

# MVP for Transportation Pre-MPO Policy Board Meeting

## Representatives:

Sean Holland - ADOT&PF  
Steve Carrington, City of Palmer  
Glenda Ledford, Mayor – City of Wasilla  
Kaylan Wade Chickaloon Native Village  
Bob Charles – Knik Tribe  
Edna DeVries, Mayor - MSB  
Mike Brown - MSB  
Rob Yundt, Assembly Member - MSB  
Jennifer Busch – Valley Transit  
Vacant – Multi-Mobility Advocate



## **Hybrid Meeting**

### **Microsoft Teams meeting**

Join on your computer or mobile app.

[Click here to join the meeting](#)

Meeting ID: 222 096 770 956

Passcode: 2zqCur

Or call in (audio only)

+1 605-937-6140 (U.S. Sioux Falls)

(844) 594-6237 (toll-free)

Phone Conference ID: 941 504 809#

## **Location**

**Mat-Su School District Building Board Room,  
501 N Gulkana St, Palmer, AK**

## **Agenda**

**Tuesday, December 19th, 2023**

**2:00-3:30pm**

1. Call to Order
2. Introduction of Pre-MPO Policy Board Members and other Attendees
3. Approval of the December 19<sup>th</sup> 2023, Agenda – **(Action Item)**
4. Approval of the November 14<sup>th</sup>, 2023, Minutes – **(Action Item)**
5. Committee/Working Group Reports (Including the Staff Report)
  - a. Staff Report
6. Voices of the Visitors (Non-Action Items)
7. Old Business
8. New Business
  - a. 2024 UPWP **(Action Item)**
  - b. Intergovernmental Operating Agreement and Memorandum of Understanding for Transportation Planning **(Action Item)**
  - c. Operating Agreement Signature Ceremony
    - ❖ Governor Dunleavy (invited)
    - ❖ Commissioner Anderson (confirmed)
    - ❖ Director Holland (confirmed)
    - ❖ Mayor DeVries (confirmed)
    - ❖ Manager Brown (confirmed)
    - ❖ Mayor Ledford (Confirmed)
    - ❖ Chickaloon Native Village Transportation Director, Brian Winnestaffer (confirmed)
    - ❖ Knik Tribe Tribal Transportation Program Manager, Bob Charles (confirmed)
    - ❖ Mayor Carrington (invited)
9. Other Issues

## MVP for Transportation Pre-MPO Policy Board Meeting

10. Informational Items

11. Policy Board Comments

12. Adjournment

Next Scheduled Pre-MPO Policy Board Meeting – **January 16<sup>th</sup>**, to be held via Microsoft TEAMS Meeting

# MVP for Transportation Pre-MPO Policy Board Meeting Joint Meeting

## **Representatives:**

Sean Holland - ADOT&PF  
Steve Carrington, City of Palmer  
Glenda Ledford, Mayor – City of Wasilla  
Kaylan Wade Chickaloon Native Village  
Bob Charles – Knik Tribe  
Edna DeVries, Mayor - MSB  
Mike Brown - MSB  
Rob Yundt, Assembly Member - MSB  
Jennifer Busch – Valley Transit  
Vacant – Multi-Mobility Advocate



## **Minutes**

**Tuesday, November 14th, 2023  
2:00-3:30 pm**

### **1. Call to Order**

The meeting was called to order with quorum at 2:01 pm.

### **2. Introduction of Pre-MPO Policy Board Members and other Attendees**

#### **Policy Board Members**

##### **Present**

Sean Holland, DOT&PF  
Steve Carrington, City of  
Palmer Mayor  
Glenda Ledford, City of Wasilla  
Mayor  
Kaylan Wade, Chickaloon  
Native Village  
Bob Charles, Knik Tribe  
Edna DeVries, MSB Mayor  
Jennifer Busch, Valley Transit

#### **Policy Board Members**

##### **Absent**

Mike Brown, MSB Manager  
Rob Yundt, MSB Assembly

#### **Steering Committee**

##### **Members Present**

Kim Sollien, MSB  
Brian Winnestaffer, Chickaloon  
Native Village  
Bob Charles, Knik Tribe  
Jennifer Busch, Valley Transit  
Ben White, DOT&PF  
Tom Adams, MSB  
Jillian Morrissey, MSB TAB  
Adam Bradway, DOT&PF

#### **Visitors Present**

Clint Adler, DOT&PF  
Natalie Lyon, RESPEC  
Elise Blocker, RESPEC  
Brad Hanson, City of Palmer  
Jackson Fox, FAST Planning  
John Linnell, DOT&PF  
Aaron Jongenelen, AMATS  
Luke Bowland, DOT&PF  
Robespierre Howard, DOT&PF  
Civil Rights Office

### **3. Approval of the November 14, 2023, Agenda – (Action Item)**

*Motion to approve the November 14, 2023, Agenda (**Carrington**), seconded. No edits.  
Passed unanimously.*

## MVP for Transportation Pre-MPO Policy Board Meeting Joint Meeting

### 4. Approval of the October 17, 2023, Minutes – (Action Item)

*Motion to approve the October 17, 2023, Minutes (Ledford), seconded. No edits. Passed unanimously.*

### 5. Committee/Working Group Reports (Including the Staff Report)

#### a. Staff Report

The Operating Agreement has passed through the Department of Law review and is making its way to the Governor's Office.

The Mat-Su Borough (MSB) received a formal letter from DOT&PF that MSB will be the direct recipient of MVP for Transportation's (MVP) Transit Funding. The formula funding is changing, and match proposals are being worked out. It has not been determined how the match will be provided. A Consolidated Planning Grant application is being developed to fill in the gap in funding. The State of Alaska and Valley Transit will be meeting to discuss funding to prevent a gap in service. A formal presentation will be provided next month to the Steering Committee and Policy Board.

### 6. Voices of the Visitors (Non-Action Items)

None

### 7. Old Business

None

### 8. New Business

#### a. Title VI Overview

**Robespierre Howard** provided a video presentation of Title VI overview as well as a PowerPoint presentation.

The video presentation can be found here <https://dot.alaska.gov/cvlrts/titlevi.shtml> under Title VI Essentials.

#### b. Coordinator Hiring Committee and Process (Action Item)

The MPO Coordinator position received a few applications and will be reopened until after Thanksgiving to allow for a larger pool of applicants. It is anticipated that interviews will occur the week after Thanksgiving. MVP is looking for two Policy Board volunteers to sit on the hiring committee with Jackson Fox from FAST Planning, while Donna Gardino and Kim Sollien participate as non-voting observers.

*Motion to nominate Bob Charles and Glenda Ledford to serve on the hiring committee (Holland), seconded. Passed unanimously.*

#### c. Authorizing RESPEC to submit Articles of Incorporation (Action Item)

**Natalie Lyon** presented the instructions and the form for filing the Articles of Incorporation with the State of Alaska. The recommendation is to submit it online. The submittal requires formal permission from the Policy Board for RESPEC to

## MVP for Transportation Pre-MPO Policy Board Meeting Joint Meeting

submit on MVP's behalf. Once the Governor signs off on the packet, the Articles of Incorporation will be submitted to the state.

*Motion to approve RESPEC to submit the Articles of Incorporation on MVP's behalf (Ledford), seconded. Passed unanimously.*

### d. Technical Committee Makeup & Application

**Kim Sollien** summarized the Technical Committee makeup that was approved on September 21, 2022. There are currently three vacant positions. A draft application form was presented to the Policy Board. The application form will be released by next month's meeting once the Governor signs and MVP is formed.

## 9. Other Issues

## 10. Informational Items

### a. FAST Planning Invoicing

**Jackson Fox** provided a summary of the hiring process. It is anticipated that an offer will be extended to an applicant in early December. FAST Planning is working on making a grant available for the position. A portion of the million-dollar grant will also be used. Jackson is the hiring manager for the MVP Coordinator. It is undecided how MVP will get its match to FAST Planning. There are two options, option A is to collect the match upfront and option B is to pay as you go. It is less cumbersome to collect the match upfront and provide a single match check for the federal fiscal year.

## 11. Policy Board Comments

None

## 12. Adjournment

*Motion to adjourn the meeting at 3:30 pm (Ledford), seconded.*

Next Scheduled Pre-MPO Policy Board Meeting – **December 19<sup>th</sup>**, to be held via Microsoft TEAMS Meeting

**MVP For Transportation Pre-MPO Steering  
Committee Action Items  
December 12, 2023**

**Motion:** To approve the December 12, 2023 Agenda. **Motion by Morrissey.** Passed unanimously.

**Motion:** To approve the October 10, 2023 minutes. **Motion by Charles.** Passed unanimously.

**Motion:** To recommend to the Pre-MPO Policy Board to approve the 2024 UPWP. **Motion by White.** Passed unanimously.

**Motion:** To recommend to the Pre-MPO Policy Board to approve the Intergovernmental Operating Agreement and Memorandum of Understanding for Transportation Planning, as presented. **Motion by Schaal.** Passed unanimously.

# MATSU VALLEY PLANNING (MVP) FOR TRANSPORTATION

Federal Fiscal Year

2024

## Unified Planning Work Program (UPWP)



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## Purpose of the UPWP

The Unified Planning Work Program (UPWP) for Matsu Valley Planning for Transportation (MVP) outlines the Metropolitan Planning Organization's (MPO) transportation planning activities. It is a planning document that identifies and describes the MPO's budget, planning activities, studies, and technical support expected to be undertaken in a two-year period (23 CFR 450.104). The purpose of the UPWP is to ensure that a continuing, cooperative, and comprehensive (3C) approach to transportation planning is maintained and coordinated between the MPO, Alaska Department of Transportation & Public Facilities ([Alaska DOT&PF](#)), Matanuska-Susitna Borough (Borough), the Cities of Palmer and Wasilla, Knik Tribe and Chickaloon [Native Village](#). It is a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area (MPA). At a minimum, a UPWP includes a description of the planning work and resulting products, deadlines, who will perform the work, time frames for completing the work, and the source of funds.

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The UPWP is required for the MPO to receive metropolitan planning funds from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) through the [Alaska DOT&PF](#). It is a fiscally constrained document based on the amount of programmed planning grants and match contributions and may be revised as needed after adoption by Administrative Modification or Amendment. Fiscal constraint in long-range transportation planning is intended to ensure plans are based on a reasonable expectation of sufficient revenues to support the costs of maintaining the existing metropolitan area transportation system and any planned expansion of the system over at least a 20-year time frame.

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In addition to the UPWP, the MPO must develop and implement the following plans as part of the transportation planning process (23 USC 134 & 23 CFR 450):

- **Metropolitan Transportation Plan (MTP)** – a multimodal transportation plan that addresses a 20- year planning horizon that the MPO develops, adopts, and updates every four years.
- **Transportation Improvement Program (TIP)** – a prioritized listing/program of transportation projects covering a four-year period that is developed, adopted, and implemented by the MPO in coordination with the MTP.
- **Public Participation Plan (PPP)** – a guiding document that outlines the goals, strategies, and implementation plan for public involvement in the development of MPO plans, programs, and policies, including the MTP and TIP.

With the prior approval of the [Alaska DOT&PF](#), Federal Highways Administration (FHWA), and Federal Transit Administration (FTA), an area not designated as a Transportation Management Area (TMA) may prepare a simplified statement of work in cooperation with the DOT&PF and the public transportation operator(s) in place of a UPWP. The simplified statement of work must include a description of the major activities to be performed during the next one- or two-year period, who will perform the work, the resulting products, and a summary of the total amounts and sources of federal and matching funds. If a simplified statement of work is used, it may be submitted as part of the DOT&PF's planning work program, per 23 CFR 420. The MPO may elect to

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use a simplified statement of work in the future with direction from and using the desired format as proposed by the DOT&PF. A newly designated MPO does not need to develop an MTP or TIP within the first 12 months. However, the initial MPO work plan should include tasks and a schedule to develop a TIP and MTP (23 CFR 450.308). Administrative requirements for UPWPs and simplified statements of work are contained in 23 CFR 420 and FTA Circular C8100, as amended (Program Guidance for Metropolitan Planning and State Planning and Research Program Grants). This is the initial official UPWP for MVP as designation as an urbanized area occurred on December 29, 2022 and designation by the Governor as the MPO of the Matsu Valley urbanized area is anticipated to occur by December 28, 2023.

MVP has taken the opportunity to utilize the UPWP process to outline the pre-MPO planning activities for Federal Fiscal Years (FFY) 2020 -2023 leading up to designation.

### MPO Formation

All Urbanized Areas over 50,000 in population must have an MPO to carry out a 3C transportation planning process, as stipulated in the Federal Highway Act of 1962. MVP has utilized a Pre-MPO Steering Committee and Policy Board in its decision-making process before designation as an MPO. The Pre-MPO Steering Committee (Steering Committee) represents general-purpose local governments that together represent at least 75 percent of the expected affected population including the largest incorporated city, based on population, as named by the Bureau of the Census. Also on the Steering Committee, is a representative of a provider of public transportation (Valley Transit), ~~Alaska DOT&PF~~, the Alaska Department of Environmental Conservation (DEC), the Alaska Railroad (ARRC), the City of Wasilla, the City of Palmer, the Borough, the Borough Transportation Advisory Board, the Native Village of Knik, Chickaloon ~~Native Village~~, Mat-Su Trails and Parks Foundation, Mat-Su Health Foundation. Members of the peer MPOs in Anchorage and Fairbanks serve in an advisory, non-voting capacity.

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The Pre-MPO Policy Board is made up of representatives from the Borough, State of Alaska Department of Transportation and Public Facilities, the City of Wasilla, the City of Palmer, Knik Tribe, Valley Transit, and Chickaloon ~~Native Village~~. The Steering Committee meets monthly and makes recommendations to the Pre-MPO Policy Board, who are making decisions on behalf of the stakeholders within the urbanized area of the Borough.

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Designation of a new MPO consists of a formal agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the population to be included in the MPA. The agreement should, at minimum, **identify the membership structure of the policy board and establish the metropolitan planning area (MPA) boundaries** (23 USC 134 (b) and 49 USC 5303 (c)). An MPO must represent each UZA listed in the relevant Federal Register<sup>1</sup> notice within 12 months of the official Census Bureau listing. The membership of the Policy Board is outlined in the Operating Agreement. The MPA boundary must be examined by the MPO, in

<sup>1</sup> Federal Register/Vol. 87, No. 249/Thursday, December 29, 2022, Department of Commerce, Census Bureau, Docket Number: 221130-0255, *2020 Census Qualifying Urban Areas and Final Criteria Clarifications, Page 80149.*

cooperation with the State and public transportation operator(s) to determine if MPA boundaries meet the minimum statutory requirements for new urbanized areas and shall adjust them, as necessary. The MPA boundaries shall encompass the entire urbanized area (as defined by the Bureau of the Census) plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan. As appropriate, additional adjustments should be made to reflect the most comprehensive boundary to foster an effective planning process that ensures connectivity between modes, improves access to modal systems, and promotes efficient overall transportation investment strategies. Following the MPA boundary approval by the MPO and the Governor, the MPA boundary descriptions (in GIS format) shall be provided to the FHWA and the FTA for informational purposes. A GIS file format is a standard of encoding geographical information into a computer file used for mapping and map analysis.

Under the review and guidance of the Steering Committee, a Boundary Development Strategy was developed and approved by the Policy Board in October 2021. The boundary development task was conducted by the Borough Planning and GIS team with assistance from subject matter experts in areas such as forecasting, real estate and several planning specialties. The GIS team had the ability to overlay various assumptions regarding population, growth forecasting, housing forecasts, building restrictions, wetlands and the like over the urbanized area boundary to predict where growth may occur. This effort began in early 2022 and started with determining the population forecast to be used in the next 20 years and reexamining the developable and undevelopable lands within the Borough. The Pre-MPO Policy Board recommended, in April 2022, that MVP use the 2019 Department of Labor forecast in projecting the population of the MPA out twenty years. The MSB conducted a robust boundary development process and followed the guidance in the approved Public Participation Plan (PPP) in obtaining public and agency comments on the proposed MPA boundary. The Operating Agreement and MPA boundary map were approved by the Pre-MPO Policy Board on September 19, 2023 and were submitted to the Governor for consideration on October 9, 2023. The Metropolitan Planning Area map is displayed in Exhibit 1.

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operational MPO:

- Intergovernmental Operating Agreement for Transportation Planning
- Bylaws
- Memorandum of Understanding for the Operations of the Office of MVP for Transportation and associated Membership Fees and Annual Dues

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The Pre-MPO Policy Board plans to hire a Temporary Coordinator with the assistance of the Executive Director of FAST Planning to steer the MPO, complete all necessary documents to become an MPO in good standing, and establish itself as a 501(c)(3) corporation. After the Policies and Procedures have been approved, the Policy Board plans to hire a permanent Executive Director to operate the office and hire other employees as authorized.

The approved PPP will be consulted and followed as MVP develops the following documents:

- Update the Metropolitan Transportation Plan (MTP) scope of work to include new requirements under the Infrastructure Investment and Jobs Act (IIJA) and develop the MTP
- Scope of work for the Household Travel Survey
- Scope of work for the Travel Demand Model work
- Development of the Transportation Improvement Program (TIP) Scoring criteria
- 2024 UPWP and all future UPWPs
- MVP Policy and Procedures
- Development of the legal entity of the MPO
- Grandfather agreements with the DOT&PF regarding current Community Transportation Program (CTP) projects in the Statewide Improvement Program (STIP)
- Title VI Plan

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**Federal Planning Factors and Performance-Based Planning:** The Fixing America's Surface Transportation (FAST) Act was signed into law on December 4, 2015. In 23 CFR 450.306, it states that the metropolitan planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
2. Increase the safety of the transportation system for motorized and non-motorized users
3. Increase the security of the transportation system for motorized and non-motorized users
4. Increase the accessibility and mobility of people and freight
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
7. Promote efficient system management and operation
8. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation
9. Enhance travel and tourism

10. Emphasize the preservation of the existing transportation system

In addition to the planning factors noted above, previous legislation (Moving Ahead for Progress in the 21<sup>st</sup> Century Act [MAP-21]) required that state Departments of Transportation (DOTs) and MPOs conduct performance-based planning by tracking performance measures and setting data-driven targets to improve those measures.

Performance-based planning ensures the efficient investment of federal transportation funds by increasing accountability of local agencies receiving the funds, prioritizing transparency to the public, and providing insight for better investment decisions that focus on key outcomes which relate to the seven national goals of:

1. Improving Safety
2. Maintaining Infrastructure Condition
3. Reducing Traffic Congestion
4. Improving System Reliability
5. Improving Freight Movement & Supporting Regional Economic Development
6. Protecting the Environment
7. Reducing Delays in Project Delivery

The current Borough [Long Range Transportation Plan \(LRTP\) 2035](#) addresses the planning factors above and addresses performance-based planning. This LRTP provides a good base to develop the MTP which encompasses a much smaller area than the entire Mat-Su Borough, which is over 25,000 square miles. See Table 1 for more information.

Regional priorities identified in the 2035 LRTP include improving congestion, safety, accessibility, and mobility. The LRTP is a fiscally constrained document that set priorities for both [Alaska DOT&PF](#) and the Borough to be completed by 2035. Funded [Alaska DOT&PF](#) projects of regional significance include upgrades to the Glenn Highway, Parks Highway, Knik Goose Bay Road, and Seward Meridian Parkway. The Borough has funded and constructed most of its priority list, including projects such as Hemmer Road Extension and South Trunk Road Extension. The Borough is currently working on an update to the LRTP that will include a new list of regionally significant road, bike and pedestrian infrastructure, and transit facilities and scoring criteria to evaluate and prioritize short, mid, and long-term project timelines. The MSB Assembly adopted its first ever Bike and Pedestrian Plan on September 26<sup>th</sup> 2023 that includes a prioritized list of projects and code changes. The MSB intends to develop a Public Transit Development Plan in partnership with the MVP for Transportation and [Alaska DOT&PF](#) to support transit operations and infrastructure needs in the rural and urban area. Once adopted the Transit Development Plan will become the new chapter on transit in the LRTP. The complete LRTP update should be finalized by the winter of 2024.

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Table 1 FFY2024 UPWP Work Tasks &amp; National Performance Goals

FFY2021 Work Tasks	Safety	Infrastructure Condition	Congestion Reduction	System Reliability	Freight Movement and Economic Vitality	Environmental Sustainability	Reduce Project Delivery Delays
<b>100 Plans &amp; Programs</b>							
100(A) Metropolitan Transportation Plan	X	X	X	X	X	X	X
100(B) Update and Execution of the PPP	X	X	X	X	X	X	X
100(C) Transportation Improvement Program	X	X	X	X	X	X	X
(100(D) UPWP	X	X	X	X	X	X	X
100(E) Support Services	X	X	X	X	X	X	X
100(F) Administration	X			X			X
<b>200 Borough Public Transit System Planning</b>							
200 Public Transit System Planning	X		X	X		X	X
<b>300 Contingency Projects</b>							
300(A) Active Transportation Plan	X	X	X	X	X	X	X

## Task 100 MPO Planning Process

### Task 100(A) Metropolitan Transportation Plan

The MTP is the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the metropolitan transportation planning process. The MPO will develop its first MTP using the 2017 MSB LRTP 2035 as its base. The MTP is not due within 12 months of being designated as an urbanized area but must be planned for within the UPWP. The UPWP will provide the work plan that will include the tasks and a schedule to complete the MTP. It must be updated every five years. The MTP planning process shall include the development of a transportation plan addressing no less than a 20-year planning horizon as of the effective date. The MPO shall consider factors described in CFR 450.306 as the factors relate to a minimum 20-year forecast period.



The MTP effort will involve the following:

**TransCad Modeling:** The MTP will focus on the Metropolitan Planning Area boundary and address all transportation planning within those boundaries, regardless of ownership. In updating the transportation plan, the MPO will base the model update or new model on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The TransCad Model is a comprehensive travel demand model. It supports sketch planning methods, four-step demand models, activity models and has an extensive set of traffic assignment models. It provides the ability to facilitate the implementation of best practices for travel forecasting and transportation modeling. It is GIS-based which makes it more accurate. The update will include collecting traffic data, analyzing the transportation network, evaluating land use, supporting transportation scenarios for travel demand model forecasts, and providing outreach to local agencies and the public to confirm project needs as outlined in the 2035 MSB LRTP and new project needs not yet identified. MVP will consult with Alaska DOT&PF to determine the most efficient route to a usable and lasting travel model that can meet the needs of all stakeholders for the years to come. Coordination on the horizon year of the MTP should occur between the MPO, DOT&PF and AMATS. The estimated cost of the TransCad Modeling effort is \$250,000 and will be funded with supplemental Planning Funds which will be managed through a supplemental grant agreement between Alaska DOT&PF and MVP. MVP will be responsible for the non-federal share and will fund it through the \$1,000,000 appropriation of state funds received by the Borough in the Fiscal Year 2024 capital budget.<sup>2</sup>

**Household Travel Survey:** The goal of conducting the household travel survey is to sample a representative number of households across different demographic categories and geographic areas

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<sup>2</sup> State of Alaska 2023, SCS CSHB 39 (FIN) am S, page 86.



to understand the travel behavior choices of the region thoroughly. It gives planners and engineers the data necessary to improve the outcomes of the modeling efforts as it ground truths assumptions made in the decision-making process. This effort would ideally take place prior to the development of the travel model. However, there are some elements of the travel model that can occur concurrent with the household travel survey. This effort aims to design and pretest a survey instrument and conduct a household travel survey for the MPA. The following tasks will be performed:

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- Performing project administration and coordination
- Reviewing specifications, survey plan and survey design
- Coordinating public outreach, communications plan, and project website
- Conducting and analyzing the pilot survey
- Refining survey methods, instruments, and procedures for the main survey
- Conducting the survey
- Data weighting
- Preparing the final survey report and data files
- Training agency staff

It may be in the State’s interest to manage this project and extend it beyond the MPA boundary. MVP could assist as a partner in developing and implementing the household travel survey. The estimated cost of the Household Travel Survey effort is \$550,000 and will be funded with supplemental Planning Funds which will be managed through a supplemental grant agreement between Alaska DOT&PF and MVP. MVP will be responsible for the non-federal share and will fund it through the \$1,000,000 appropriation of state funds received by the Borough in the Fiscal Year 2024 State of Alaska Capital Budget.

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**Development of the MTP:** The planned schedule is to release an RFP for consulting services in early 2024 to develop the MTP. Alaska DOT&PF, or its consultants, will provide all required and desired TransCad modeling. The plan will focus on the MPA boundary and address all transportation planning within those boundaries, regardless of ownership. In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The update will include the collection of traffic data, analysis of the transportation network, evaluation of land use and supporting transportation scenarios for travel demand model forecasts, and outreach to local agencies and the public to confirm project needs outlined in the 2035 MSB LRTP and new project needs not yet identified. The Public Participation Plan will define the minimum public involvement efforts, but the efforts may be more robust, and the PPP will be updated accordingly. The draft MTP will be released for public comment, and after the resolution of public comments, the final MTP will then be presented to the Technical Committee and Policy Board for consideration of adoption. Following adoption, the final MTP will be transmitted to FHWA and FTA for approval.

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The FAST Act supplemented the MAP-21 legislation by establishing timelines for state DOTs and MPOs to comply with the requirements of MAP-21. State DOTs are required to establish statewide targets and MPOs have the option to support the statewide targets or adopt their own. The MPO

will need to develop a Memorandum of Understanding between the Alaska DOT&PF, AMATS, and FAST Planning to cooperatively support a performance-based approach to the metropolitan transportation planning and programming process and to develop and share information related to transportation performance data. Table 1 illustrates how UPWP work tasks relate to these seven national performance goals.

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The IIJA was signed into law in November 2021. New considerations for the metropolitan transportation planning process include:

- Dedicated funding to build out electric vehicle charging systems and expand current programs eligibility to support climate mitigation activities and emphasize resiliency to natural disasters
- Complete Streets standards and policies
- Many competitive grant opportunities outside of the program funds such as grants to support local initiatives to prevent deaths and serious injuries on roads, demonstration projects focused on community technologies and systems to improve transportation efficiency and safety, and rail crossing elimination programs (list not inclusive)

**Advanced Project Definition and Financial Estimates:** The MTP must be fiscally constrained.

Alaska DOT&PF will provide Scope, Schedule, and Estimate (SSEs) for all projects included in the MTP. This will be an ongoing project as estimates may need to be updated as new projects are nominated. The SSEs are completed by Alaska DOT&PF staff at the MPO's request when projects are nominated by local agencies, Alaska DOT&PF, and the public for funding and inclusion in the MTP. The local agencies may be able to reach an agreement with the State to participate in the development of SSEs, but the work must be done under the federal project development regulations.

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Alaska DOT&PF will also assist in the development of financial projections for funding anticipated to be received by the MPO for the period covered by the MTP. This will include all reasonably expected funding sources. This will be provided by the DOT&PF in-kind.

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**Development of a Complete Streets Policy:** Section 11206 of the IIJA outlines the federal definition of a Complete Street and establishes that MPOs must adopt a complete streets policy and incorporate the application of said policy into the development of its transportation plan to receive federally apportioned funds. This work can be done concurrently with the development of the MTP by the MTP consultant team. The term "Complete Street" standards or policies means standards or policies that ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles (see IIJA, Section 11206(a)). Not less than 2.5 percent of the amounts made available to the MPO under section 23 USC 104(d) shall be used for complete streets activities. Any project developed with federally apportioned funds must use the federal guidelines in the design and construction of capital projects, not regional or local standards. The capital projects must be developed using the Design and Construction Standards found at <https://dot.alaska.gov/stwddes/dcsaboutus/>.

**Completion Date:** July 31, 2026

**Responsible Party:** MPO Staff, Borough Staff, Consultant(s), and Alaska DOT&PF

**Resulting Product:** Metropolitan Transportation Plan and associated Travel Model, Household Travel Survey, Complete Streets Policy, Updated Public Participation Plan, TIP Scoring Criteria

**Cost:** The estimated cost of the development of the MTP effort is \$600,000 and will be funded with supplemental Planning Funds which will be managed through a supplemental grant agreement between Alaska DOT&PF and MVP. MVP will be responsible for the non-federal share and will fund it through the \$1,000,000 appropriation of state funds received by the Borough in the Fiscal Year 2024 State of Alaska Capital Budget.

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### Task 100(B) Update and Execution of the Public Participation Plan (PPP) and Title VI Implementation Plan

Before the development of the MTP, the PPP should be updated to reflect the planned public involvement for the MTP. The PPP will be updated by the MTP consulting team relevant to how the MTP will be developed and the public involvement process that will be utilized. The use of social media will be incorporated into the PPP as well as any web-based interactive techniques.

The PPP will also assist in outlining the proper public involvement necessary for the development and operation of the MPO. The Project Manager and, subsequently, the MPO Executive Director will implement the Public Participation Plan (PPP). Staff will be responsible for:

- Maintaining the MVP website complete with staff and committee member contact information, operating documents, plans and policies, meeting calendar, meeting agendas, meeting packets and minutes, calendar, project information, and a method for interaction with the public such as a comment form
- Hosting all MPO meetings in an accessible manner with proper public notice
- Preparing all meeting materials
- Providing public comment periods, open house events, workshops, surveys, interactive maps, and other opportunities for the public to be involved in the transportation planning process
- Maintaining a presence on social media (Facebook, Instagram, Twitter, and LinkedIn) to provide additional opportunities for the general public to engage in the transportation planning process
- Hosting local events that introduce the public to the MPO
- Advertising all meetings, events, and public comment opportunities in the newspaper, on the website and social media accounts, local bulletin boards, radio, television, and the Alaska DOT&PF public notice website
- Development and execution of the **Title VI Implementation Plan:** Once recognized as the MPO through an *Inter-Governmental Operating Agreement and Memorandum of Understanding for Transportation Planning*, the MPO has the responsibility to ensure, for all people, that its programs, plans, and policies are carried out in a manner that is not discriminatory, regardless of race, color, national origin, or sex (gender). Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states that *“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”* The Federal

*Aid Highway Act of 1973 (23 USC 324), and related federal regulations (23 CFR 200.5 (p)), prohibit discrimination on the basis of sex (gender).*

Later Executive Orders placed further emphasis on the Title VI protections of race and national origin, added low-income populations to the list of protected groups, and clarified that minority and limited English proficient populations are included under national origin. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557], March 22, 1988).

Recent new Executive Orders to be considered include EO 13985, 13988, 14008 and the US DOT Equity Action Plan.

Together these requirements form the legal basis for the Federal Highway Administration (FHWA) Title VI Program. According to 49 CFR 21.7 (b), recipients of federal financial assistance are required to provide for such methods of administration, as determined by the Secretary of Transportation, for a program to give a reasonable guarantee that it, and other participants under the program including contractors and subcontractors, will comply with all requirements imposed or pursuant to Title VI related federal regulations. The guidance provided by FHWA, Public Funds for Public Benefit: Subrecipient’s Guide to Implement Title VI, outlines additional information to be addressed in a Title VI Nondiscrimination Plan.

The State of Alaska has long recognized the importance of ensuring non-discrimination in how they conduct business and provide services to the public. This Title VI Non-Discrimination Implementation Plan will document a process specifically for ensuring non-discrimination by the MPO and should be consistent with non-discrimination policies of both the DOT&PF and FHWA Title VI requirements.

The Title VI Plan is integral to the PPP and provides specific goals, objectives, and strategies for reaching low-income, minority, and Limited English Proficiency populations to help mitigate barriers to public participation in the transportation planning process. As a Federal Aid recipient, the MPO has the responsibility to ensure that its programs, plans, and policies are carried out in a manner that is not discriminatory, regardless of race, color, national origin, or sex (gender) in accordance with Title VI of the Civil Rights Act of 1964, as amended. Measures to include are listed but are not limited to:

- Hosting all meetings open to the public and broad advertising of meetings, events, and public comment opportunities
- Opportunities in accordance with the PPP to reach different demographics of the population
- Holding meetings in a location familiar and comfortable to the public, accessible by non-motorized travel and transit, and in ADA-accessible buildings
- Providing contact information on all public notices and advertisements for individuals to request special accommodations for translation (language barriers) and hearing and sight impairments
- Preparing Title VI Reports for the DOT&PF Civil Rights Office for every meeting and event held open to the public and public comment periods

- Advertisement of Title VI complaint procedures and complaint form for any person who believes they have been excluded from or denied the benefits of, or subjected to discrimination based on race, color, national origin, or sex (gender) under any MPO plan, program, or activity
- Annual participation by all MPO staff in Title VI training

**Completion Date:** March 2024

**Responsible Party:** MPO Staff, Borough Staff, and [Alaska DOT&PF Staff](#)

**Resulting Product:** Updated Public Participation and Title VI Implementation Plan and on-going implementation of the plans

**Cost:** The cost for the updates of these two plans is included in the development of [MTP](#).

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### Task 100(C) Transportation Improvement Program (TIP)

The TIP is a prioritized listing/program of transportation projects covering four years developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the MTP and required for projects to be eligible for funding under 23 USC and 49 USC Chapter 53. Currently, the federally funded transportation projects for the area can be found in the 2020–2023 Alaska Statewide Transportation Improvement Program (STIP). Upon official designation as an MPO, projects funded by federal transportation funds on locally or state-owned (non-NHS) roadways and transit projects will be found in the MPO’s TIP. Federally funded projects within the MPO boundaries that are located on the State-owned National Highway System (NHS) or [facilities](#) owned by the Alaska Railroad Corporation will generally be shown in the TIP for informational purposes. Including these projects will require careful coordination with the state and transit providers.

**2020-2023 Alaska Statewide Transportation Improvement Program**  
2020-2023 Original STIP; Approved April 28, 2020

Need ID: 20011  
Title: New Road Improvements Kook-Grosvorbay Road to Hoffwood Blvd  
Region: Central  
Plan Name: Central Region  
Highway: 96

**Project Description:**  
Project will rehabilitate the existing two-lane road from the Hoffwood Boulevard to Kook-Grosvorbay Road. The road will be designed to accommodate ongoing traffic growth. Scope includes retaining shoulders, drainage improvements, repaving, pedestrian accommodations and possible HSP safety improvements.

Phase	Fund	FFY20	FFY21	FFY22	FFY23	After2023
Design	SM	40,104	0	0	0	0
Design	STP	404,816	0	0	0	0
Right of Way	AC	0	3,296,753	0	0	0
Right of Way	ACC	0	0	3,296,753	0	0
Right of Way	SM	0	327,247	0	0	0
Right of Way	STP	0	0	3,296,753	0	0
Construction	AC	0	0	0	5,840,140	0
Construction	SM	0	0	0	569,890	0
Utilities	SM	0	0	0	207,890	0
Utilities	STP	0	0	0	2,060,310	0
<b>Totals</b>		<b>445,000</b>	<b>3,624,000</b>	<b>0</b>	<b>8,500,000</b>	<b>5,840,140</b>

Program: Alaska Highway System  
Primary Work: System Preservation  
2010 Election District: 0 (No) Lakelse/Port Moresby  
Borough/Census Area: Metlakatla - Shelikof Borough  
Municipal Planning Org. (MPO): non MPO  
Performance Measure: Safety, Travel Time

Sponsor:  
FEB Score:  
Criteria:  
Functional Class: MINOR ARTERIAL

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For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and FTA as part of the STIP approval, the State and the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements as set forth in 23 CFR 450.336. The self-certification shall be drafted and included as the cover letter in the transmittal of the TIP to FHWA and FTA.

Development of a new TIP will begin concurrently with the development of the MTP, which is anticipated to be completed in July 2026. The initial effort will be consultant-led and will involve development of project scoring criteria and nomination forms, followed by a call for project nominations. Projects included in the TIP must be prioritized in the MTP. [Example scoring criteria that may be used include safety, public support, maintenance and operations, system](#)

preservation, connectivity, environmental mitigation, project readiness and land use. Non-motorized projects have slightly different criteria such as how much of the population is impacted by the project, how the facility will be used, and if it provides more mobility for more users in a safer environment. The project nominations often, but are not all required to, come from the short-range list of projects included in the updated MTP. A workshop will be held for local agencies and the public to learn about the nomination process, scoring criteria, and project selection process for funding. At the close of the nomination period, the Technical Committee members will score and rank the projects in order of priority for consideration of funding in the new TIP.

Concurrently, Alaska DOT&PF staff will prepare a scope, schedule, and estimate (SSE) for each project nominated. Once the SSEs and project rankings are complete, the MPO will develop a fiscally constrained draft TIP providing a funding plan for the top-ranked projects for release for public comment. After public comments are addressed and/or resolved, the final TIP will then be presented to the Technical Committee and Policy Board for consideration and adoption. Following adoption, the final TIP will be transmitted to FHWA and FTA for approval and to Alaska DOT&PF for inclusion into the STIP.

The MPO Staff will work in cooperation with the Alaska DOT&PF in the development of an E-TIP that is compatible with the State's Statewide Transportation Improvement Program (STIP), if available.

The MPO Staff, with DOT&PF assistance, will be responsible for:

- Project scoring and ranking by the MVP Technical Committee and preparation of Scope, Schedules, and Estimates (SSEs)
- Development of draft TIP for advertisement for public comment
- Review and respond to comments received during the public comment period
- Presentation of final TIP to the Technical Committee and Policy Board for consideration of adoption, and transmittal of the adopted TIP to FHWA and FTA for approval
- Monthly tracking of obligated funds in the TIP and receipt of offsets from project closures, reductions to bid award, and other de-obligations.
- Administrative Modifications and Amendments to current TIP on an as-needed basis.

**Completion Date:** August 2026

**Responsible Party:** MPO Staff, with Alaska DOT&PF providing Advanced Project Definition (estimates and schedules) and financial constraint limits and technical support for E-TIP, as necessary

**Resulting Product:** 2026 – 2029 Transportation Improvement Program

**Cost:** The staff cost is estimated to be \$30,000 as reflected in Table 4 of the budget.

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#### Task 100(D) 2024 UPWP Reporting and 2025-2026 UPWP Development

The Alaska DOT&PF is responsible for providing the management oversight of the UPWP. The MPO and its partners that receive Federal PL funding will prepare and submit quarterly reports through

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FFY2024 to the [Alaska DOT&PF](#). The quarterly reports will document the planning activities performed and expenditures by the MPO per the tasks listed in the UPWP. The [Alaska DOT&PF](#) will review and compile the quarterly reports into annual reports at the end of each federal fiscal year. The MPO will initiate Administrative Modifications and Amendments to the UPWP as needed following the provisions of the MPO's Intergovernmental Operating Agreement, when executed.

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**FFY2025-2026 UPWP:** Beginning in spring 2024, the MPO staff will develop the draft 2025-2026 UPWP. This will involve consultation with the State and other MPOs regarding the Planning fund allocation.

**Completion Date of the new UPWP:** August 15, 2024

**Quarterly reports for the current UPWP.**

**Responsible Party:** MPO Staff, new MPO Executive Director with DOT&PF assistance

**Resulting Product:** Quarterly UPWP Reports and 2025 – 2026 UPWP

**Cost:** The UPWP will be developed by staff.

### Task 100(E) Support Services

This task encompasses all planning and program needs for the operation of the MPO. It is recommended that the MPO hire an Executive Director as soon as possible after designation by the Governor, anticipated to be fourth quarter of FFY2023, to manage the critical tasks listed below.

- Development and management and operation of the MVP 501(c)(3) Non-profit Corporation (human resources, payroll, accounts payable/receivable, office space leasing, asset management, insurance coverages, audits, business licensing, and tax filings)
- The MPO Coordinator will obtain all the necessary items for the formation of the MPO office including the hiring of an Executive Director and Transportation Planner
- Procurement of office space
- Supply or cause to arrange supplies, information technology, website development, social media presence, office administration, utilities, payroll, and benefits, and the like
- Procure services as necessary to bring the MPO office to an operational status based on the agreed-upon structure
- MVP budget preparation, tracking, and amendment
- Review of agreements and policies and procedures as needed
- Professional development for staff (online and in-person training and conferences)
- Attending and participating in local, regional, and State committee and commission meetings
- Providing guest presentations to committees, commissions, local organizations and chapters, and other interest groups
- Serving on the Statewide Transportation Innovation Council, Statewide Connected & Autonomous Team
- Attending project status meetings, open house events, stakeholder groups, and other [Alaska DOT&PF](#) and Borough planning meetings

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- GIS mapping of the transportation network, including preparation of areawide and project-specific maps
- Review and submit comments on local, state, and federal legislation and planning documents
- Monitor the Federal Highway Bill guidance and modify the development of the final MPO structure and documents in accordance with the latest planning assumptions
- Review the Federal Regulations for Metropolitan Transportation Planning and research and apply for other available grant opportunities
- Conduct general communication, correspondence, and presentations to members of the public, organizations, agencies, elected/appointed officials, and other interested parties
- Coordinate with the DOT and other MPOs, as requested
- Attend annual AMPO Conference and Alaska American Planning Association Conference and trainings

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**Completion Date:** September 30, 2024

**Responsible Party:** MPO Staff, new MPO Executive Director, DOT&PF, Borough Staff, consultant staff

**Resulting Product:** Operations of the MPO

**Cost:** The staff cost is estimated to be \$172,000 as reflected in Table 4 of the budget.

## Task 100(F) Administration

### MVP for Transportation Intergovernmental Operating Agreement and Memorandum of Understanding for Transportation Planning within the Metropolitan Area of the Metropolitan Planning Organization (Operating Agreement) and Boundary Development

This agreement details the structure and process for the continuing, cooperative, and comprehensive consideration, development, and implementation of transportation plans and programs for intermodal transportation in the MPA. MPO designation shall be made by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable or local law. It defines the membership of the Policy Board by Title and voting rights of its members. It also defines the members of the Technical Committee by Title. Federal and State law are silent on the size, composition and voting rights of a Policy Board in a non-Transportation Management Area (under 200,000 persons). The Pre-MPO will define the committee, board, and boundary in FFY2022. This agreement defines the key plans and programs of the MPO, rules for consultant contracts, reporting requirements, planning reports, division of cost and payment, audit procedures as well as other standard required contractual elements. Staff will be responsible for any updates to this agreement and boundary map.

After the boundary is approved, Alaska DOT&PF or the FHWA Division Office should provide the boundary files electronically to the FHWA Office of Planning (HEPP-30) for inclusion in the FHWA

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Office of Planning Executive Geographic Information System (HEPGIS) database. The preferred submission formats are ArcGIS or TransCAD GIS file formats, the GIS software packages most used by State DOTs and MPOs.

**Completion Date:** December 2023  
**Responsible Party:** Pre-MPO Staff, ADOT & PF, Borough Staff  
**Resulting Product:** Operating Agreement and Memorandum of Understanding for Transportation within the Metropolitan Planning Organization

### MVP Policies and Procedures

Finalize the Policies and Procedures of MVP to ensure operations are in accordance with the Operating Agreement, MOU, and Bylaws. Some policies to be developed include, administrative policies, amendment and administrative modification policies, personnel policies, social media policies, human resources, employment practices, and the like.

**Completion Date:** May 2024  
**Responsible Party:** Pre-MPO Staff, DOT & PF, Borough Staff  
**Resulting Product:** MVP for Transportation Policies and Procedures

### Other Agreements:

- Develop an agreement(s) to coordinate with the DOT&PF, Anchorage Metropolitan Transportation Solutions (AMATS), and FAST Planning on PL and STPBG funding, target setting, and other transportation issues of common interest.
- Set performance targets in coordination with the State and other MPOs in accordance with a to-be-established memorandum of understanding for a performance-based approach to the metropolitan transportation planning and programming process.
- Consider a coordination agreement with AMATS, and others, as appropriate and necessary
- Consider an agreement with the local tribal governments regarding future consultation processes and to address the government - government relationship with the MPO

**Completion Date:** July 2024  
**Responsible Party:** MPO Staff, ADOT & PF, Borough Staff  
**Resulting Product:** Coordination Agreement with AMATS, Consultation agreements with Knik Tribe and Chickaloon Native Village, Memorandum of Understanding with the State and other MPOs regarding performance-based planning

**Administration Cost for Task 100(f):** The staff cost is estimated to be \$50,000 as reflected in Table 4 of the budget.

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The Bylaws spell out the members and officers of the organization, how the Chair and Vice Chair are chosen, and who will serve as Secretary of the organization and what those responsibilities entail. The Bylaws define when meetings occur, at a minimum, and line out the standard order of business. The Bylaws define committee structures and the purpose and duties of the Technical Committee. The Bylaws also address ethics, conflict of interest, and other miscellaneous standards of conduct. The Bylaws should be submitted with the Operating Agreement. If not completed in FFY22, they will be done in early FFY23.¶

**Completion Date:** April 2023¶

**Responsible Party:** Pre-MPO Staff, DOT & PF, Borough Staff¶

**Resulting Product:** MVP for Transportation Bylaws¶

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## Task 200 Public Transit System Planning

**Non-urbanized** Formula Program grants provide transit capital, operating assistance, and program administration to non-urbanized areas for public transportation. State agencies, local public bodies and agencies thereof, private-non-profit and private for-profit (inter-city only) organizations, and operators of public transportation services are eligible to apply. These program grants are detailed in 49 USC 5311.

The Federal Transit Administration (FTA) has defined the goals of the 5311 Program to:

- Enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation.
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas.
- Encourage and facilitate the most efficient use of all rural transportation funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services.
- Assist the development and support of intercity bus transportation.
- Provide for the participation of private transportation providers to the extent feasible.

In addition, FTA 5310 grants through the Fixing America's Surface Transportation (FAST) Act and Alaska Mental Health Trust funding each focus on the transportation needs of disadvantaged persons and those with special transportation needs that cannot be met through traditional personal automobile or public transportation means. To be eligible for FTA 5310 or Alaska Mental Health Trust funds through the [Alaska DOT&PF](#) Alaska Community Transit (ACT) office, projects must be derived from a locally developed, coordinated plan that is updated at least every five (5) years. These funding sources substantially support transit operations in the Borough. The Borough updated the MSB Coordinated Human Services Transportation Plan in 2023 to reflect current community needs and opportunities, in addition to meeting federal and State requirements. The plan documented community efforts to coordinate public and human service transportation for the Borough's residents—especially older adults and individuals with disabilities. In addition to updating the plan to reflect current demographics and needs, it also outlines a clear list of goals and prioritized strategies to carry the work of the plan forward into fruition. The next steps will be to identify lead agencies and funding sources to begin implementing high priority strategies.

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Valley Transit and Sunshine Transit are prepared to receive Alaska Community Transit State Fiscal Year 2021 Public Transit Grants for Administration, Operating and Preventive Maintenance. Sunshine Transit was awarded \$729,663, and Valley Transit was awarded \$1,100,000. Sunshine Transit and Valley Transit are also to receive Public Transit Capital Grants of \$737,692 and \$1,350,207, respectively.

Due to the operational changes in FFY2020 related to the COVID-19 pandemic, these planning funds will be critical to planning the future of the public transit system within the MPA. Beginning in FFY21, and continuing through FFY2022 and FFY2023, the transit providers will need to develop, implement, and continually update Public Transportation Agency Safety Plan (PTASP) to include the processes and procedures to implement Safety Management Systems (SMS).

**Urbanized** The transit services within the census-designated urban area are eligible to receive **FTA Section 5303, 5304 and 5305 planning funds** through a Metropolitan Planning Grant Agreement between the DOT&PF and FTA. Metropolitan & Statewide Transportation Planning Section 5303, 5304 and 5305 provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and states. Eligible activities include the development of transportation plans and programs, plan, design and evaluate a public transportation project and

conduct technical studies related to public transportation.

The Borough is currently working on a short-term Transit Continuity Plan to support transit operations in the newly designated urban area. The 2023 MSB Coordinated Human Services Transportation Plan also identified the need for a more extensive Transit Development Plan. The project was ranked by providers as a high priority project intended to assess public transportation services throughout the borough and ensure community transportation needs are being met efficiently and effectively. It is likely that the [Alaska DOT&PF](#) will execute a Coordinated Planning Agreement with the MPO to conduct future plans with the Borough. Funds are apportioned to states by formula that includes each state's urbanized area population in proportion to the total urbanized area population for the nation, as well as other factors.

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- FTA Section 5303: Metropolitan Planning
- FTA Section 5304: Statewide Planning
- FTA Section 5305: Planning Programs

FTA Section 5307 funds also provide transit capital and operating assistance in urbanized areas.

- The State Is the Designated Recipient for all small, urbanized areas, but most grantees are Direct Recipients\*
- Private Non-Profits Can't Be Direct Recipients or Subrecipients\*\* to the Urban Formula Program
- The Borough and DOT&PF are currently working to execute a supplemental agreement naming the Borough as a Direct Recipient for the distribution of Section 5307
- As a Direct Recipient, the Borough will be able to contract for services, allowing non-profit transit providers to apply for and receive FTA 5307 funding through a competitive bid process
- Non-profit organizations can only be subrecipients under the Job Access Reverse Commute (JARC) program

*\*Direct Recipient: An entity that is approved by the Designated Recipient to apply for and receive FTA funding directly, and through a supplemental agreement takes on all responsibilities of compliance and grant management*

*\*\*Sub-Recipient: An entity that receives FTA funds via a pass-through agreement with a Direct Recipient or Designated Recipient, whereby the original recipient remains responsible for compliance with all terms, conditions, and requirements associated with the grant*

***Designation as an urbanized area will result in significant changes to ownership, operation and ridership of the system and may affect the transit routes, frequency, and timing, as well as staff employment, facilities, equipment, and fare collection.***

Planning needs to be cooperative, continuous, and comprehensive, resulting in long-range plans and short-range programs reflecting transportation investment priorities. Federal planning funds are first apportioned to State DOTs. State DOTs then allocate planning funding to MPOs. Several

meetings have been conducted between the local transportation provider, DOT&PF, Alaska Railroad and FTA and more coordination will take place in the future.

Funds are available for planning activities that:

- support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
- increase the safety of the transportation system for motorized and non-motorized users;
- increase the security of the transportation system for motorized and non-motorized users;
- increase the accessibility and mobility of people and for freight;
- protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- enhance the integration and connectivity of the transportation system, across and between modes, for people and freight; and
- promote efficient system management and operation; and emphasize the preservation of the existing transportation system.

This funding is used to conduct planning activities related to the operation and improvement of the public transit system, including data collection, studies, system performance management, capital planning, and asset management, preparation of reports and plans, and training and technical assistance for staff. Example plans include:

- Coordinated Transportation Plan
- Short- and Long-Range Transit Plan
- Mobility Management Plan
- Public Transportation Agency Safety Plan
- Bus Stop Amenity & Design Development Plan
- ITS Improvement Plan
- Comprehensive Fixed Route Analysis & Improvement Plan
- Traffic Signal Prioritization Impact Study



### Transit Continuity Planning

Upon designation as an urban area, transit providers will lose access to FTA 5311 rural funding within the urban area and will not be able to directly apply for FTA 5307, as non-profit organizations are not eligible to be Direct Recipients of this program. The Borough has requested Direct Recipient status from the State of Alaska. Once approved, the Borough intends to apply for funding directly and will contract for transit services within the urban area through a competitive bid process, allowing non-profit transit providers access to the FTA 5307 urban transit funding. With a 50/50 match requirement, local match will still need to be determined.

### Transit Development Plan

A Transit Development Plan for the Mat-Su Borough is necessary to plan for the evolving transportation needs of our rural and urban communities. Transit throughout the Borough is currently operated by several non-profit transit and health and human services organizations, all working to provide transportation services for the community without an overarching plan in place. **Providers and residents have identified differing needs in rural communities versus the recently census-designated urban area, though the need for safe and adequate transportation still exists for both. With a region the size of West Virginia, an analysis of how to best provide transportation to, from, and between different areas of the borough is essential.** A Borough-wide Transit Development Plan (TDP) would provide a research and data-driven approach to sustaining and improving transit throughout the region by connecting communities and increasing access to jobs, shopping areas, medical appointments, and other essential services. A TDP would involve a complete analysis of the MSB's transit services, recognizing needs and gaps in the current system, prioritizing goals, creating implementable strategies, and identifying funding opportunities. The result of the TDP will be a guiding strategy document that anticipates the future transportation demands of rapid growth and ensures adequate and efficient transit options for all residents.

**Completion Date:** Fall 2025

**Responsible Party:** Valley Transit, Sunshine Transit Coalition, Chickaloon Area Transit (CAT), Borough Staff, [Alaska DOT&PF](#)

**Resulting Product:** Transit Development Plan

**Cost:** [The cost for this plan varies as it is being developed as funding allows, in phases. This phase is \\$91,503 as indicated in Table 4 of the Budget.](#)

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### Task 300 Contingency Projects

The following projects are Contingency Projects, which are, by definition, a future event or circumstance which is possible but cannot be predicted with certainty. These are projects that could occur in 2024 if funding becomes available.

#### Task 300(A) Develop an Active Transportation Plan

Hire a consultant to complete an Active Transportation Plan (ATP). This plan will address local interest in non-motorized travel and the desire for better transportation options, quality of life, and access to the area's natural surroundings. It will outline policy, programmatic, and infrastructure improvements to help achieve a vision for a more pedestrian and bicycle-friendly community with a non-motorized network that provides safe and comfortable transportation options to many area residents and visitors.

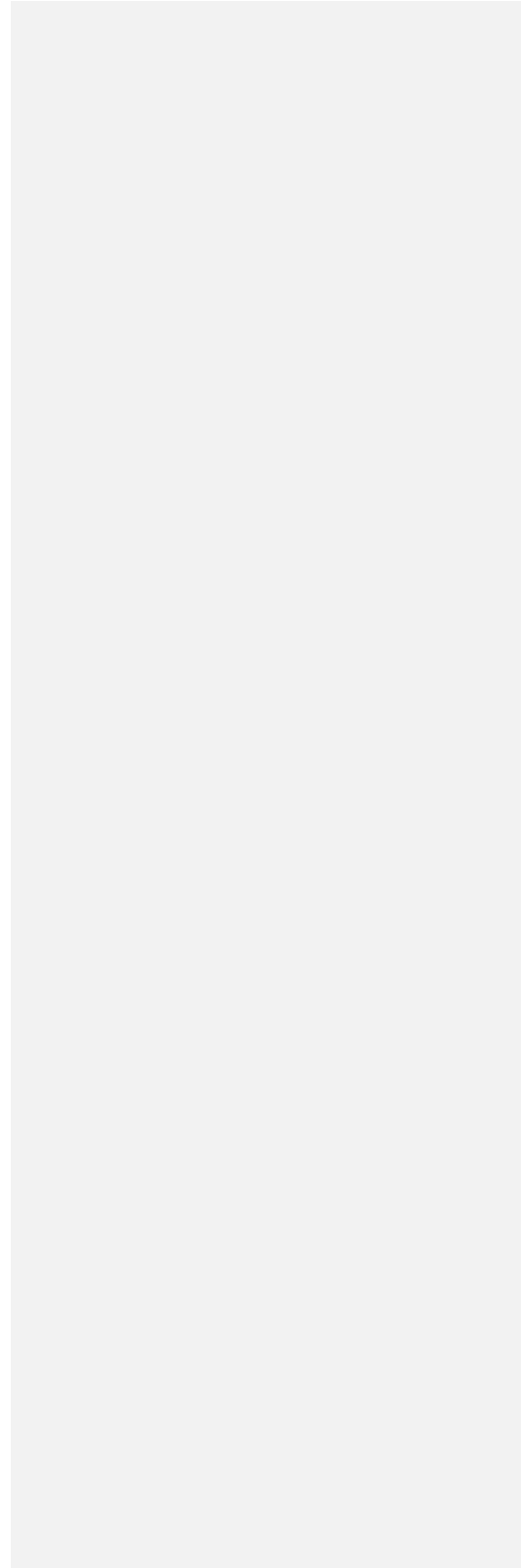
**Completion Date:** TBD

**Responsible Party:** MPO Staff, Borough Staff, DOT&PF

**Resulting Product:** Active Transportation Plan

**Cost:** [The cost is estimated at \\$100,000 given the newly approved MSB Bicycle and Pedestrian Plan.](#)

## Budget



## Table 2. Funding Sources for Metropolitan Planning Activities

### Metropolitan Planning (PL) Funds

Description	FFY2024
FFY2024 PL Distribution	\$ 398,691
<hr/>	
<b>PL Funds</b>	\$ 398,691
9.03% Match	\$ 39,575
<hr/>	
Subtotal	\$ 438,266
Less 6.35% ICAP	\$ (27,830)
<hr/>	
<b>TOTAL</b>	<b>\$ 410,437</b>

## Table 3. Funding Sources for Transit Planning Activities

### Transit Planning (FTA 5303) Funds

Description	FFY2024
FFY2024 Apportionment	\$ 88,884
<b>FTA 5303 Funds</b>	\$ 88,884
9.03% Match	\$ 8,823
<hr/>	
Subtotal	\$ 97,707
Less 6.35% ICAP	\$ (6,204)
<hr/>	
<b>TOTAL</b>	<b>\$ 91,503</b>

Note: Until the organization is formed and has the proper fiscal policies in place, the non-federal share will be funded with legislative grant funds identified on page 8.

**Table 4. Estimated Costs by Task**

Task	Description	Fund Source	FFY2024	Activity Type		
				Metro Planning	Transit Planning	TIP Project/Grant
<b>Required Plans &amp; Programs</b>						
100(a)	Metropolitan Transportation Plan*	PL	\$ 120,000	X		
100(c)	Transportation Improvement Program	PL	\$ 28,930	X		
100(d)	2024 UPWP Reporting and 2025-2026 UPWP	PL	\$ 25,000	X		
100(e)	Support Services	PL	\$ 190,000	X		
100(f)	Administration	PL	\$ 74,337	X		
		Subtotal	\$ 438,267			
		Less 6.35% ICAP	\$ (27,830)			
		<b>TOTAL</b>	<b>\$ 410,437</b>			
<b>Public Transit System Planning</b>						
200(a)	Transit Development Plan	FTA 5303	\$ 97,707		X	
		Subtotal	\$ 97,707			
		Less 6.35% ICAP	\$ (6,204)			
		<b>TOTAL</b>	<b>\$ 91,503</b>			
<b>Contingency Projects</b>						
300(a)	Active Transportation Plan	PL	\$ 50,000			X
		Subtotal	\$ 50,000	X		
		Less 6.35% ICAP	\$ (3,175)	X		
		<b>TOTAL</b>	<b>\$ 46,825</b>			
		<b>TOTAL</b>				

\*Includes MTP development, TransCad Model, Household Travel Survey, Complete Streets Plan, PPP and Title VI Plans



**Table 5. Funding Source & Estimated Cost Comparison**

Metropolitan Planning (PL+STP) Funds	FFY2024
Available Funding (Table 2)	\$ 410,437
Estimated Costs (Table 4)	
Task 100 Requires Plans & Programs	\$ 410,437
<b>Total</b>	<b>\$ 410,437</b>

**Transit Planning (FTA 5303) Funds**

Available Funding (Table 3)	\$ 91,503
Estimated Costs (Table 4)	
Task 200 Public Transit System Planning	\$ 97,707

**Additional Funding needed for Contingency Plans & Projects (from TIP/Grants)**

Task 300 Contingency Plans & Projects (Table 4)	\$ 150,000
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**Table 6. Metropolitan & Transit Planning Fund Distribution**

Metropolitan Planning (PL) Funds	FFY2024	MVP's Portion	Alaska DOT&PF Portion
MVP for Transportation	\$ 332,691		
Alaska DOT&PF Planning	\$ 66,000		
Subtotal	\$ 398,691		
9.03% Match <sup>1</sup>	\$ 39,575		
Subtotal	\$ 438,266		
Less 6.35% ICAP	\$ (27,830)		
<b>TOTAL</b>	<b>\$ 410,437</b>	\$ 344,437	\$ 66,000

**Transit Planning (FTA 5303) Funds**

MVP for Transportation	\$ 88,884	
9.03% Match <sup>2</sup>	\$ 8,823	
Subtotal	\$ 97,707	
Less 6.35% ICAP	\$ (6,204)	
<b>TOTAL</b>	<b>\$ 91,503</b>	\$ 91,503

<sup>1</sup>Cash match paid by receiving agency. MVP's match comes from state legislative appropriation

<sup>2</sup>Cash and/or in-kind match provided by the Borough.

### Table 7. Proposed UPWP (FFY2024) Annual Office Budget for MVP

(For comparison purposes with Table 6 - Metropolitan Planning [PL] Fund Distribution to MVP)

<b>Expenditures</b>	<b>Amount</b>
Personnel	\$ 218,000
Office & Administrative	\$ 55,500
Information Technology	\$ 26,037
Meetings	\$ 3,200
Training	\$ 12,000
Advertising	\$ 20,500
Supplies	\$ 9,200
	<hr/>
<b>TOTAL</b>	<b>\$ 344,437</b>

<b>Revenue</b>	<b>Amount</b>
PL Fund Distribution	\$ 398,691
9.03% Match	\$ 39,575
Supplemental STP Funds	\$ -
9.03% Match	\$ -
	<hr/>
Subtotal	\$ 438,266
Less 6.35% ICAP	\$ (27,830)
	<hr/>
<b>TOTAL</b>	<b>\$ 410,437</b>

**Matanuska-Susitna Borough,  
City of Palmer,  
City of Wasilla,  
Knik Tribe,  
Chickaloon Native Village**  
**and**  
**State of Alaska**

**Commented [dg1]:** Modified to list all the Policy Board members instead of Matsu Valley Planning for Transportation

**INTER-GOVERNMENTAL OPERATING AGREEMENT  
AND MEMORANDUM OF UNDERSTANDING  
FOR TRANSPORTATION PLANNING**

In the Metropolitan Area of the  
Mat-Su Metropolitan Planning Organization

**SECTION 1 - PARTIES TO THIS AGREEMENT**

The Parties to this Agreement are the State of Alaska (State) and Matanuska-Susitna Borough (MSB), Knik Tribe, Chickaloon Native Village, City of Palmer, and City of Wasilla.

**SECTION 2- PURPOSE**

This Agreement is entered into in accordance with 23 USC § 134–135, 49 USC § 5303-5306, and 23 CFR 450.300 to provide the structure and process for the continuing, cooperative, and comprehensive consideration, consultation, development and implementation of transportation plans and programs for intermodal transportation in the metropolitan planning area (MPA).

Metropolitan Planning Organizations (MPOs) are required to develop long-range transportation plans and Transportation Improvement Programs through a performance-driven, outcome-based approach to planning. The MPO will conduct the transportation planning process and provide for consideration and implementation of projects, strategies, and services that will address the planning factors outlined in 23 CFR 450.306 (b) and (c).

## SECTION 3 - LEGAL AUTHORITY

### 3.1 FEDERAL TRANSPORTATION PLANNING STATUTES

23 USC § 104(f), 23 USC § 134 and 49 USC § 5303-5306 provide funding and require designation of a metropolitan planning organization (MPO) for urbanized areas of at least 50,000 population to carry out a transportation planning process and receive federal funding. Those Statutes require the State and the local governments to coordinate the planning and construction of all urban transportation facilities with a continuing, cooperative, and comprehensive transportation planning process.

### 3.2 MPO DESIGNATION

On \_\_\_\_\_, 2023, the Governor of the State of Alaska designated the MPO and identified the Matsu Valley Planning for Transportation (MVP) Policy Board as the body providing the direction of transportation planning in the MPA in accordance with Federal law.

## SECTION 4 - DEFINED TERMS

"ADEC" means the State of Alaska Department of Environmental Conservation.

"Alaska DOT&PF" or "ADOT&PF" means the State of Alaska Department of Transportation and Public Facilities.

"ARRC" means the Alaska Railroad Corporation

"AOR" means the Annual Obligation Report which includes all projects and strategies listed in the Transportation Improvement Program (TIP) for which Federal funds were obligated during the immediately preceding program year.

"ASSEMBLY" means the MSB Assembly, the legislative governing body of the MSB.

"CHICKALOON NATIVE VILLAGE" (Na'Kayax) is a federally recognized Tribe that administers federally funded Tribal Transportation Program within the MPA.

"CITY OF PALMER" means the home rule city, a political subdivision of the State of Alaska within the MPA.

"CITY OF WASILLA" means a first-class city, a political subdivision of the State of Alaska, and the most populated city located within the MPA.

"CONSULTATION" means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the "consultation"

**Commented [dg2]:** Modified by ADOT&PF. Previous language: "CHICKALOON VILLAGE TRADITIONAL COUNCIL" is the governing body for Na'Kayax (Chickaloon Native Village), a federally recognized Tribal Government with citizens and lands located within the MPA.

performed by the States and the MPOs in comparing the long-range statewide transportation plan and the MTP, respectively, to State and tribal conservation plans or maps or inventories of natural or historic resources.

"COOPERATION" means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

"COORDINATION" means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

"DBE" or "Disadvantaged Business Enterprise" means a for-profit small business concern (1) that is at least 51-percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

"DESIGNATED RECIPIENT" means: (i) an entity designated, in accordance with the planning process under Sections 5303 and 5304, by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population; or (ii) a state or regional authority, if the authority is responsible under the laws of a state for a capital project and for financing and directly providing public transportation.

"DIRECT RECIPIENT" means an eligible entity authorized by a designated recipient or state to receive Urbanized Area Formula Program funds directly from FTA. A state or designated recipient may authorize another public entity to be a "direct recipient" for Section 5307 funds. A direct recipient is a public entity that is legally eligible under federal transit law to apply for and receive grants directly from FTA. The designated recipient may make this authorization one time or at the time of each application submission, at the option of the designated recipient.

"FHWA" means the Federal Highway Administration, an operating agency of the United States Department of Transportation (USDOT).

"FINANCIAL PLAN" means documentation required to be included with a metropolitan transportation plan and TIP that demonstrates the consistency between reasonably available and projected sources of Federal, State, local and private revenues and the costs of implementing proposed transportation system improvements.

"FRA" means the Federal Railroad Administration, created by the Department of Transportation Act of 1966.

"FTA" means the Federal Transit Administration, an operating agency of the USDOT.

"KNIK TRIBE" is a federally recognized Tribe that administers a federally funded Tribal Transportation Program within the MPA.

**Commented [dg3]:** Modified by ADOT&PF. Previous language: "KNIK TRIBE" means a federally recognized tribe with members and land located in the MPA.

"MATSU VALLEY PLANNING FOR TRANSPORTATION (MVP)" means the Matanuska-Susitna area Metropolitan Planning Organization, also known as MVP for Transportation

"METROPOLITAN PLANNING AGREEMENT" means a written agreement between the MPO, the State(s), and the providers of public transportation serving the metropolitan planning area that describes how they will work cooperatively to meet their mutual responsibilities in carrying out the metropolitan transportation planning process.

"MPA" or "METROPOLITAN PLANNING AREA" means the geographic area in which the MPO carries on metropolitan transportation planning process as described in Section 5.4 of this Agreement.

"MPO" or "METROPOLITAN PLANNING ORGANIZATION" means the policy board created by Section 5.2 of this Agreement to carry out the metropolitan transportation planning process.

"MSB" means the Matanuska-Susitna Borough, a second-class borough, a political subdivision of the State of Alaska that includes the City of Palmer, City of Wasilla, and MPA within its boundaries.

"MTP" or "METROPOLITAN TRANSPORTATION PLAN" means the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the MTP process.

"PERFORMANCE-BASED APPROACH" means the application of performance management within the planning and programming process to achieve desired performance outcomes for the multimodal transportation system.

"PERFORMANCE MEASURE" means an expression on a metric that is used to establish targets and to assess progress toward achieving the established targets.

"PERFORMANCE METRIC" refers to "Metric" as defined in 23 CFR 490.101 and means a quantifiable indicator of performance or condition.

"PERFORMANCE TARGET" refers to "Target" as defined in 23 CFR 490.101 and means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period.

"PL FUNDS" means the Federal Highway Administration Metropolitan Transportation Planning funds authorized under 23 USC 104 to carry out the requirements of 23 USC 134.

"POLICY BOARD" means the board established under Section 5.2 of the Agreement for cooperative decision-making in accordance with this Agreement.

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"PUBLIC PARTICIPATION PLAN" means a documented process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representative of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

"SECTION 5303 FUNDS" means the FTA funds made available under 49 USC 5305(9) to carry out the requirements of 49 USC 5303.

"SSOW" OR "SIMPLIFIED STATEMENT OF WORK" means a statement of work documenting metropolitan transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in accordance with the provisions of 23 CFR 450.308 and 23 CFR part 420.

"STATE" means the State of Alaska.

"TECHNICAL COMMITTEE" means the Mat-Su MPO committee established in Section 5.3 of this Agreement for the cooperative decision-making in accordance with this Agreement.

"TIP" or the "TRANSPORTATION IMPROVEMENT PROGRAM" means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the MTP process, consistent with the MTP, and required for projects to be eligible for funding under title 23 USC and title 49 USC chapter 53.

"TRANSIT" means public transportation systems, including buses, vans, rail, trolleys and ferries and other rubber-tired public transportation vehicles.

"UPWP" or "UNIFIED PLANNING WORK PROGRAM" means a statement of work identifying the planning priorities and activities to be carried out within an MPA. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

"URBANIZED AREA" means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census also known as an UZA.

"USDOT" means the United States Department of Transportation.

"WASILLA CITY COUNCIL" means the legislative governing body of the City of Wasilla.

## SECTION 5- ORGANIZATION AND RESPONSIBILITIES

### 5.1 MVP FOR TRANSPORTATION

MVP for Transportation is the MPO's staffed organization, which works in cooperation with the State, units of local government and public transportation operators. In order to receive and expend federal funding for transportation in urbanized areas with a population of more than 50,000 individuals, there must be coordination between the State and the MPO as required by federal regulation. Therefore, the purpose of the MVP for Transportation is to provide the framework and mechanism for the MPO and the State to jointly develop and implement transportation plans and programs, which will assure compliance with State and Federal transportation planning.

### 5.2 POLICY BOARD

The MVP for Transportation Policy Board (Policy Board) shall have as members a representative of the Alaska DOT&PF, a Knik Tribe representative, a Chickaloon Native Village representative, MSB Mayor, MSB Manager, City of Palmer Mayor, and the City of Wasilla Mayor. Each member of the Policy Board shall have one vote. MVP for Transportation's Executive Director will serve as Secretary to the Policy Board.

**Deleted:** Traditional Council

**Deleted:** or member of the Assembly

#### 5.2.1 Powers and Duties of the Policy Board

The Policy Board shall have overall responsibility for the implementation of this Agreement, coordination of MVP for Transportation's efforts and responsibilities of MVP for Transportation's Technical Committee, and the ultimate development and adoption of the UPWP, TIP, and MTP.

### 5.3 TECHNICAL COMMITTEE

MVP for Transportation shall have a Technical Committee, which consists of representatives, such as planners, engineers, and other specialists from the City of Palmer, City of Wasilla, MSB Planning and Public Works, Alaska DOT&PF Planning and Pre-construction, ADEC Air Quality division, Alaska Railroad Corporation, trucking industry advocate, Mat-Su Road Service Area Advisory Board Chair, MSB Transportation Advisory Board Chair, Public Transit Provider, Mat-Su School District Operations, Knik Tribe, Chickaloon Native Village, and a non-motorized advocate. Each member of the MVP for Transportation's Technical Committee (Technical Committee) shall have one vote and all actions of the Technical Committee, including recommendations to the Policy Board, shall be by a majority vote of the members present once a quorum is established.

**Deleted:** present, once

### 5.4 METROPOLITAN PLANNING AREA (MPA)

The MPA specified by 23 USC§ 134(e) shall be the geographical area shown on Appendix A to the Agreement incorporated herein by reference. Provided such boundaries conform to the requirements of 23 USC§ 134(e), the MPO and the Governor may mutually agree to change the boundaries of the MPA.



## **5.5 MPO SELF-CERTIFICATION**

Every four years, the MPO will, in coordination with the Alaska DOT&PF, self-certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of 23 CFR 450.336(a).

## **SECTION 6 - KEY PLANS AND PROGRAMS**

### **6.1 PRIMARY PLANNING AND PROGRAMMING ACTIVITIES**

There are three primary planning or programming activities that the MPO is responsible for developing. This section summarizes these key plans and programs, which include the MTP, TIP, and UPWP.

#### **6.1.1 Metropolitan Transportation Plan (MTP)**

The MPO, in cooperation with the State, is responsible for developing or updating an MTP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.324. The MPO shall update the MTP every five (5) years as prescribed by 23 USC§ 134(i)(1).

#### **6.1.2 Transportation Improvement Program (TIP)**

The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or updating the TIP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.326 and 23 USC§ 134(j).

#### **6.1.3 Unified Planning Work Program (UPWP) or Simplified Scope of Work (SSOW)**

1. The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or adjusting the UPWP or SSOW, as prescribed by 23 CFR 450.308. The MPO shall:
  - a. Describe all the transportation activities to be completed in a fiscal year.
  - b. Ensure early coordination with FHWA and FTA.
    - i. No later than June 1 of each year, the Alaska DOT&PF, in consultation with the MPO, will provide to the Policy Board in writing the amount of estimated Federal PL and Section 5303 funds, and required match ratios, to be made available to MVP for Transportation for the next fiscal year of October 1 through September 30. MVP for Transportation staff, working with member organizations, shall recommend work tasks with budgets for tasks in which it participates. MVP for Transportation staff shall develop and implement a UPWP or SSOW public involvement program, within a Public Participation Plan, and prepare a UPWP or SSOW with the full cooperation of all members and the MPO. Discussions between Alaska DOT&PF and the MPO shall take place to determine how the proposed tasks can be accomplished in the most efficient and effective manner. The UPWP or SSOW shall be reviewed by the Technical Committee, approved

by the Policy Board, and forwarded to Alaska DOT&PF for concurrent approval by FHWA and FTA prior to any work being performed.

## **6.2 CHANGES/AMENDMENTS TO KEY PLANS AND PROGRAMS**

### **6.2.1 Amendments to the MTP and TIP**

The MPO, with its responsibility to maintain existing plans and programs, shall approve amendments, in accordance with its Public Participation Plan. An Amendment is triggered by the addition or deletion of a project or a major change in the project cost, project/project phase initiation dates, or a major change in design concept or design scope. An amendment is a revision that requires public review and comment periods consistent with the MPO public involvement policy and re-demonstration of fiscal constraint. Amendments require the concurrence of the MPO, Alaska DOT&PF, FHWA, and FTA before becoming effective.

### **6.2.2 Administrative Modifications to the MTP and TIP**

The MPO, with its responsibility to maintain existing plans and programs, shall approve Administrative Modifications in accordance with the Public Participation Plan. An Administrative Modification is triggered by a minor revision to a metropolitan transportation plan or TIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. It is a revision that does not require public review and comment, or re-demonstration of fiscal constraint. Administrative Modifications require the concurrence of the MPO and the Alaska DOT&PF before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

### **6.2.3 Amendments/Changes to the UPWP or SSOW**

Changes in work assignments and studies to be performed to meet transportation planning requirements may be made by the MPO at such times and to such extent as deemed necessary. Total funds to be made available for the performance of said work and services shall not exceed the amount specified in the UPWP or SSOW. Reimbursement will be made by Alaska DOT&PF in accordance with procedures stated herein and shall be expended only on the UPWP or SSOW approved by the MPO, Alaska DOT&PF, FHWA, and FTA.

1. Changes in funding levels for tasks, or changes in tasks, shall be requested as soon as possible after the need for such change is recognized.
  - a. Amendment to the UPWP or SSOW (No additional funding required)

An Amendment to the UPWP or SSOW is triggered when task budget amounts exceed 20 percent of the original approved program budget, when there are individual changes of \$35,000 or more to task budgets, or when there are significant scope changes. Amendments require the concurrence of the MPO, Alaska DOT&PF, FHWA, and FTA before becoming effective. Amendments to the UPWP or SSOW require public review.
  - b. Administrative Modifications to the UPWP or SSOW (No additional funding required or no significant change to scope)

An Administrative Modification is triggered when task budget amounts do not exceed 20 percent of the approved program budget or when individual changes are for \$35,000 or less of a task budget. Administrative Modifications require the concurrence of the MPO and the Alaska DOT&PF before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

## SECTION 7- CONSULTANT CONTRACTS

### 7.1 FHWA AND FTA APPROVAL

For all federally funded work to be done under a consultant contract, prior FHWA and/or FTA approval of a Project Development Authorization including the scope of work is required before a Request for Proposal (RFP) is issued. Early coordination is essential. The contracting agency will be the Alaska DOT&PF which will coordinate review and approvals directly with FHWA and FTA.

### 7.2 ALASKA DOT&PF APPROVAL

The Alaska DOT&PF will be the contracting agency for review of the final RFP, scope of services, project budget, and project management plan for all federally-funded MPO solicitations; the MPO may perform project management duties for a federally funded consultant contract with prior approval from FHWA and/or FTA. Alaska DOT&PF shall reserve the right to select members for the Selection Committees for all consultant contracts. Alaska DOT&PF may provide opportunity to the MPO, as appropriate, to serve on the Selection Committees.

### 7.3 WORK PRODUCTS

Alaska DOT&PF and the MPO will have an opportunity to review draft work products prior to review by the Technical Committee and Policy Board.

### 7.4 INSPECTION OF WORK

Alaska DOT&PF shall at all times be accorded review and inspection of the work performed by consultants and shall at all reasonable times have access to the premises, to all data, notes, records, correspondence, and instruction memoranda or description which pertain to the work involved.

**Commented [dg4]:** Modified by ADOT&PF: Previous language:

Unless specified as a procurement pursuant to Section 7.3 of this Agreement, the Alaska DOT&PF will be the contracting agency for review of the final RFP, scope of services and project budget federally-funded MPO solicitations. The MPO will perform the project management duties. Alaska DOT&PF shall also reserve the right to select members for the Selection Committees for all consultant contracts. Alaska DOT&PF may provide opportunity to the MPO, as appropriate, to serve on the Selection Committees.

**Commented [dg5]:** Deleted old section 7.3:

**7.3 MPO-Approved procurements**  
In conformance with Alaska's Stewardship and Oversight Agreement (April 2015, Section VII), and approved by FHWA Office of Infrastructure and the Office of Chief Counsel, The MPO will be the contracting agency for all solicitations under \$50,000 and will follow the MPO-approved procurement policies consistent with the State Procurement Code (AS 36.30) and any FHWA or FTA contract requirements for the use of federal-aid funds. All procurements by the MPO must comply with all requirements of this Agreement (e.g., reporting, reimbursement procedures, and auditing) and comply with the requirements of 23 CFR 420, Subpart A (Administration of FHWA Planning and Research Funds).

## **SECTION 8 -ADDITIONAL AND SEPARATE WORK PROJECTS**

From time to time, Alaska DOT&PF or the MPO may desire one of the other parties to perform additional work projects for services separate and apart from those set forth in the UPWP. At such times, the requesting party will notify the other party of the intention, including a request for the specific work and/or services desired. If the other party is willing and able to do the work or perform the services requested, written acceptance by the requesting party of the terms accepted shall constitute authority to proceed with the work and/or services requested. The requesting party shall pay for such work or services within a reasonable time after billing. Such billing shall be made pursuant to the terms agreed upon for each particular work project.

## **SECTION 9 - PROGRAM REPORTING REQUIREMENTS**

### **9.1 REPORTING: UPWP OR SSOW**

In accordance with 23 CFR 420.117, the Alaska DOT&PF is responsible for monitoring the UPWP or SSOW supported activities to assure compliance with applicable federal requirements and assure performance goals are being achieved. Monitoring must cover each program, function, or activity. The reporting procedures shall include, but are not limited to, the following:

#### **9.1.1 Monthly Reports**

The parties receiving federal planning funds pursuant to this Agreement shall prepare a monthly financial statement and a narrative progress report, in a format provided by the Alaska DOT&PF, for all tasks identified in the UPWP or SSOW for which they are responsible and submit to the Alaska DOT&PF office no later than 15 days following the last day of each UPWP or SSOW month. The monthly reports shall serve as the basis for monthly reimbursements.

Within 15 days of receipt of monthly report, Alaska DOT&PF will compile all reports and shall either, review and approve the reports, or request modifications. Upon approval, the Alaska DOT&PF staff will forward the reports to the MPO and submit the invoices for reimbursement.

If Alaska DOT&PF requests modifications, the report will be forwarded to the MPO as a draft report. Within 15 days following the request for modifications, all requested report modifications shall be submitted to Alaska DOT&PF. Upon approval, the Alaska DOT&PF will re-submit the report to the MPO no later than 60 days following the last day of each UPWP month.

The final UPWP or SSOW Monthly Report shall consist of the following:

1. A financial statement which shall include task and program summary of the following data:
  - a. Current monthly expenditures
  - b. UPWP fiscal year to date expenditures
  - c. PL, Sec. 5303, and local funds/ in-kind expended to date
  - d. PL, Sec. 5303, and local funds/ in-kind remaining

2. A narrative progress report which shall include:
  - a. A description of work accomplished during the month
  - b. Significant events (i.e. travel, training, conferences)
  - c. Milestones reached in sufficient detail to justify the monthly expenditures

For tasks consisting of a scheduled completion date, the progress report shall include each task's percentage complete, explanatory information on the progress, and any issues relating to the task such as schedule delays.

### **9.1.2 Annual Report**

Upon receipt of the final twelfth month UPWP or SSOW Monthly Report, the Alaska DOT&PF will draft the UPWP or SSOW Annual Report. The Alaska DOT&PF will forward the UPWP or SSOW Annual Report to the MPO no later than 60 days following the last day of the UPWP or SSOW fiscal year. The Alaska DOT&PF will submit the UPWP or SSOW Annual Report to FHWA and FTA to meet the reporting requirements of 23 CFR 420.117, as currently adopted or hereafter amended. Alaska DOT&PF may combine the UPWP or SSOW Annual Report with similar reports from other subrecipients of federal planning funds into a single report.

The Annual Performance and Expenditure Report for the UPWP or SSOW fiscal year will contain all information required by 23 C.F.R. 420.117.

### **9.1.3 Significant Events**

Events that have significant impact on UPWP or SSOW work elements must be reported by the Parties to this Agreement to Alaska DOT&PF as soon as they become known. The types of events or conditions that require reporting include: problems, delays, or adverse conditions that will materially affect the ability to attain program objectives. This disclosure must be accompanied by a statement of action taken, or contemplated, and any Federal assistance required resolving the situation.

### **9.1.4 Other Reports**

Copies of formal reports, informal reports, and material emerging out of a task specified in the UPWP or SSOW shall be governed by Section 10 of this Agreement.

## **SECTION 10- PLANNING REPORTS**

### **10.1 PLANNING REPORTS**

From time to time, Alaska DOT&PF and the MPO may publish reports, documents, etc., upon completion of a portion and/or a phase of a particular planning element in the continuing transportation planning process. In order for the preparation and publishing of such reports to be eligible for participation of Federal funds, the Technical Committee shall review the reports with final approval by the MPO Policy Board, as appropriate.

## 10.2 PUBLICATION

Publication, whether in hard copy or through the use of digital technologies such as via the World Wide Web, by any party to the Agreement shall give credit to other parties, FTA, and FHWA. However, if any party, FTA, or FHWA does not wish to subscribe to the findings or conclusions in the reports, the following statement shall be added:

"This report was funded in part through grant(s) from the Federal Highway Administration and/or the Federal Transit Administration, U.S. Department of Transportation. The views and opinions of MVP for Transportation expressed herein do not necessarily state or reflect those of the U.S. Department of Transportation."

Furthermore, consultant logos are prohibited from the cover of all reports, documents, etc. that are approved by FTA and FHWA.

## 10.3 COPIES

Copies of draft and final reports, documents, etc., will be provided as required to Federal and State Agencies. Parties to this Agreement will be provided copies as requested. Final reports will be added to the MVP for Transportation website.

The FHWA reserves a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, the work for Government purposes.

## SECTION 11-DIVISION OF COST AND PAYMENT

### 11.1 REIMBURSEMENT

The maximum amount of Metropolitan Planning Funds available each year for reimbursement to the Parties shall not exceed the budget approved in the UPWP or as amended. Alaska DOT&PF will make reimbursement in accordance with the following procedures:

1. The Parties shall submit to Alaska DOT&PF monthly narrative progress reports and financial statements, as defined in Section 9 of this Agreement.
2. Reimbursement will be made within 30 days after Alaska DOT&PF receives and approves the monthly narrative progress reports and financial statements, subject to Federal planning funds being made available and received for the allowable cost.
3. Within 60 days of Alaska DOT&PF's approval of the last monthly narrative progress report and financial statement for the fiscal year, Alaska DOT&PF will close the UPWP or SSOW account and request that an audit be performed.
4. The audit will be completed, and final payment adjustments made within 120 days of the last quarter or as soon thereafter as reasonably possible.

## **11.2 ALASKA DOT&PF TASKS**

The Parties may agree that Alaska DOT&PF can most efficiently and effectively perform a task or a portion of a task to be funded with PL funds in the approved UPWP. In such cases, Alaska DOT&PF shall:

1. Provide the MPO with all necessary documentation in order to permit the preparation of the reports required in Section 9 of this Agreement.
2. Upon Alaska DOT&PF approval of the quarterly, Alaska DOT&PF shall submit a billing to FHWA for direct payment to Alaska DOT&PF for approved UPWP or SSOW costs.
3. Alaska DOT&PF shall be reimbursed at the rate contained in the applicable UPWP or SSOW.
4. Alaska DOT&PF shall promptly provide the MPO with copies of its billings and statements.

## **11.3 OVERRUNS**

When expenditures are anticipated to overrun in any UPWP or SSOW work element, the procedures for budget changes as outlined in Section 6.2 must be followed.

## **11.4 COST LIMITATIONS**

Reimbursement of administrative and operational costs will be made without profit or markup. These costs shall be limited to:

1. Direct salaries and wages, with payroll taxes and fringe benefits at actual costs, or if prorated to be allocated on an equitable basis;
2. Telephone charges and necessary travel limited to program specific charges;
3. Overhead or indirect costs as approved annually in the respective UPWP or SSOW line item budget and verified by audit. Eligibility shall conform to the provisions of 23 CFR 420.113;
4. Training as approved specifically in the UPWP or SSOW or otherwise specifically approved by Alaska DOT&PF, FHWA or FTA.

## **11.5 RATE OF REIMBURSEMENT**

Reimbursement shall be at the rate specified and contained in the applicable UPWP.

## **11.6 FINANCIAL ACCOUNTING LEVEL**

The expended funds will be accounted for at the task level (100, 200, 300 etc.).

## **11.7 FISCAL YEAR**

The UPWP or SSOW fiscal year will be October 1 to September 30.

## **SECTION 12 - PROCUREMENT, MANAGEMENT, AND DISPOSITION OF PROPERTY**

Procurement and management of property acquired for the program, including disposition of property if the program is discontinued, will be in accordance with 23 CFR 420.121(f) and any other regulatory requirements applicable to the expenditure of federal funds made available for the implementation of this Agreement.

## **SECTION 13-AUDIT PROCEDURES**

### **13.1 FEDERAL GUIDELINES**

In addition to the requirements stated in this section, requirements for audit as defined in 23 CFR 420 will be used as guidelines.

### **13.2 RECORDS**

Each participating party will maintain complete records of all manpower, materials, and out-of-pocket expenses, and will accomplish all record keeping in accordance with the following procedures:

#### **13.2.1 Certified Payrolls**

Each participating party will furnish Alaska DOT&PF copies of all certified payrolls which shall include the hourly rate for each employee working on the project during the reporting period. In addition, a loaded rate factor will be shown in a manner compatible with existing approved local procedures. The load rate factor is subject to adjustment based upon audits occurring during the life of this Agreement.

#### **13.2.2 Time Sheets**

Individual time sheets will be maintained reflecting the daily total amount of hours worked and amount of time spent on each task within the program. It is imperative that the hours be traceable to the task.

#### **13.2.3 Materials**

Copies of invoices shall support costs of any purchased materials utilized on this project.

#### **13.2.4 Out-of-Pocket Expenses**

Copies of receipts shall support all expenses.



### **13.2.5 Record System**

The record system will be such that all costs can be easily traceable from all billings through the ledgers to the source document. Each expenditure must be identified with the task within the current approved UPWP or SSOW.

### **13.3 CONSULTANT CONTRACTS AND PROFESSIONAL SERVICES AGREEMENTS**

Each consultant contract or professional services agreement, in which any party engages, may require a specific audit for that project or agreement. The award of any such construction related engineering design services contract must be made in conformity with applicable Federal and Alaska DOT&PF contracting procedures including Alaska DOT&PF Procedure 10.02.010, and related Professional Services Agreement Handbook, or based on acceptable alternative contracting procedures approved by Alaska DOT&PF and FHWA. This requirement is in addition to any agency-wide audit conducted pursuant to OMB Circular A-133 (Single Audit Requirements).

### **13.4 ANNUAL AUDIT**

MVP for Transportation may be audited every year by Alaska DOT&PF Internal Review auditors for compliance and to insure adequate coverage. MVP for Transportation will additionally hire an independent Certified Public Accountant (CPA) to conduct an annual audit of all revenues and expenditures, as well as participate in a state and/or federal single audit as requested. Both Parties and/or their subcontractors under this Agreement shall maintain all records and accounts relating to their costs and expenditures for the work during any fiscal year for a minimum of three (3) years following receipt of the final payment and shall make them available for audit by representatives of Alaska DOT&PF, FHWA, and FTA at reasonable times. Both parties shall maintain records in a form approved by Alaska DOT&PF. Final payment is defined as the final voucher paid by FHWA to Alaska DOT&PF based on an audit. A request to close out a fiscal year or project account does not constitute final payment.

### **13.5 RESOLUTION AND CLOSURE**

Any review, which does not meet Federal requirements, will be resolved between Alaska DOT&PF and the other party. The financial records relating to a UPWP or SSOW year may be closed out once FHWA accepts the audit and final payment adjustments have been made.

## **SECTION 14- COMPLIANCE WITH TITLE VI, CIVIL RIGHTS ACT OF 1964**

Both hereby agree as a condition to receiving any Federal financial assistance from USDOT, to comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49 CFR, Part 21, Nondiscrimination in Federally Assisted Programs of the USDOT, Effectuation of Title VI of the Civil Rights Act of 1964.

## **SECTION 15- DBE PROGRAM REQUIREMENTS**

### **15.1 COMPLIANCE**

The Parties, their agents and employees shall comply with the provisions of 49 CFR 26 and Title VI of the Civil Rights Act of 1964. 49 CFR 26 requires that both parties shall agree to abide by the statements in paragraphs 15.2 and 15.3 and shall include these statements in their USDOT financial assistance agreements and in all subsequent agreements between any party and any sub-grantees and any contractor.

### **15.2 POLICY**

It is the policy of the USDOT that DBEs, as defined in 49 CFR 26.5, shall have an equal opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR 26 apply to this Agreement.

### **15.3 DBE OBLIGATION**

The Parties to this Agreement agree to ensure that DBEs, as defined in 49 CFR 26.5, have an equal opportunity to participate in the performance of contracts and sub-contracts financed in whole or part with Federal funds provided under this Agreement. In this regard the Parties to this Agreement and/or their contractors shall not discriminate on the basis of race, color, national origin, or in the award and performance of USDOT assisted contracts.

## **SECTION 16-AMENDMENTS**

This Agreement may be amended only in writing and must be done prior to undertaking changes or work resulting therefrom or incurring additional costs or any extension of time. Said amendments are subject to approval by the MPO and the State.

## **SECTION 17- LIMITATION OF LIABILITY**

No liability shall be attached to any party to this Agreement by reason of entering into this Agreement, except as expressly provided herein.

## **SECTION 18- COMPLIANCE WITH LAWS**

In addition to the laws, statutes, regulations and requirements stated herein, the Parties to this Agreement shall be knowledgeable of and comply with all Federal, State and local laws and ordinances applicable to the work to be done under this Agreement.

## **SECTION 19- TERMINATION OF AGREEMENT**

This Agreement will continue in force until or unless the Parties terminate the Agreement in writing.



APPENDIX A  
MATSU VALLEY FOR TRANSPORTATION  
METROPOLITAN PLANNING AREA BOUNDARY MAP



**Matanuska-Susitna Borough,  
City of Palmer,  
City of Wasilla,  
Knik Tribe,  
Chickaloon Native Village  
and  
State of Alaska**

**INTER-GOVERNMENTAL OPERATING AGREEMENT  
AND MEMORANDUM OF UNDERSTANDING  
FOR TRANSPORTATION PLANNING**

In the Metropolitan Area of the  
Mat-Su Metropolitan Planning Organization

**SECTION 1 - PARTIES TO THIS AGREEMENT**

The Parties to this Agreement are the State of Alaska (State) and Matanuska-Susitna Borough (MSB), Knik Tribe, Chickaloon Native Village, City of Palmer, and City of Wasilla.

**SECTION 2- PURPOSE**

This Agreement is entered into in accordance with 23 USC § 134--135, 49 USC § 5303-5306, and 23 CFR 450.300 to provide the structure and process for the continuing, cooperative, and comprehensive consideration, consultation, development and implementation of transportation plans and programs for intermodal transportation in the metropolitan planning area (MPA).

Metropolitan Planning Organizations (MPOs) are required to develop long-range transportation plans and Transportation Improvement Programs through a performance-driven, outcome-based approach to planning. The MPO will conduct the transportation planning process and provide for consideration and implementation of projects, strategies, and services that will address the planning factors outlined in 23 CFR 450.306 (b) and (c).

## **SECTION 3- LEGAL AUTHORITY**

### **3.1 FEDERAL TRANSPORTATION PLANNING STATUTES**

23 USC § 104(f), 23 USC § 134 and 49 USC § 5303-5306 provide funding and require designation of a metropolitan planning organization (MPO) for urbanized areas of at least 50,000 population to carry out a transportation planning process and receive federal funding. Those Statutes require the State and the local governments to coordinate the planning and construction of all urban transportation facilities with a continuing, cooperative, and comprehensive transportation planning process.

### **3.2 MPO DESIGNATION**

On \_\_\_\_\_, 2023, the Governor of the State of Alaska designated the MPO and identified the Matsu Valley Planning for Transportation (MVP) Policy Board as the body providing the direction of transportation planning in the MPA in accordance with Federal law.

## **SECTION 4 - DEFINED TERMS**

"ADEC" means the State of Alaska Department of Environmental Conservation.

"Alaska DOT&PF" or "ADOT&PF" means the State of Alaska Department of Transportation and Public Facilities.

"ARRC" means the Alaska Railroad Corporation

"AOR" means the Annual Obligation Report which includes all projects and strategies listed in the Transportation Improvement Program (TIP) for which Federal funds were obligated during the immediately preceding program year.

"ASSEMBLY" means the MSB Assembly, the legislative governing body of the MSB.

"CHICKALOON NATIVE VILLAGE" (Nay'dini'aa Na') is a federally recognized Tribe that administers federally funded Tribal Transportation Program within the MPA.

"CITY OF PALMER" means the home rule city, a political subdivision of the State of Alaska within the MPA.

"CITY OF WASILLA" means a first-class city, a political subdivision of the State of Alaska, and the most populated city located within the MPA.

"CONSULTATION" means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the "consultation"

performed by the States and the MPOs in comparing the long-range statewide transportation plan and the MTP, respectively, to State and tribal conservation plans or maps or inventories of natural or historic resources.

"COOPERATION" means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

"COORDINATION" means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.

"DBE" or "Disadvantaged Business Enterprise" means a for-profit small business concern (1) that is at least 51-percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

"DESIGNATED RECIPIENT" means: (i) an entity designated, in accordance with the planning process under Sections 5303 and 5304, by the governor of a state, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population; or (ii) a state or regional authority, if the authority is responsible under the laws of a state for a capital project and for financing and directly providing public transportation.

"DIRECT RECIPIENT" means an eligible entity authorized by a designated recipient or state to receive Urbanized Area Formula Program funds directly from FTA. A state or designated recipient may authorize another public entity to be a "direct recipient" for Section 5307 funds. A direct recipient is a public entity that is legally eligible under federal transit law to apply for and receive grants directly from FTA. The designated recipient may make this authorization one time or at the time of each application submission, at the option of the designated recipient.

"FHWA" means the Federal Highway Administration, an operating agency of the United States Department of Transportation (USDOT).

"FINANCIAL PLAN" means documentation required to be included with a metropolitan transportation plan and TIP that demonstrates the consistency between reasonably available and projected sources of Federal, State, local and private revenues and the costs of implementing proposed transportation system improvements.

"FRA" means the Federal Railroad Administration, created by the Department of Transportation Act of 1966.

"FTA" means the Federal Transit Administration, an operating agency of the USDOT.



"KNIK TRIBE" is a federally recognized Tribe that administers a federally funded Tribal Transportation Program within the MPA.

"MATSU VALLEY PLANNING FOR TRANSPORTATION (MVP)" means the Matanuska-Susitna area Metropolitan Planning Organization, also known as MVP for Transportation

"METROPOLITAN PLANNING AGREEMENT" means a written agreement between the MPO, the State(s), and the providers of public transportation serving the metropolitan planning area that describes how they will work cooperatively to meet their mutual responsibilities in carrying out the metropolitan transportation planning process.

"MPA" or "METROPOLITAN PLANNING AREA" means the geographic area in which the MPO carries on metropolitan transportation planning process as described in Section 5.4 of this Agreement.

"MPO" or "METROPOLITAN PLANNING ORGANIZATION" means the policy board created by Section 5.2 of this Agreement to carry out the metropolitan transportation planning process.

"MSB" means the Matanuska-Susitna Borough, a second-class borough, a political subdivision of the State of Alaska that includes the City of Palmer, City of Wasilla, and MPA within its boundaries.

"MTP" or "METROPOLITAN TRANSPORTATION PLAN" means the official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO develops, adopts, and updates through the MTP process.

"PERFORMANCE-BASED APPROACH" means the application of performance management within the planning and programming process to achieve desired performance outcomes for the multimodal transportation system.

"PERFORMANCE MEASURE" means an expression on a metric that is used to establish targets and to assess progress toward achieving the established targets.

"PERFORMANCE METRIC" refers to "Metric" as defined in 23 CFR 490.101 and means a quantifiable indicator of performance or condition.

"PERFORMANCE TARGET" refers to "Target" as defined in 23 CFR 490.101 and means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period.

"PL FUNDS" means the Federal Highway Administration Metropolitan Transportation Planning funds authorized under 23 USC 104 to carry out the requirements of 23 USC 134.

"POLICY BOARD" means the board established under Section 5.2 of the Agreement for cooperative decision-making in accordance with this Agreement.

"PUBLIC PARTICIPATION PLAN" means a documented process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representative of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

"SECTION 5303 FUNDS" means the FTA funds made available under 49 USC 5305(9) to carry out the requirements of 49 USC 5303.

"SSOW" OR "SIMPLIFIED STATEMENT OF WORK" means a statement of work documenting metropolitan transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in accordance with the provisions of 23 CFR 450.308 and 23 CFR part 420.

"STATE" means the State of Alaska.

"TECHNICAL COMMITTEE" means the Mat-Su MPO committee established in Section 5.3 of this Agreement for the cooperative decision-making in accordance with this Agreement.

"TIP" or the "TRANSPORTATION IMPROVEMENT PROGRAM" means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the MTP process, consistent with the MTP, and required for projects to be eligible for funding under title 23 USC and title 49 USC chapter 53.

"TRANSIT" means public transportation systems, including buses, vans, rail, trollies and ferries and other rubber-tired public transportation vehicles.

"UPWP" or "UNIFIED PLANNING WORK PROGRAM" means a statement of work identifying the planning priorities and activities to be carried out within an MPA. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

"URBANIZED AREA" means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census also known as an UZA.

"USDOT" means the United States Department of Transportation.

"WASILLA CITY COUNCIL" means the legislative governing body of the City of Wasilla.

## **SECTION 5- ORGANIZATION AND RESPONSIBILITIES**

### **5.1 MVP FOR TRANSPORTATION**

MVP for Transportation is the MPO's staffed organization, which works in cooperation with the State, units of local government and public transportation operators. In order to receive and expend federal funding for transportation in urbanized areas with a population of more than 50,000 individuals, there must be coordination between the State and the MPO as required by federal regulation. Therefore, the purpose of the MVP for Transportation is to provide the framework and mechanism for the MPO and the State to jointly develop and implement transportation plans and programs, which will assure compliance with State and Federal transportation planning.

### **5.2 POLICY BOARD**

The MVP for Transportation Policy Board (Policy Board) shall have as members a representative of the Alaska DOT&PF, a Knik Tribe representative, a Chickaloon Native Village representative, MSB Mayor, MSB Manager, City of Palmer Mayor, and the City of Wasilla Mayor. Each member of the Policy Board shall have one vote. MVP for Transportation's Executive Director will serve as Secretary to the Policy Board.

#### **5.2.1 Powers and Duties of the Policy Board**

The Policy Board shall have overall responsibility for the implementation of this Agreement, coordination of MVP for Transportation's efforts and responsibilities of MVP for Transportation's Technical Committee, and the ultimate development and adoption of the UPWP, TIP, and MTP.

### **5.3 TECHNICAL COMMITTEE**

MVP for Transportation shall have a Technical Committee, which consists of representatives, such as planners, engineers, and other specialists from the City of Palmer, City of Wasilla, MSB Planning and Public Works, Alaska DOT&PF Planning and Pre-construction, ADEC Air Quality division, Alaska Railroad Corporation, trucking industry advocate, Mat-Su Road Service Area Advisory Board Chair, MSB Transportation Advisory Board Chair, Public Transit Provider, Mat-Su School District Operations, Knik Tribe, Chickaloon Native Village, and a non-motorized advocate. Each member of the MVP for Transportation's Technical Committee (Technical Committee) shall have one vote and all actions of the Technical Committee, including recommendations to the Policy Board, shall be by a majority vote of the members present, once a quorum is established.

### **5.4 METROPOLITAN PLANNING AREA (MPA)**

The MPA specified by 23 USC§ 134(e) shall be the geographical area shown on Appendix A to the Agreement incorporated herein by reference. Provided such boundaries conform to the requirements of 23 USC§ 134(e), the MPO and the Governor may mutually agree to change the boundaries of the MPA.

## **5.5 MPO SELF-CERTIFICATION**

Every four years, the MPO will, in coordination with the Alaska DOT&PF, self-certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of 23 CFR 450.336(a).

## **SECTION 6 - KEY PLANS AND PROGRAMS**

### **6.1 PRIMARY PLANNING AND PROGRAMMING ACTIVITIES**

There are three primary planning or programming activities that the MPO is responsible for developing. This section summarizes these key plans and programs, which include the MTP, TIP, and UPWP.

#### **6.1.1 Metropolitan Transportation Plan (MTP)**

The MPO, in cooperation with the State, is responsible for developing or updating an MTP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.324. The MPO shall update the MTP every five (5) years as prescribed by 23 USC§ 134(i)(1).

#### **6.1.2 Transportation Improvement Program (TIP)**

The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or updating the TIP. The MPO shall follow the latest federal planning requirements, as prescribed in 23 CFR 450.326 and 23 USC§ 134(j).

#### **6.1.3 Unified Planning Work Program (UPWP) or Simplified Scope of Work (SSOW)**

1. The MPO, with full assistance from the State and all other cooperating agencies, is responsible for developing or adjusting the UPWP or SSOW, as prescribed by 23 CFR 450.308. The MPO shall:
  - a. Describe all the transportation activities to be completed in a fiscal year.
  - b. Ensure early coordination with FHWA and FTA.
    - i. No later than June 1 of each year, the Alaska DOT&PF, in consultation with the MPO, will provide to the Policy Board in writing the amount of estimated Federal PL and Section 5303 funds, and required match ratios, to be made available to MVP for Transportation for the next fiscal year of October 1 through September 30. MVP for Transportation staff, working with member organizations, shall recommend work tasks with budgets for tasks in which it participates. MVP for Transportation staff shall develop and implement a UPWP or SSOW public involvement program, within a Public Participation Plan, and prepare a UPWP or SSOW with the full cooperation of all members and the MPO. Discussions between Alaska DOT&PF and the MPO shall take place to determine how the proposed tasks can be accomplished in the most efficient and effective manner. The UPWP or SSOW shall be reviewed by the Technical Committee, approved

by the Policy Board, and forwarded to Alaska DOT&PF for concurrent approval by FHWA and FTA prior to any work being performed.

## **6.2 CHANGES/AMENDMENTS TO KEY PLANS AND PROGRAMS**

### **6.2.1 Amendments to the MTP and TIP**

The MPO, with its responsibility to maintain existing plans and programs, shall approve amendments, in accordance with its Public Participation Plan. An Amendment is triggered by the addition or deletion of a project or a major change in the project cost, project/project phase initiation dates, or a major change in design concept or design scope. An amendment is a revision that requires public review and comment periods consistent with the MPO public involvement policy and re-demonstration of fiscal constraint. Amendments require the concurrence of the MPO, Alaska DOT&PF, FHWA, and FTA before becoming effective.

### **6.2.2 Administrative Modifications to the MTP and TIP**

The MPO, with its responsibility to maintain existing plans and programs, shall approve Administrative Modifications in accordance with the Public Participation Plan. An Administrative Modification is triggered by a minor revision to a metropolitan transportation plan or TIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously included projects, and minor changes to project/project phase initiation dates. It is a revision that does not require public review and comment, or re-demonstration of fiscal constraint. Administrative Modifications require the concurrence of the MPO and the Alaska DOT&PF before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

### **6.2.3 Amendments/Changes to the UPWP or SSOW**

Changes in work assignments and studies to be performed to meet transportation planning requirements may be made by the MPO at such times and to such extent as deemed necessary. Total funds to be made available for the performance of said work and services shall not exceed the amount specified in the UPWP or SSOW. Reimbursement will be made by Alaska DOT&PF in accordance with procedures slated herein and shall be expended only on the UPWP or SSOW approved by the MPO, Alaska DOT&PF, FHWA, and FTA.

1. Changes in funding levels for tasks, or changes in tasks, shall be requested as soon as possible after the need for such change is recognized.
  - a. Amendment to the UPWP or SSOW (No additional funding required)

An Amendment to the UPWP or SSOW is triggered when task budget amounts exceed 20 percent of the original approved program budget, when there are individual changes of \$35,000 or more to task budgets, or when there are significant scope changes. Amendments require the concurrence of the MPO, Alaska DOT&PF, FHWA, and FTA before becoming effective. Amendments to the UPWP or SSOW require public review.
  - b. Administrative Modifications to the UPWP or SSOW (No additional funding required or no significant change to scope)

An Administrative Modification is triggered when task budget amounts do not exceed 20 percent of the approved program budget or when individual changes are for \$35,000 or less of a task budget. Administrative Modifications require the concurrence of the MPO and the Alaska DOT&PF before becoming effective. The FHWA and FTA will be notified as soon as possible of these changes.

## **SECTION 7- CONSULTANT CONTRACTS**

### **7.1 FHWA AND FTA APPROVAL**

For all federally funded work to be done under a consultant contract, prior FHWA and/or FTA approval of a Project Development Authorization including the scope of work is required before a Request for Proposal (RFP) is issued. Early coordination is essential. The contracting agency will be the Alaska DOT&PF which will coordinate review and approvals directly with FHWA and FTA.

### **7.2 ALASKA DOT&PF APPROVAL**

The Alaska DOT&PF will be the contracting agency for review of the final RFP, scope of services, project budget, and project management plan for all federally-funded MPO solicitations; the MPO may perform project management duties for a federally funded consultant contract with prior approval from FHWA and/or FTA. Alaska DOT&PF shall reserve the right to select members for the Selection Committees for all consultant contracts. Alaska DOT&PF may provide opportunity to the MPO, as appropriate, to serve on the Selection Committees.

### **7.3 WORK PRODUCTS**

Alaska DOT&PF and the MPO will have an opportunity to review draft work products prior to review by the Technical Committee and Policy Board.

### **7.4 INSPECTION OF WORK**

Alaska DOT&PF shall at all times be accorded review and inspection of the work performed by consultants and shall at all reasonable times have access to the premises, to all data, notes, records, correspondence, and instruction memoranda or description which pertain to the work involved.

## **SECTION 8 -ADDITIONAL AND SEPARATE WORK PROJECTS**

From time to time, Alaska DOT&PF or the MPO may desire one of the other parties to perform additional work projects for services separate and apart from those set forth in the UPWP. At such times, the requesting party will notify the other party of the intention, including a request for the specific work and/or services desired. If the other party is willing and able to do the work or perform the services requested, written acceptance by the requesting party of the terms accepted shall constitute authority to proceed with the work and/or services requested. The requesting party shall pay for such work or services within a reasonable time after billing. Such billing shall be made pursuant to the terms agreed upon for each particular work project.

## **SECTION 9- PROGRAM REPORTING REQUIREMENTS**

### **9.1 REPORTING: UPWP OR SSOW**

In accordance with 23 CFR 420.117, the Alaska DOT&PF is responsible for monitoring the UPWP or SSOW supported activities to assure compliance with applicable federal requirements and assure performance goals are being achieved. Monitoring must cover each program, function, or activity. The reporting procedures shall include, but are not limited to, the following:

#### **9.1.1 Monthly Reports**

The parties receiving federal planning funds pursuant to this Agreement shall prepare a monthly financial statement and a narrative progress report, in a format provided by the Alaska DOT&PF, for all tasks identified in the UPWP or SSOW for which they are responsible and submit to the Alaska DOT&PF office no later than 15 days following the last day of each UPWP or SSOW month. The monthly reports shall serve as the basis for monthly reimbursements.

Within 15 days of receipt of monthly report, Alaska DOT&PF will compile all reports and shall either, review and approve the reports, or request modifications. Upon approval, the Alaska DOT&PF staff will forward the reports to the MPO and submit the invoices for reimbursement.

If Alaska DOT&PF requests modifications, the report will be forwarded to the MPO as a draft report. Within 15 days following the request for modifications, all requested report modifications shall be submitted to Alaska DOT&PF. Upon approval, the Alaska DOT&PF will re-submit the report to the MPO no later than 60 days following the last day of each UPWP month.

The final UPWP or SSOW Monthly Report shall consist of the following:

1. A financial statement which shall include task and program summary of the following data:
  - a. Current monthly expenditures
  - b. UPWP fiscal year to date expenditures
  - c. PL, Sec. 5303, and local funds/ in-kind expended to date
  - d. PL, Sec. 5303, and local funds/ in-kind remaining

2. A narrative progress report which shall include:
  - a. A description of work accomplished during the month
  - b. Significant events (i.e. travel, training, conferences)
  - c. Milestones reached in sufficient detail to justify the monthly expenditures

For tasks consisting of a scheduled completion date, the progress report shall include each task's percentage complete, explanatory information on the progress, and any issues relating to the task such as schedule delays.

### **9.1.2 Annual Report**

Upon receipt of the final twelfth month UPWP or SSOW Monthly Report, the Alaska DOT&PF will draft the UPWP or SSOW Annual Report. The Alaska DOT&PF will forward the UPWP or SSOW Annual Report to the MPO no later than 60 days following the last day of the UPWP or SSOW fiscal year. The Alaska DOT&PF will submit the UPWP or SSOW Annual Report to FHWA and FTA to meet the reporting requirements of 23 CFR 420.117, as currently adopted or hereafter amended. Alaska DOT&PF may combine the UPWP or SSOW Annual Report with similar reports from other subrecipients of federal planning funds into a single report.

The Annual Performance and Expenditure Report for the UPWP or SSOW fiscal year will contain all information required by 23 C.F.R. 420.117.

### **9.1.3 Significant Events**

Events that have significant impact on UPWP or SSOW work elements must be reported by the Parties to this Agreement to Alaska DOT&PF as soon as they become known. The types of events or conditions that require reporting include: problems, delays, or adverse conditions that will materially affect the ability to attain program objectives. This disclosure must be accompanied by a statement of action taken, or contemplated, and any Federal assistance required resolving the situation.

### **9.1.4 Other Reports**

Copies of formal reports, informal reports, and material emerging out of a task specified in the UPWP or SSOW shall be governed by Section 10 of this Agreement.

## **SECTION 10- PLANNING REPORTS**

### **10.1 PLANNING REPORTS**

From time to time, Alaska DOT&PF and the MPO may publish reports, documents, etc., upon completion of a portion and/or a phase of a particular planning element in the continuing transportation planning process. In order for the preparation and publishing of such reports to be eligible for participation of Federal funds, the Technical Committee shall review the reports with final approval by the MPO Policy Board, as appropriate.



## **10.2 PUBLICATION**

Publication, whether in hard copy or through the use of digital technologies such as via the World Wide Web, by any party to the Agreement shall give credit to other parties, FTA, and FHWA. However, if any party, FTA, or FHWA does not wish to subscribe to the findings or conclusions in the reports, the following statement shall be added:

"This report was funded in part through grant(s) from the Federal Highway Administration and/or the Federal Transit Administration, U.S. Department of Transportation. The views and opinions of MVP for Transportation expressed herein do not necessarily state or reflect those of the U.S. Department of Transportation."

Furthermore, consultant logos are prohibited from the cover of all reports, documents, etc. that are approved by FTA and FHWA.

## **10.3 COPIES**

Copies of draft and final reports, documents, etc., will be provided as required to Federal and State Agencies. Parties to this Agreement will be provided copies as requested. Final reports will be added to the MVP for Transportation website.

The FHWA reserves a royalty-free, non-exclusive, and irrevocable right to reproduce, publish, or otherwise use, and authorize others to use, the work for Government purposes.

## **SECTION 11-DIVISION OF COST AND PAYMENT**

### **11.1 REIMBURSEMENT**

The maximum amount of Metropolitan Planning Funds available each year for reimbursement to the Parties shall not exceed the budget approved in the UPWP or as amended. Alaska DOT&PF will make reimbursement in accordance with the following procedures:

1. The Parties shall submit to Alaska DOT&PF monthly narrative progress reports and financial statements, as defined in Section 9 of this Agreement.
2. Reimbursement will be made within 30 days after Alaska DOT&PF receives and approves the monthly narrative progress reports and financial statements, subject to Federal planning funds being made available and received for the allowable cost.
3. Within 60 days of Alaska DOT&PF's approval of the last monthly narrative progress report and financial statement for the fiscal year, Alaska DOT&PF will close the UPWP or SSOW account and request that an audit be performed.
4. The audit will be completed, and final payment adjustments made within 120 days of the last quarter or as soon thereafter as reasonably possible.

## **11.2 ALASKA DOT&PF TASKS**

The Parties may agree that Alaska DOT&PF can most efficiently and effectively perform a task or a portion of a task to be funded with PL funds in the approved UPWP. In such cases, Alaska DOT&PF shall:

1. Provide the MPO with all necessary documentation in order to permit the preparation of the reports required in Section 9 of this Agreement.
2. Upon Alaska DOT&PF approval of the quarterly, Alaska DOT&PF shall submit a billing to FHWA for direct payment to Alaska DOT&PF for approved UPWP or SSOW costs.
3. Alaska DOT&PF shall be reimbursed at the rate contained in the applicable UPWP or SSOW.
4. Alaska DOT&PF shall promptly provide the MPO with copies of its billings and statements.

## **11.3 OVERRUNS**

When expenditures are anticipated to overrun in any UPWP or SSOW work element, the procedures for budget changes as outlined in Section 6.2 must be followed.

## **11.4 COST LIMITATIONS**

Reimbursement of administrative and operational costs will be made without profit or markup. These costs shall be limited to:

1. Direct salaries and wages, with payroll taxes and fringe benefits at actual costs, or if prorated to be allocated on an equitable basis;
2. Telephone charges and necessary travel limited to program specific charges;
3. Overhead or indirect costs as approved annually in the respective UPWP or SSOW line item budget and verified by audit. Eligibility shall conform to the provisions of 23 CFR 420.113;
4. Training as approved specifically in the UPWP or SSOW or otherwise specifically approved by Alaska DOT&PF, FHWA or FTA.

## **11.5 RATE OF REIMBURSEMENT**

Reimbursement shall be at the rate specified and contained in the applicable UPWP.

## **11.6 FINANCIAL ACCOUNTING LEVEL**

The expended funds will be accounted for at the task level (100, 200, 300 etc.).

## **11.7 FISCAL YEAR**

The UPWP or SSOW fiscal year will be October 1 to September 30.

## **SECTION 12 - PROCUREMENT, MANAGEMENT, AND DISPOSITION OF PROPERTY**

Procurement and management of property acquired for the program, including disposition of property if the program is discontinued, will be in accordance with 23 CFR 420.121(f) and any other regulatory requirements applicable to the expenditure of federal funds made available for the implementation of this Agreement.

## **SECTION 13-AUDIT PROCEDURES**

### **13.1 FEDERAL GUIDELINES**

In addition to the requirements stated in this section, requirements for audit as defined in 23 CFR 420 will be used as guidelines.

### **13.2 RECORDS**

Each participating party will maintain complete records of all manpower, materials, and out-of-pocket expenses, and will accomplish all record keeping in accordance with the following procedures:

#### **13.2.1 Certified Payrolls**

Each participating party will furnish Alaska DOT&PF copies of all certified payrolls which shall include the hourly rate for each employee working on the project during the reporting period. In addition, a loaded rate factor will be shown in a manner compatible with existing approved local procedures. The load rate factor is subject to adjustment based upon audits occurring during the life of this Agreement.

#### **13.2.2 Time Sheets**

Individual time sheets will be maintained reflecting the daily total amount of hours worked and amount of time spent on each task within the program. It is imperative that the hours be traceable to the task.

#### **13.2.3 Materials**

Copies of invoices shall support costs of any purchased materials utilized on this project.

#### **13.2.4 Out-of-Pocket Expenses**

Copies of receipts shall support all expenses.

### **13.2.5 Record System**

The record system will be such that all costs can be easily traceable from all billings through the ledgers to the source document. Each expenditure must be identified with the task within the current approved UPWP or SSOW.

### **13.3 CONSULTANT CONTRACTS AND PROFESSIONAL SERVICES AGREEMENTS**

Each consultant contract or professional services agreement, in which any party engages, may require a specific audit for that project or agreement. The award of any such construction related engineering design services contract must be made in conformity with applicable Federal and Alaska DOT&PF contracting procedures including Alaska DOT&PF Procedure 10.02.010, and related Professional Services Agreement Handbook, or based on acceptable alternative contracting procedures approved by Alaska DOT&PF and FHWA. This requirement is in addition to any agency-wide audit conducted pursuant to OMB Circular A-133 (Single Audit Requirements).

### **13.4 ANNUAL AUDIT**

MVP for Transportation may be audited every year by Alaska DOT&PF Internal Review auditors for compliance and to insure adequate coverage. MVP for Transportation will additionally hire an independent Certified Public Accountant (CPA) to conduct an annual audit of all revenues and expenditures, as well as participate in a state and/or federal single audit as requested. Both Parties and/or their subcontractors under this Agreement shall maintain all records and accounts relating to their costs and expenditures for the work during any fiscal year for a minimum of three (3) years following receipt of the final payment and shall make them available for audit by representatives of Alaska DOT&PF, FHWA, and FTA at reasonable times. Both parties shall maintain records in a form approved by Alaska DOT&PF. Final payment is defined as the final voucher paid by FHWA to Alaska DOT&PF based on an audit. A request to close out a fiscal year or project account does not constitute final payment.

### **13.5 RESOLUTION AND CLOSURE**

Any review, which does not meet Federal requirements, will be resolved between Alaska DOT&PF and the other party. The financial records relating to a UPWP or SSOW year may be closed out once FHWA accepts the audit and final payment adjustments have been made.

## **SECTION 14- COMPLIANCE WITH TITLE VI, CIVIL RIGHTS ACT OF 1964**

Both hereby agree as a condition to receiving any Federal financial assistance from USDOT, to comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49 CFR, Part 21, Nondiscrimination in Federally Assisted Programs of the USDOT, Effectuation of Title VI of the Civil Rights Act of 1964.

## **SECTION 15- DBE PROGRAM REQUIREMENTS**

### **15.1 COMPLIANCE**

The Parties, their agents and employees shall comply with the provisions of 49 CFR 26 and Title VI of the Civil Rights Act of 1964. 49 CFR 26 requires that both parties shall agree to abide by the statements in paragraphs 15.2 and 15.3 and shall include these statements in their USDOT financial assistance agreements and in all subsequent agreements between any party and any sub-grantees and any contractor.

### **15.2 POLICY**

It is the policy of the USDOT that DBEs, as defined in 49 CFR 26.5, shall have an equal opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this Agreement. Consequently, the DBE requirements of 49 CFR 26 apply to this Agreement.

### **15.3 DBE OBLIGATION**

The Parties to this Agreement agree to ensure that DBEs, as defined in 49 CFR 26.5, have an equal opportunity to participate in the performance of contracts and sub-contracts financed in whole or part with Federal funds provided under this Agreement. In this regard the Parties to this Agreement and/or their contractors shall not discriminate on the basis of race, color, national origin, or in the award and performance of USDOT assisted contracts.

## **SECTION 16-AMENDMENTS**

This Agreement may be amended only in writing and must be done prior to undertaking changes or work resulting therefrom or incurring additional costs or any extension of time. Said amendments are subject to approval by the MPO and the State.

## **SECTION 17- LIMITATION OF LIABILITY**

No liability shall be attached to any party to this Agreement by reason of entering into this Agreement, except as expressly provided herein.

## **SECTION 18- COMPLIANCE WITH LAWS**

In addition to the laws, statutes, regulations and requirements stated herein, the Parties to this Agreement shall be knowledgeable of and comply with all Federal, State and local laws and ordinances applicable to the work to be done under this Agreement.

## **SECTION 19- TERMINATION OF AGREEMENT**

This Agreement will continue in force until or unless the Parties terminate the Agreement in writing.

## SECTION 20- NON-APPROPRIATION CLAUSE

Nothing in this agreement shall obligate any party to expend monies if there are insufficient or other lack of funds lawfully appropriated by their respective legislative bodies for performance under this Agreement.

## SIGNATURES

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**Matanuska-Susitna Borough  
Mayor**

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**Date**

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**Matanuska-Susitna Borough  
Manager**

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**Date**

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**City of Palmer  
Mayor**

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**Date**

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**City of Wasilla  
Mayor**

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**Date**

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**Chickaloon Native Village  
Transportation Department Director**

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**Date**

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**Knik Tribe  
Tribal Transportation Program Manager**

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**Date**

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**State of Alaska  
Governor**

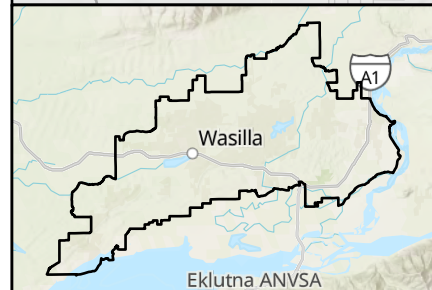
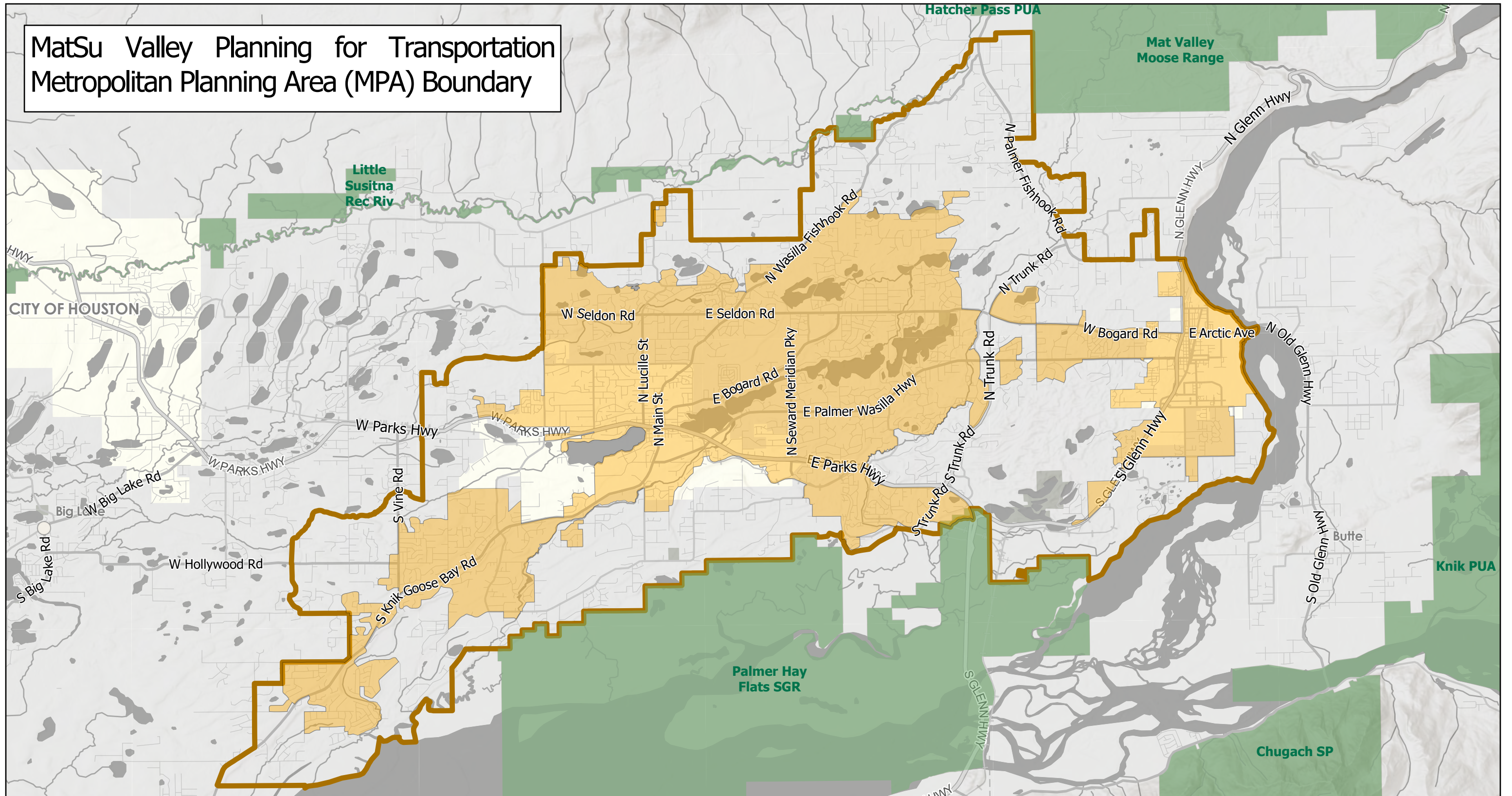
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**Date**

APPENDIX A

MATSU VALLEY FOR TRANSPORTATION  
METROPOLITAN PLANNING AREA BOUNDARY MAP

# MatSu Valley Planning for Transportation Metropolitan Planning Area (MPA) Boundary



- Urbanized Area (2020) Census
- Legislative Designated Area
- MPA Approved Boundary

"At a minimum, the MPA boundaries shall encompass the entire existing urbanized area [...] plus the contiguous area expected to become urbanized within a 20-year forecast period for the metropolitan transportation plan."  
 23 CFR § 450.312(a)(1)

