives technical support to Policy Committee. Representatives of Fort Lee and the National Park Service at Petersburg National

Battlefield serve on the Technical Committee as advisory members because of their importance to the Tri-Cities area.

The Tri-Cities Area Unified Transportation Planning Work Program includes a management section and a work program section. The management section describes the metropolitan transportation planning process. The technical work program section describes each work element, estimated cost, funding sources, and identifies the responsible agency or agencies. *The purpose of the UPWP is to ensure that the MPO successfully produces all of its required products and complies with Federal and Commonwealth requirements.*

Agreements for the continuing, comprehensive and cooperative transportation planning process in the Tri-Cities Area have been executed between regional and State transportation and air quality planning agencies pursuant to 23 CFR Part 450. 310. These agreements define the roles and responsibilities of each participating agency. The agreements and consultation procedures for transportation and air quality planning have been developed to comply with metropolitan transportation and air quality planning requirements. These planning agreements are proposed to be updated during FY19 under Task 1.0 to reflect changes in Federal and State transportation planning regulations since January 2009.

The job of the Metropolitan Planning Organization includes:

- 1) establish policy for the continuing, cooperative, and comprehensive transportation planning process;
- 2) determine when a re-evaluation of metropolitan plans and programs are needed;
- 3) review the results of the re-evaluation;
- 4) determine the influence of current data upon the metropolitan plans and programs in relation to previous data and projected trends;
- 5) cooperate in forecasting travel demand;
- 6) cooperate in the analysis of alternate transportation facilities;
- 7) cooperate on other work on the metropolitan transportation study;
- 8) review the design and location of projects and programs;
- 9) monitor the development of the State Implementation Plan, including the mobile source emission budget for the metropolitan area;
- 10) monitor development of any transportation control measures that may be required for the metropolitan area;
- 11) approve conformity findings required for the long range plan and the transportation improvement program for the metropolitan area;
- 12) Approve those transportation plans and programs required by the U. S. Department of Transportation.

Transportation Planning Products

Table 3 shows the products the MPO must produce and the status of each of the required products. All but one of, our required products are up to date. The exception is the Transit Development Plan (a joint effort of the MPO and the Transit provider).

Table 3: MPO Planning Products

Planning Product	Status	Comments or Notes
Boundary Review	Current	Performed after each decennial census
Congestion Management Process (CMP)	Current	The MPO revised its CMP in 2016 using a consulting engineer to perform the work.
Metropolitan Transportation Plan (MTP)	Current	by the MPO on August 10, 2017
Metropolitan Transportation Improvement Program (TIP)	Current	The MPO expects the amend various projects during the year to maintain consistency with Commonwealth of VA programs
Obligation Report	Current	
Performance Measures Report	In process	
Quadrennial Certification Review	Current	Anticipated in September 2017
Special Projects		
Planning Agreements	In Progress	The MPO is working with VDOT to revise the Planning Agreement. We are also working with Richmond TPO on an agreement, as required in 23 CFR §
Coordinated Human Services Transportation Plan	2014	
Update Functional Classification	Current	Updated after the decennial, census
Update National Highway System	Current	Updated after the decennial, census
Lower Appomattox River Trail Feasibility Study	In progress to complete in June	
Multimodal Rail Station NEPA Study	EA/FE Released	This Study is complete pending Federal Railway's Finding of No Significant Impact.
Transit Development Plan	2010	Due for Revision/Update. VDRPT requires that a TDP be fully updated every six years and evaluated or amended each year. The MPO will devote staff time this fiscal year to participate in developing a TDP for PAT. We intend to amend the long range transportation plan to reflect the new TDP.
Stakeholder Participation Plan	Current	After reviewing the Stakeholder

Planning Product	Status	Comments or Notes
		Involvement Plan staff believes that it, the Limited English Proficiency plan and the Title VI Plan need to be revised to reflect more recent data and to better match similar products at the state level.
Title VI Compliance Plan	Current	-After reviewing the MPO's Title VI Plan staff believes that it, the Limited English Proficiency plan and the Stakeholder Involvement Plan need to be revised to reflect more recent data and to better match similar products at the state level.
Unified Planning Work Program (UPWP)	Current	This UPWP replaces the UPWP adopted on June 20, 2017.
VA Six Year Improvement Program	Current	Revised each Year Under CTB Guidance

Transportation Planning Priorities

Table 4 shows the MPO's plan for meeting the federal transportation planning requirements. Table 4 shows ten federal fiscal years, beginning in fiscal 2017 and the planning products that need to be completed each year. Solid boxes (■) show recently completed products. Empty boxes (□) show work that needs to be done in a year. Red empty boxes (□) show lapsed products.

The product schedules are based upon the timelines set out in the Federal Register or agency policy.

Table 4: Long Term Work Schedule

Product/Task	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Boundary Review					□					
Congestion Management Process	■	□	□	□	□	□	□	□	□	
Metropolitan Transportation Improvement Program	■		□		□		□		□	
Metropolitan Transportation Plan	■				□				□	
Obligation Report	■	□	□	□	□	□	□	□	□	
Performance Report	■	□	□	□	□	□	□	□	□	
Self-Certification	□	□	□	□	□	□	□	□	□	
Quadrennial Certification Review	■				□				□	
Special Projects	□	□	□	□	□	□	□	□	□	
Planning Agreements		□								
Coordinated Human Services Transportation Plan			□							
Update Functional Classification					□					
Lower Appomattox River Trail Feasibility Study	□	□								
Multimodal Rail Station NEPA Study	■									
Stakeholder Participation Plan	■	□				□				
Title VI Compliance Plan	■	□				□				

Product/Task	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
Transit Development Plan			□				□			
UPWP	■	□	□	□	□	□	□	□	□	
VA Six Year Improvement Program	■	□	□	□	□	□	□	□	□	

Work Breakdown Structure

Figure 2 show the work breakdown structure used to develop the remainder to the work program. The work breakdown structure ensures that each product can be budgeted and that staff time, expenses, or contractor invoices can be properly allocated to the funds. The Work Breakdown Structure divides the MPO's work into five categories: administration, programming, long range planning, monitoring and special projects. Not all work tasks will be done each year; however, it is helpful in evaluating work and budget development to use a consistent work breakdown structure.

The work breakdown structure used in the UPWP is a compromise between completeness and efficiency. Therefore some tasks in Administration, Programming and Long Range Planning are collapsed into similar tasks.

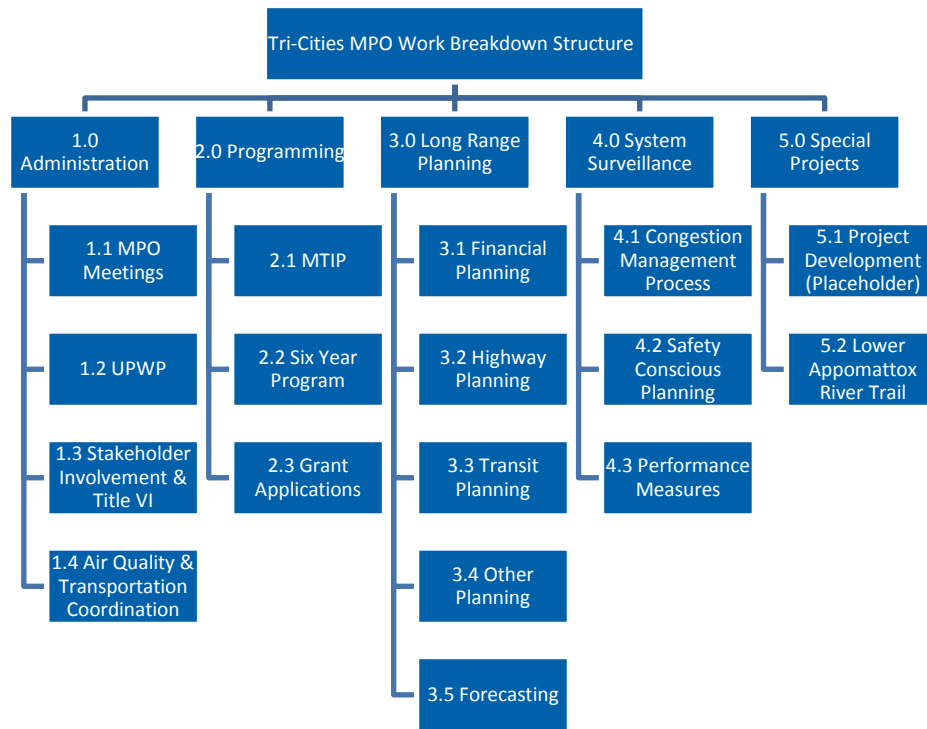


Figure 2: The MPO's Work Breakdown Structure

Work Program

Table 4 sets out a long term schedule for the MPO on a year by year basis. The intent of the work program is to deliver the products in Table 4 on time. The work program is the key element of the Unified Planning work program. It describes the work the MPO staff intends to perform during the upcoming year and the products that the MPO will produce as evidence that the work has been completed. In some cases there is also a discussion of work done earlier and how the new work fits into our earlier efforts. Figure 3 shows the coming year's planned work by task and month. The four columns on the far right of Figure 3 indicate the responsible organization. An 'A' indicates that the organization has the main responsibility for the task. A 'B' indicates a secondary role for the organization.

Objectives	WBS and Task Description	Schedule												Task Owner					
		1.0 Administration																	
	1.1.0 MPO Meetings		o	o	o	o	o	o	o	o	o	o	o	o	A	B	B	B	
	1.2.0 UPWP, Invoicing, Progress Rpt., Certification	o			o		o				o			A		B	B		
	1.3.0 Stakeholder Involvement & Title VI(44.21.00)		o	o	o									A					
	1.4.0 Air Quality & Transportation Coordination			o	o									B		A	A		
		2.0 Programming																	
	2.1.0 Metropolitan Transportation Improvement Program			o				o					o	A	B	B	B		
	2.2.0 Six Year Improvement Program			o				o					o	B		A	A		
	2.3.0 Project Ranking, Selection, & Grant Applications			o				o					o	A	B	B	B		
		3.0 Planning																	
	3.1.0 Financial Planning																		
	3.2.0 Highway Planning	o	o	o	o	o	o	o	o	o	o	o	o	B		A			
	3.3.0 Transit Planning	o	o	o	o	o	o	o	o	o	o	o	o	B	A		B		
	3.4.0 Planning for Other Modes (Bicycle, Freight, Pedestrian, Port)	o	o	o										A					
	3.5.0 Forecasting	o	o	o	o	o	o	o	o	o	o	o	o	A	B	B	B		
		4.0 System Surveillance																	
	4.1.0 Congestion Management Process																		
	4.2.0 Safety Conscious Planning					o	o	o	o	o	o	o	o	B	B				
	4.3.0 Performance Measures/Monitoring					o	o	o	o					A	B	B	B		
		5.0 Special Projects																	
	5.1.1 Project Development (Rail Station Study)																		
	5.2.0 Lower Appomattox River Trail		o	o	o	o	o	o	o	o				B		B	A		
		August	September	October	November	December	January	February	March	April	May	June	July	MPO	PAT	VDOT	VDRPT	Consultant	

Figure 3: Tentative Schedule

1. Administration of the Transportation Planning Process

Administration is broken down into four subtasks as described below. The MPO has allocated \$260,733 from all sources to administration as shown in Table 5.

Table 5: Administrative Tasks and Budget

Task and Work Breakdown	Amounts & Source							Grand Total
	DRPT Match	FTA 5303	Local Match	RST P	VDOT Match	PL 104	SPR	
1.1.0 MPO Meetings	\$ 588	\$4,702	\$ 2,035	\$-	\$ 1,448	\$11,580	\$60,030	\$ 80,383
1.2.0 UPWP, Invoicing, Progress Reports, Certification	\$ 4,150	\$33,179	\$ 13,529	\$-	\$ 9,384	\$75,069	\$29,970	\$165,281
1.3.0 Stakeholder Involvement & Title VI Compliance	\$ 217	\$1,738	\$ 6,643	\$-	\$ 6,426	\$51,404	\$-	\$ 66,428
1.4.0 Air Quality Planning & Coordination	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-
Grand Total	\$ 4,956	\$39,619	\$ 22,207	\$-	\$ 17,257	\$138,054	\$90,000	\$ 12,092

1.1. MPO Meetings

This task includes the time needed to prepare for, and attend, Policy Board Meetings and Technical Advisory Committee Meetings including preparation of agendas, draft and final meeting minutes, and attending the meetings. Typically, the MPO schedules monthly meetings for both committees except for April, July and December. The MPO expects to produce the following products from this task:

- Attending nine Policy Committee meetings and nine Technical Advisory Committee meetings;
- Nine agendas for Policy Committee Meetings;
- Nine agendas for Technical Advisory Meetings;
- Nine draft minutes and nine final minutes for Policy Committee Meetings;
- Nine draft minutes and nine final minutes for Technical Advisory Committee Meetings; and
- Distributing the products listed above by email and the internet to members and stakeholders.

1.2. The Unified Planning Work Program, Invoicing, Progress Reporting and Certification

Task 1.2 includes developing the Unified Planning Work Program (UPWP), monitoring completion of the tasks in the UPWP, reporting progress to the policy committee, VDOT, VDRPT, FHWA and FTA reviewing PL, RSTP, and Section 5310 invoices and submitting those invoices and progress reports to the listed agencies. It also covers certification that the planning process meets federal requirements. All MPOs self-certify their compliance annually. Our compliance with each federal requirement is included as Table 2. A copy of the most recent self-certification resolution is included on page 3 of the UPWP.

Key tasks for the Task 1.2 are:

- Developing, monitoring and amending each year's UPWP;
- Reviewing and submitting four invoices to DRPT and VDOT each year;
- Preparing four progress reports and a final report (combined with the fourth quarterly report) to DRPT and VDOT each year, and
- Monitoring compliance with the federal requirements.

In addition, as a Transportation Management Area (TMA) the Tri-Cities MPO is subject to a certification audit every four years. USDOT performed an audit in September of 2017. The staff time needed to prepare for and participate in the Certification Review will be charged to this UPWP Task.

1.3. Stakeholder Involvement and Title VI Compliance

Because the MPO is allocating public money, 23 CFR Part 450.316 requires that MPOs consult with interested parties. As a recipient of federal funds we are subject to the requirements of Title VI of the Civil Rights Act of 1964. Our stakeholder involvement plan and Title VI plan are in a combined document last updated in 2013. The MPO is allocating FTA 5303, PL, and local money to stakeholder involvement and Title VI compliance.

1.4. Air Quality and Transportation Planning Coordination

The MPO is in attainment for all of the National Ambient Air Quality Standards. On February 16, 2018 the DC Circuit Court of appeals reinstated transportation conformity for the 1997 eight-hour ozone standard. There is no definite guidance on this at the moment so staff has not prepared a budget for this item. Although we have received no firm guidance at this time staff believes that we should review our MTIP and Long Range Transportation Plan and determine which projects in those documents are reasonably significant, exempt, or debatable. The product of this review will be a report recommending the status of each project.

2. Programming

Programming is the process of prioritizing, selecting, funding and scheduling projects. Programming is divided into three subtasks discussed below and shown in Table 6. Because the Grant Cycle and TIP Cycle are in at a low point we have allocated a total of \$29,440 from all sources for programming.

Table 6: Programming Tasks and Budget

Task and Work Breakdown	Amounts & Source						Grand Total
	DRPT Match	FTA 5303	Local Match	RSTP	VDOT Match	PL 104	
2.1.0 Metropolitan Transportation Improvement Program	\$609	\$4,875	\$ 609	\$-	\$602	\$5,338	\$14,488
2.2.0 Six Year Improvement Program	\$-	\$-	\$485	\$-	\$433	\$3,759	\$4,667
2.3.0 Project Ranking, Selection & Grant Applications	\$-	\$-	\$1,053	\$-	\$967	\$8,255	\$10,274

Grand Total	\$609	\$6,308	\$1,460	\$-	\$2,002	\$17,351	\$29,440
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2.1. The Metropolitan Transportation Improvement Program

The MPO adopted its 2019 to 2021 Transportation Improvement program on April 13th 2017. This MTIP is valid for four years. However, the adopted TIP is a snapshot of the planning, funding, operations, and construction conditions that existed when the draft TIP was prepared. Therefore the MPO is allocating PL funds and FTA 5303 funds to allow amendments to the MTIP during its lifetime. These funds will be used by the MPO staff to administer the TIP amendment process.

2.2. The Six Year Improvement Program

The CPDC staff will coordinate with VDOT and local agencies administering CMAQ and RSTP prioritized projects regarding the scheduling and the allocation of funding for the next six year improvement program update.

2.3. Prioritization and Grant Processes

Each year there are opportunities to submit requests for competitive grants. Some of these funding sources are controlled by the MPO. Others are controlled by the Commonwealth of Virginia or the Federal Government. These grants include TIGER, RSTP, CMAQ,

3. Long Range Planning

Task 3 includes the tasks needed to develop and maintain the Metropolitan Transportation Plan required in 23 CFR Part 450.324. Task 3 is also at a low point in the cycle however the MPO is allocating \$42,826 for this task. The money programmed includes staff time for updating the Transit Development Plan (TDP) and staff time for collecting base year socio-economic data and forecasting that information to 2045 in collaboration with the Richmond TPO.

Table 7: Long Range Planning Tasks and Budget

Task and Work Breakdown	Amounts & Source						Grand Total
	DRPT Match	FTA 5303	Local Match	RSTP	VDOT Match	PL 104	
3.3.0 Transit Planning	\$1,168	\$ 9,525	\$1,191	\$-	\$670	\$5,872	\$11,904
3.5.0 Forecasting	\$-	\$-	\$3,599	\$-	\$3,199	\$28,275	\$30,291
Grand Total	\$1,168	\$9,525	\$4,283	\$-	\$3,869	\$34,147	\$42,826

3.1. Financial Planning

The financial plan was completed as part of the 2040 Update of the Metropolitan Transportation Plan. Staff expects no work on this task until the next update of the Metropolitan Transportation Improvement Program.

3.2. Highway Planning

The highway element of the Metropolitan Transportation Plan was completed as part of the 2040 Update of the Metropolitan Transportation Plan. Staff expects only incidental work in refining parts of the MTP during the coming fiscal year.

3.3. Transit Planning

As discussed above the only outdated planning document in the MPO is the Transit Development Plan. This product is jointly developed by the MPO and the transit provider (PAT). Staff is working with DRPT and PAT to update the Transit Development Plan. In late April and early May staff have reviewed consultant proposals for the work. The work is expected to take between ten and twelve months to complete.

3.4. Other Planning

Other planning includes all planning not included under financial planning, highway planning, transit planning or forecasting. This includes planning for freight, ports bicycles and pedestrians and systems level environmental planning. Forecasting

Forecasting is an important part of transportation planning. By law the MPO's transportation plan must have at least a twenty year time horizon when the policy board approves it. The MPO is collaborating with the Richmond TPO to develop the socioeconomic data needed for the next travel demand model and the next update of the long range transportation plan due for adoption in August 2021.

4. System Surveillance

System surveillance, monitoring the system, helps the MPO monitor trends in the physical condition of the system, demand on the system and the safety of the system. It provides vital feedback to let us know if the policies, programs, and projects we are implementing are having the desired impact. The MPO is allocating \$173,579 to system surveillance this year. This represents the major effort of the MPO and is needed to develop the federally mandated performance measures and prepare user friendly 'white papers' describing the performance measures and recommending program decisions based on the results of the background analysis. A preliminary list of 'white papers' includes:

- Safety;
- Bridge Condition;
- Pavement Condition, and
- Job Accessibility based upon the University of Minnesota's annual job accessibility reports for highways and transit.

We anticipate that the 'white papers' will be short closely focused technical memoranda that can be easily added to the text of the long range transportation plan later.

Table 8: System Surveillance Tasks and Budget

Task and Work Breakdown	Amounts & Source						Grand Total
	DRPT Match	FTA 5303	Local Match	RSTP	VDOT Match	PL 104	
4.2.0 Safety Conscious Planning	\$ -	\$ -	\$ -	\$23,159	\$5,790	\$ -	\$42,931
4.3.0 Performance Measures/Monitoring	\$ 601	\$4,805	\$1,995	\$81,461	\$21,760	\$11,157	\$121,779
Grand Total	\$ 601	\$4,815	\$1,995	\$104,620	\$27,550	\$11,157	\$150,727

4.1. Congestion Management Process

The MPO completely updated its congestion management process in 2016. The report of that study is available on the MPO's website. In addition information from that study was included in the draft 2040 Metropolitan Transportation Plan. Safety Conscious Planning

The product of this task will include a review of available information on hazardous traffic locations and accident information within the transportation study area. This information will be profiled and reviewed by the MPO committees and considered as a factor in evaluating RSTP candidate projects and for the prioritization of candidate projects for the Metropolitan Transportation Improvement Plans and Metropolitan Transportation Plans.

4.2. Performance Measures

The MPO is required by federal and state law to maintain and report performance measures each year. The MPO tracks approximately thirty performance measures at the moment and uses them to refine its goals and objectives and inform its maintenance and construction priorities.

The annual obligation report, for federal funds, required by 23 CFR Part 450.334 is included in this task.

5. Special Projects

The MPO feels that it is useful to maintain a separate task item for special projects. These projects are outside the normal scope of the MPO's work, but are important for advancing projects to funding or construction. These projects are hard to integrate into the MPO's routine work because of complexity, staff availability or schedule conflicts. Because of this special projects are often managed by the MPO, funded by others, and performed by the consulting industry. The recently completed NEPA location study for the Petersburg High Speed rail station is an example of this f work.

Table 9: Special Projects Tasks and Budget

Task and Work Breakdown	DRPT Match	FTA 5303	Local Match	Amounts & Source			Grand Total
				RSTP	VDOT Match	PL 104	
5.1.1 NEPA Study Rail Station	\$-	\$-	\$323	\$-	\$323	\$2,539	\$3,184
5.2.0 Lower Appomattox River Trail	\$-	\$-	\$-	\$1,455	\$364	\$-	\$1,818
Grand Total	\$-	\$-	\$323	\$1,455	\$686	\$2,539	\$5,002

5.1. Project Development

The project development work item allows the MPO to participate in developing planning studies, NEPA documents and plan reviews for large projects. At this time there are no known large studies outstanding. However, the MPO has devoted some staff time to allow ongoing studies to be finished. We are allowing \$3,200 to participate in final meetings and closing out this project.

5.2. Lower Appomattox River Trail

A number of plans (FOLAR's Lower Appomattox River Trail Plan, The James River Heritage Trail Plan and the draft Tri-Cities MPO 2040 Transportation Plan have discussed the desire to connect the Lower Appomattox River Trail, along Route 106, on the South Side of the James River to the Virginia Capital Trail along Route 5. VDOT's Richmond District has requested a planning study to assess the project. The MPO is devoting approximately \$1,800 to finish this study.

Table 10: Estimated Budget

Task and Work Breakdown	Amounts & Source							Grand Total
	DRPT Match	FTA 5303	Local Match	RSTP	VDOT Match	PL 104	SPR	
1 Administration								
1.1.0 MPO Meetings	\$ 588	\$ 4,702	\$ 2,035	\$ -	\$ 1,448	\$ 11,580	\$60,030	\$ 80,383
1.2.0 UPWP, Invoicing, Progress Reports, Certification	\$ 4,150	\$33,179	\$ 13,529	\$ -	\$ 9,384	\$ 75,069	\$29,970	\$ 165,281
1.3.0 Stakeholder Involvement & Title VI Compliance	\$ 217	\$ 1,738	\$ 6,643	\$ -	\$ 6,426	\$ 51,404		\$ 66,428
1.4.0 Air Quality Planning & Coordination	\$ 609	\$ 4,875	\$ 609	\$ -		\$ -		\$ 6,094
2 Programming								
2.1.0 Metropolitan Transportation Improvement Program	\$ -	\$ -	\$ 247	\$ -	\$ 247	\$ 1,972		\$ 2,465
2.2.0 Six Year Improvement Program	\$ -	\$ -	\$ 604	\$ -	\$ 604	\$ 4,828		\$ 6,035
2.3.0 Project Ranking, Selection & Grant Applications	\$ 1,188	\$ 9,525	\$ 1,191	\$ -		\$ -		\$ 11,904
3 Long Range Planning								
3.3.0 Transit Planning	\$ -	\$ -	\$ 3,092	\$ -	\$ 3,092	\$ 24,737		\$ 30,921
3.5.0 Forecasting	\$ -	\$ -	\$ -	\$ 23,159	\$ 5,790			\$ 28,948
4 System Surveillance								
4.2.0 Safety Conscious Planning	\$ 601	\$ 4,805	\$ 1,995	\$ 81,461	\$ 21,760	\$ 11,157		\$ 121,779
4.3.0 Performance Measures/Monitoring	\$ -	\$ -	\$ 323	\$ -	\$ 323	\$ 2,582		\$ 3,227
5 Special Projects								
5.1.1 NEPA Study Rail Station	\$ -	\$ -	\$ -	\$ 1,455	\$ 364	\$ -		\$ 1,818
5.2.0 Lower Appomattox River Trail	\$ 7,354	\$58,825	\$ 30,267	\$106,074	\$ 49,435	\$183,330	\$90,000	\$ 525,285
Grand Total	\$ 588	\$ 4,702	\$ 2,035	\$ -	\$ 1,448	\$ 11,580	\$60,030	\$ 80,383

Table 11: Estimated Hours by Task

Task and Work Breakdown	Estimated Hours by Source						Grand Total
	DRPT Match	FTA 5303	Local Match	RSTP	VDO TMatch	PL 104	
1 Administration							
1.1.0 MPO Meetings	5.4	55.6	12.3	0.0	5.3	47.7	126.3
1.2.0 UPWP, Invoicing, Progress Reports, Certification	37.6	206.4	66.6	0.0	71.5	362.6	744.6
1.3.0 Stakeholder Involvement & Title VI Compliance	4.7	55.4	136.4	0.0	120.7	1029.0	1346.2
1.4.0 Air Quality Planning & Coordination	3	26	5	0	3	20	56
2 Programming							
2.1.0 Metropolitan Transportation Improvement Program	6.0	62.1	15.0	0.0	5.3	47.0	135.4
2.2.0 Six Year Improvement Program	0.0	0.0	7.1	0.0	6.3	54.6	68.0
2.3.0 Project Ranking, Selection & Grant Applications	0.0	0.0	11.9	0.0	11.1	93.2	116.2
3 Long Range Planning							
3.3.0 Transit Planning	16.7	173.9	23.3	0.0	5.9	51.7	271.5
3.5.0 Forecasting	0.0	0.0	60.7	0.0	54.0	477.0	591.7
4 System Surveillance							
4.2.0 Safety Conscious Planning	0.0	0.0	21.0	228.0	59.4	98.0	406.4
4.3.0 Performance Measures/Monitoring	8.8	91.5	33.1	802.0	200.0	210.4	1345.8
5 Special Projects							
5.1.1 NEPA Study Rail Station	0.0	0.0	3.0	0.0	3.0	23.6	29.6
5.2.0 Lower Appomattox River Trail	0.0	0.0	0.0	16.0	4.0	0.0	20.0
Grand Total	81.6	670.8	395.4	1046.0	549.0	2514.8	5257.6

Table 12: Carryover Funds

	Federal	State	Local	Total
Carryover Highway (PL)	\$6,082	\$760	\$760	\$7,603
FY 19 Highway (PL)	\$177,252	\$22,157	\$22,157	\$221,566
Carryover FTA	\$5,091	\$636	\$636	\$6,364
FY 19 FTA (5303)	\$58,825	\$7,354	\$7,354	\$73,533

APPENDIX A: TITLE VI/NONDISCRIMINATION ASSURANCE

(DOT Order No.1050.2A)

The Crater Planning District Commission/ Tri-Cities Area Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration (FHWA)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C.2 § 2000d et seq., 78 stat 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation- Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S.2 Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurance

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an

"activity")facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award. "

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property 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; or
 - b. The period during which the Recipient retains ownership or possession of the

property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *FHWA or the Virginia Department of Transportation (VDOT)* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by *FHWA/VDOT*. You must keep records, reports, and submit the material for review upon request to *FHWA/VDOT*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal-Aid Highway Program*. This ASSURANCE is binding on the *Commonwealth of Virginia*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the *Federal-Aid Highway Program*.

Crater Planning District Commission/ Tri-Cities Metropolitan Planning Organization

by David W. Hyder

David W. Hyder

DATED November 6, 2019

NONDISCRIMINATION APPENDIX A: Contractor/ Consultant/Supplier Agreement: U.S. DOT 1050.2A --Appendix A

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

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a) withholding payments to the contractor under the contract until the contractor complies; and/or
- b) cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance² Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor,

or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient² In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

NONDISCRIMINATION APPENDIX B: CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance with the Virginia General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the *Federal Highway Administration* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d -4), does hereby remise, release, quitclaim and convey unto the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization its successors and assigns.

The Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed[,] [and]* (2) that the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted

programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions , the Department will have a right to enter or re-enter said lands and facilities on said land , and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

NONDISCRIMINATION APPENDIX C: CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

**NONDISCRIMINATION APPENDIX D: CLAUSES FOR
CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE
ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization will there upon revert to and vest in and become the absolute property of the Crater Planning District Commission/Tri-Cities Area Metropolitan Planning Organization and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

NONDISCRIMINATION APPENDIX E:Contractor/Consultant/Supplier Agreements: U.S. DOT 1050.2A --Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP)² To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

APPENDIX B: PL Authorization Letter

To be added upon receipt.

APPENDIX C: Letter of Agreement

To be added upon receipt.

APPENDIX D: Glossary of Terms

Acronym	Definition
AADT	Average Annual Daily Traffic
AASHTO	American Association of State Highway and Transportation Officials
AC	Advanced construction funding (fund type TBD)
ADA	The Americans with Disabilities Act
ARRA	The American Recovery and Reinvestment Act (Economic Stimulus Act) Signed on February 17, 2009.
BAU	Business as Usual
BOM	State bond match
BR	Bridge funds (BR/BROS)
BRAC	Base Realignment and Closing Commission
BROS	Off-system bridge
BST	State bonds
BTP	Bicycle Transit Pedestrian Plan
BTU	The British thermal unit (Btu or BTU) is a traditional unit of work equal to about 1055 joules. It is the amount of work needed to raise the temperature of one pound of water by one degree Fahrenheit.
CAFÉ	Corporate Average Fuel Economy Standards
CENTERLINE MILE(S)	A centerline mile is a measure of the total length (in miles) of highway facility in-place or proposed, as measured along the highway centerline
CCALS	Commonwealth Center for Advanced Logistics Systems
CCAM	Commonwealth Center for Advanced Manufacturing
CH ₄	Methane
CLASS I RAILROAD	A railroad with annual operating revenue greater than \$250,000,000
CLASS II RAILROAD	A railroad with revenues between those of a Class I and a Class III Railroad.
CLASS III RAILROAD	A railroad with annual operating revenue less than \$20,000,000
CM	CMAQ funds
CM AC CONVERSION	CMAQ planned to be converted
CMAQ	Congestion Mitigation Air Quality
CMP	Congestion Management Process
CNG	Compressed Natural Gas
CPDC	Crater Planning District Commission
CSX	CSX Transportation a Class I Railroad serving the TriCities Area
CTB	Commonwealth Transportation Board
DEMO	Demonstration Project Funds
DRPT	The Virginia Department of Rail and Public Transportation

Acronym	Definition
EB	Equity Bonus (Minimum Guarantee) Funds
EIA	Energy Information Administration
EJ	Environmental Justice as described in Executive Order 12898 and federal guidance derived from that executive order
EN	Enhancement
EPA	The US Environmental Protection Agency
EQMG	Equity Bonus (Minimum Guarantee)
EV	Electric Vehicle
FALL LINE	The edge of the Piedmont/Coastal Plain, where various rivers cross from hard bedrock to soft sediments, is marked by a line of rapids and waterfalls called the Fall Line
FARE	The money a passenger on public transportation has to pay
FARE BOX	The total revenue derived from passenger fares
FAST ACT	Fixing America's Surface Transportation Act- The Transportation Authorization Bill signed into law on December 4, 2015
FEMA	Federal Emergency Management Administration
FHWA	Federal Highway Administration
FOLAR	Friends of the Lower Appomattox River
FRA	Federal Rail Administration
FSM	GARVEE Soft Match
FTA	Federal Transit Administration
FY	Fiscal Year
GARVEE	Grant Anticipation Revenue Vehicle – Bonds secured by the expected federal transportation funds in future years.
GHG	Greenhouse Gas
GRV	GARVEE Bonds- Grant Anticipation Revenue Vehicle Bonds secured with future federal aid revenues.
GTRC	Greater Richmond Transit System
HABITAT BUFFER	
HPD	High Priority Demo funds
HPMS	Highway Performance Monitoring System
HSIP	Highway Safety Improvement Program
ICG	Interagency Consultation Group
IM	Interstate Maintenance
IM AC CONVERSION	Interstate Maintenance planned to be converted
INT	Interest Income
ISTEA	The Intermodal Surface Transportation Efficiency Act of 1991. The Federal Transportation Authorization Bill signed on December 18, 1991.
ITS	Intelligent Transportation Systems-Transportation Management System and Technologies intended to improve the performance of the transportation system.
LANE MILE(S)	Lane-mile is a measure of the total length of traveled

Acronym	Definition
	pavement surface. Lane-miles is the centerline length (in miles) multiplied by the number of lanes.
LCB	Lower Control Bound – In statistical process control the upper control bound represents a highest level of variance from the average that is expected. 99% of measured values should be below the UCB. (See UCB)
LEP	Limited English Proficiency
LOAD FACTOR	The number of passengers divided by the number of seats
LOC	Local funds
LOM	Local match
LOS	Level of Service: A qualitative measure of service
PAT	Petersburg Area Transit
LPG	Liquefied Propane Gas
LPO	Lead Planning Organization
LRP	Long Range Plan
LTO	Landing/Take Off Operations
MAP 21	Moving Ahead for Progress in the 21st Century. The Federal Transportation Authorization Bill signed on June 29, 2012
MG/EB AC CONVERSION	Equity Bonus (Minimum Guarantee) planned to be converted
MGEB	Equity Bonus (Minimum Guarantee)
MIX	Mix of federal (STP/MG/BR/BROS) and state funds
MM	Mile Marker
MPO	Metropolitan Planning Organization
MRAQC	Metropolitan Richmond Air Quality Committee
NEPA	The National Environmental Policy Act of 1970.
NH	National Highway funds
NH AC CONVERSION	National Highway planned to be converted
NHPP	The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS, and to ensure that investments of Federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a State's asset management plan for the NHS.
NHS	The National Highway System
NHTS	National Household Travel Survey
NOVA	Northern Virginia
NO _x	Oxides of Nitrogen – a chemical compound that contributes to the formation of ground level ozone. NO _x is usually a product of high temperature high pressure combustion (for example jet engines or diesel engines)
NPS	National Park Service

Acronym	Definition
OC	Open Container
OPR	Operating Revenue
OTHER	Other funds (state, local, etc.)
PE	Preliminary Engineering - Preliminary engineering is the location, design, and related work needed to advance a project to physical construction. Preliminary engineering includes preliminary and final design; both defined in 23 CFR 636. 103, and other project-related work leading to physical construction. This includes costs to perform studies needed to address requirements of the National Environmental Policy Act (NEPA) and other environmental laws. It may include advertising and other pre-award work such as bid analysis, although it is also acceptable to include this work as construction engineering costs.
PPT	TIFIA (Public/Private Partnership)
RSTP	The portion of STP funds allocated to urban areas over 200,000 in population See STP
RSTP AC CONVERSION	Regional STP planned to be converted
RTE.	Route
SAFETEA-LU	Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users: The Federal Transportation Authorization Bill Signed into law on August 10, 2005. In some contexts it indicates Congressionally earmarked funding.
SEHSR	Southeast High Speed Rail
SRS	Safe Routes to School funds
STF	State funds
STM	State match
STP	The Surface Transportation Program (STP) provides flexible funding that may be used by States and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals.
STP AC CONVERSION	STP planned to be converted
STP/EN	Enhancement funds
STP/HES	Highway Safety funds
STP/RR	Rail Safety funds
STP/SRS	Safe Routes to School funds
TBD	Fund source to be determined
TEA 21	Transportation Equity Act for the 21 st Century the Federal Transportation Authorization Bill Enacted on June 9, 1998.

Acronym	Definition
TEU	Twenty Foot Equivalent Unit (the basic measure of shipping containers) is an inexact unit of cargo capacity describing the capacity of container ships and container terminals. It is based on the volume of a 20-foot-long (6. 1 m) intermodal container, a standard-sized metal box which can be easily transferred between different modes of transportation, such as ships, trains and trucks. The container is defined by its length though the height can be between 4 feet 3 inches (1. 30 m) and 9 feet 6 inches (2. 90 m), with the most common height being 8 feet 6 inches (2. 59 m). By volume a TEU is approximately 1,360 cubic feet or 39 cubic meters.
TIGER GRANT	Transportation Investment Generating Economic Recovery (TIGER) grant program
TIP	Transportation Improvement Program
TITLE VI	Title VI of the Civil Rights Act of 1964
TOL	Tolls
TOLL	Tolls
TON	Long – 2240 pounds Metric or tonne- 1000 kilograms/2204 pounds Short – 2000 pounds Approximately 60 cubic feet by volume
TRAN	DRPT Equity Bonus
TSM	Transportation Systems Management
UCB	Upper Control Bound – In statistical process control the upper control bound represents a highest level of variance from the average that is expected. 99% of measured values should be below the UCB. (See LCB)
UPWP	Unified Planning Work Program- The Metropolitan Planning Organization's Annual Work Plan
USC	United States Code
VDEQ	The Virginia Department of Environmental Quality
VDOT	The Virginia Department of Transportation
VDRPT	See DRPT
VMT	Vehicle Miles of Travel (1 car driving 1 mile is 1 VMT. 20 cars driving 10 miles each is 200 VMT.
VOC	Volatile Organic Compound – a chemical compound that contributes to the formation of ground level ozone. These may be naturally occurring or the result of industrial processes.
WTP	Well to Pump
WTW	Well to Wheel