

DRAFT

UNIFIED PLANNING WORK PROGRAM

FISCAL YEAR 2024 – 2025



Adopted:

Amended:

Monongalia County Courthouse
243 High Street Room 026
Morgantown, WV 26505
(304) 291-9571 phone
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INTRODUCTION

In accordance with Federal Regulations, this document outlines the budget for the Morgantown Monongalia MPO for Fiscal Year 2024-2025, which begins July 1, 2024. In addition to identifying the funding sources for work to be performed in the upcoming year, it also fulfills the requirement that the MPO provide a summary of the work the MPO has performed in the previous fiscal year.

DEVELOPMENT OF THE UPWP

The MMMPO's Unified Planning Work Program is developed in consultation with the MMMPO's member agencies. The Unified Planning Work Program combines transportation planning funds from the Federal Highway Administration and the Federal Transit Administration into a single budget. Hence, the name Unified Planning Work Program. The process of developing the UPWP begins in November of the previous year when MPO staff requests that all member agencies including Mountain Line Transit provide us with any items they would like to see included in the upcoming years work program. A draft of the upcoming fiscal year work program is provided to the MPO's committee members including the Policy Board at their January meeting. The final document is submitted to the committees for adoption at the March meetings.

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 includes representatives from:

1. Monongalia County (pays one half of any local match requirements) - three county commissioners
2. City of Morgantown (pays one half of any local match requirements) - three council members
3. City of Westover — one elected representative
4. Town of Star City — one elected representative
5. Town of Granville — one elected representative
6. Town of Blacksville — one 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
11. Morgantown Area Partnership-one representative (non-voting)

Accomplishments

During Fiscal Year 2023-2024 the MMMPO staff worked with the West Virginia Department of Transportation and the area's local governments to improve transportation in the region. The MPO's efforts were focused on the implementation of the area's 2050 Long Range Transportation Plan. Please find below a short description of these activities.

The primary focus of the MPO during the fiscal year was working to implement the recommendations of the recently adopted transportation plan. This effort was focused on hiring consultants to perform the Downtown Microsimulation Study a Tier One project for the area. This Study will identify strategies and solutions for other Tier One Projects such as the Willey Street improvement project and the Fairmont Road Improvement Project.

The MPO also implemented the recently adopted suballocated funding process. The MPO Policy Board recommended \$400,000 in funding for the construction of sidewalk along Fairmont Road.

Other work performed by MPO Staff during FY 2023-2024, included:

MPO Staff worked to keep the following projects moving toward construction, the University Avenue/Collins Ferry Road intersection improvement project the Greenbag Road widening project, Beechurst Avenue spot improvement project and the upgrades of the West Run, Van Voorhis Road corridor projects.

In addition to project work MPO staff, performed several duties to maintain traffic related databases these databases include an annual traffic count program and an accident database. MPO Staff prepared a summary of crashes that occurred between 2018 and 2022 as part of this work. The 2019 traffic counts were taken in April and October to allow for the development of peak period factors. MPO The accident database was updated using additional data available from the WVDOH. Staff worked with WVDOH staff to have local counts included in the State's triennial data collection effort in the Morgantown/Monongalia County area. It is anticipated that the MPO will resume data collection activities in the upcoming fiscal year.

MPO Staff continued to investigate potential pedestrian count technologies. The technology for pedestrian counting is evolving quickly and it is difficult to evaluate the various options available. MPO Staff In cooperation with the Mon Valley Greenspace Coalition Staff prepared a map of a potential greenway network connecting non-motorized facilities throughout the area.

The MPO has been working to implement the Regional Transportation Demand Management program. During FY 2014-2015 MPO staff, working with Mountain Lines Mobility Coordinator instituted a coordinated advertising campaign and a redefined incentive package for new van pools. The momentum from this effort continued in FY 2019-2020 when there were two ongoing vanpools. Since that time the initial funding for the program has been expended. MPO Staff successfully sought funding for the continuation of this initiative in FY 2020-21. To date 19 vanpools have been started by this program with 12 of them still operating after the expiration of the MPO's subsidy.

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MPO Staff also evaluated the need for pedestrian improvements in the vicinity of Don Nehlen Drive and WV 705. Staff prepared a report on the findings of this Study.

MPO Staff also developed a draft electric vehicle charging station plan for the area. This plan should be completed by the end of the 2023-2024 fiscal year. It is anticipated that there will be public involvement activities associated with the implementation of this plan during the upcoming fiscal year.

MPO Staff continued work begun in 2013-2014 with the other MPO's across the State to develop an MPO Association to share best practices in transportation planning and to enhance coordination with WVDOT, the Federal Highway Administration and the Federal Transit Administration.

Operational initiatives undertaken during FY 2023-2024 included work to implement transportation performance measures as required by the FAST Act. With the addition of a part-time staff person shared with Monongalia County the MPO expanded its online presence to include several new platforms including Twitter, LinkedIn, a larger presence on Facebook and other social media. The new employee also worked to standardize the format of the MPO's letter head and other documents as well as beginning a quarterly MMMPO newsletter. Normal operations included MPO consideration of numerous TIP Amendments by the MPO's committees. MPO Staff also performed other normal administrative functions including financial management, staff technical support to the Pedestrian and Bicycle Board's, and other similar tasks.

MPO Staff also provided technical assistance to the area's localities as requested. Work included assisting in the development of a RAISE grant for Fairmont Road in Westover by WVDOH. MPO Staff also worked with the City of Morgantown to develop the Community Garden initiative funded as part of the mitigation of the impacts of the Greenbag Road Project. MPO Staff also worked to assist the State with its Vulnerable Road Users initiative and the development and implementation of the State Highway Safety Plan.

It is anticipated that all of the work items proposed in the FY 2023-2024 UPWP will have been addressed during the fiscal year. It should be noted that several items are intended to be ongoing parts of the MPO's Work Program which will never be "completed." These tasks include all forms of data collection, monitoring of performance measures, and administration. MPO Staff anticipates that not all of the MPO's funding for the FY 2023-2024 UPWP will be utilized by the end of the FY due to a vacancy during part of the year. It should be noted that the MMMPO utilized greater than 98% of its FY 2021-2022 funding. There is no provision to carry over funding from previous fiscal years in the MMMPO's arrangement with WVDOT.

FOCUS FOR FISCAL YEAR 2024-2025

Local initiatives:

Major initiatives to be under taken this year include:

Completion of the study of downtown Morgantown traffic operations. This Study is to analyze numerous scenarios for changing downtown's traffic patterns. Potential changes to be evaluated include the closing of "Grumbein's Island" to traffic, improvements to the operational capacity of Willey Street, evaluating the impact of eliminating the one-way street pairs (Spruce Street and High Street, Pleasant Street and Walnut Street) in downtown, and other potential improvements to the network including better coordination of the signal system. In FY 2022-23 the MPO developed an RFQ for a consultant to perform this work during FY 2023-24. This Study will be the largest single project undertaken by the MPO in FY 2023-24. MMMPO Staff time for this project will be under administrative charges.

In addition to the Downtown Traffic Operations Study MPO Staff will be working with WVDOH to Greenbag Road Design Study funded by the MPO's RAISE grant. MPO Staff will team with WVDOH to put together a Study Steering Committee and work with WVDOH to jointly administer the Study. It is anticipated that this project will take place over more than one fiscal year.

The MPO has also received a request to develop a pedestrian safety plan for University Avenue from Patteson Drive to Boyers Avenue from Star City and the City of Morgantown. This Study will be a high priority for MPO Staff.

The MPO has also received a request from the City of Morgantown for the funding of a feasibility study of the proposed pedestrian overpass on Don Knott's Boulevard. The City of Morgantown will be providing the required match for this Study.

MPO Staff will also work with Mountain Line to develop a plan for the location of bus shelters. This work may be in conjunction with a class from WVU.

During FY 2019-2020 the MPO hired a part-time employee to expand its public outreach efforts as identified in the MPO's Public Involvement Policy. This staff person is responsible for developing a newsletter to be issued at least quarterly, website maintenance, and the MPO's social media presence. These efforts will continue in the upcoming Fiscal Year.

Other tasks:

The MPO reinstated the traffic count program in the spring of 2023 by developing joint count locations with the WVDOH triennial count program. The purpose of the program is 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 MPO's regional travel demand model, as well as in identifying areas where operational improvements to the road network may be needed. The information is also useful to the Division of Highways when planning operational improvements to the area's transportation facilities. MPO Staff proposes to have traffic counts taken during FY 2024-25.

In addition to working on the inventory of traffic data the MPO proposes to participate in the updating of aerial mapping and topographic data undertaken by a consortium of Monongalia County, the City of Morgantown and the Morgantown Utility Board. It is anticipated that the MPO will provide \$5000 to assist in funding this effort.

MPO Staff will work to implement the process for monitoring and reporting on the impact of transportation decision-making in the TIP and the Metropolitan Transportation Plan on the safety and operational performance of the transportation system in accordance with the performance planning requirements of the IIJA, FAST Act and MAP 21. MPO Staff will continue to provide ongoing administrative functions including scheduling and staff meetings, preparation of minutes and other arrangements for the MPO's standing committee meetings. Staff will continue preparation of Transportation Improvement Program amendments, preparation of the budget, performance of 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. Staff will also review the MPO's Public Involvement Policy and the MPO's Bylaws to determine the need for an update to the provisions of those documents. Staff will also continue to work with the statewide MPO Association on issues common to all of the state's MPOs.

As outlined below the MPO intends to address Federal Planning initiatives provided by the Federal Highway Administration and the Federal Transit Administration in the work program.

-Tackling the Climate Crisis-Transition to Clean Energy-The draft UPWP addresses this issue by emphasizing the development of alternative forms of transportation and by working with WVDOH as needed on potential locations for electric vehicle charging stations. MPO Staff developed a preliminary charging station plan for the area during FY 23-24 and will work on implementation efforts during FY 24-25. This item is addressed in line items II-D-11, II-B-10 and II-B-17.

-Equity and Justice40 in Transportation Planning-This initiative stresses the following activities-improve infrastructure for non-motorized activities, plan for the safety of all road users, reduce single occupancy vehicle travel and associated air pollution in high volume corridors, offer reduced public transportation fares as appropriate, target demand response toward communities with older adults and those with poor access to essential services. This emphasis area also includes out-reach to underserved communities including persons in rural areas that have been systematically denied a full opportunity to participate in the transportation planning process.

The draft UPWP addresses this area by working to improve access for underserved communities through planning for non-motorized forms of transportation as part of ongoing vehicular transportation projects as well as work to provide a non-motorized facility network in

cooperation with the Mon Valley Greenspace Coalition. This emphasis area is addressed in line item III-C-16 and II-B-11.

-Complete Streets-The draft UPWP addresses complete streets by continuing the MPO's coordination with the WVDOT Complete Streets Commission as well as identifying projects in the Metropolitan Transportation Plan where alternatives to the single occupant vehicle are appropriate. The MPO is also developing a trial program for non-motorized vehicle data collection as part of the UPWP. The MPO will prepare a plan for bicycle and pedestrian safety on University Avenue in Morgantown and Star City. This emphasis area is addressed line item II-B-11.

-Public Involvement-Under the proposed UPWP the MPO will seek to improve our outreach to underserved communities as noted in the Equity and Justice emphasis area and to continue a robust outreach program in the media. This item is addressed in line items III-C-6.

-Strategic Highway Network (STRAHNET) for national defense (there are no designated STRAHNET facilities except I-68 and I-79 within the area) The draft UPWP does not directly address this issue but the MPO's Metropolitan Transportation Plan identifies needed improvements along these corridors. The MPO will support improvements to these facilities.

-Federal Land Management Agency Coordination (not applicable to our area).

-Planning and Environmental Linkage (streamlining the environmental process for the construction of projects by utilizing information from the planning process). The MPO will address this item in the upcoming fiscal year by developing a planning level study of one the Metropolitan Transportation Plan's priority projects to assist in identifying issues for the WVDOH project development process. This emphasis area is addressed in line items III-D-2, and III-D-3.

-Data in Transportation Planning-As noted above the MPO proposes to develop a trial data collection program for non-motorized vehicle transportation data collection in the draft UPWP. The MPO also restarted the traffic count program in the spring of 2023 in cooperation with the WVDOH Traffic Count program. This item is budgeted in line items II-A-1, II-A-4, II-A-10.

BUDGET ITEMS BY MAJOR CATEGORY

The Project codes used in this document refer to the work codes identified in the MPO's Prospectus.

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

II-A-1 Traffic Counts- MPO will continue the annual traffic count program which was restarted in the spring of 2023. The initial program included 58 locations counted in the spring of 2012. As of the 2014 counts the MPO had 74 count locations around the urbanized portion of the County. As of 2019 the number of counts was reduced to approximately 58 due to budgetary constraints. 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 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. 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 locations and corridors.

II-A-4 Traffic Accidents-MPO Staff will continue to collect, quantify and locate traffic accident data as it becomes available.

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-3 Model Update-The MPO regional travel demand model will be updated using data from the downtown micro-simulation study.

II-B-6-Community Goals and Objectives-The MPO will have a robust public involvement process to identify any new community goals and objectives since the last major update in 2022.

II-B-8 Deficiency Analysis-Ongoing efforts to identify deficient elements of the transportation network.

II-B-9 Highway Element-the highway element of the MTP will be updated as needed to reflect changes proposed in the area's comprehensive plans, the Downtown Microsimulation Study and other ongoing studies.

II-B-10 Transit Element-The MPO will work with Mountain Line to incorporate recent changes in their operations into the overall Metropolitan Transportation Plan. MPO Staff will also work with Mountain Line to develop a plan for the installation of transit stops around the area.

II-B-11 Bicycle and Pedestrian Planning- The MPO will incorporate new data into the Bicycle and Pedestrian Plan. MPO Staff will also prepare a safety plan focusing on improving bicycle and pedestrian safety for University Avenue between Patteson Drive and Boyers Avenue. This Plan will emphasize a "Complete Streets" approach to this important corridor. During this fiscal year the MPO will also fund a feasibility study for a pedestrian bridge over Don Knott's Boulevard.

II-B-13 Collector Street Planning- MPO Staff will provide support to area municipalities in reviewing proposed development to ensure that the proposed collector streets are adequate. Staff will also review proposals to ensure that the proposed connection between major arterials and collector streets are consistent with the capacity anticipated in the Metropolitan Transportation Plan.

II-B-16 Financial Planning- MPO Staff will continue to work for the development of funding streams for transportation in general and especially for implementing the Metropolitan Transportation Plan.

II-B-17 Congestion Management Strategies- MPO staff will review and coordinate with WVDOT/DOH on potential congestion mitigation strategies including ongoing TDM activities. MPO staff will also work with Mountain Line staff on the van pool program. MPO Staff will continue to provide information on 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 2024 Planning Work Program.

III-B Transportation Improvement Program

MPO staff will update the Transportation Improvement Program (TIP) as needed. The MPO will work with WVDOH on updating the State Transportation Improvement Program operating procedures and updating the TIP to meet the revised procedures.

III-C-6 Public Involvement

The MPO will continue to televise Policy Board Meetings. Staff also anticipates increased public involvement activities associated with the downtown microsimulation study. The MPO will continue to distribute a newsletter and upgrade its online presence. Staff will also reach out to neighborhoods throughout the area to inform residents about the MPO and its activities.

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 and in freight planning.

III-C-8 Performance Measures-MAP 21 and the FAST Act require the States and MPOs to establish and report performance measures to ensure that transportation investments are addressing national, state, and local priorities for safety, air quality, system reliability and transit and highway asset management. These performance measures will need to be reflected in the MPO's Metropolitan Transportation Plan and Transportation Improvement Program. This will be an ongoing task.

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

III-D-2 Environmental Coordination-MPO Staff will work with WVDOH to provide environmental resource agencies with information on projects proposed in the updated Metropolitan Transportation Plan to help ensure that environmental concerns are recognized as potential projects move forward to implementation. Efforts along this line include the proposed feasibility study for a pedestrian crossing of Don Knott's Boulevard.

III-D-3 Special Studies- MPO Staff will work with partner agencies to identify needed special studies and to initiate studies as requested. This line item also includes the management of ongoing projects such as the Downtown Microsimulation Study as well as funding for and administration of the pedestrian overpass feasibility study and oversight of the Greenbag Road Design Study in cooperation with WVDOH. At the request of the City of Morgantown the MPO will also be funding a preliminary design/feasibility study for the construction of a pedestrian bridge over Don Knott's Boulevard. It is also anticipated that the MPO will prepare a pedestrian safety plan for University Avenue from Patteson Drive in Morgantown to Boyers Avenue in Star City.

III-E Management and Operations This line item includes normal administrative functions such as the cost of the MPO audit, supplies, insurance and other administrative costs. It also includes the preparation of meeting agendas and supporting documentation for the 35 regularly scheduled MPO committee meetings as well as other meetings held by the MPO.

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 for the period July 1, 2021 through June 30, 2022 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: _____

**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 19th day of March , 2021

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 19, 2021

EXECUTIVE DIRECTOR

SIGNATURE OF AUTHORIZED OFFICER

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

NONDISCRIMINATION ASSURANCE

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

CFR part 21 at 21.7, the 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 19th day of March 2021

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.

DRAFT

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 19th day of March, 2021

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: 243 High Street Room 026
City: Morgantown
County: Monongalia
State: West Virginia
Zip Code: 26505

J. William B. Austin

Secretary/Executive Director
Title of Authorized Official

Morgantown Monongalia Metropolitan Planning Organization
Name of Applicant

Date

DRAFT

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.

DATE

SIGNATURE

THIS IS A SAMPLE OF THE DRUG FREE WORK PLACE FORM
GIVEN TO EACH MORGANTOWN MPO EMPLOYEE
FOR SIGNATURE AND CERTIFICATION.

COPIES OF SIGNED STATEMENTS ARE ATTACHED.

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

The 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) \$ 49,400 _____, _____; \$ _____, _____;
(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 are from Monongalia County, and City of Morgantown.

Executed this day of March, 2021 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 19th day of March, 2021 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 19th day of March, 2021

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