ALABAMA DEPARTMENT OF TRANSPORTATION

Local Transportation Bureau

1409 Coliseum Blvd., Montgomery, Alabama 36110-2060
Phone: (334) 242-6206 FAX: (334) 353-6530
Internet: http://www.dot.state.al.us

Kay Ivey
Governor

John R. Cooper
Transportation Director

March 1, 2019

LOCAL TRANSPORTATION BUREAU
MEMORANDUM 2019-11

TO: Metropolitan Planning Organizations

FROM: D.E. (Ed) Phillips, Jr., State Local Transportation Engineer

Reference: Transportation Improvement Program

In cooperation with the State of Alabama, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and public transit providers, Metropolitan Planning Organizations (MPOs) in Alabama will be required to submit a Transportation Improvement Program (TIP) for fiscal years 2020 through 2023. The below will outline ALDOT's requirements for the FY 2020 – 2023 TIP.

Narrative and Appendices

Similar to prior years, topics covered in the narrative of the TIP shall include but not be limited to the following: (1) Purpose; (2) Organization; (3) Regulations; (4) Consistency with Other Plans; (5) Scope of the Planning Process; (6) Planning Emphasis Areas; (7) Public Participation; (8) Title VI; (9) Livability Indicators; (10) Environmental Mitigation; (11) Climate Change; (12) Air Quality Planning; (13) Financial Constraint; (14) Project Selection and Prioritization; (15) Bicycle and Pedestrian Planning; (15) Safety Planning; (16) Regionally Significant Projects; (17) Freight Planning; and (18) Performance Measures. New this year, the TIP will be a reporting mechanism for performance targets. Reporting should include a description of the targets, a Systems Performance Report, and the Performance Management Agreement. More information is included in ALDOT memorandum 2018-21 and 2019-3 located here: https://www.dot.state.al.us/ltweb/administration/memorandums.html.

The TIP should include information about the public participation process. This section should document Title VI requirements and should align with the MPO's Public Participation Plan. Meeting minutes, copies of advertisements, and similar items should also be included as appendices. The MPO shall provide all interested parties with a reasonable opportunity to comment on the proposed TIP, to include at least one formal public meeting, and make the document electronically accessible.

Additional requirements include the insertion of the self-certification form, questionnaire, and Memorandum of Understanding (MOU). The form and questionnaire should be filled out and

returned to ALDOT with signature, and a signed version of the form will be returned. Once the final version of the MOU is signed by all parties, a copy will be forwarded to the MPO. All three documents should be included in the TIP. Finally, MPOs should retain livability indicators from prior TIPs. Indicator data should be displayed through graphs, charts, maps, or other means.

Financial Plan

The TIP should include all planned surface transportation projects within the boundaries of the metropolitan planning area, with the exception of those listed in 23 CFR 450.326(e). The program of projects should be financially constrained, meaning that the projects should only be included where funding is reasonably expected to be available. It is the MPOs responsibility to work through its committees and sponsors (including ALDOT Regions) to ensure the funding, cost estimates (year-of-expenditure dollars), and phasing of projects are accurate and correctly scheduled in the TIP. Additionally, project descriptions should adequately describe the project details, location, and items of work. MPOs should ensure all phases of all planned projects whether MPO, LVOE, ALDOT, etc. be contained in the TIP if it is anticipated to be completed in the next four years. It is required to have the next subsequent phase before funding is authorized and will result in additional amendments and or delays of projects. MPO staff are encouraged to review 23 CFR 450.326, "Development and Content of the TIP."

Planned projects will be displayed in the TIP both in tabular as well as a mapped format. In tabular format, the TIP will include pages for all project categories within the CPMS Portal, regardless if there is a project assigned to that category. All projects should be mapped, and it is the MPO's discretion as to how many projects to display on one map. All maps should be legible as printed, and larger pages should be placed with a Z-fold.

Authorized projects for the prior year (FY-2019) as well as Regionally Significant Projects are required to be listed in the TIP. Regionally Significant Projects should be listed regardless of funding type. ALDOT would like for both authorized projects and Regionally Significant Projects to be listed separately from other planned projects.

Level-of-Effort

Projects that are not considered to be of appropriate scale for individual identification may fall into one of six Level-of-Effort (LOE) categories. For display purposes, each transit project will be placed into the TIP as it is listed in the CPMS Portal. For transit projects, the fiscal year apportionment should be included in parenthesis at the end of the description. For the purpose of management, projects within each category can be lumped together, having a dollar amount that is equivalent to the combined dollar amount of all of the projects.

- County Allocation Funds (Off-system bridges and STP non-urban.)
- Safety Projects (Hazard elimination, roadway and rail, high-speed passenger rail, seatbelt, blood alcohol content, etc.)
- Federal-Aid Resurfacing Program (FM)
- Transportation Alternative Prog. (TAP)
- Recreational Trails (Funds transferred to ADECA.)
- Federal Transit Programs: 5307 (urbanized), 5311 (non-urban), 5310 (Elderly and Disabilities), and 5339 (Buses and Bus Facilities). * Each transit program represents a different LVOE category.

Document Schedule

All MPOs will receive a copy of ALDOT's Draft FY 2020 – 2023 Statewide Transportation Improvement Program (STIP) by May 1, 2019. If there are any projects that the MPO desires to add beyond the Draft STIP (i.e. Regionally Significant Projects), please inform the Local Transportation Bureau. Once the draft TIP is submitted, MPOs cannot amend the FY 2020 – 2023 TIP until October 1st, 2019.

Amendments to the FY 2016 – 2019 TIP will continue to occur until September 30, 2019. As this is the last year of the TIP, it will be the MPOs discretion as to whether to do resolutions for projects moving outside the TIP. All other types of amendments (i.e. project increases) will continue to require a resolution. Other pertinent dates include:

- Beginning March 16th – MPO will begin rescheduling projects in the proposed TIP
- No later than June 15, 2019 – MPO submits draft TIP to ALDOT
- No later than July 1, 2019 – ALDOT, FHWA, and FTA provide comments on TIP
- No later than August 17, 2019 – MPO submits adopted TIPs to ALDOT

Amendments and Administrative Modifications

Amendments to a MPO's TIP should be by resolution, and will be in the case of an addition, deletion, or modification of a project. For the FY 2020 – 2023 TIP, any increase or decrease of $1,000,000 ($5,000,000 for Transportation Management Areas) requires an amendment to the TIP. That change will be based on the value of the last amendment, not administrative modification. In other words, a project may increase several times, all approved by administrative modification, and the MPO will be required to do a resolution when the total of those increases reaches $1,000.000 or $5,000,000. Regarding LVOE projects, a resolution is only required when the entire LVOE category increases by 20%.

Edits to other parts of the TIP (i.e. narrative), edits under $1,000.000 or $5,000,000, or other minor changes can be performed by administrative modification. Administrative modifications will not require email approval but will move forward within approximately 10 days of receipt. Beginning in October of 2019, both amendments and modifications will be tracked through the E-STIP program within the MPO Portal.

ALDOT is working on a process to notify MPOs when authorized projects exceed their budget limit. Upon notification, it will be the responsibility of the MPO to reach out to the sponsor to determine the reason for the overrun. When the project gets to the point of being closed out, the Local Transportation Bureau will reach out to the MPO as to whether they would like to send a bill to the project sponsor or pay for the increase themselves. This notification may be by written or e-mail correspondence, but no resolutions will be required to amend an authorized project. This topic will be discussed at the 2019 Alabama Transportation Planners Association Conference.

Please respond to Michael Hora at 334-242-6517 or horam@dot.state.al.us with any questions concerning this memorandum. All questions concerning transit projects should be directed to Randy Stroup at 334-242-6760 or stroupr@dot.state.al.us. Draft and final copies of the TIP should be placed on the sftp site and 4 copies of the final version should be sent to the address below.

D.E. Phillips, P.E.
State Local Transportation Engineer
Alabama Department of Transportation
1409 Coliseum Blvd
Montgomery, AL 36110

ATTN: Michael Hora, P.E.

DEP:mh
Attachments

C: Mr. John Cooper, Transportation Director
Mr. Don Arkle, P.E., Chief Engineer
Mr. Ed Austin, P.E, Assistant Chief Engineer, Policy and Planning
Mr. Clint Andrews, Planning and Programs Team Leader, FHWA-Alabama
Ms. Keith Melon, Director, Office of Planning and Program Development, FTA
Ms. Kelly Brendle, Chief Financial Officer
Mr. Randy Stroup, Assistant State Local Transportation Engineer
Mr. Michael Hora, Assistant State Local Transportation Engineer
Mr. Jimmy Carroll, Project Management Section Supervisor

ALABAMA DEPARTMENT OF TRANSPORTATION

2020 STIP SCHEDULE

September 5, 2018

SEPTEMBER 18TH 2018

CONSULT WITH RPO'S AND LOCAL TRANSPORTATION

- **Consult with RPO'S regarding Public Involvement Requirements for STIP Development.**

NOVEMBER 5TH 2018

BEGIN REVIEWING PROJECTS FOR STIP

- **Meet with FHWA and FTA to determine new STIP assumptions.**
- **Review the current STIP, assess new projects, and determine the current financial condition.**
- **Estimate the apportionments to be used in new STIP based on previous years.**
- **Run a project listing of Transit Projects *and* submit to all MPO's and the Transit Section to comment on the removal of older projects and advise to initiate future projects.**

MARCH 2ND 2019

BEGIN RESCHEDULING PROJECTS IN CURRENT STIP

- **Advise MPO's of their anticipated allocations for the next four years, and to identify the projects which are to be authorized with their allocated funds.**
- **Begin rescheduling projects in the current year which will not be ready for authorization or with a lower priority in order to move those projects into the next fiscal year so they will appear on the new STIP / TIP. Make changes accordingly.**
- **MPO-Rough Draft TIP-Transit Projects to be completed and put into CPMS**

MARCH 2ND 2019

- **Run a *PROPOSED* project listing for new *STIP and* submit to Assistant Chief Engineer for comment.**

MARCH 16TH 2019

BEGIN RESCHEDULING PROJECTS IN *PROPOSED* STIP

- **Receive comments from assistant chief engineer and make revisions accordingly as funding allows**

APRIL 1ST 2019

SUBMIT *PROPOSED* STIP WITHIN ALDOT

- **Submit *PROPOSED* STIP listing to the design bureau, and regions for review and comments.**

ADDRESS COMMENTS IN *DRAFT* STIP

- **Receive comments from design bureau and regions, and make revisions accordingly as funding allows, based on chief engineer approval.**
- **Prepare *DRAFT* STIP.**

APRIL 16TH 2019

DIRECTOR'S APPROVAL

- **Submit *DRAFT* STIP for Director's approval.**

MAY 1ST 2019

ALDOT SUBMITS APPROVED *DRAFT* STIP

- **Submit *DRAFT* STIP *to the MPO's, RPO's, FHWA, and FTA.***
- **Place Draft STIP on ALDOT website.**
- **Send RPO Public Involvement Packets**

MAY 6TH 2019

RPO TO BEGIN PUBLIC INVOLVEMENT PROCESS

- **Schedule informal public meetings.**
- **Advertise for at least 2 weeks prior to public meetings.**

JUNE 15TH 2019

MPO'S SUBMIT *DRAFT* TIP'S

- **Submit *DRAFT* TIP'S *to the ALDOT, FHWA, and FTA.***

JUNE 22ND 2019

RPO COMMENT PERIOD

- **Complete public meetings and allow 21 days for public response to the *DRAFT* STIP.**
- **RPO submits required meeting information to ALDOT.**
- **ALDOT reviews public comments and make necessary changes to the *DRAFT* STIP.**

JULY 1ST 2019

FHWA AND FTA SUBMIT COMMENTS TO ALDOT AND MPO'S

- **FHWA / FTA comments on *DRAFT* STIP/TIP's.**

JULY 21ST 2019

ALDOT ADOPTS *DRAFT* STIP/TIP

- **At the end of the comment period, prepare FINAL *DRAFT* STIP.**
- **Submit *FINAL DRAFT* STIP TO FHWA, FTA, MPO'S, ALDOT division offices, and place on ALDOT's web as a *DRAFT* pending FHWA/FTA approval.**

NLT AUGUST 17TH 2019

MPO'S SUBMIT ADOPTED TIP'S

- **MPO's address FHWA / FTA comments and adopts TIP's. Submit final adopted TIP's to ALDOT and FHWA / FTA for review.**

NLT SEPTEMBER 1ST 2019

ALDOT SUBMITS *FINAL* STIP

- **ALDOT submits *FINAL* STIP TO FHWA / FTA.**

NLT SEPTEMBER 15TH 2019

FHWA / FTA SUBMIT *FINAL* STIP APPROVAL

- **ALDOT submits COPIES OF APPROVED *FINAL* STIP to ALDOT Regions, RPO's and MPO's.**
- **Place approved *FINAL* STIP on ALDOT's web page.**

METROPOLITAN TRANSPORTATION PLANNING SELF-CERTIFICATION

The Alabama Department of Transportation and the _____Metropolitan Planning Organization for the _____Urbanized Area hereby certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and 23 C.F.R. part 450, subpart C;

(2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 C.F.R. part 93;

(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d–1) and 49 C.F.R. part 21;

(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

(5) Section 1101(b) of the Fixing America's Surface Transportation Act (FAST Act) (Pub. L. 114-94) and 49 C.F.R. part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

(6) 23 C.F.R. part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 C.F.R. parts 27, 37, and 38;

(8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

(9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. part 27 regarding discrimination against individuals with disabilities.

_____	_____
Metropolitan Planning Organization	State Department of Transportation
_____	_____
Signature	Signature
_____	_____
Printed Name	Printed Name
_____	_____
Title	Title
_____	_____
Date	Date

SELF-CERTIFICATION OF THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

TABLE OF CONTENTS

Section Page

1.1 PURPOSE 1-2
1.2 AUTHORITY 1-2
1.3 SCOPE 1-2
1.4 REFERENCES 1-2
1.5 FEDERAL CERTIFICATION REQUIREMENTS 1-3
1.6 CERTIFICATION PROCESS & QUESTIONS 1-3

1.1 PURPOSE

This chapter provides guidance to the Alabama Department of Transportation for the certification of the metropolitan transportation planning process conducted by ALDOT.

1.2 AUTHORITY

SAFETEA-LU http://www.fhwa.dot.gov/safetealu/legis.htm

23 U.S.C. (United States Code) 134 (k)(5)

49 U.S.C. 5303 (k)(5)

23 C.F.R. (Code of Federal Regulations) 450.334

1.3 SCOPE

Federal law and regulation require ALDOT and the MPOs to jointly certify the transportation planning process for the metropolitan area concurrent with the submittal of the entire TIP to the FHWA and the FTA as part of the STIP approval at least every four years. This chapter is intended for use by ALDOT and MPO staff to assist them in carrying out the self-certification requirements.

1.4 REFERENCES

23 U.S.C. 134 ----------(Metropolitan Planning)
42 U.S.C. 2000d et seq. ----------(Title VI of the Civil Rights Act of 1964)
42 U.S.C. 12101 ----------(Americans with Disabilities Act of 1990)
42 U.S.C. 7504 and 7506(c) and (d) (Transportation Air Quality Conformity)
49 U.S.C. 5303 ----------(Metropolitan Planning)
Section 1101(b) of the FAST Act ---(Disadvantaged Business Enterprises)
23 C.F.R. 450 ----------(Metropolitan Planning)
49 C.F.R. Part 26 ----------(Disadvantaged Business Enterprises)
49 C.F.R. 27 ----------(Nondiscrimination on the Basis of Disability in Programs and Activities Receiving Federal Financial Assistance)
49 C.F.R. 37 ----------(Transportation Services for Individuals with Disabilities)
49 C.F.R. 38 ----------(Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles)

1.5 SELF-CERTIFICATION REQUIREMENTS

23 C.F.R. 450.334 requires that concurrent with the submittal of the entire proposed TIP to FHWA and FTA as part of the STIP approval, the State and MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

(1) The metropolitan planning requirements identified in *23 U.S.C. 134* and *49 U.S.C. 5303*;

(2) In non-attainment and maintenance areas, Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 C.F.R. Part 93;

(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;

(4) 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

(5) Section 1101(b) of SAFETEA-LU (Public Law 109-59) and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

(6) 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and *49 C.F.R. Parts 27, 37,* and *38;*

(8) The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

(9) Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

1.6 CERTIFICATION PROCESS & QUESTIONS

When the new STIP and TIPs are developed, ALDOT should contact each of the MPOs to schedule the certification review. The meeting should be scheduled so that ALDOT can provide **preliminary results of the certification.** At the meeting, ALDOT and the MPO will

review all the planning requirements mandated by the 10 areas of law referenced in Section 1.5 and the questions outlined in this section.

The list of questions provided below identifies those minimum tasks that an MPO shall do in order to be fully certified. If the answer to one of the questions below is negative and if the problem cannot be corrected prior to the signing of the joint certification statement, ALDOT has the option of granting conditional certification and including corrective action in the joint certification statement. The corrective action should include a date by which the problem must be corrected. This list is intended to be as comprehensive as possible; however, it is possible that some requirements may have been overlooked and will need to be added at a later date.

Section (1): The metropolitan planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303;

1. Is the MPO properly designated by agreement between the Governor and 75% of the urbanized area, including the largest incorporated city, and in accordance with procedures set forth in state and local law? [23 U.SC. 134 (d)(1)(A) and (B); 49 U.S.C. 5303 (d); 23 C.F.R. 450.310 (b)]

2. For Transportation Management Areas (TMAs) only, does the MPO policy board include local elected officials, officials that administer or operate major modes of transportation, and appropriate state officials? [23 U.S.C. 134 (d)(2)(A), (B), & (C); 49 U.S.C. 5303 (d); 23 C.F.R. 450.310 (d)]

3. Does the MPO have up to date agreements such as the transportation planning agreement that creates the MPO, the financial agreement, and, if applicable, a transportation planning agreement between the MPOs, State, and public transportation operators where more than one MPO has been designated to serve an urbanized area? [23 C.F.R. 450.314]

4. Does the MPO boundary encompass the existing urbanized area and contiguous area expected to become urbanized within 20-year forecast period? [23 U.S.C. 134 (e)(2); 49 U.S.C. 5303 (e); 23 C.F.R. 450.312 (a)]

5. Did ALDOT send a copy of the boundary map to FHWA and FTA? [23 C.F.R. 450.312 (j)]

6. For projects located within the boundaries of more than one MPO, does the MPO coordinate the planning of these projects with the other MPO(s)? [23 U.S.C. 134 (g)(2)]

7. Does the MPO planning process provide for consideration of the 10 planning factors? [23 U.S.C. 134 (h); 23 C.F.R. 450.306 (b)]

8. Did the Long-Range Transportation Plan (LRTP) have at least a 20-year horizon at the time of adoption of the last major update? [23 U.S.C. 134 (i)(2)(A); 23 C.F.R. 450.324 (a)]

9. Did the LRTP address the following areas in accordance with 23 U.S.C. 134 (i)(2), 49 U.S.C. 5303 (f)?

   - Identify projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan.

   - Identify major transportation facilities (including major roadways, public transportation facilities, intercity bus facilities, multimodal and intermodal facilities, nonmotorized transportation facilities) that function as an integrated metropolitan transportation system, giving emphasis to facilities that serve national and regional transportation functions.

   - Include a description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with 23 USC 134(h)(2).

   - Include a system performance report and subsequent updates evaluating the condition ands performance of the transportation system with respect to the performance targets described in 23 USC 134(h)(2).

   - Include discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

   - Include a financial plan that showed the public and private revenue sources that could reasonably be expected.

   - Include discussion of operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

   - Include discussion of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to national disasters.

   - Indicate as appropriate proposed transportation and transit enhancement activities.

10. Did the LRTP address the following minimum required areas in accordance with 23 C.F.R. 450.324 (f)?

    - Identify projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan;
    - Identify existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors);
    - Include a description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with 23 C.F.R. 450.306(d).
    - Include a system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in 23 C.F.R. 450.306(d)
    - Include operational and management strategies to improve the performance of existing transportation facilities;
    - In TMA areas, consider the results of the congestion management process;
    - Include an assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs;
    - Describe the proposed improvements in sufficient detail to develop cost estimates;
    - Discuss types of potential environmental mitigation activities and potential areas to carry out these activities;
    - Include pedestrian walkway and bicycle transportation facilities;
    - Include transportation and transit enhancement activities;
    - Include a financial plan that demonstrates how the adopted transportation plan can be implemented
    - Include design concept and design scope descriptions of all existing and proposed transportation facilities in sufficient detail, regardless of funding sources, in nonattainment and maintenance areas for conformity determinations under the EPA's transportation conformity regulations (40 C.F.R. part 93, subpart A).

11. Has the LRTP been reviewed and updated at least 5 years since the date of the last MPO Board action? If the MPO planning area is in nonattainment and maintenance areas, has the LRTP been reviewed and updated at least 4 years since the last board action? [23 U.S.C. 134 (i)(1); 23 C.F.R. 450.324 (c)]

12. Has the MPO sent all updates/amendments of the LRTP to FHWA and FTA via the ALDOT's Local Transportation Bureau? [23 C.F.R. 450.324 (c)]

13. Was the TIP developed in cooperation with the State and local transit operators? [23 U.S.C. 134 (j)(1)(A); 49 U.S.C. 5303 (a); 23 C.F.R. 450.326 (a)]

14. Was the TIP updated at least every 4 years and approved by the MPO and the Governor? [23 U.S.C.134 (j)(1)(D); 23 C.F.R. 450.326 (a)]

15. Was the TIP financially constrained and did it include only revenues that could be reasonably expected? [23 U.S.C. 134 (j)(2)(B); 49 U.S.C. 5303 (j); 23 C.F.R. 450.326 (h)]

16. Did the TIP contain a priority list of federally supported projects to be supported over the next four years? [23 U.S.C. 134 (j)(2)(A); 49 U.S.C. 5303 (j); 23 C.F.R. 450.326 (a)]

17. Did the TIP contain all regionally significant projects, as defined by 23 C.F.R. 450.104? [23 U.S.C. 134 (j)(3)(B); 49 U.S.C. 5303 (j)(2); 23 C.F.R. 450.326 (d)]

18. Was the TIP consistent with the LRTP? [23 U.S.C. 134 (j)(3)(C); 49 U.S.C. 5303 (j)(1); and 23 C.F.R. 450.326 (i)]

19. Does the TIP identify the criteria and process for prioritizing implementation of transportation plan elements (including inter-modal trade-offs) for inclusion in the TIP and any changes in priorities from previous TIPs? [23 C.F.R. 450.326 (n) (1)]

20. Did the TIP include a listing of projects for which Federal funds have been obligated in the preceding year, or was this list otherwise made available for public review? [23 U.S.C. 134 (j)(7)(B); 49 U.S.C. 5304 (j)(7); 23 C.F.R. 450.326 (b) and (n)]

21. When developing the LRTP and TIP, did the MPO provide citizens, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the proposed plan and program? [23 U.S.C. 134 (i)(6)(A) and (j)(4)]

22. Is the LRTP and TIP of the MPO published or otherwise readily available for public review? [23 U.S.C. 134 (i)(6) and (j)(7)(A)]

23. Did the UPWP identify work proposed for the next one- or two-year period by major activity and task in sufficient detail to indicate who will perform the work, the schedule for completing the work, the resulting products, the proposed

funding by activity/task, and a summary of the total amounts and sources of Federal and matching funds? [23 C.F.R. 450.308 (c)]

24. Did the UPWP document planning activities to be funded with through Title 23 U.S.C. and the Federal Transit Act? [23 C.F.R. 450.308 (b)]

25. Were the transportation plans and programs of the MPO based on a continuing, comprehensive, and cooperative process? [23 U.S.C. 134 (c)(3), 49 U.S.C. 5303 (c)(3)]

26. If located in a Transportation Management Area, does the MPO have an up to date congestion management process? [23 U.S.C. 134 (k)(3)]

27. Does the MPO have a documented Public Participation Plan that defines a process for members of the public to have reasonable opportunity to participate in the planning process? [23 C.F.R. 450.316 (a)]

28. Has the MPO recently reviewed its Public Participation Plan? [23 C.F.R. 450.316 (a)(1)(x)]

29. When the Public Participation Plan was adopted, was it made available for public review for at least 45 days? [23 C.F.R. 450.316(a)(3)]

Section (2): The requirements of Sections 174 and 176 (c) and (d) of the Clean Air Act (for air quality nonattainment and maintenance areas only)

1. How does the MPO coordinate the development of the Transportation Plan with SIP development?

2. How does the MPO's UPWP incorporate all of the metropolitan transportation-related air quality planning activities addressing air quality goals, including those not funded by FHWA/FTA?

3. Does the metropolitan planning process include a Congestion Management Process that meets the requirements of 23 C.F.R. Part 450.322? What assurances are there that the Transportation Plan incorporates travel demand and operational management strategies, and that necessary demand reduction and operational management commitments are made for new SOV projects?

4. How does the MPO ensure that the TIP includes all proposed federally and non-federally funded regionally significant transportation projects, including intermodal facilities?

Sections (3), (4), and (7) through (10): The prohibitions against discrimination on the basis of race, color, creed, national origin, age, gender, or disability as dictated by Title VI of the Civil Rights Act of 1964,

revision exceeds the following thresholds:

*$5 million for ALDOT federally-funded projects and Transportation Management Area (TMA) attributable projects.

*$1 million for ALDOT federally-funded projects and for non-TMA MPOs attributable projects.

*$750,000 for the county highway and bridge program.

- Involves a change in the Scope of Work to a project(s) that would:

  *Result in an air quality conformity reevaluation.

  *Result in a revised total project estimate that exceeds the thresholds established between ALDOT and the Planning Partner (not to exceed any federally-funded threshold contained in this MOU).

  *Results in a change in the Scope of Work on any federally-funded project that is significant enough to essentially constitute a New Project.

  *Level of Effort (LVOE) planned budget changes, exceeding 20% of the original budgeted amount.

The initial submission and approval process of the Statewide Transportation Improvement Program (STIP, will establish federal funding for Level of Effort (LVOE) project groups. *Subsequent placement of individual projects in the STIP that are LVOE, will be considered Administrative Modifications.*

Approval by the MPO (or cooperative effort with an RPO) is required for Amendments. The MPO/RPO must then request ALDOT Central Office approval, using the electronic Financial Constraint Chart (FCC) process. An FCC must be provided (in Excel format), which summarizes previous actions, the requested adjustments, and after the changes, an updated TIP. ALDOT's Central Office will review, approve, and forward to the appropriate federal agency for review and approval, with copies to other partner federal agencies.

All revisions shall be identified and grouped as one action on an FCC, demonstrating both project and program fiscal constraint. The identified grouping of projects (the *entire* amendment action) will require approval by the cooperating parties. In the case that a project phase is pushed out of the TIP four-year cycle, the Planning Partner will demonstrate, through a Fiscal Constraint Chart, fiscal balance of the subject project phase, in the second period of the respective Long Range Transportation Plan.

An *Administrative Modification* is a minor STIP/TIP revision that:

- Adds a project from a level of effort category or line item, utilizing 100 percent state or non-federal funding, or an MPO TIP placement of the federally-funded, Statewide Program, or federal funds from a statewide line item that do not exceed the thresholds established by the Planning Partner.
- Adds a project for emergency repairs to roadways or bridges, except those involving substantive or functional adjustments, or location and capacity changes.
- Draws down, or returns funding, from an existing STIP/TIP Reserve Line Item, and does not exceed the threshold established between ALDOT and the Planning Partners.
- Adds federal or state capital funds from low-bid savings, de-obligations, release of encumbrances, from savings on programmed phases, and any other project-cost modification sent to and approved by FHWA or FTA, to *another* programmed project phase or line item.

Administrative Modifications do not affect air quality conformity, nor involve a significant change in a project scope of work that would trigger an air quality conformity reevaluation; do not exceed the threshold established in the MOU between ALDOT and the Planning Partners, or the threshold established by this MOU (as detailed in the Revisions: Amendments and Administrative Modifications section); and do not result in a change in scope on any federally-funded project that is significant enough to essentially constitute a *new project.*

Administrative Modifications do not require federal approval. ALDOT and the Planning Partner will work cooperatively to address and respond to any FHWA or FTA comments. FHWA and FTA reserve the right to question any administrative action that is not consistent with federal regulations or with this MOU, where federal funds are being utilized.

Level of Effort Funding Categories

Projects in the STIP/TIP, referred to as Level of Effort (LVOE) projects, represent grouped projects not considered of appropriate scale to be identified individually. Projects may be grouped by function, work type, and/or geographical area, using the applicable classifications under 23 CFR 771.117 (c) and (d), and/or 40 CFR part 93. In nonattainment and maintenance areas, project classifications must be consistent with the *exempt project* classifications contained in the EPA transportation conformity regulations (40 CFR part 93).

LVOE projects are placed in the STIP/TIP according to selected funding programs, with the planned funding amounts for each year. ALDOT, and the affected MPOs, will be required to make a formal amendment to the STIP/TIPs for any adjustment of funding of an LVOE group that exceeds 20 percent of it originally-planned funding. The selected statewide funding programs include:

- ~~Preventive Maintenance Level 1(IM-PM1)~~ (Subject to change)
- Federal-Aid Resurfacing Program (FM)
- Transportation Alternative Program (TAP)
- Safety Projects (Hazard elimination, roadway and rail, high-speed passenger rail, seatbelt, blood alcohol content, and others.)
- Recreational Trails (Funds are transferred to ADECA.)
- County Allocation Funds (Off-system bridges and STP non-urban.)
- Federal Transit Programs: (Sub Recipient) 5307 (urbanized), 5311 (non-urban), 5310 (Elderly and Disabilities), and 5339 (Buses and Bus Facilities)

Addition or deletion of individual LVOE projects are considered an administrative modification, and do not require any further MPO action prior to authorization, subject to the dollar thresholds established in the sections above. ALDOT will include all individual LVOE projects on the STIP project detail listing and will also maintain a matrix listing, on the STIP website, of LVOE projects. The MPOs will be notified as soon as any specific projects within their urban areas, are identified and selected, and will have ten (10) days to decline the project. Additionally, the MPOs will be notified as soon as any specific projects are modified or deleted within their urban areas and will have ten (10) days to decline the project deletion or change.

Level of Effort (LVOE) holds funds that are not dedicated to specific projects, and may be used to cover cost increases, or add new projects or project phases. LVOE shall not exceed the thresholds, or the requirements, of any other items that require an amendment.

Level of Effort resurfacing shall be programmed annually. Projects or project lists will be added as soon as available, and MPOs will be notified of all changes that occur in the list.

Financial Constraint

Demonstration of STIP/TIP financial constraint to FHWA and FTA, takes place through a summary of recent Administrative Modifications and proposed Amendments. Real-time versions of the STIP/TIP are available to FHWA and FTA through ALDOT's Comprehensive Project Management System (CPMS/MPO Portal).

Note: While there is no stipulated timeframe established in this MOU for securing federal approval for formal Amendments or Administrative Modifications, the agencies are expected to act responsibly and with all due diligence in order to complete these processes in a timely manner.

STIP/TIP Financial Reporting

At the end of each quarter, ALDOT will provide each MPO or Planning Partner with a STIP/TIP financial report of actual federal obligations and state encumbrances for highway, bridge, and transit programs in the respective Metropolitan Planning Areas. At the end of the federal fiscal year, the ALDOT report card can be used by the Planning Partners as the basis for compiling information, in order to meet the Federal Annual Listing of Obligated Projects requirement. The STIP/TIP Financial Report, provided to FHWA and FTA, will also include performance measures as allowed under the *Project Approval and Oversight Agreement* a *Partnership between the Federal Highway Administration Alabama Division and the Alabama Department of Transportation,* applicable to LVOE and to include:

- The total percent of STIP/TIP construction projects advanced each year
- The total percent of STIP/TIP construction projects advanced each year per urbanized area

A summary report detailing this information will be provided at the end of the federal fiscal year.

As each MPO TIP is adopted, this MOU will be included with the TIP documentation. The MPO or Planning Partner may choose to adopt an MOU that will clarify how the MPO or Planning Partner will address TIP revisions. **In all cases, individual MPO revision procedures will be developed under the guidance umbrella of this document.** If an MPO elects to set more stringent procedures, then ALDOT, FHWA, and FTA will adhere to the more restrictive procedures.

The procedures set forth in this document will serve as the basis from which ALDOT addresses federal-funded, Statewide Program TIP revisions. This Memorandum of Understanding will begin October 1, 2019, and remain in effect until September 30, 2023, unless revised or terminated.

We, the undersigned herby agree to the above procedures and principles.

_____ _____

Division Administrator
Federal Highway Administration

Date:

_____ _____

Regional Administrator
Federal Transit Administration

Date:

_____ _____

Director
Alabama Department of Transportation

Date:

ALDOT SPREADSHEET FOR ALL TIP Fiscal Years 2020 Through 2023 - Financial Plan

Type Your MPO Name Here

	2018	2019	2020	2021
Surface Transportation Attributable Projects				
Carryover From Previous Year (Federal Funds Only)				
Apportionment (Federal Funds Only)				
Funds Available to the MPO for Programming (Federal Funds Only)	**See most recent Urban Funds Report**			
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)				
Balance Forward (Federal Funds Only)				
Other Surface Transportation Program Projects (includes Bridge projects not on NH System)				
Funds Available for Programming Statewide (Federal Funds Only)	$125,476,363	$125,476,363	$125,476,363	$125,476,363
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	$0	$0	$0	$0
Percentage Programmed in the MPO Area (Federal Funds Only)	0%	0%	0%	0%
National Highway Performance Program (APD, IM, Bridge projects on NH System)				
Funds Available for Programming Statewide (Federal Funds Only)	$473,464,897	$473,464,897	$473,464,897	$473,464,897
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	$0	$0	$0	$0
Percentage Programmed in the Tuscaloosa Area (Federal Funds Only)	0%	0%	0%	0%
Appalachian Highway System Projects				
State Funds Available for Programming Statewide (Total Funds)	$37,652	$37,652	$37,652	$37,652
MPO Area Estimated Cost of Planned Projects (Total Funds)	$0	$0	$0	$0
Percentage Programmed in the MPO Area (Total Funds)	0%	0%	0%	0%
Transportation Alternatives				
Funds Available for Programming Statewide (Federal Funds Only)	$15,903,966	$15,903,966	$15,903,966	$15,903,966
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	$0	$0	$0	$0
Percentage Programmed in the MPO Area (Federal Funds Only)	0%	0%	0%	0%
Bridge Projects				
Funds Available for Programming Statewide (Federal Funds Only)	$0	$0	$0	$0
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	$0	$0	$0	$0
Percentage Programmed in the MPO Area (Federal Funds Only)	0%	0%	0%	0%
State Funded Projects				
State Funds Available for Programming Statewide (Total Funds)	$25,500,000	$25,500,000	$25,500,000	$25,500,000
MPO Area Estimated Cost of Planned Projects (Total Funds)	$0	$0	$0	$0
Percentage Programmed in the MPO Area (Total Funds)	0%	0%	0%	0%
Enhancement Projects				
Funds Available for Programming Statewide (Federal Funds Only)	$0	$0	$0	$0
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	$0	$0	$0	$0

ALDOT SPREADSHEET FOR ALL TIP Fiscal Years 2020 Through 2023 - Financial Plan

Type Your MPO Name Here

Percentage Programmed in the MPO Area (Federal Funds Only)	**0%**	**0%**	**0%**	**0%**
Transit Projects				
Funds Available for Programming Statewide (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
Percentage Programmed in the MPO Area (Federal Funds Only)	**0%**	**0%**	**0%**	**0%**
System Maintenance Projects				
State Funds Available for Programming Statewide (Total Funds)	**$30,000,000**	**$30,000,000**	**$30,000,000**	**$30,000,000**
MPO Area Estimated Cost of Planned Projects (Total Funds)	**$0**	**$0**	**$0**	**$0**
Percentage Programmed in the MPO Area (Total Funds)	**0%**	**0%**	**0%**	**0%**
Safety Projects				
Funds Available for Programming Statewide (Federal Funds Only)	**$52,036,074**	**$52,036,074**	**$52,036,074**	**$52,036,074**
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
Percentage Programmed in the MPO Area (Federal Funds Only)	**0%**	**0%**	**0%**	**0%**
Other Federal and State Aid Projects				
Funds Available for Programming Statewide (Federal Funds Only)	**$22,408,968**	**$22,408,968**	**$22,408,968**	**$22,408,968**
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
Percentage Programmed in the MPO Area (Federal Funds Only)	**0%**	**0%**	**0%**	**0%**
Congestion Mitigation and Air Quality Projects - Birmingham Area Only				
Carryover From Previous Year (Federal Funds Only)	**$18,955,155**	**$18,955,155**	**$18,955,155**	**$18,955,155**
Apportionment (Federal Funds Only)	**$11,795,045**	**$11,795,045**	**$11,795,045**	**$11,795,045**
Funds Available for Programming (Federal Funds Only)	**$30,750,200**	**$30,750,200**	**$30,750,200**	**$30,750,200**
Estimated Cost of Planned Projects (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
Balance Forward (Federal Funds Only)	**$30,750,200**	**$30,750,200**	**$30,750,200**	**$30,750,200**
High Priority and Congressional Earmark Projects (Money still available)				
This group of projects usually results from congressional action in an annual appropriations bill; these projects and the amount available for programming annually is an unknown factor.				
Funds Available for Programming Statewide (Federal Funds Only)	**$100,412**	**$100,412**	**$100,412**	**$100,412**
MPO Area Estimated Cost of Planned Projects (Federal Funds Only)	**$0**	**$0**	**$0**	**$0**
Percentage Programmed in the MPO Area (Federal Funds Only)	**0%**	**0%**	**0%**	**0%**

MPO Comments on E-STIP

- If we could click on the CPMS # to get more information or a map of the project, that would help
- If there is a Notes Section. Maybe this could give us details as to when the project was let, bid, environmental, etc.
- Also, we noticed that there isn't a project length. We think this would help when it comes to segments of the same road.
- The last thing that was brought up was to have something other than NEW PROJECT for sponsor name. We were thinking if it is in CPMS or e-stip then we should know who the sponsoring agency is, or maybe a simple TBD would be better.
- Will we still receive the emails from Kathy Tinney after the ESTIP program is active? Jimmy: Yes will continue to do so until MPO's so they don't really need them anymore
- So far, I think this is great. It helps me to have more timely information and should alleviate some of the stress and work load from your office of having to keep up with all of the MPO's and their projects in this regard. However, the one request that I would make for this would be to include a "reason for the change." "Change from:" and "Change to:" just aren't adequate enough and if changes are in fact being made that's going to require a resolution or administrative modification, I'm going to be calling you anyways to discuss why. If that's going to be the case, what is the point in doing this? Of course, I'm asking this on the premise that my initial statement is true and accurate. I'm going to need to be able to present a valid reason to my Technical and Policy committees. And just to clarify, when asking for a reason, a detailed reason is what I'm asking for. I don't need it to just say something along the lines of "cost increase" as I think that goes without saying. I need to know a detailed reason as to why the cost has increased so that I can accurately relay this information to my committees so that they can may a well-informed decision. Jimmy: I cannot automatically include the change reason on anything that goes outside of ALDOT.