

# Planning Procedures Manual



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## Amendment History

Original version:	Adopted by NMDOT on October 30, 2013
Amendment 1:	Adopted by NMDOT on August 8, 2014
Amendment 2:	Adopted by NMDOT on July 2, 2015
Amendment 3:	Adopted by NMDOT on August 8, 2018  (Included amendments to the Metropolitan Planning Organization and Regional Transportation Planning Organization Chapters only)
Amendment 4:	Adopted by NMDOT on May 14, 2020

# Introduction and Purpose

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The New Mexico Department of Transportation (NMDOT) provides infrastructure and services to enable people to travel by car, bus, train, airplane, foot, and bicycle. We've strengthened our commitment to safety for all modes, environmental excellence, decision-making transparency, fiscal accountability, visionary planning, thoughtful design, and sound engineering practices. Multimodal transportation choices invigorate the economy, connect people in small towns and cities, and facilitate the movement of goods and people both within the state and to other states and nations. Our vision and mission statements and core values describe NMDOT's commitment to assisting the people of New Mexico with their mobility needs.

The purpose of this Planning Procedures Manual (PPM) is to clarify the roles and responsibilities of NMDOT, Metropolitan Planning Organizations (MPOs), and Regional Transportation Planning Organizations (RTPOs) in carrying out the state's federally mandated statewide transportation planning program. NMDOT developed this Manual in cooperation with its transportation planning partner agencies – the New Mexico Division of the Federal Highway Administration (FHWA-NM), Federal Transit Administration Region 6 (FTA Region 6), MPOs, and RTPOs – to standardize, consolidate, and streamline NMDOT's internal processes, external guidance, and reporting templates to successfully administer the state transportation planning process and address reporting requirements in the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation (FAST) Act.

## Stewardship and Oversight Agreement (with FHWA-NM) and Governor's Designee

The Stewardship and Oversight Agreement documents the extent to which the NMDOT assumes the responsibilities of the FHWA-NM and where FHWA-NM retains responsibility for administering the Federal-Aid Highway Program (FAHP). The FAHP is a state-administered program and FHWA-NM provides oversight through a risk-based approach at the project and program levels. In order to ensure that the Agreement stays

### Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is the state's transportation capital improvement program. Federally funded and/or regionally significant projects in the MPO/RTPO areas are reflected in the MPO Transportation Improvement Program (TIP) or the RTPO list of recommended projects. The New Mexico STIP is a 6-year plan and includes specific funding levels by year for project implementation. The STIP is fiscally constrained for the first four years, so that program costs do not exceed estimated revenues. The STIP must be consistent with the Long-Range Statewide Transportation Plan (LRSTP) and the MPO Metropolitan Transportation Plans (MTPs). The FHWA-NM and FTA Region 6 approve the STIP every 4 years. Refer to the *State Transportation Improvement Program (STIP) Manual* on the NMDOT website for more information about the STIP and TIP procedures, including transfer of funds between programs, FHWA to FTA, and state to state.

After MAP-21 and FAST, the NMDOT developed statewide performance based measures and targets which established investment priorities. This PPM, the *STIP Manual*, and the eSTIP (the electronic STIP database) are updated to reflect the plans, targets, and evaluation criteria required under MAP-21 and FAST.

current, a team from NMDOT and FHWA-NM will periodically review the document. Other triggers for review are:

- When significant new legislation, executive orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the Stewardship and Oversight Agreement occurs;
- When leadership or leadership direction changes at the NMDOT or FHWA-NM; or
- If priorities shift as a result of audits.

The NMDOT is required by the Stewardship and Oversight Agreement to prepare and submit an annual report to FHWA-NM at the end of each calendar year.

The NMDOT Secretary is designated by the Governor of New Mexico to act on behalf of the Governor in all matters requiring the Governor's approval under the Title 49 of the United States Code and Title 23 Code of Federal Regulations. Designee letter is in Appendix A.

## Organization of the Planning Procedures Manual

This PPM includes guidance for the planning partners involved in the comprehensive, cooperative, and collaborative statewide planning process in New Mexico. The PPM is divided into the following chapters:

- Introduction and Purpose
- Multimodal Planning and Programs Bureau
- Metropolitan Planning Organizations
- Metropolitan Planning Organizations: Performance-Based Planning and Programming Target Setting Procedures
- Regional Transportation Planning Organizations

The appendices provide additional information relative to funding sources along with examples of and various forms needed by MPOs and RTPOs to produce work products and reimbursement documentation.

## Updates and Revisions to the Planning Procedures Manual

The PPM is a living document, meaning that NMDOT anticipates making updates as necessary to reflect changes to state or federal regulations or procedures. To facilitate updating and revising the PPM in a timely manner, the PPM is distributed through the NMDOT website as an electronic document only. The Planning Division (here after referred to as the "Division") and the Multimodal Planning and Programs Bureau (here after referred to as the "Bureau") encourage suggestions for revisions and recommendations to improve the document or make it more user-friendly. Questions or suggestions can be submitted via email to the Government to Government (GTG) Unit Supervisor (identified on the NMDOT website), who is responsible for maintaining a current version of the PPM on the NMDOT website. In the interest of maintaining an accurate and current PPM, updated contact information for MPO/RTPO staff should be submitted as soon as possible to the GTG Unit Supervisor.

### PPM Amendments

The NMDOT, FHWA-NM, an MPO, or an RTPO may propose amendments to this PPM via email or in discussions held during MPO or RTPO Quarterly or Joint Meetings. All draft amendments will either be discussed at MPO or RTPO Quarterly or Joint Meetings, or they will be distributed to the MPOs and RTPOs via email. MPOs and RTPOs may provide comments for NMDOT consideration on the draft

amendments. The minimum comment period provided to the MPOs and RTPOs is two weeks. NMDOT will respond in writing to all written comments received from the MPOs and RTPOs. With each amendment, the GTG Unit Supervisor will create a summary document of the MPO and RTPO written comments and NMDOT's response.

Final approval authority over proposed amendments rests with NMDOT. The GTG Unit Supervisor is responsible for updating the PPM, notifying all parties of new, NMDOT-approved amendments, providing written explanation of the amendment via email, and posting updates of the PPM on the NMDOT website.

## Communication Protocol

The GTG Unit maintains liaison staff assignments with all of the MPOs and RTPOs in the State. MPO and RTPO planners should contact the assigned GTG Liaison with questions or concerns and for additional information. This informal contact can be in person or via telephone, email, or letter as appropriate.

As described above, NMDOT assumes certain responsibilities of FHWA-NM for administering the FAHP under a Stewardship and Oversight Agreement. Therefore, MPO staff should direct requests for general information and/or federal code interpretations to their respective GTG Liaison. The liaison will coordinate a response on behalf of the NMDOT. As needed, the NMDOT will seek guidance from FHWA-NM.

NMDOT uses email to communicate with the MPOs and RTPOs on procedural changes until these changes are formalized via amendment to this manual. Additionally, emails such as (but not limited to) the "GTG Update" email from the GTG Supervisor are used to relay direction, deadlines and other information to the MPOs and RTPOs and are considered formal notification.

## Conflict Resolution

The NMDOT, FHWA-NM, FTA Region 6, MPOs, and RTPOs agree to resolve disagreements regarding the interpretation and implementation of this PPM at the lowest possible level. The Conflict Resolution process is initiated by an email from the MPO Planner or RTPO Planning Program Manager to the GTG Liaison, or from the GTG Liaison or GTG Supervisor to the MPO Officer or RTPO Program Manager. If a disagreement cannot be resolved at the lowest level, then the Conflict Resolution process listed below in Table 1 will be followed. The rows represent equivalent levels within the organizations. Any equivalent level-position within a row may participate in the discussion at their level. If Level Five is reached, at which FHWA-NM and FTA Region 6 become involved, the appropriate FHWA-NM/FTA Region 6 staff shall be identified by their organizations. When both parties at the lowest organizational level of the agencies have agreed to escalate, a meeting date will be established within 5 working days involving Level Two staff. If an agreement cannot be reached, then the issue will be escalated to the next level and a meeting date established within 3 working days, and so on according to Table 1. MPOs and RTPOs should note that FHWA/FTA do not become involved unless and until Level Five is reached. The goal is to achieve resolution at the lowest possible level. Mediation and facilitation may be used at any level to help expedite resolution. Mediation will occur with NMDOT concurrence up to and including Level Four. At Level Five, the FHWA-NM/FTA and NMDOT executive staff must concur that mediation is needed. The GTG Liaison will provide documentation of all disagreements and resolutions to all involved agencies and include the documents in the agency's file at NMDOT. The FHWA-NM supports NMDOT in spending FAHP funds appropriately within the bounds of regulatory flexibility and will provide an explanation of the rationale and decision making process when flexibility does NOT exist.

Table 1  
Conflict Resolution Process

NMDOT/FHWA-NM/FTA	MPOs	RTPOs	Days to Respond or Move to Next Level
<b>Level One</b>			
GTG Liaison Project Manager	MPO Planner	Planning Program Manager	5 working days
<b>Level Two</b>			
GTG Supervisor (Bureau Chief*)	MPO Officer	COG Executive Director	3 working days
PM Supervisor (Bureau Chief*)	MPO Officer	COG Executive Director	3 working days
<b>Level Three</b>			
Division Director	COG Executive Director**	COG Executive Director	2 working days
<b>Level Four</b>			
Cabinet Secretary	COG Executive Director**	COG Executive Director	2 working days
<b>Level Five</b>			
Cabinet Secretary FHWA-NM/FTA Region 6	COG Executive Director** MPO Policy Board/Committee Chair	COG Executive Director/RTPO Board/Committee Chair	2 working days
<p>Notes:</p> <p>* inclusion of Bureau Chief is at the discretion of the GTG Supervisor/PM Supervisor</p> <p>** MPOs not housed in COGs should follow applicable reporting procedures</p> <p>COG = Council of Governments</p> <p>FHWA-NM = New Mexico Division of the Federal Highway Administration</p> <p>FTA Region 6 = Federal Transit Administration Region 6</p> <p>GO = NMDOT General Office (Santa Fe)</p> <p>GTG = Government to Government Unit</p> <p>MPO = Metropolitan Planning Organization</p> <p>RTPO = Regional Transportation Planning Organization</p>			

## Consequences of Non-Conformance by an MPO/RTPO

The following section outlines the procedure for addressing non-conformance by an MPO/RTPO. Examples of non-conformance include, but are not limited to, the following:

- Not meeting deadlines as outlined in this PPM (and specified on the Month-by-Month Work Program and PPM Timeline). *Note that some deadlines have automatic consequences if missed, such as if an MPO/RTPO does not submit a Work Program amendment by the stated deadline. The consequence of this is that the amendment is not included in the NMDOT Planning Work*

*Program amendment, thus is not approved. This does not count as non-conformance on the part of the MPO/RTPO. In addition, the NMDOT Division will make allowances for MPO/RTPO delays if NMDOT misses a deadline that affects the MPOs/RTPOs;*

- Continuously submitting incorrect or incomplete information; and
- Failing to adhere to the procedures outlined in this PPM.

Table 2, seen below, outlines the procedures the NMDOT will follow when addressing non-conformance on the part of an MPO/RTPO. Non-conformances are tracked cumulatively over the course of the federal fiscal year (FFY) and are also included on the Quality Assurance Review (QAR) Checklist, discussed in detail in the both the MPO and RTPO Chapters. Every instance of non-conformance results in the entity increasing the non-conformance level. For example, if an MPO/RTPO submits a Reimbursement Packet after the deadline and then misses a deadline for another work product, the MPO/RTPO is considered to be at Level 2. If an MPO/RTPO is at Level 1 or 2 at the close of the FFY, the MPO/RTPO will start off at Level 1 at the beginning of the following FFY. Level 3 and above, including Corrective Action Plan (CAP), carry forward into the following FFY.

Table 2  
Non-Conformance Procedures

Non-Conformance Level	NMDOT Action	Notifications
<b>Level 1</b>	GTG Liaison notifies MPO Planner/RTPO Planning Program Manager in writing of non-conformance	GTG Unit Supervisor copied on email
<b>Level 2</b>	GTG Liaison notifies MPO Planner/RTPO Planning Program Manager in writing of non-conformance	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer/RTPO COG Executive Director copied on email
<b>Level 3</b>	The MPO/RTPO develops a Corrective Action Plan in response to the findings outlined by NMDOT and submits to the GTG Liaison for review/concurrence by the Bureau Chief and Division Director.	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer/RTPO COG Executive Director copied on submittal email for Corrective Action Plan  MPO Planner/RTPO Planning Program Manager sends Corrective Action Plan to MPO/RTPO Policy Board/Committee Chair.
<b>Level 4 (a “new” incident of non-conformance or failure to follow CAP) and any additional non-conformances</b>	GTG Unit Supervisor notifies MPO Planner/RTPO Planning Program Manager in writing of failure to follow Corrective Action Plan.  Division Director informs MPO/RTPO Policy	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer/RTPO COG Executive Director copied on email.  Division Director notifies DOT Secretary of situation.

	Board/Committee of pending loss of funds.	
<b>Level 5 (a “new” incident of non-conformance or failure to follow Corrective Action Plan) and any additional non-conformances</b>	1) GTG Unit Supervisor, Bureau Chief and Division Director set up meeting with MPO Planner/RTPO Planning Program Manager, MPO Officer/RTPO COG Executive Director and MPO/RTPO Policy Board/Committee Chair to discuss suspension of payment.	NMDOT Secretary, FHWA-NM and FTA Region 6 are provided notification of the meeting.
	2) If a determination is made to suspend payment to the MPO/RTPO, DOT Cabinet Secretary sends letter to MPO Officer/RTPO COG Executive Director.	MPO/RTPO Policy Board/Committee Chair and FHWA and FTA copied on letter.
	3) If the MPO/RTPO elects to appeal the decision, NMDOT will arrange a meeting with all parties, as well as the appropriate FHWA and FTA representatives.	

Please note that other types of non-conformance, such as on-going lack of communication or failure to meet deadlines outside of those specifically listed in the PPM may be grounds for NMDOT to follow the steps outlined above and/or require a Corrective Action Plan from the MPO/RTPO.

# Transportation Planning Process in New Mexico

Federal law under 23 USC § 135(a) and 23 CFR § 450.206(2) requires states to carry out a continuing, cooperative, and comprehensive statewide transportation planning process (3-C Process) that considers all modes of transportation and provides for consideration and implementation of projects, strategies, and services that will:

- Support the economic vitality of the United States;
- Increase the safety and security of the transportation system for both motorized and non-motorized users;
- Increase accessibility and mobility of people and 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;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system;
- Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
- Enhance travel and tourism.<sup>1</sup>

Transportation planning is a cooperative process designed to foster involvement by all users of the system (such as the business community, community groups, environmental organizations, the traveling public, freight operators, and the general public) through a proactive public participation process.<sup>2</sup> In New Mexico, the process is conducted jointly by the NMDOT, MPOs, RTPOs, and public transit operators. Transportation planning involves a number of activities, including the following:

- Monitoring existing conditions;
- Forecasting future population and employment growth, including assessing projected land uses in each region and identifying major growth corridors;
- Identifying current and projected future transportation problems and needs and analyzing, through detailed planning studies, various transportation improvement strategies to address those needs;
- Developing long range plans and short-range programs of alternative capital improvement and operational strategies for moving people and goods;

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<sup>1</sup> 23 USC § 135(d) – Statewide Transportation Planning: Scope of Planning Process

<sup>2</sup> Federal Highway Administration and Federal Transit Administration. *The Transportation Planning Process: Key Issues – A Briefing Book for Transportation Decisionmakers, Officials, and Staff*. A Publication of the Transportation Planning Capacity Building Program (Publication Number: FHWA-HEP-07-039, updated September 2007).

<http://www.planning.dot.gov/documents/BriefingBook/BBook.htm#2BB>

- Estimating the impact of recommended future improvements to the transportation system on environmental features, including air quality; and
- Developing a financial plan for securing sufficient revenues to cover the costs of implementing strategies.<sup>3</sup>

In New Mexico, the Bureau and Division oversee the statewide transportation planning process. The Bureau also works cooperatively with the MPOs, RPTOs, and transit operators to conduct the planning activities required by federal law. The Bureau also monitors MPO and RTPO activities to ensure the metropolitan and non-metropolitan planning functions are carried out pursuant to 23 USC § 134, 23 USC § 135, and 49 USC § 5305 et. seq.

New Mexico funds transportation planning activities in the state using federal-aid dollars. The FAHP is a cost reimbursement program that typically requires a local match, with funds generally apportioned to each state by means of a statutory formula. NMDOT currently funds planning activities using two different categories of federal dollars:

- Statewide Planning and Research (SPR) dollars may be used to fund NMDOT, MPO and RTPO planning activities that meet the eligibility requirements.
- Metropolitan Planning (PL) dollars are used to fund MPO planning activities and operations. NMDOT sub-allocates the PL funds to the MPOs using a statewide formula developed cooperatively by the MPOs and NMDOT. The statewide formula for sub-allocating PL funds to the MPOs can be revisited upon request of an MPO or if federal actions change funding levels.

For more information on FAHP funding, please review the FHWA Fact Sheets<sup>4</sup> on various sources of transportation funding.

## Metropolitan Planning Organization Structure in New Mexico

The MPOs are federally designated forums for cooperative decision making in metropolitan areas with populations over 50,000 people. The five New Mexico MPOs are as follows:

- El Paso Metropolitan Planning Organization (EPMPO)
- Farmington Metropolitan Planning Organization (FMPO)
- Mesilla Valley Metropolitan Planning Organization (MVMPO)
- Mid-Region Metropolitan Planning Organization (MRMPO)
- Santa Fe Metropolitan Planning Organization (SFMPO)

The NMDOT contracts with EPMPO for transportation planning in southern Doña Ana and Otero counties. This area includes the cities of Sunland Park and Anthony and the communities of Chaparral and Santa Theresa, all within New Mexico. The EPMPO and MRMPO are designated as Transportation Management Areas (TMAs) by virtue of having populations greater than 200,000 people. The two TMAs receive federal Surface Transportation Block Grant (STBG) funding designated for large urban areas. As a result of being classified as a nonattainment and/or maintenance TMA for certain air pollutants, EPMPO

<sup>3</sup> Federal Highway Administration and Federal Transit Administration. *The Transportation Planning Process: Key Issues – A Briefing Book for Transportation Decisionmakers, Officials, and Staff*. A Publication of the Transportation Planning Capacity Building Program (Publication Number: FHWA-HEP-07-039, updated September 2007).

<http://www.planning.dot.gov/documents/BriefingBook/BBook.htm#2BB>

<sup>4</sup> <https://www.fhwa.dot.gov/fastact/factsheets/>

also receives Congestion Mitigation and Air Quality Improvement (CMAQ) Program funding allocated by formula for its metropolitan area. The three non-TMA MPOs are not allocated federal project funds directly and therefore rely on working with the NMDOT to obtain federal funds for projects in their metropolitan areas.

## Regional Transportation Planning Organization Structure in New Mexico

The RTPOs are state designated forums for cooperative planning and decision making in areas with populations of 50,000 or fewer people. Planning in non-metropolitan areas is required by federal law.<sup>5</sup> The seven New Mexico RTPOs are as follows:

- Mid-Region Regional Transportation Planning Organization (MRRTPO)
- Northeast Regional Transportation Planning Organization (NERTPO)
- Northern Pueblos Regional Transportation Planning Organization (NPRTPO)
- Northwest Regional Transportation Planning Organization (NWRTPO)
- South Central Regional Transportation Planning Organization (SCRTPO)
- Southeast Regional Transportation Planning Organization (SERTPO)
- Southwest Regional Transportation Planning Organization (SWRTPO)

Consistent with federal surface transportation law, the RTPOs have been established and designated by the state to enhance the planning, coordination, and implementation of statewide strategic long-range transportation plans and transportation improvement programs, with an emphasis on addressing the needs of nonmetropolitan areas of the state.<sup>6, 7</sup>

## Coordination with MPOs and RTPOs

NMDOT coordinates with the MPOs and RTPOs through the following (see the Metropolitan Planning Organizations and Regional Transportation Planning Organizations chapters of this PPM for more information):

- Cooperative Agreements (CAs) – These are the basic contractual agreements between the NMDOT and the fiscal agents that oversee the MPOs and RTPOs. The CAs reference the PPM to delineate the responsibilities of each organization to carry out the tasks contained in the Work Programs. The CAs are designed to remain in effect for two Work Program cycles. The GTG Supervisor prepares a CA to address FHWA planning funds. The NMDOT Transit Bureau prepares a separate Agreement to address FTA planning funds.
- Work Programs – MPOs are required to submit to NMDOT a 2-year Unified Planning Work Program (UPWP) and all RTPOs are required to submit a 2-year Regional Work Program (RWP). In addition, the NMDOT Division will submit a 2-year Planning Work Program (PWP) to FHWA-NM and FTA Region 6. The PWP includes all of the MPO and RTPO work programs as part of the submittal

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<sup>5</sup> 23 CFR § 450.206

<sup>6</sup> 23 USC § 135(m)(1) – Statewide Transportation Planning: Designation of Regional Transportation Planning Organizations

<sup>7</sup> 23 CFR § 450.210(d)

package. All Work Programs include 2-year budgets or funding summaries that address both FHWA and FTA planning funds. See Appendix C (MPO) or D (RTPO) for the Work Program Review Checklist.

- **Notice to Proceed** – Once the FHWA-NM and FTA Region 6 review and approve the entire work program submittal, federal funds are obligated annually in the FHWA’s Fiscal Management Information System (FMIS). NMDOT then encumbers state funds and issues individual Notices to Proceed (NTPs) to notify the MPOs and RTPOs about the availability of FHWA and FTA funds for them to implement their respective work programs. Receipt of FHWA-NM and FTA Region 6 approval and obligation of funds also permits NMDOT to implement its work program.

#### How is federal transportation funding provided to states and metropolitan areas?

(Excerpted from *The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decisionmakers, Officials, and Staff*)

Federal funds are made available through a specific process:

- **Authorizing Legislation:** Congress enacts legislation (such as the current FAST Act) that establishes or continues the existing operation of a federal program or agency, including the amount of money it anticipated to be available to spend or grant to states, MPOs, and transit operators. Congress generally reauthorizes federal surface transportation programs over multiple years. The amount authorized, however, is not always the amount that ends up actually being available to spend.
- **Appropriations:** Each year, Congress decides on the federal budget for the next fiscal year. As a result of the appropriation process, the amount appropriated to a federal program is often less than the amount authorized for a given year and is the actual amount available to federal agencies to spend or grant.
- **Apportionment:** The distribution of program funds among states and metropolitan areas (for most transit funds) using a formula provided in law is called an apportionment. An apportionment is usually made on the first day of the federal fiscal year (October 1) for which the funds are authorized. At that time, the funds are available for obligation (spending) by a state, in accordance with an approved Statewide Transportation Program (STIP). In many cases, the state is the designated recipient for federal transportation funds and the MPO or RTPO is the sub-recipient. In some cases, transit operators are the recipient.
- **Obligation Authority (Limitation):** Congress sets a restriction or “ceiling” to control the rate at which funds may be used. This is a statutory budgetary control mechanism.
- **Determining Eligibility:** Only certain projects and activities are eligible to receive federal transportation funding. Criteria depend on the funding source.
- **Match:** Most federal transportation programs require a non-federal match. State or local governments must contribute some portion of the project cost. This matching level is established by legislation. For many programs the amount the state or local governments have to contribute is 20 percent of the capital cost for most highway and transit projects.

# Multimodal Planning and Programs Bureau

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The Multimodal Planning and Programs Bureau (Bureau) is one of several bureaus within the NMDOT Planning Division (Division), located in the NMDOT's General Office in Santa Fe. The Bureau coordinates New Mexico's statewide transportation planning program and ensures compliance with federal and state planning regulations governing Metropolitan Planning Organizations (MPOs) and, for the nonmetropolitan consultation process, Regional Transportation Planning Organizations (RTPOs). Therefore, Bureau staff works closely with FHWA-NM and virtually every other functional group within the NMDOT throughout a typical year.

Bureau staff leads or participates in many department-wide projects and plans, including:

- NMDOT long-range statewide transportation plan (LRSTP)
- State Freight Plan
- Strategic Highway Safety Plan (SHSP)
- NMDOT's Public Involvement Plan (PIP)
- Prioritized Statewide Bicycle Network Plan
- Statewide Rail and Aviation Plans
- Border Master Plans
- State Transportation Improvement Program (STIP) Manual

The Bureau also administers numerous federal-aid programs, such as the Transportation Alternatives Program (TAP), Highway Safety Improvement Program (HSIP), Recreational Trails Program (RTP), and the Congestion Mitigation and Air Quality Improvement Program (CMAQ). The Bureau developed and maintains the Statewide Travel Demand Model (STDM) and provides limited geographic information system (GIS) services to augment the statewide planning program. Each of these tasks is described in more detail in subsequent sections.

Additionally, the Bureau provides coordination, technical assistance, and training to Tribal and Local Public Agencies (T/LPAs) for planning and project implementation through the efforts of the Local Technical Assistance Program (LTAP) and the Bicycle/Pedestrian/Equestrian (BPE) Coordinator.

## Organization of the Multimodal Planning and Programs Bureau

The Bureau is comprised of the Government to Government (GTG) Unit, the Active Transportation Programs (ATP) team, the Technical and Freight Planning (T&FP) team, the Local Technical Assistance Program (LTAP) and the Highway Safety Improvement Program (HSIP). The Bureau Chief is responsible for the operations of the Bureau. The GTG Unit consists of three planners in Santa Fe and one in the southern part of the state who report to the GTG Supervisor. The ATP is part of the GTG Unit and consists of two planners who report to the ATP supervisor. The T&FP team consists of a planner and a travel demand modeler, who report to the T&FP supervisor. The T&FP supervisor also serves as the LTAP Manager and oversees the NMLTAP Center, which is operated by the University of New Mexico. The HSIP Coordinator reports directly to the Bureau Chief. Please see the Bureau page on the NMDOT website for the most current information on staffing and assignments.<sup>8</sup>

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<sup>8</sup> <http://dot.state.nm.us/content/nmdot/en/Planning.html>

## Government to Government Unit

The Government to Government (GTG) Unit has the following responsibilities:

- Monitoring state and federal legislation pertaining to transportation appropriations and policies;
- Conducting research into national best practices related to state transportation planning programs;
- Coordinating transportation planning process activities with MPOs and RTPOs; and
- Managing the Transportation Alternatives, Congestion Mitigation and Air Quality Improvement, Recreational Trails, and Bicycle/ Pedestrian/Equestrian programs.

The GTG Unit administers contracts for the seven RTPOs and five MPOs, and works closely with NMDOT's District Offices, STIP Unit, Regional Design Centers, and other Divisions to ensure proactive enforcement of state and federal laws. Several of the GTG planners serve as liaisons to the MPOs and RTPOs. One GTG Liaison is stationed in the southern part of the state and works with the MPOs, RTPOs, and Districts in that area.

The GTG Liaisons to the MPOs/RTPOs are responsible for the following:

- Serving as the NMDOT point of contact for their respective MPOs and/or RTPOs;
- Facilitating communication and coordination between the MPOs/RTPOs and the different areas of NMDOT, including the six District Offices;
- Reviewing and processing MPO/RTPO Reimbursement Packets;
- Reviewing MPO/RTPO Work Programs and other work products;
- Meeting with the MPO(s)/RTPO(s) on a regular basis (as needed) to discuss progress on Work Programs and any issues;
- Conducting annual Quality Assurance Reviews (QARs) of the MPO(s)/RTPO(s);
- Providing technical assistance to the MPOs and RTPOs on work products and issues, as needed; and
- Attending MPO Quarterly and RTPO Roundtable meetings (further described in the MPO and RTPO Chapters), along with GTG Unit Supervisor.

## Technical and Freight Planning

The T&FP team is responsible for a range of activities and topic areas, including:

- Maintaining roadway classification systems, such as:
  - Functional Classification System;
  - National Highway System;
  - Freight-specific classifications;
- Performing statewide freight planning;
- Managing the travel demand model;
- Acquiring and assessing data for Performance Measures; and

- Providing technical assistance, including transportation modeling and analysis, to other planning efforts initiated by the NMDOT.

These efforts are coordinated with MPOs, RTPOs, the Bureau and other parts of NMDOT, as well as other state agencies and private entities. The T&FP team also reports on freight-related performance measures, and supports the broader data acquisition and processing side of performance measurement.

### *Roadway Classifications*

There are a number of different critical and useful roadway classifications used nationally, including the Functional Classification System, National Highway System (NHS), and the National Highway Freight Network (NHFN), and additional classifications specifically within New Mexico, including classifications and tiered systems included in the NMDOT LRSTP and other statewide plans. Of these, T&FP directly oversees the first three Federal systems, and is involved with other freight system classifications.

T&FP have set up a process for reviewing the Functional Classification System annually, in coordination with MPOs and RTPOs, who may take requests from tribal and local agencies, or suggest their own classification changes based on their regional analysis and information. Additionally, T&FP performs statewide reviews, particularly following the release of national data following decennial censuses.

T&FP also reviews NHS requests submitted by MPOs, RTPOs, or other parts of NMDOT; T&FP also manages Critical Urban and Rural Freight Corridor classifications, which serve as State-managed modifications to the NHFN.

### *Statewide Freight Planning*

The biggest freight planning efforts coincide with updates to the LRSTP, and following changes to Federal regulations. The T&FP supervisor and staff also coordinate with the Border Master Plan and other bi-national freight planning efforts that focus on the southern part of the state, as well as other regional and national freight planning efforts. T&FP share freight announcements and information with the MPOs and RTPOs as needed.

### *Statewide Travel Demand Model*

Statewide travel demand models provide volume forecasts for statewide planning activities and major projects, operating with a baseline year and forecasting future years, typically every 10 years. By using a microcomputer program, models forecasts traffic volumes on roadways with higher functional classifications based on estimated trip origins and destinations. Inputs to the models include population and urban area census data, existing/proposed geometric configurations of roadways, and socioeconomic data including housing, employment, and other trip producers and attractors.

The Bureau developed and operates the New Mexico Statewide Travel Demand Model (STDM) in PTV Visum modeling software to assist the RTPOs, MPOs, and NMDOT Districts with planning efforts. Additionally, the development and maintenance of the STDM is coordinated with the travel demand models maintained by the MPOs and nine other city models within and adjacent to the state. Freight is included using a combination of the Freight Allocation Framework and local trip generation. The model incorporates external links from city and MPO travel demand models and can readily update the statewide model using local data.

The Bureau updates the STDM every 4 years at a minimum, typically in coordination with the LRSTP updates, as well as following decennial censuses. The Bureau STDM Manager coordinates these updates with the MPOs. With each model update, the STDM Manager integrates the latest Highway Performance Monitoring System (HPMS) traffic count data.

### *Data Acquisition and Assessment for Performance Measures*

The T&FP supports Department and Bureau efforts to address performance measures by assisting with data acquisition and assessment, in addition to addressing any freight-related performance measures.

## Programs Administered by the NMDOT Multimodal Planning and Programs Bureau

This subsection discusses statewide programs administered by the Bureau.

### Local Technical Assistance Program

The Local Technical Assistance Program (LTAP) provides T/LPAs with a variety of adaptable tools, such as training events, technology transfer resources, and personalized on-site heavy equipment training, for improving their transportation operations. The LTAP does not provide engineering services, but does offer proven solutions to many transportation problems.

The LTAP is operated by UNM through their NMLTAP Center, which is managed by the NMDOT LTAP Program Manager (T&FP Supervisor). The NMLTAP Center offers its own trainings, as well as it contracts with local and national vendors, including several state educational institutions, to provide training tailored to meet the needs of T/LPAs, as well as NMDOT staff.

To assist T/LPAs, the LTAP performs the following services:

- Publishes a newsletter;
- Maintains the Resource Library;
- Provides information regarding transportation issues;
- Conducts training based on local or tribal needs; and
- Provides assistance, referrals, or information through onsite, telephone, or email consultation.

### Active Transportation Programs

Active Transportation Program team activities include planning, funding and supporting the diversification of transportation options for New Mexico's travelling public through local and statewide efforts. The Active Transportation Programs include the following:

#### *Bicycle-Pedestrian-Equestrian Program*

The Bicycle-Pedestrian-Equestrian (BPE) program is managed by the BPE Coordinator who is also the supervisor of the Active Transportation Programs team, housed within the GTG Unit. The BPE Coordinator's responsibilities may include:

- Managing the BPE Technical Committee, comprised of NMDOT staff;
- Mapping and gathering of data on statewide bicycle facilities;
- Responding to public inquiries related to BPE facilities or issues around the state;
- Providing educational opportunities to NMDOT staff to learn about BPE facilities, laws and best practices;
- Long-range BPE planning for NMDOT;

- Researching new practices and trends as related to BPE transportation;
- Representing New Mexico among the national bicycle / pedestrian coordinator network; and
- Working with various advocacy groups around the state.

The BPE Coordinator functions broadly within the NMDOT, primarily as an internal resource on bicycle, pedestrian, or equestrian issues.

### *Congestion Mitigation and Air Quality Improvement Program*

Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding is a category of Federal Aid funding targeted to address air quality problems from mobile sources (cars, trucks, and buses).<sup>9</sup> The CMAQ category is divided into two parts—mandatory funds and non-mandatory funds.

**Mandatory funds.** A portion of the El Paso Urbanized Area is within New Mexico, and is currently designated as a non-attainment/maintenance area, with regard to National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide and/or particulate matter. Therefore, the EPMPO receives a direct apportionment of CMAQ-mandatory, which must be spent on eligible projects in the New Mexico portion of the El Paso Urbanized Area.<sup>10</sup> For the most current information on areas of New Mexico that are designated as non-attainment/maintenance areas with regard to the above mentioned standards, please refer to the Environmental Protection Agency’s Nonattainment Areas for Criteria Pollutants (Green Book).<sup>11</sup> All CMAQ projects are annually entered into the federal CMAQ Public Access System; MPOs enter data for mandatory projects in their planning areas and the NMDOT CMAQ Coordinator enters data for non-mandatory projects. The CMAQ-mandatory requirements are discussed in more detail in the MPO section of this manual. The remaining CMAQ apportionment is considered non-mandatory and is discussed in more detail below.

**Non-mandatory funds.** CMAQ non-mandatory funding is managed by the CMAQ Coordinator of the Active Transportation Programs team of the GTG Unit. Outside of non-attainment or maintenance areas, the NMDOT can elect to use CMAQ non-mandatory funds on projects that are likely to reduce or mitigate air quality issues, or any projects which are generally eligible under the Surface Transportation Block Grant Program.<sup>12</sup> Examples of CMAQ projects in New Mexico include bicycle and pedestrian project components (such as sidewalks, bike lanes, and multi-use paths) and transit services and facility projects, both of which are designed to reduce vehicle miles traveled (VMT); and signal interconnect and timing projects to reduce congestion at urban intersections. Projects are selected through a competitive, application-based, statewide call for projects. The CMAQ Committee, comprised of NMDOT staff, reviews applications and selects CMAQ non-mandatory projects. The application process, timeline, eligible entities, and other information is outlined in the Congestion Mitigation and Air Quality Improvement Program Guide. All CMAQ projects are annually entered into the federal CMAQ Public Access System; the NMDOT CMAQ Coordinator enters data for non-mandatory projects, and MPOs enter data for mandatory projects.

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<sup>9</sup> 23 USC § 149

<sup>10</sup> 23 USC § 149(b)

<sup>11</sup> <https://www.epa.gov/green-book>

<sup>12</sup> 23 USC § 149(d)

### *Recreational Trails Program*

The New Mexico Recreational Trails Program<sup>13</sup> (RTP) is administered by the RTP Coordinator of the Active Transportation Programs team of the GTG Unit. The RTP is a program of the Federal Highway Administration (FHWA) that provides funding for eligible entities to develop and maintain trails and trail-related facilities for both non-motorized and motorized uses. The NMDOT coordinates and consults with the state's federally-mandated, Governor-appointed Recreational Trails Advisory Board (RTAB) on issues of program administration and project selection.<sup>14</sup> The application process, timeline, and other program details are outlined in the Active Transportation and Recreational Programs Guide.

### *Transportation Alternatives Program*

The New Mexico Transportation Alternatives Program (TAP) is administered by the TAP Coordinator of the Active Transportation Programs team of the GTG Unit. TAP is a Federal-Aid program originally authorized through MAP-21; the FAST Act reauthorized the program, but changed the name to the Surface Transportation Block Grant Program Set Aside.<sup>15</sup> For simplicity, NMDOT still uses the TAP name and acronym. Each state's department of transportation administers the program using its own competitive process, in accordance with the law.<sup>16</sup> The NMDOT coordinates with the state's seven RTPOs and five MPOs on programming TAP funds through a competitive, application-based process.

The TAP-Large Urban funds are awarded directly by MRMPO and EPMPO, and the NMDOT TAP Coordinator works with the STIP Unit to annually issue TAP-Large Urban estimated targets to MRMPO and EPMPO. NMDOT awards the TAP-Small Urban, TAP-Rural, and TAP-Flexible funds via a statewide competitive process. The application process, timeline and other information is outlined in the Active Transportation and Recreational Programs Guide.

Since MAP-21, the former Safe Routes to School (SRTS) program is no longer funded as a standalone program. However, certain project eligibility criteria were incorporated into TAP and follow the TAP program guidelines and requirements. Information about eligible SRTS activities is included in the Active Transportation and Recreational Programs Guide.

## **Highway Safety Improvement Program**

The goal of the federally-funded Highway Safety Improvement Program (HSIP) is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including State-owned, non-State-owned public roads and roads on tribal lands. The HSIP is managed by the HSIP Coordinator in the Bureau. The HSIP requires a data-driven, strategic approach, based on the Strategic Highway Safety Plan (SHSP), to improving highway safety on all public roads that focuses on performance. Approximately \$22 million is available to the NMDOT per federal fiscal year. Eligible entities include NMDOT Districts and T/LPAs.

## **Funding Program Management**

When a T/LPA is awarded federal funds from NMDOT, NMDOT issues an award letter and an award form to the T/LPA Person in Responsible Charge. The T/LPA responsible charge must review, sign, and submit the award form to the NMDOT Program Coordinator indicating the T/LPA's acceptance of the award. MPOs enter the projects that fall within their boundaries into the TIP, while NMDOT STIP staff enters

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<sup>13</sup> 23 USC § 206

<sup>14</sup> 23 USC § 206(c)

<sup>15</sup> 23 USC § 133(h)

<sup>16</sup> 23 USC § 133(h)(4)(A)

projects for the RTPO areas into the STIP. For more information on the process and requirements for including projects in the STIP, please refer to the STIP Manual.

Any requested changes to an awarded project, such as changes to scope, termini, funding, and/or phasing require review and approval by the applicable NMDOT Program Coordinator. The process for requesting changes is as follows:

1. The T/LPA submits proposed changes via email to the respective Region Coordinator. The Region Coordinator contacts the appropriate NMDOT Program Coordinator to discuss the changes. If an NMDOT District is requesting the change, the District contacts the NMDOT Program Coordinator directly.
2. The NMDOT Program Coordinator reviews the proposed changes to determine eligibility and feasibility. If the request is approved, the NMDOT Program Coordinator issues an Award Change Form via email to the District or T/LPA. If the request is not approved, the NMDOT Program Coordinator responds accordingly to the T/LPA or District.
3. The T/LPA or District reviews, signs and returns the Award Change Form to the NMDOT Program Coordinator.
4. The NMDOT Program Coordinator emails the approved Award Change Form to all of the identified parties on the form, including the T/LPA, the Region Coordinator, the STIP Coordinator and if applicable, the MPO TIP Coordinator. This initiates the TIP/STIP amendment process (see the NMDOT STIP Manual for more information on this process).
5. For T/LPA projects, the Region Coordinator notifies the T/LPA when the STIP amendment is approved, which indicates final approval of the requested project changes.
6. If the project phase that was changed already has an agreement, the T/LPA follows the agreement amendment process outlined in the T/LPA Handbook, Chapter 2.

## Multimodal Planning and Programs Bureau Work Products and Activities

The Bureau is responsible for several recurring planning activities. Other bureaus/divisions/sections in the NMDOT manage and oversee other programs and activity areas, and some of these are listed in the “Related Work from Other Areas of NMDOT” section.

The Bureau work products are as follows:

- NMDOT’s long-range statewide transportation plan (LRSTP) and Statewide Freight Plan
- Public Involvement Plan (PIP) for planning products
- Consultation procedures with nonmetropolitan local officials and tribal governments
- U.S. Census-related
  - 1) “Smoothed” urbanized area boundary map
  - 2) Metropolitan planning funding (PL) distribution formula revision recommendations
  - 3) Identification of additional transportation management areas (TMAs)
  - 4) Identification of additional MPOs
  - 5) MPO/RTPO boundary map
  - 6) Updated Statewide Travel Demand Model (STDM)
- Planning Work Program (PWP) and modifications/quarterly amendments
- Annual Performance and Expenditure Report (APER)
- Maintenance of roadway classifications, including Functional System and National Highway System

- Notice to Proceed and Notice of Closure letters to MPOs/RTPOs

## Public Involvement Plan

The Public Involvement Plan (PIP) documents the process used by the NMDOT to provide opportunities for public review and comment at key decision points during the development of the main statewide planning products, such as the LRSTP and STIP.

The Bureau is responsible for the PIP at the statewide level. At a project level, the NMDOT Environmental Bureau uses a more detailed and aligned public involvement approach that combines context sensitivity and the National Environmental Policy Act (NEPA) requirements. These project-specific plans are intended to be “living” documents and may be adjusted as the project design evolves. Such adjustments include the goals of collaboration with the community, a thorough analysis of project context before commencement of engagement with the public, a review of modal considerations and connectivity, as well as opportunities to express local values such as review of the functional classification, the design speed, and aesthetic gateway and place-making treatments. The use of multidisciplinary study teams, transparent decision-making, the flexibility of design guidelines, consensus with a wide-range of stakeholders on the purpose and need, evaluation criteria, preferred alternatives development, and impacts identification and mitigation are core to this process.

According to federal requirements, both public involvement processes must at a minimum:<sup>17</sup>

- Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes;
- Provide reasonable public access to technical and policy information used in the development of the LRSTP and STIP;
- Provide adequate public notice of public involvement activities and time for review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed LRSTP and STIP;
- To the maximum extent practicable, ensure that public meetings are held at convenient and accessible locations and times;

## Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is the state’s transportation capital improvement program. Federally funded and/or regionally significant projects in the MPO/RTPO areas are reflected in the MPO Transportation Improvement Program (TIP) or the RTPO list of recommended projects. The New Mexico STIP is a 6-year plan and includes specific funding levels by year for project implementation. The STIP is fiscally constrained for the first four years, so that program costs do not exceed estimated revenues. The STIP must be consistent with the Long-Range Statewide Transportation Plan (LRSTP) and the MPO Metropolitan Transportation Plans (MTPs). The FHWA-NM and FTA Region 6 approve the STIP every 4 years. Refer to the *State Transportation Improvement Program (STIP) Manual* on the NMDOT website for more information about the STIP and TIP procedures, including transfer of funds between programs, FHWA to FTA, and state to state.

After MAP-21 and FAST, the NMDOT developed statewide performance based measures and targets which established investment priorities. This PPM, the *STIP Manual*, and the eSTIP (the electronic STIP database) are updated to reflect the plans, targets, and evaluation criteria required under MAP-21 and FAST.

<sup>17</sup> 23 CFR § 450.210(a)(1) – Interested Parties, Public Involvement, and Consultation

- To the maximum extent practicable, use visualization techniques to describe the proposed LRSTP and supporting studies;
- To the maximum extent practicable, make public information available in electronically accessible format and means, such as the worldwide web/internet, as appropriate to afford reasonable opportunity for consideration of public information;
- Demonstrate explicit consideration and response to public input during the development of the LRSTP and STIP;
- Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and
- Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

The PIP should ideally also address these key components:

- Visualization techniques;
- Process/strategies;
- Language translation (which may also be addressed in the NMDOT Title VI Plan);
- Environmental justice issues (which may also be addressed in the NMDOT Title VI Plan);
- Public participation tools and strategies; and
- How public comments will be addressed.

While there is no federal requirement for how often the PIP is updated, the NMDOT reviews the process approximately every 5 years in coordination with the LRSTP and/or when new federal legislation takes effect. At minimum, the state is required to allow 45 days for public review and written comment before new procedures and any major revisions to existing procedures are adopted.<sup>18</sup>

The final PIP is adopted by NMDOT after public comments are reviewed and potentially incorporated following the 45-day public comment period and is submitted to FHWA-NM and FTA Region 6 for informational purposes. The current PIP is available on the NMDOT website.

## Review and Report on Nonmetropolitan Local Officials Consultation Procedures

Federal regulations require states to develop and document a process(es) for consulting with nonmetropolitan, local officials representing units of general purpose local government and/or local officials with responsibility for transportation that is separate and discrete from the public involvement process. The process should provide opportunity for their participation in the development of the LRSTP and STIP.<sup>19</sup> The state meets this federal requirement through its RTPO structure.

At least once every 5 years, the Bureau solicits comments from nonmetropolitan local officials and other interested parties for a period of not less than 60 calendar days regarding the effectiveness of the current consultation process and any proposed changes.<sup>20</sup> The Division Director or the Bureau Chief sends out a request for comments in the form of a survey distributed via email and/or regular mail to

<sup>18</sup> 23 CFR § 450.210(a)(2) – Interested Parties, Public Involvement, and Consultation

<sup>19</sup> 23 CFR § 450.210(b) – Interested Parties, Public Involvement, and Consultation

<sup>20</sup> 23 CFR § 450.210(b)(1)

the RTPOs, their member entities, and other local government entities that are not currently participating in the RTPO process. The Bureau Chief conducted the most recent review in 2016. The Bureau Chief compiles all survey responses and distributes the compilation to the RTPO Planners. The Bureau Chief reports on the compilation at an RTPO Quarterly Roundtable meeting in order to solicit additional comments and make a consensus-based determination whether any changes are needed to the current nonmetropolitan, local officials' consultation procedure. The resulting documentation is then submitted to FHWA-NM/FTA Region 6 for informational purposes. The next formal review is due in 2021.

## State Tribal Collaboration Act Process and Agency Report

Under federal law, the NMDOT is required to develop a process for consulting with Indian Tribal Governments and the Secretary of Interior during development of the LRSTP and STIP. The process should outline roles, responsibilities, and key decision points for consulting with Indian Tribal Governments and federal land management agencies.<sup>21</sup>

The NMDOT Tribal Liaison, housed in the Office of the Secretary, utilizes a formal tribal consultative process. This process is outlined in the PIP. In addition, the Tribal Liaison follows the requirements of the New Mexico State – Tribal Collaboration Act (Senate Bill 196 passed March 19, 2009). The benefits of the effective consultation that NMDOT has with the Tribal entities demonstrates how strong communication and well-established partnerships are essential for developing and maintaining a solid Tribal consultation process. The NMDOT Tribal Liaison is proactive in conducting outreach, coordinating agreements, mediating misunderstandings, and building close relationships based on experience and accountability. The Tribal Liaison fosters partnership agreements between NMDOT and the Tribes by facilitating communication between Tribal transportation staff and NMDOT District Offices. Overall, New Mexico's active approach to partnering with Tribes is essential for planning projects and implementing policies that best serve the needs of Tribal members and other users of transportation infrastructure on Tribal lands.

The NMDOT Tribal Liaison reports on NMDOT's activities as related to Tribal governments in the annual State-Tribal Collaboration Act agency report submitted to the New Mexico Indian Affairs Department.

## Planning Activities Triggered by U.S. Decennial Census

The final release of U.S. Census data is a catalyst for a number of federally-mandated planning activities. These activities typically occur within the two fiscal years following the final U.S. Census data release. These activities are conducted in coordination with the state's MPOs and RTPOs. The following subsections describe these non-annually recurring activities.

**Revision of Funding Distribution Formulas.** New population statistics for existing MPOs necessitate the need to review and adjust planning and transit funding distribution formulas used for planning purposes. This review is conducted in a cooperative process that involves the NMDOT Bureau, FHWA-NM, and MPOs. The Division Director submits recommendations to FHWA-NM for review and approval. **It is important to note that a review of the funding distribution formula may also be initiated at the request of the MPOs or the NMDOT at any time and as often as needed.**

### Note:

A review of the funding distribution formula may also be initiated at the request of the MPOs or the NMDOT at any time and as often as needed.

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<sup>21</sup> 23 CFR § 450.210(c) – Interested Parties, Public Involvement, and Consultation

**Identification of Additional Transportation Management Areas.** When the final census data is released, the U.S. Census concurrently publishes the FHWA-NM/FTA Region 6 list of TMAs in the Federal Register. This action necessitates reviewing the list to determine if any new TMAs have been identified for New Mexico. If any are identified, the Bureau is responsible for following through by coordinating the establishment of new TMAs with affected local officials and FHWA-NM.

**Creation of a New MPO and/or MPO Boundary Changes.** An MPO shall be designated for each urbanized area with a population of more than 50,000 individuals (as determined by the U.S. Census). MPO designation shall be made by agreement between the Governor (or designee) 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 U.S. Census) or in accordance with procedures established by applicable state or local law.<sup>22</sup>

MPO boundaries are required by federal regulation to, at a minimum, encompass the entire existing urbanized areas as defined by the U.S. Census plus the contiguous area expected to become urbanized with a 20-year forecast period for the Metropolitan Transportation Plan (MTP).<sup>23</sup> **Therefore, it is important to note that the decennial U.S. Census, the adoption of a new MTP, or a request from a municipality to be included within the MPO, may result in the identification of new or expanded urban area boundaries that necessitate a review and potential expansion of MPO boundaries.**

The NMDOT is responsible for notifying an MPO of the need for such a review upon receiving notice of final demarcation of urban areas published by the U.S. Census. The MPO is responsible for noting the potential need to expand its boundaries within the context of an updated MTP. In the case of a potential boundary expansion, the NMDOT and the MPO will jointly prepare and present information pertaining to statewide transportation planning, the Federal-Aid Highway Program, and the MPO process in a public forum to residents and elected/appointed officials residing within the newly defined urban areas.

The formal submittal and approval process for revising an MPO's boundaries requires the Governor's (or designee's) approval. Following boundary approval by the MPO and the Governor (or designee), the NMDOT Division Director will forward the new boundary description(s) to the FHWA-NM and FTA Region 6 for informational purposes.<sup>24</sup>

Following the formal creation of a new MPO or modification of an existing MPO's boundaries, Bureau staff will submit the new boundaries to FHWA-Headquarters' Planning, Environment, Realty (HEP) Support staff to update the HEP GIS map, which can be seen here: <https://hepgis.fhwa.dot.gov>; Bureau staff will copy FHWA-NM and FTA for informational purposes.

**Urban Area Boundary Smoothing.** Concurrently with the release of the final Census data, the U.S. Census also releases the Topologically Integrated Geographic Encoding and Referencing (TIGER)/Line shapefiles for the urban area, urban cluster (UC), and urbanized area boundaries. Please note that there are differences between the urban designations from the Census Bureau and FHWA. Boundaries of urban areas according to FHWA—those with a population greater than or equal to 5,000—are allowed

**Note:**

The decennial U.S. Census, the adoption of a new MTP or a request from a municipality to be included within the MPO, may result in the identification of new or expanded urban area boundaries that necessitate a review and potential expansion of MPO boundaries.

<sup>22</sup> 23 CFR § 450.310 – Metropolitan Planning Organization Designation and Redesignation

<sup>23</sup> 23 CFR § 450.312 – Metropolitan Planning Area Boundaries

<sup>24</sup> 23 CFR § 450.312(a-j) – Metropolitan Planning Area Boundaries

by federal transportation legislation to be adjusted for transportation planning purposes, as long as it is inclusive of the Census Bureau designated area. For further guidance and clarification, refer to Chapter 6 of *Highway Functional Classification: Concepts, Criteria and Procedures – 2013 Edition*. These new boundaries are analyzed to determine if the current boundaries should be revised or “smoothed.” If an MPO or RTPO proposes revisions, the Bureau works with the MPO/RTPO to ensure the urban area boundaries are modified prior to their next regularly scheduled MTP or RTP update or within 4 years of the final release of census data (whichever comes first). Proposed boundary adjustments are submitted to the Bureau for review/approval and then from the Bureau to FHWA-NM for concurrence before being finalized and officially incorporated into subsequent planning activities. The final boundary revisions are also incorporated in the NMDOT GIS database. Resulting changes to MPO boundaries must be approved by the Governor (or designee). Changes to urban areas within RTPOs do not require approval of the Governor (or designee).

**Statewide Functional Classification Review.** Revisions to the urban area boundaries may result in revisions to the functional classification of the state’s roadways. Changes in the land use and development patterns, which are reflected in the changing census designations for urban area boundaries, may support modifications to functional classifications, to better reflect actual roadway uses as communities change. Additionally, changes to the urban/rural designation may affect federal funding eligibility for the roadways whose urban/rural designations are modified through the boundary smoothing process. Specifically, Minor Collectors within urban areas are eligible for some types of federal funding, while Minor Collectors within rural areas are not eligible for those funding types.

The Bureau leads the statewide review. Technical planners and the GTG Liaisons provide guidance and training to the MPOs and RTPOs about new functional classification definitions and funding eligibility requirements to assist them with the functional classification review. The MPOs assume the lead for their planning areas and the RTPOs lead the review for the nonmetropolitan areas. In addition, the Bureau develops and updates guidance regarding functional classification eligibility, submittal and review criteria for MPOs and RTPOs to use as needed in between decennial census reporting periods, in response to new development or travel patterns within the metropolitan planning area.

**Statewide Travel Demand Model (STDM) Updates.** The STDM is updated using the early release of census data, which provides key socioeconomic inputs useful for updating the model. The STDM Transportation Analysis Zones (TAZs) are reviewed and updated as necessary upon the final release of the Census data and the urban area boundaries. TAZ updates are completed in collaboration with the MPOs to ensure the TAZs are consistent between the statewide and MPO travel demand models.

## Long-Range Statewide Transportation Plan

The NMDOT Long-Range Statewide Transportation Plan (LRSTP)<sup>25</sup> addresses the movement of both people and goods throughout New Mexico. It provides a visionary, performance-based, and strategic framework to guide decision-making at all levels in NMDOT and by New Mexico’s MPOs and RTPOs. The framework helps ensure that New Mexico’s transportation system supports the well-being of all of the state’s residents and visitors, and that transportation projects, programs, and policies are rational, fiscally responsible, environmentally sustainable, and accountable to taxpayers and system users.

The LRSTP outlines a future vision for multimodal transportation in the state and defines realistic goals, objectives, performance measures and targets to achieve that vision. The LRSTP integrates, harmonizes, builds upon, and refines existing studies, plans, and policies from the NMDOT, MPOs, RTPOs, and other agencies. The plan identifies (1) strategies and actions needed to connect all elements of the state’s

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<sup>25</sup> 23 CFR § 450.216 – Development and content of the long-range statewide transportation plan

transportation system; (2) elements of the system needing improvement; and (3) new elements (including programs) needed to ensure that New Mexico's multimodal transportation system is safe, efficient, and effective.

A key function of the LRSTP is to help ensure that NMDOT has sufficient fiscal resources to build, operate and maintain the state's transportation system on a long-term, sustainable basis. The plan is a useful tool for managing and maintaining New Mexico's existing transportation assets over time, and ensuring that future system additions and programs are both cost-effective and consistent with demonstrated transportation needs.

The LRSTP has a minimum 20-year time horizon and is updated approximately every 5 years. Updates occur in coordination with updates of MTPs by the MPOs and Regional Transportation Plans (RTPs) by the RTPOs. Typical update activities may include:

- Cooperating closely with the MPOs and RTPOs throughout the plan development process;
- Forming committees and working groups to guide and inform the update effort;
- Reaching out broadly to transportation stakeholders and the general public throughout the plan development process;
- Monitoring and analyzing new transportation-related legislation for planning implications;
- Researching best national transportation planning practices for applicability to the LRSTP;
- Synthesizing existing NMDOT data, plans, and studies;
- Updating inventories and assessing the existing condition and performance of the statewide transportation system;
- Developing forecasts of population, economic activity, travel demand, revenue, and other key planning variables and analyzing their transportation implications;
- Developing planning scenarios, a future vision for the transportation system, etc., based on public and stakeholder input;
- Reviewing and revising goals, objectives, targets, and performance measures based on the future vision and with substantive public and stakeholder input; and
- Adopting a final plan.

A Statewide Freight Plan can either be a component of the LRSTP or a stand-alone document that provides a comprehensive plan for the immediate and long-range planning activities and investments with respect to freight. The New Mexico Freight Plan is updated in conjunction with the LRSTP update, or as needed. Per federal regulations, the Freight Plan includes at a minimum:<sup>26</sup>

- Identification of significant freight system trends, needs, and issues with respect to the state;
- Analysis and description of how international freight entering the New Mexico ports will affect the overall freight corridors and systems (rail and truck);
- Description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the state;

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<sup>26</sup> 49 USC § 70202 – State freight plans

- Description of how the plan will improve the ability of the state to meet the national freight goals established under 23 USC § 167;
- Evidence of consideration of innovative technologies and operational strategies, including intelligent transportation systems that improve the safety and efficiency of freight movement;
- Description of improvements that may be required to reduce or impede the deterioration on the routes on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways;
- Inventory of facilities with freight mobility issues, such as truck bottlenecks, within the State, and a description of the strategies the state is employing to address those freight mobility issues;
- Designate Critical Rural Freight Corridors and Critical Urban Freight Corridors<sup>27</sup>; and
- A fiscally constrained list of freight improvement projects, to allow the State to use National Highway Freight Program funding.<sup>28</sup>

The review/approval process for the LRSTP as outlined in the FAST Act requires that the NMDOT develop the LRSTP in cooperation with the state's MPOs, RTPOs, and Tribes.<sup>29</sup> In addition, New Mexico State Law requires that the NMDOT obtain approval from the New Mexico State Transportation Commission (STC) for any changes in transportation policy proposed in the LRSTP.<sup>30</sup> Formal approval by FHWA-NM and FTA Region 6 is not required. However, the Bureau Chief is ultimately responsible for ensuring that both of these agencies are engaged during the plan development process and receive copies of the final approved plan for informational purposes.

## Planning Division Planning Work Program

The Planning Work Program (PWP) identifies the planning activities the NMDOT Division and the state's MPOs and RTPOs will accomplish during the fiscal year. The NMDOT Division submits two-year PWPs to the FHWA-NM and FTA Region 6. The PWP is a compilation of several work programs and associated budgets from different NMDOT bureaus, including Multimodal Planning and Programming, Data Management, and Research as well as the Local Technical Assistance Program Work Program, the MPO Unified Planning Work Programs (UPWPs), and the RTPO Regional Work Programs (RWPs). All of these are two-year programs. All costs related to federal awards must comply with 2 CFR § 200.

The production of the PWP and subsequent quarterly amendments is a collaborative effort between program managers, bureau chiefs, and the Division Director (or designee). GTG Liaisons work with MPO/RTPO staff to assist them with the production of their work programs (see Appendix C [MPO] or D [RTPO] for the Work Program Review Checklist). The Division Director (or designee) coordinates with the FHWA-NM Division Administrator and FTA Region 6 for document reviews and approvals. The PWP is submitted every two years to FHWA-NM and FTA Region 6 in compliance with 23 CFR §§ 420.101-121 and 450.200-208 and the FAST Act (or current federal legislation). This regulation requires that state DOTs develop a program that documents the work to be accomplished within each fiscal year for approval by the FHWA-NM Division Administrator and FTA Region 6 Regional Office Administrator. The

<sup>27</sup> See 23 USC § 167 (e) and (f) – National highway freight program: critical freight corridors

<sup>28</sup> See 23 USC § 167 (i)(4) et. seq. – Freight planning

<sup>29</sup> See 23 USC § 135(f)(2).

<sup>30</sup> "The state transportation commission has charge of all policy matters pertaining to the expenditure of the state road fund in the construction, improvement and maintenance of state highways and bridges in the state." (67-3-14 NMSA)

FHWA-NM and FTA Region 6 submit a letter to the Division Director (or designee) confirming approval of the PWP. The Bureau Chief or designee forwards this letter to the MPOs and RTPOs.

The Division manages the State Planning and Research Part A and Part B (SPR Part A, Part B) funding. Federal law mandates that at a minimum, 25% of a state's SPR funds must be allocated to research.<sup>31</sup> These funds are referred to as SPR Part B funds and are administered by the Research Bureau of the Division. The remaining SPR funds are referred to as SPR Part A funds. Every two years, in Year 2 of the PWP, the Division issues a call for projects for SPR Part A funds. MPOs, RTPOs and NMDOT are eligible to apply. The process is conducted in accordance with the Statewide Planning & Research Part A Funds Program Guide. All awarded SPR Part A funds are included in the PWP, and the MPO UPWPs or RTPO RWP if awarded to an MPO or RTPO.

### *Statewide Planning Funding Sources*

The NMDOT uses the following Federal-Aid Highway Program (FAHP) funds to accomplish the Planning Work Program:

- Metro-Planning (PL)<sup>32</sup>
  - Distributed to the MPOs by agreed-upon, FHWA-NM approved, formula predicated on multiple planning factors, in addition to population
  - Subject to the NMDOT's annual spending authority/obligation limitation
  - Authorized for the federal fiscal years associated with the current, approved MPO UPWP
  - Local match is 14.56%, federal share is 85.44%
- State Planning and Research (SPR)<sup>33</sup>
  - Funds the NMDOT Statewide Planning Work Program (as identified in PWP)
  - Funds RTPO planning activities as identified in the Regional Work Programs (RWPs), and are authorized for the federal fiscal years associated with the RWP
  - May fund certain eligible elements of the MPO Unified Planning Work Programs (UPWPs) if the MPO applies and is awarded the funds
  - Subject to state's annual spending authority/obligation limitation
  - Local match is 20% and federal share is 80%
- Metropolitan Transportation (FTA)<sup>34</sup>
  - Distributed to the MPOs by agreed-upon, FTA approved formula, predicated on multiple planning factors in addition to population
  - Subject to the NMDOT's annual spending authority/obligation limitation
- Statewide and Nonmetropolitan Transportation Planning (FTA)<sup>35</sup>
  - Available to NMDOT and rural transit agencies for planning purposes leading to implementation of service or to meet an FTA or State regulatory requirement for rural transit agencies

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<sup>31</sup> 23 USC § 505

<sup>32</sup> Governed by 23 USC § 104(d) – Apportionment; 23 USC § 134 – Metropolitan Transportation Planning

<sup>33</sup> Governed by 23 USC § 505 – State Planning and Research; 23 USC §§ 420.101-121 – Subpart A: Administration of FHWA Planning and Research Funds; 23 USC § 420.105 – What is the FHWA's policy on use of FHWA planning and research funds?

<sup>34</sup> 49 USC § 5303 – Metropolitan Transportation Planning

<sup>35</sup> 49 USC § 5304 – Statewide and Nonmetropolitan Transportation Planning

- Subject to the NMDOT’s annual spending authority/obligation limitation
- Surface Transportation Block Grant Program - Large Urban (STBG-L)
  - Distributed to MPOs designated as Transportation Management Areas (TMAs) by population; subject to fiscal constraint
  - Unspent funds are subject to the NMDOT’s annual spending authority/obligation limitation
  - Local match is 14.56%, federal share is 85.44%

**Note:**  
FHWA-NM approval of a report constitutes acceptance of the report as evidence of work performed, but does not imply endorsement by the FHWA-NM of a report’s findings or recommendations.

Since the FAHP is a reimbursement program, and because it requires a match, the New Mexico State Road Fund is used to pay expenses up-front.

SPR and PL funds are designated specifically for statewide planning and research and MPO planning, respectively, and cannot be transferred to other programs for construction projects. Per federal regulations, a minimum of 25% of the SPR funds must be used for research (SPR Part B), development, and technology funds related to highway, public transportation, and intermodal transportation systems.<sup>36</sup> Therefore, the NMDOT applies the other 75% of SPR towards statewide planning activities, including funding the RTPOs (SPR Part A). The federal funds require a 20% state match, and this match is provided by either the MPO/RTPO or the New Mexico State Road Fund. The state applies its sliding scale to the match required for PL and STBG-L funds distributed to the MPOs (federal share is 85.44% and local match is 14.56%).

FTA Metropolitan (Section 5303) and statewide and Nonmetropolitan (Section 5304) Transportation Planning programs provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and states that is cooperative, continuous, and comprehensive, resulting in long range plans and short-range programs of transportation investment priorities. The federal share is 80%, with a required 20% non-federal match. MPOs in large urbanized areas designated as TMAs must include transit officials on their policy boards.<sup>37</sup> FTA funds are managed through the NMDOT Transit Bureau.

The regulatory controls on the use of FAHP funds are too extensive to list in their entirety in this PPM. Therefore, GTG Liaisons, MPO Planners, and RTPO Program Managers are all expected to know, comply with, and advise their respective entities on the Cost Principles for State, Local, and Indian Tribal Governments (2 CFR Part 200) and the Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Indian Tribal Governments (49 CFR Part 18).

The NMDOT, MPO and RTPO work programs (PWP, UPWPs and RWPs) include budgets outlining cost estimates for each planning activity or task that show federal, state, local, and other matching share. The PWP includes the MPO and RTPO work programs as the NMDOT receives the SPR funds for metropolitan and regional planning activities, and then distributes these funds to the organizations on a reimbursement basis. The annual amount of SPR funding authorized to New Mexico is calculated as a 2% set-aside from the National Highway Performance Program (NHPP), STBG, HSIP, and CMAQ apportionments. The annual amount of PL funds authorized is established as an independent program in the authorization legislation. Both SPR and PL funding apportionment amounts are reduced by the annual obligation limitation, which varies from year to year based on the funding levels of the Federal

<sup>36</sup> 23 CFR § 420.107(a) – What is the minimum required expenditure of State planning and research funds for research development and technology transfer?

<sup>37</sup> 23 CFR 450.310(d) – TMA Structure

Highway Trust Fund. This percentage is often provided to NMDOT by the federal agencies at the beginning of the federal fiscal year.

All new transit projects utilizing CMAQ and STBG funds through NMDOT are generally transferred to FTA for grant making purposes, and administered directly with FTA by the lead agency (NMDOT, large urban transit agency, or small urban transit agency). This transfer is subject to the different transfer limitations established for the different funding sources and NMDOT's transfer limitation for its entire program.

The MPO and RTPO Work Programs are identified as projects within the STIP, are assigned their own Control Numbers (CNs), and are managed in the eSTIP by the STIP Manager, in coordination with the Bureau. UPWP CNs are not included or amended in an MPO's TIP.

### *Notice to Proceed, Notice of Closure Letters, and End Dates for MPOs and RTPOs*

**Notice to Proceed.** Upon receiving FHWA and FTA approval of the PWP, the GTG Unit works with other sections of NMDOT to initiate authorization of federal funds for the MPO UPWPs and RTPO RWPs. The process is as follows:

1. The STIP staff person responsible for administering the Planning Work Program in the eSTIP assigns an appropriate Control Number for each project/program and enters the information into the eSTIP. For the MPO UPWP and RTPO RWP projects, the same Control Number is used for both funding years of the two-year PWP.
2. NMDOT staff proceed with federal and state processes to obligate and encumber funds.
3. The GTG Unit Supervisor or designee drafts the MPO and RTPO Notice to Proceed (NTP) letters. These letters authorize the MPO/RTPO to proceed with work on the UPWP or RWP and seek reimbursement for the federal portion of the approved UPWP or RWP budget. For the first year of the two-year UPWP or RWP, the NTP letter is for two FFYs (e.g. October 1, 2018 through September 30, 2020). For the second year of the two-year UPWP or RWP, the NTP letter is for one FFY (e.g. October 1, 2019 through September 30, 2020). MPOs and RTPOs are allowed to carry-forward unexpended funds between the two years within one UPWP or RWP (e.g. from FFY19 to FFY20 within the FFY19/20 UPWP), but they cannot carry-forward funds between two different UPWPs or RWPs (e.g. from the FFY19/20 UPWP to the FFY21/22 UPWP).
4. NTP letters are submitted to NMDOT Division Director for review and approval and then sent via email to the MPOs and RTPOs.

The NTP is required in order for the MPOs and RTPOs to proceed with work activities funded by the federal State Planning and Research (SPR) Program and Metropolitan Planning (PL) funds.

If NMDOT receives updated PL targets after it sends the NTPs to the MPOs, NMDOT will amend the PWP at the next regularly scheduled amendment. Once the amendment is approved, NMDOT will obligate the funds and send the MPOs amended NTPs. The MPOs may then use the amended NTPs to initiate UPWP budget amendments.

**Notice of Closure.** NMDOT also issues a Notice of Closure (NOC), which is a formal letter to the MPO/RTPO indicating that the project is closed and that NMDOT will not process any additional reimbursement requests. NMDOT issues the NOC letter either: 1) upon payment of the final reimbursement request, or 2) if no final reimbursement was submitted, upon passage of the final reimbursement submission date included in the agreement/contract. For example, a contract expires on September 30, 2020 and the contract stipulates that the final reimbursement request must be submitted to NMDOT within 30 days of contract expiration; if NMDOT does not receive a final reimbursement request by October 30, 2020, then it will issue a NOC letter.

**End Dates.** As NMDOT obligates funding, it also sets up end dates in FHWA's Financial Management Information System (FMIS). The end date is required for all federal projects, and represents a day by which all activity on the federal project must be completed (i.e. final invoices processed, closeout documentation received by FHWA, etc.). NMDOT's practice is to set the end date for 90 days after the end of the project term. For MPO and RTPO UPWP or RWP Control Numbers, the end dates are 90 days after the close of year two of the UPWP or RWP. For example, for a FFY19-20 UPWP, which covers work through September 30, 2020, the end date is December 31, 2020. After an MPO or RTPO submits its last reimbursement packet for a UPWP or RWP, NMDOT has paid the invoice, and/or NMDOT sent a NOC letter, the GTG Liaison and Bureau Financial Manager undertake the project closeout process, which they complete by the end date. Once a federal project is closed out, there cannot be any more activity (e.g. reimbursement requests) on that project.

### *PWP Amendments*

All parties are bound by the approved PWP currently in effect unless administratively or formally amended as described in the following bullets:

- **Administrative Amendment.** An administrative amendment to the PWP may be accomplished unilaterally by the Division if it meets the following criteria.
  1. The study or task will not significantly impact approved work program priorities and work product delivery schedules (by causing other project delivery schedules to be set back by more than a month), and
  2. The study or task will result in a cost change (increase or decrease) of 20% or less of the approved budgeted amount for a specific project or task; or a cost change (increase or decrease) of 3% or less for an entire, program budget (Division, IT, STIP or other NMDOT program budget).
- **Formal Amendments.** A formal amendment is required if there are substantive changes to work elements funded by the PWP, as defined by the following criteria:
  1. The new study or task will impact approved work program priorities by causing other project delivery schedules to slip by more than one month, or
  2. The study or task will result in a cost change (increase or decrease) of more than 20% of the approved budgeted amount for a specific project or task; or a cost change (increase or decrease) of more than 3% for an entire, program budget (Division, IT, STIP or other NMDOT program budget).

The Division Director submits the list of Formal Amendments, to FHWA-NM and FTA Region 6 on a quarterly basis, as needed. FHWA-NM and FTA have 30 days to review the proposed Amendments and issue comments and/or approve the Formal Amendments. The FHWA-NM, FTA Region 6 or the NMDOT may initiate a request for an out-of-cycle work program amendment based on justification provided along with the written (generally via email) request; and implement the amendment upon receiving formal approval by the FHWA-NM and NMDOT.

### *Schedule for Producing the Planning Work Program*

The PWP development process occurs every two years, starting around February or March of Year 2 of the prior PWP. The process takes place in conjunction with the SPR Part A Call for Projects, which is conducted according to the process outlined in the Statewide Planning & Research Part A Funds Program Guide. In April, the NMDOT Division bureaus begin compiling individual draft work programs and GTG Liaisons initiate communication with the MPOs and RTPOs to provide any assistance with compiling UPWPs and RWPs, respectively. In July, the bureau chiefs submit the first draft of their sections of the PWP to the Division Director. After reviewing the first draft PWP with NMDOT executive management, the Division Director reviews the draft with FHWA-NM.

In compliance with federal regulations,<sup>38</sup> the NMDOT Division Director submits the final PWP and budget to FHWA-NM and the FTA Region 6 office by August 1. The FHWA-NM Division Administrator has up to 30 days to review and approve the PWP. Once the PWP is formally approved by the FHWA-NM Division Administrator, the NMDOT Division Director signs the Notices to Proceed for distribution to the MPO/RTPOs by September 30.

The Month-by-Month Work Program and PPM Timeline (Figure 1 in Appendix B) provides information on submittal dates for work program products and other items.

### *Monitoring Progress on the Work Program*

Departmental staff is required by federal regulations to monitor all activities performed with SPR, PL, STBG and FTA funds (if used for UPWP tasks) to assure the work is managed satisfactorily within the time schedules proposed in the PWP.<sup>39</sup>

**Monitoring Progress on PWP.** During the year, the Division Director meets with the FHWA-NM Planner on a quarterly basis to review the status of each task and report progress vis-à-vis meeting the major milestones and target dates identified in the PWP.

**Monitoring Progress on the MPO/RTPO Work Programs.** GTG Liaisons meet with their assigned MPOs/RTPOs on a regular basis (as needed) to review progress on the UPWPs/RWPs including accomplishments, issues, changes, etc. that have taken place. MPOs/RTPOs also submit quarterly reimbursement packets that include progress reports on UPWP/RWP tasks.

## Quality Assurance Reviews

In addition to regular meetings between the GTG Liaisons and their assigned MPOs/RTPOs, the NMDOT will engage in a four-tiered, quality assurance review (QAR) process of MPO/RTPO administrative functions. The first two steps are mandatory and are performed annually. The NMDOT will enact Steps 3 and 4 as conditions warrant:

1. Review financial audits of MPO/RTPO fiscal agents
2. Conduct Quality Assurance Site Review
3. Conduct Quality Assurance Site Review Follow-Up
4. Conduct Office of Inspector General Audit

See the subsequent MPO and RTPO Chapters for detailed information on the QARs.

## Annual Performance and Expenditure Report (APER)

As documentation of the PWP monitoring effort, the Division is required to submit an Annual Performance and Expenditure Report (APER) to the FHWA-NM within 90 days from the close of the federal fiscal year (per federal regulations).<sup>40</sup> The FHWA-NM Division Administrator can require more frequent reporting. The APER must contain the following information at a minimum:

- Comparison of actual performance with established tasks;
- Progress in meeting schedules;

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<sup>38</sup> 23 CFR § 420.111, 113 – Planning and Research Program Administration; and 23 CFR § 450 – Planning Assistance and Standards

<sup>39</sup> 23 CFR § 420.117(a) – What are the program monitoring and reporting requirements?

<sup>40</sup> 23 CFR § 420.117(c) – What are the program monitoring and reporting requirements?

- Status of expenditures in a format compatible with the PWP, including comparison of budgeted (approved) amounts and actual costs incurred;
- Cost overruns or under-runs;
- Approved PWP revisions and amendments;
- Other pertinent supporting data; and
- Reports from each sub-grantee (MPO or RTPO).

In addition to the APER, the Division Director must report to the FHWA-NM Division Administrator and Planner as soon as possible regarding any events that may significantly impact the tasks listed in the PWP. Events may include problems, delays, or adverse conditions that will affect the ability of the NMDOT to attain program objectives identified in the PWP. Disclosure must be accompanied by a statement of the action taken or a request for federal assistance needed to resolve the situation.

## Related Work from Other Areas of NMDOT

### Traffic Counts and Roadway Data

The Data Management Bureau (DMB), part of the Planning Division, is based at the General Office in Santa Fe and plays a key role in acquiring traffic counts, and roadway data that feed the NMDOT's Highway Performance Monitoring System (HPMS) annual submittal to FHWA-NM. The DMB coordinates the traffic count schedule and related details with the MPOs in the state, and provides traffic count and other data to other partners in the NMDOT, as well as other public and private entities. The DMB also maintains the All Road Network of Linear Referenced Data (ARNOLD), which is NMDOT's network of record.

### Geographic Information System Data

The Bureau uses Geographic Information System (GIS) data for mapping and support services. This data includes census-defined urbanized areas and Urban Clusters; MPO, RTPO, and NMDOT boundary and transportation networks; performance goals and measures; select project and criteria evaluations and analysis; and TAZ and travel demand modeling networks.

The final data release of each decennial census is a catalyst for a number of federally mandated planning activities that influence statewide transportation planning. The Bureau coordinates the analysis with MPOs to support those who chose to expand their Metropolitan Planning Areas. The Bureau may also support urban areas and clusters in RTPO areas who choose to adjust their boundaries. Additionally, the Bureau updates their collection of shapefiles to include the most recent data released by the U.S. Census for urban and urban cluster boundaries, and coordinates TAZs with the MPOs and integrates them into the Statewide Travel Demand Model.

### Research Bureau

The NMDOT Research Bureau, part of the Planning Division, administers a program of applied transportation research and technology transfer activities that provide innovative, relevant, timely and cost-effective solutions for NMDOT, the people of the State of New Mexico, the country and the international community. The Research Bureau seeks to accomplish this mission through close coordination with its partners, consistent with the strategic goals and key principles established by the Department.

## Safety Data

The Traffic Safety Division collects and manages crash records that consist of serious injury and fatal incidents, in addition to supporting a number of enforcement, education and prevention programs. The Traffic Safety Division is part of the NMDOT Modal Divisions.

# Multimodal Planning and Programs Bureau Checklist

This list summarizes the work products of the Bureau. Note that not every item may be required/undertaken.

## Monthly Checklist

- ☐ Record hours worked per task identified in Planning Work Program (PWP)
- ☐ Coordinate with MPOs/RTPOs
- ☐ Attend MPO and RTPO committee and board meetings, as scheduled (some RTPOs meet quarterly, or bi-monthly)

## Quarterly Checklist

- ☐ GTG Liaisons meet with their assigned MPO/RTPO to discuss progress on the Unified Planning Work Program (UPWP) or Regional Work Program (RWP), if needed
- ☐ As needed, compile and submit PWP quarterly amendments to FHWA-NM/FTA Region 6 for approval
- ☐ Review/approve MPO/RTPO Reimbursement Packets (quarterly reports and invoices) and communicate approval/revisions
- ☐ As needed, review/approve MPO UPWP amendments
- ☐ As needed, review/approve RTPO RWP amendments

## Annual Checklist

- ☐ Request obligation of Planning funds (PL and SPR)
- ☐ Prepare and distribute Notices to Proceed to MPO/RTPOs
- ☐ Conduct Quality Assurance Reviews
- ☐ Review Annual Performance and Expenditure Reports from MPOs/RTPOs
- ☐ Review Annual Lists of Obligated Projects from MPOs
- ☐ CMAQ reporting for non-mandatory funds
- ☐ Solicit functional classification system updates from MPOs and RTPOs, and capture new road construction, to submit as a packet to FHWA-NM
- ☐ Adopt Safety (Performance Measure 1) targets and submit via Annual HSIP Report
- ☐ Work with NMDOT Title VI Coordinator to provide Bureau updates on accomplishments related to NMDOT's Title VI Implementation Plan

## Every 2 Years

- ☐ Issue Notice of Closure letters to MPOs/RTPOs and close out MPO/RTPO projects according to federal requirements<sup>41</sup>; work with MPPB Financial Manager to close out Purchase Order
- ☐ Prepare draft PWP and budget and discuss with FHWA-NM, MPOs, and RTPOs
- ☐ Compile and submit final PWP and budget to FHWA-NM for approval
- ☐ Assist MPO/RTPOs with drafting new UPWPs/RWPs

## Every 4 Years

- ☐ Review the EPMPO Metropolitan Transportation Plan (MTP) update; submit to FHWA-NM and Governor (or designee) for informational purposes
- ☐ Review and update as necessary Cooperative Agreements with MPOs/RTPOs; provide FHWA-NM the opportunity to review and comment prior to finalization
- ☐ Participate with FHWA-NM/FTA Region 6 in Federal Certification process of MPOs
- ☐ Update Statewide Travel Demand Model (as needed, but every four years at a minimum)

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<sup>41</sup> 2 CFR § 200.343 – Closeout

### Every 5 Years

- ☐ Prepare and submit Long Range Statewide Transportation Plan (LRSTP) to FHWA-NM and FTA Region 6 for informational purposes (approximately every 5 years)
- ☐ Review and update as necessary the Public Involvement Plan (at a minimum, in conjunction with update of LRSTP and/or when new federal transportation legislation is enacted); submit to FHWA-NM and FTA Region 6 for informational purposes (approximately every 5 years)
- ☐ Review Metropolitan Transportation Plan (MTP) updates (except EPMPO, which must update its MTP every 4 years); submit to FHWA-NM and Governor (or designee) for informational purposes
- ☐ Review/approve Regional Transportation Plan (RTP) updates; submit to FHWA-NM and FTA Region 6 for informational purposes (approximately every 5 years)
- ☐ Solicit comments from non-metropolitan local officials and other interested parties (for at least a 60-day period) regarding effectiveness of non-metropolitan local officials consultation procedure; submit documentation to FHWA-NM and FTA Region 6 for informational purposes
- ☐ Prepare and submit a State Freight Plan to FHWA-NM (though this generally happens in coordination with the development and submittal of the LRSTP every 5 years)

### Every 10 Years

- ☐ Conduct statewide functional classification system evaluation and update, after receiving updated population information from the Decennial Census (approximately every 10 years, halfway between the Decennial Census), to reflect significant changes in development and/or travel patterns
- ☐ Oversee, review, and approve urban area boundary “smoothing” adjustments to urban areas that elect to make changes following each Decennial Census, submit to Governor for approval (for changes that impact MPO boundaries only), and submit to FHWA-NM for concurrence
- ☐ Update Statewide Travel Demand Model (urban area boundaries, functional classification, traffic analysis zones, population, National Highway System)
- ☐ Review and revise Planning Distribution formulas with MPOs and FHWA-NM/FTA Region 6, submit to FHWA-NM and FTA Region 6 for approval
- ☐ Work with FHWA-NM to identify new transportation management areas

### As Needed

- ☐ Participate in the update of the NMDOT Title VI Plan
- ☐ Compile functional classification changes
- ☐ Review MPO Planning Area boundary changes, submit to Governor for approval, FHWA-NM for informational purposes
- ☐ Review and update as necessary Cooperative Agreements with MPOs/RTPOs
- ☐ Review and update the Planning Procedures Manual; maintain current version on NMDOT website
- ☐ Update Stewardship and Oversight Agreement with FHWA-NM
- ☐ Prepare documentation for FHWA-NM- and FTA Region 6-initiated audits and risk assessments for approval by FHWA-NM and FTA Region 6
- ☐ Conduct project closeouts
- ☐ Organize and participate in joint meetings with MPOs/RTPOs

# Archiving Requirements

Archiving is the process of accumulating and storing documents that record the function and work products of the NMDOT, MPOs and RTPOs. Documents and work products must be archived according to either the federal or state requirements and must comply with whichever has the more stringent archiving requirements. Below are some of the major laws pertaining to records archiving; however, this list is not exhaustive and NMDOT, MPOs and RTPOs should independently confirm archiving requirements for their records.

## New Mexico Administrative Code (NMAC)

Title 1	General Government Administration
Chapter 21	Functional Records Retention and Disposition Schedules
Part 2	Retention and Disposition of Public Records

This NMAC section (1.21.2) is the complete code governing public records retention for the State of New Mexico. Below are some pertinent excerpts.

### **1.21.2.112 Program and Project Files** *(Replaces 1.15.2.151 Feasibility Studies)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to administrative programs and projects not identified in other classifications.
- C. **Retention:** destroy five years from date file closed.

### **1.21.2.114 Publications** *(Replaces 1.15.2.114 Manuals of Procedures, 1.15.2.307 Publications)*

- A. **Category:** Administration - general management.
- B. **Description:** Agency publications intended for distribution to the public.
- C. **Retention:** permanent, transfer to state library when published.

### **1.21.2.116 Reports – General** *(Replaces 1.18.805.31 Federal and State Apportionment Reports and Files)*

- A. **Category:** Administration - general management.
- B. **Description:** General reports not identified in other classifications.
- C. **Retention:** destroy two years from date file created

### **1.21.2.117 Reports – Historical** *(Replaces 1.15.2.117 Reports)*

- A. **Category:** Administration - general management.
- B. **Description:** Historical reports including, but not limited to the following subject matter: vital records, natural resources, emissions, professional licensure registries, disease management, rural health care, student nutrition, emergency response, homeland security, infrastructure, tribal education and statutorily required reports; and not identified in other classifications.
- C. **Retention:** permanent, transfer to archives one year from date file created.

### **1.21.2.122 Grant Administration** *(Replaces 1.15.4.208 Revenue Contracts and Grants)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to grant administration.
- C. **Retention:** destroy three years from the date file closed.

### **1.21.2.413 Federal Compliance and Reporting** *(Replaces 1.18.805.24 Federal Planning Reports)*

- A. **Category:** Governance and compliance - audit, oversight and compliance.
- B. **Description:** Records related to oversight and federal compliance reporting.
- C. **Retention:** destroy three years from date file closed.

**1.21.2.608 Goods and Services** *(Replaces 1.15.4.307 Contract/Agreement Files)*

- A. **Category:** Legal and judiciary - contract management.
- B. **Description:** Records related to contracting of goods and services.
- C. **Retention:** destroy six years from date file closed.

## U.S. Code of Federal Regulations (CFR)

### 2 CFR § 200.333 Retention Requirements for Records

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

(b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

(c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.

(d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.

(e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

(1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for

negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

(2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

# Metropolitan Planning Organizations

This section of the NMDOT Planning Procedures Manual (PPM) discusses the Metropolitan Planning Organizations (MPOs) in New Mexico and their participation in the required continuing, cooperative and comprehensive statewide planning process that results in plans and programs consistent with federal and state requirements.<sup>42, 43</sup>

## MPO Structure in New Mexico

Metropolitan transportation planning is governed by 23 USC § 134. The Metropolitan Planning Organizations (MPOs) are federally mandated, state-designated (by agreement between the Governor and local governments representative of at least 75 percent of the affected population) in metropolitan areas with a population over 50,000 people.<sup>44</sup> The five New Mexico MPOs (see map in Appendix A) are as follows:

- El Paso MPO (EPMPO)
- Farmington MPO (FMPO)
- Mesilla Valley MPO (MVMPO)
- Mid-Region MPO (MRMPO)
- Santa Fe MPO (SFMPO)

EPMPO operates under a Joint Powers Agreement with the Texas Department of Transportation (TxDOT). The NMDOT contracts with EPMPO for transportation planning in southern Doña Ana and Otero counties. This area includes the cities of Sunland Park and Anthony and the communities of Chaparral and Santa Teresa, all within New Mexico.

EPMPO and MRMPO are designated Transportation Management Areas (TMAs) by virtue of having populations greater than 200,000 people in the US Census Bureau defined urbanized area. The two TMAs receive Federal Surface Transportation Block Grant-Large Urban (STBG-L) funds. Additionally, as a result of being classified as a non-attainment and/or maintenance TMA for certain air pollutants, EPMPO also receives Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding allocated by formula for its metropolitan area. The three smaller MPOs (populations less than 200,000 people) are not allocated federal funds directly and, therefore, work with the NMDOT Districts to obtain federal funds for projects in their metropolitan areas.

Under current practice, the NMDOT establishes a 4- to 6-year Cooperative Agreement (CA) with the MPO. The CA refers to the

### Note

To satisfy the requirements outlined in 23 USC § 133(e), after each annual obligation notice, the NMDOT State Transportation Improvement Program (STIP) Unit meets with the TMA MPOs to agree on the formula obligation limitation of sub-allocated STBG-L funding available for each TMA. This concurrence is documented in writing.

<sup>42</sup> 23 USC § 134 – Metropolitan Transportation Planning; 23 USC § 135 – Statewide Transportation Planning; 23 CFR § 450 – Planning Assistance and Standards; 49 CFR § 613 – Metropolitan and Statewide and Nonmetropolitan Planning

<sup>43</sup> New Mexico State Transportation Commission Policy 63

<sup>44</sup> 23 USC § 134(d)(1) – Designation of Metropolitan Planning Organizations

Planning Procedures Manual and the MPO's Unified Planning Work Program for the entity's scope of work. The NMDOT and MPOs collaborate to refine and update an agreed-upon, standard Unified Planning Work Program (UPWP) format and funding distribution formula to establish the annual planning budget that the MPOs use for programming their activities.

## Communication Protocol

The NMDOT Government to Government (GTG) Unit in the Multimodal Planning and Programs Bureau (Bureau) of the Planning Division (Division) maintains liaison staff assignments with all of the MPOs in the State.<sup>45</sup> MPO planners should contact the assigned GTG Liaison with questions or concerns and for additional information. This informal contact can be in person or via telephone, email, or letter as appropriate.

The NMDOT assumes certain responsibilities of the New Mexico Division of the Federal Highway Administration (FHWA-NM) for administering the Federal-Aid Highway Program (FAHP) under a Stewardship and Oversight Agreement.<sup>46</sup> Therefore, MPO staff should direct requests for general information and/or federal code interpretations to their respective GTG Liaison. The liaison will coordinate a response on behalf of the NMDOT. As needed, the NMDOT will seek guidance from FHWA-NM.

NMDOT uses email to communicate with the MPOs on procedural changes until these changes are formalized via amendment to this manual. Additionally, emails such as (but not limited to) the "GTG Update" email from the GTG Supervisor are used to relay direction, deadlines and other information to the MPOs and are considered formal notification.

## Internal Structure

Each of the MPOs in New Mexico has its own organizational structure based on its regional context; however, all of the MPOs share the same structural elements. 23 USC § 134 establishes the following minimum governance/structural requirements for MPOs:

- Policy Board membership inclusive of local elected officials and appropriate state and local officials. Policy Boards for MPOs serving an area designated as a Transportation Management Area (MRMPO and EPMPO), must also include officials of public agencies that administer or operate major modes of transportation, including representation by providers of public transportation.<sup>47</sup>
- Metropolitan Planning Area (MPA) boundaries determined by agreement between the MPO and the Governor<sup>48</sup>, at a minimum, encompass the existing urbanized area and the contiguous area expected to become urbanized within the 20-year forecast period for the Metropolitan Transportation Plan (MTP). Boundaries may encompass the entire metropolitan statistical area or consolidated metropolitan statistical areas, as defined by the U.S. Census (subject to urban area boundary smoothing process).<sup>49</sup> MPA boundaries must be reviewed after each Census and updated, if necessary.<sup>50</sup>

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<sup>45</sup> Refer to NMDOT website for current MPO/RTPO Contact List

<sup>46</sup> Refer to NMDOT website for current Stewardship and Oversight Agreement with FHWA-NM

<sup>47</sup> 23 USC 134(d)(2) – Structure of MPOs

<sup>48</sup> 23 USC 134(b)(1)

<sup>49</sup> See 23 USC § 134(d)(5) – Redesignation Procedures, regarding urban area boundary smoothing process

<sup>50</sup> 23 CFR 450.312 Metropolitan Planning Area Boundaries

The members and staff establish the details of these structural elements, which generally include the items listed below. MPOs are responsible for reviewing and updating these documents and submitting current versions to their GTG Liaison, as well as posting them on the MPO website. Therefore, all of the following documents can be found on the MPO websites.

## MPO Structure Agreements

Non-TMA MPOs negotiate and execute Joint Powers Agreements (JPAs) among its members for a specified length of time. JPAs must reflect current federal law and state requirements. Thus, MPOs may be required to review and update the JPA when new federal transportation legislation is passed by Congress. Other triggers for review include formation of a new member agency within the MPO jurisdiction and during the self-certification process. Each non-TMA MPO shall include in their JPA specific triggers for when the MPO will review its JPA. (If the JPA for a non-TMA MPO currently does not include triggers for when it will review its JPA, it does not need to update its JPA only to include these triggers; rather, it may add them during the next update.) In New Mexico, JPAs must be reviewed, approved and signed by the New Mexico Department of Finance and Administration (DFA) prior to implementation.

The JPAs recognize that the MPOs and the NMDOT will conduct transportation planning for the area in a cooperative manner. In general, the JPAs spell out the terms of intergovernmental cooperation in the MPO and the member governments' understanding of the role of the MPO and its staff in transportation planning. The JPAs also outline the financial structure of the MPO and each member's fiscal contribution to the MPO. Per direction from FHWA-NM, tribal entities are not required by federal regulations to contribute to an MPO's match requirement (for Metropolitan Planning or 5303 funds); however, this can be negotiated in the JPA.

A Memorandum of Agreement may be used as long as it contains all the necessary elements outlined in the PPM and state and federal regulations. This option is often used by TMA-MPOs, as their structure is defined in federal law.<sup>51</sup> EPMPO uses an Operational Agreement between the City of El Paso (fiscal agent) and the EPMPO policy board.

## Bylaws

MPOs are required to maintain Bylaws that define the on-going operational structure of the MPO and establish the interrelationships between the MPO, member organizations and the JPA. Triggers for review of the Bylaws include implementation of new federal legislation and/or formation of a new member agency within the MPO jurisdiction.

The Bylaws should be specific to each MPO based on the geographical area and member organizations, but generally include the following:

- **Membership:**<sup>52</sup> The Membership section defines the member entities and their representation on the Policy Boards/Committees (each MPO has either a Policy Board or a Policy Committee thus these terms are used interchangeable throughout this section) and Technical Committees. Official membership on Policy Boards/Committees shall include local elected officials; officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation (only required in TMAs); and appropriate state officials, including representation by NMDOT.<sup>53</sup> Membership can also include

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<sup>51</sup> 23 CFR § 450.310(d)

<sup>52</sup> MVMPO outlines membership structure in the JPA.

<sup>53</sup> 23 USC § 134(d)(2) – Structure

representation from school districts, law enforcement, land grants and others; these representatives are considered affiliated advisory (nonvoting) members in some MPOs. Alternates are appointed per MPO Bylaws.

- **Member Policy Training:** The Bylaws shall specify types of trainings for new members to the Policy and Technical Committees, as well as training required by the adoption of new state and federal regulations, policies, and procedures. Detailed training plans shall be included in the Unified Planning Work Program (UPWP).
- **Policy and Decision-Making:** The Policy and Decision-Making section establishes the process for how policy is determine and decisions made within the conduct of MPO business. There is a range of structure throughout New Mexico’s MPOs from a very formal (e.g., Robert’s Rules of Order) to a less formal operational style. All MPOs use motions, seconds, and a call for votes for their action items.
- **Voting Basis:** The Voting Basis issue may be included in the *Policy and Decision Making* section and covers what constitutes a quorum for voting on decisions. It may also include a varying majority for different types of decisions.
- **Officers:** The Officers section lists the officer positions for the MPO committees and how they are to be selected. This section also includes when officers are to be elected.
- **Policy Board Structure and Function:** This Board is required by statute<sup>54</sup> and is the decision making authority of the MPO. The Policy Board membership must include elected representatives (councilors, commissioners, mayors, tribal officials, etc.) of the member governments and alternates.
- **Role of Policy Board/Committee Chair:** This section explains the role and responsibilities of the Policy Board and Committee Chair.
- **Committee Structure and Function:** This section lists the various committees and explains their function. Each MPO has its own name for its various committees. The general committee structure is:
  - *Technical Advisory Committees* – the membership of these committees usually includes city/county/tribal engineers, road managers, and planning staff. They function as an advisory group, which reviews and makes recommendations on actions and information that is to be presented to the Policy Committee.
  - *Standing Committees* – these committees are determined by the individual MPO; for example, several MPOs have *Bicycle and Pedestrian Advisory Committees* which meet at specified intervals.

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<sup>54</sup> 23 USC § 134(d)(2)

- **Staff Structure and Function:** This section outlines the structure of the MPO and the role of the planner(s), officer and other staff along with their responsibilities. All MPOs have the equivalent of an MPO Officer, though the titles may vary. This officer is empowered to enter into contractual agreements and has operational financial authority with regard to the MPO. The MPO Officer acts at the direction of and on behalf of the *Policy Committee*. At minimum, the MPO Officer provides oversight and direction to MPO staff, and may take an active role in the on-going functions of the MPO. All New Mexico MPOs have planning staff, again with varying titles. The MPO Bylaws spell out the relationships of staff to the committee structure and to the work required.
- The bylaws should also address:
  - Voting and Nonvoting Memberships
  - Regular Committee Meeting Schedule
  - Compliance with New Mexico Open Meetings Act
  - Role of COG/EDD as Fiscal Agent and role of COG/EDD Executive Director

MPO Bylaws are posted on the MPO websites.

#### Note

MPOs are required to maintain, in an organized fashion, all applicable records as outlined in the various sections of this chapter (*Work Products and Submittal Process, NMDOT Agreements, Authorizations and Responsibilities to the MPOs*) and make those records accessible and available to NMDOT when requested.

## MPO Responsibilities

The role and responsibilities of MPOs are identified in 23 USC § 134 and 23 CFR § 450 Subpart C. The general requirements of MPOs are to:<sup>55</sup>

- Develop and maintain a Long Range Plan (referred to as the “Metropolitan Transportation Plan” [MTP]) and a Transportation Improvement Program (TIP) through a performance-driven outcome-based approach to planning that:
  - Provides for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area, for the state, and for the United States.
  - Provides for consideration of all modes of transportation in a continuing, cooperative, and comprehensive manner (refer to Glossary). The Secretary of the U.S. Department of Transportation (USDOT) and the NMDOT encourage MPOs to consult with officials responsible for other types of planning activities that are affected by transportation in the area, to coordinate its planning process to the maximum extent practicable with such planning activities, and give due consideration to said planning activities.
  - Provide for the design and delivery of transportation services provided by (a) recipients of assistance under Title 49 USC Chapter 53 (Public Transportation); (b) governmental agencies and nonprofit organizations that receive Federal assistance from a source other than the NMDOT to provide nonemergency transportation services; and (c) recipients of assistance under 23 USC § 204 (Federal Lands Highways Program).

<sup>55</sup> 23 USC § 134(c) – General Requirements

- Conduct a planning process that provides for consideration of projects and strategies that address the following ten planning factors:<sup>56</sup>
  1. Support the economic vitality of the area, especially by enabling global competitiveness, productivity and efficiency;
  2. Increase the safety of the transportation system for motorized and nonmotorized users;
  3. Increase the security of the transportation system for motorized and nonmotorized 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 (as established by the NMDOT in the current Long-Range Statewide Transportation Plan (LRSTP));
  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. Emphasize the preservation of the existing transportation system;
  9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
  10. Enhance travel and tourism.
- MPOs operating within a Transportation Management Area (TMA) (an urbanized area with population over 200,000) have additional responsibilities to:<sup>57</sup>
  1. Include transit operators on the Policy Board;<sup>58</sup>
  2. Address traffic congestion through effective management and operation of new and existing transportation facilities using travel demand reduction and operational management strategies; and<sup>59</sup>
  3. Select federally funded projects in consultation with the state and affected public transportation operators with the exception that the state selects projects carried out on the National Highway System (NHS), under the Bridge Program, or through the Interstate Maintenance program in cooperation with the MPO.<sup>60</sup>

MPOs are required to maintain, in an organized fashion, all applicable records as outlined in the various sections of this chapter (*Work Products and Submittal Process, NMDOT Agreements, Authorizations and Responsibilities to the MPOs*) and make those records accessible and available to NMDOT when requested.

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<sup>56</sup> 23 USC § 134(h)(1)

<sup>57</sup> 23 USC § 134(k)(1) – Identification and Designation

<sup>58</sup> 23 CFR § 450.310(d)(1)(i)

<sup>59</sup> 23 USC § 134(k)(3) – Congestion Management Process

<sup>60</sup> 23 USC § 134(k)(4) – Selection of Projects

MPOs are also expected to participate in the following:

- **Quarterly Meetings (or as needed):** The MPOs and NMDOT meet on a quarterly basis. Agenda items typically include updates from the NMDOT Bureau (such as current projects, guidance on reporting, and how to access technical assistance), as well as reports from the MPOs. The host MPO is responsible for arranging the meeting location, working with the NMDOT Bureau to develop the agenda, distributing meeting information by email to all contacts, running the meeting and writing and distributing meeting notes. Meeting notes from the previous meeting should be reviewed and approved at the subsequent meeting.
- **Joint Meeting (as needed):** The NMDOT Bureau will organize and host a joint meeting between the staff of the Bureau, MPOs, and RTPOs, as well as other NMDOT and FHWA-NM personnel. The MPO's staff are expected to attend these meetings and contribute to the development of the agenda. For the Joint Meetings, the Bureau arranges the meeting location, develops the agenda with the MPOs/RTPOs, distributes meeting materials, runs the meeting and writes and distributes meeting notes. Meeting notes from the previous meeting should be reviewed and approved that the subsequent Quarterly (and RTPo Roundtable) meeting.

## MPO Required Work Products and Submittal Process

In general, MPO required work products are established by the Code of Federal Regulations<sup>61</sup> and/or required by NMDOT, and identified in the UPWP. Production of the work products commences once the UPWP is approved by both the NMDOT and FHWA-NM and the specified timeframe begins. The MPOs are responsible for delivering several work products, including:

1. Metropolitan Transportation Plan (MTP) (nonattainment or maintenance-area MPOs every 4 years/attainment MPOs every 5 years)
  - a. Air Quality Conformity Analysis & Determination (in nonattainment and maintenance areas)
  - b. Travel Demand Model update, to support MTP development, coordinated with NMDOT's STDM
2. Public Participation Plan (PPP) (in conjunction with MTP or MTP update)
3. Title VI Plan (every 3 years)<sup>62</sup>
4. Transportation System Performance Measures and Targets (per federal deadlines)
5. Unified Planning Work Program (UPWP) (every 2 years) and Budget
6. Indirect Cost Plans (optional, but if doing, then submit annually)
7. Transportation Improvement Program (TIP)
8. Annual Listing of Obligated Projects
9. Annual Performance and Expenditure Report (APER)
10. Freight Program Assessment (MPOs reviewed on odd years, the state is reviewed on even years, to be submitted by the Freight Program Manager to FHWA-NM in December of any given year, or as directed by FHWA-NM)
11. Reimbursement Packets (as described in this chapter)
12. U.S. Census-related
  - a. "Smoothed" urbanized area boundary map (developed after the Decennial Census)
  - b. Roadway functional classification map (ongoing updates, and a major review with NMDOT following the Decennial Census)
  - c. MPA boundary reviews

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<sup>61</sup> 23 CFR § 450 Subpart C

<sup>62</sup> NMDOT's Construction and Civil Rights Bureau requires all subrecipients of federal funds to update or review their Title VI Plan at least every three years

13. TMA requirements

- a. Congestion Management Process (CMP)
- b. FHWA-NM/FTA Region 6 certification review and follow up documentation (4-year)

14. Participate in Quality Assurance Reviews (annual)

Most work products require review by the Bureau for approval and concurrence that planning activities and fund expenditures comply with federal regulations and the UPWP. Table 3 summarizes the submittal and review process and schedule for the various MPO work products, except for the TMA certification reviews which are organized and conducted by FHWA and FTA. All work products should be submitted to the GTG Liaison unless otherwise specified. The following subsections discuss the work products and any specific submittal and review requirements in addition to those outlined in Table 3. Appendices C and E contain boilerplates for some of these work products and/or NMDOT forms associated with these items.

The NMDOT Transit Bureau oversees all FTA-funded statewide and metropolitan planning programs (Sections 5303 and 5304) and deliverables.

TABLE 3  
Summary of MPO Work Product Reviews and Submittals

MPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (MPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Metropolitan Transportation Plan							
	4 years for nonattainment or maintenance MPOs; 5 years for MPOs in attainment	GTG Liaison and MPO agree upon a schedule for drafting and reviewing versions of the MTP.	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_WorkProduct_version.ext  Examples: 2018_0530_SFMPPO_MTP_Draft1.docx  2018_0930_SFMPPO_MTP_Final.docx	1. MPO Planner works with GTG Liaison to review drafts and incorporate comments according to the outlined schedule. 2. MPO Policy Board formally approves final MTP and any subsequent amendments. 3. MPO Planner submits approved MTP and amendments to GTG Liaison. 4. The GTG Liaison follows internal protocol to submit the approved MTP and amendments to NMDOT Secretary, FHWA-NM, and FTA Region 6 for informational purposes, and for review of conformity with air quality and planning process.  5. MPO staff post approved MTP and amendments on MPO website.	1. FHWA-NM and FTA Region 6 provide determination of conformity (if applicable) in writing to Division Director. 2. FHWA-NM and FTA Region 6 provide determination of conformity (if applicable) for revised MTP in writing to Division Director, if necessary.
Travel Demand Model (if applicable)							
	4-5 years in conjunction with MTP; also following decennial censuses.	Coordinate with NMDOT before MTP update, and after Federal distribution of decennial census-related data.	MPO Planner	Bureau TDM Manager	Coordinate and collaborate with NMDOT to ensure consistency between the MPO TDM and the NMDOT STDm	1. MPO Staff inform Bureau TDM Manager of initiation of MPO TDM update 2. Bureau TDM Manager reviews proposed procedures and data, confirming all are sound 3. MPO Staff update MPO TDM 4. MPO Staff present update procedures to stakeholders 5. Bureau TDM Manager reviews updated MPO TDM	None
Public Participation Plan							
	4-5 years in conjunction with MTP; update as necessary based on federal regulations or public input.	GTG Liaison and MPO agree upon a schedule for drafting and reviewing versions of the PPP.	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_WorkProduct_version.ext  Examples: 2014_0530_MRMPO_PPP_Draft1.docx  2014_0930_MRMPO_PPP_Final.docx	1. MPO Planner works with GTG Liaison to review the current PPP to ensure compliance with applicable Federal regulations and determine needed revisions, including revisions based on public input received. 2. MPO issues draft PPP or revisions for a 45-day public comment period and posts on MPO website. 3. MPO Policy Board formally approves the revised or new PPP. 4. The MPO Planner submits the approved PPP to the GTG Liaison. 5. The GTG Liaison follows internal protocol to submit the approved PPP to FHWA-NM and FTA Region 6 for informational purposes.	None – PPP provided for informational purposes only.

TABLE 3  
Summary of MPO Work Product Reviews and Submittals

MPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (MPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
						6.MPO staff post the approved PPP on the MPO website.	
Title VI Plan							
	3 years	GTG Liaison and MPO agree upon a schedule for drafting and reviewing versions of the Title VI Plan.  Final Title VI Plan due on or before September 30 (proposed but may be revised).	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_WorkProduct_version.ext  Examples: 2014_0530_MVMPO_TitleVI_Draft1.docx  2014_0930_MVMPO_TitleVI_Final.docx	1.MPO Planner works with GTG Liaison and NMDOT Title VI Coordinator to review the current Title VI Plan to ensure compliance with applicable Federal regulations and determine needed revisions, including revisions based on public input received. 2. MPO issues draft Title VI Plan or revisions for a 45-day public comment period and posts on MPO website. 3. The MPO Policy Board formally approves the revised or new Title VI Plan. 4. MPO Planner submits the approved Title VI Plan to the GTG Liaison. 5. GTG Liaison sends approved Title VI Plan to NMDOT Title VI Coordinator for review and concurrence. 6.MPO staff post the approved Title VI Plan on the MPO website.	None – Title VI Plan provided for informational purposes only. The NMDOT Title VI Coordinator follows internal protocol to notify the FHWA-NM and FTA Region 6 by email that the NMDOT reviewed and approved the Title VI Plan in terms of compliance with federal regulations.
Transportation System Performance Measures and Targets							
See MPO: Performance-Based Planning and Programming Target Setting Procedures chapter							
Unified Planning Work Program and Budget							
Draft Program	2 years	Coordination schedule to develop program is detailed in Month-by-Month Work Program Timeline.  Draft due on or before April 30 in even-numbered FFYs.	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_0430_MVMPO_FFY15UPWP_Draft2.docx	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.	None
Final Program	2 years	Coordination schedule to develop program is detailed in Month-by-Month Work Program and PPM Timeline.  Final due on or before July 1 in even-numbered FFYs.	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_0930_FMPO_ FFY15UPWP_Final.docx	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.	FHWA-NM and FTA Region 6 provide review comments and / or approval in writing to Division Director.

TABLE 3  
Summary of MPO Work Product Reviews and Submittals

MPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT		Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (MPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Amendments - Formal	Quarterly, as needed		<i>Policy Board/ Committee Approved</i>	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.	FHWA-NM and FTA Region 6 provide review comments and / or approval in writing for UPWP quarterly amendment to Division Director.
		<i>Draft</i>						
		February 1	March 10					
		May 1	June 10					
		August 1*	September 10*					
		November 1	December 10					
*only in Year 1 of UPWP								
(Updated schedule effective starting with the FFY21/22 UPWP cycle.)								
Amendments - Administrative	As needed	As needed		MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_0430_FMPO_FFY15UPWP_Q1Amendment1.docx	1. Using the MPO/RTPO Work Program Amendment Request Form, the MPO Planner submits proposed administrative amendment and summary to GTG Liaison for consideration. The MPO Planner must include the amended UPWP and Budget with the Form. 2. If the Amendment affects the MPO’s FTA-issued funds, the GTG Liaison provides the Amendment Request Form to the NMDOT Transit Bureau for their review and concurrence. 3. GTG Liaison submits amendment information to GTG Supervisor and Bureau Chief for review and concurrence, as well as updates NMDOT files with amended UPWP and Budget. 4. GTG Liaison notifies the MPO of concurrence within 10 calendar days. 5. MPO Planner should share the Administrative Amendment with the Policy Board/Committee as an informational item only.	None

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Indirect Cost Plan (or de minimis rate)							
	Annual (Optional)	Plan is submitted annually  Final due on or before July 1	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  2014_0701_FMPO_FFY15CAPICA_Final.docx	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline via the process for UPWP submission, though it happens annually.	1. FHWA-NM and FTA Region 6 provide review comments and/or determination of acceptance in writing to Division Director. 2. FHWA-NM and FTA Region 6 provide determination of acceptance for Plan in writing to Division Director, if necessary.  NOTE: If FHWA is not the MPO's cognizant agency, then the approval will come from the federal agency that is the cognizant agency, and must be adhered to by FHWA.
Transportation Improvement Program							
Final Program	4 years*  *EPMPO adopts its TIP every 2 years	Final Program is developed in conjunction with Metropolitan Transportation Plan.  Final Plan due according to deadline in current <i>State Transportation Improvement Program (STIP) Manual</i> posted on the NMDOT website.	MPO Planner	STIP Coordinator	Refer to the current <i>STIP Manual</i> posted on the NMDOT website.	1. MPO Policy Board approves TIP after public comments are incorporated. 2. STIP Unit concurs that listed projects all meet federal eligibility requirements. 3. Public comment is solicited and revisions made by MPO as necessary. 4. MPO Planner submits TIP to STIP Coordinator.	1. STIP Coordinator submits TIP to NMDOT Secretary for approval. 2. STIP Coordinator submits NMDOT Secretary-approved TIP to FHWA-NM and FTA Region 6 for approval.
Amendments	Quarterly	Refer to the current <i>STIP Manual</i> posted on the NMDOT website.	MPO Planner	Districts & STIP Coordinator	Refer to the current <i>STIP Manual</i> posted on the NMDOT website.	1. MPO Policy Board approves TIP Amendment after public comments are incorporated. 2. STIP Unit concurs that listed projects all meet federal eligibility requirements. 3. Public comment is solicited and revisions made by MPO as necessary. 4. MPO Planner submits TIP Amendment to STIP Coordinator.	1. STIP Coordinator submits TIP Amendment to NMDOT Secretary for approval. 2. STIP Coordinator submits NMDOT Secretary-approved TIP Amendment to FHWA-NM and FTA Region 6 for approval.

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Traffic Counts							
Count data (if applicable)	As determined with Traffic Count Section		MPO Planner	Traffic Count Section Manager		As coordinated with the Traffic Count Section	None
Annual Listing of Obligated Projects							
Final List	Annual	December 28	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention, or send a link to website URL where file can be downloaded; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_1201_FMPO_FFY14ObligatedProjects_Draft1.xlsx	1. MPO Planner extracts list of obligated projects from the TIP and reviews list for consistency with TIP on or before November 30. MPO Planner works with GTG Liaison to resolve any issues regarding obligated projects list. 2. MPO staff post the final list on the MPO website by 12/28 and notify GTG Liaison. 3. Bureau notifies FHWA and FTA that MPOs have posted lists on websites.	None
Annual Performance and Expenditure Report							
Draft/Final Report	Annual	Draft due November 15 Final due November 30	MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_1201_SFMPPO_FFY14APER_Final.docx	1. The MPO Planner submits the report to the NMDOT GTG Liaison for review by November 15. 2. The GTG Liaison requests any changes to the report by November 20. 3. The MPO Planner submits the revised report to the GTG Liaison by November 30 and posts the report on the MPO website. 4. The NMDOT Bureau compiles the Division APER, the MPO and RTPO APERs in one submittal to FHWA-NM/FTA Region 6 within 90 days following the close of the federal fiscal year (December 30) for informational purposes.	None – report provided for informational purposes only.
Freight Program Assessment							
Federal Report	Odd Calendar Years	Second Friday in December	MPO Planner	GTG Liaison	Electronic submittal of report using form provided by FHWA following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_CYWorkProduct_version.ext Note: Example: 2018_1201_SFMPPO_CY18FPA_Draft1.docx	1. The Bureau Freight Program Manager will send the federal Freight Program Assessment form to the MPOs by November 5th. 2. The MPO Planner submits the completed report to the NMDOT GTG Liaison for review and approval by November 30th.  The NMDOT Bureau compiles the reports and submits them to FHWA-NM by December 20th. Note: these timelines may change, based on when FHWA-NM sends NMDOT the survey.	

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Reimbursement Packets							
	Quarterly	January 25 April 25 July 12 October 25	MPO Planner	GTG Liaison  FTA materials must be submitted to the Transit Bureau's designated Program Manager	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext	1. MPO Planner submits packet to GTG Liaison for review. 2. If approved, GTG Liaison submits approved packet to Bureau Financial Manager. If not approved, GTG Liaison emails MPO Planner within 5 working days to request additional information or provide grounds for rejecting the packet. 3. Bureau Financial Manager reviews. If approved, the packet is then submitted to the GTG Supervisor for final approval. 4. GTG Supervisor reviews. If approved, the Bureau Financial Manager then processes for payment. If not approved, the GTG Liaison emails MPO Planner to request additional information. If the packet is rejected, the GTG Liaison emails a rejection letter to the MPO Planner, MPO Officer and the COG Executive Director, if applicable. 5. MPO Planner resubmits packet with required materials and/or required revisions. <u>FTA Materials</u> 1. FTA materials are submitted directly to the Transit Bureau's Program Manager. 2. The PM corresponds with the MPO regarding approval or non-approval according to the Transit Bureau's procedures.	None

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U.S. Census-Related							
Smoothed UZA boundary map	10 years		MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files	1. Bureau Chief issues reminder to MPO Planners that MPOs have the opportunity to smooth the new UZAs. 2. MPO Policy Board reviews/approves boundary-smoothing proposals. 3. MPO Planner submits approved/adopted boundaries in a GIS shapefile to GTG Liaison. 4. GTG Liaison reviews proposed boundaries with Bureau Technical Planner 5. Technical Planner assembles one packet for New Mexico. Division Director prepares and signs a transmittal cover letter. 6. Technical Planner follows internal protocol to submit approved boundary revisions to FHWA-NM for review. 7. Results of FHWA-NM and FTA Region 6 review are provided via email. 8. MPO makes revisions as necessary and Technical Planner follows internal protocol to resubmit to FHWA-NM. 9. Upon receipt of approval from FHWA-NM, Technical Planner submits shapefiles to NMDOT GIS Unit, Data Management Bureau Chief, and Roadway Inventory ProgramSection Head.	1. FHWA-NM provides review comments and/or determination of acceptance in writing to Division Director. 2. FHWA-NM provides determination of acceptance for revised boundaries in writing to Division Director, if necessary.
Roadway functional classification map	10 years, and as needed		MPO Planner	Various	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention: Refer to <i>PPM</i> for information.	Refer to <i>PPM</i> for information.	None
Review MPA boundaries	10 years, and as needed		MPO Planner	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention: Refer to <i>PPM</i> for information.	Refer to <i>PPM</i> for information.	Submitted to FHWA and FTA for informational purposes (see PPM)
Non-Attainment or Maintenance Area Requirements							
Congestion Mitigation and Air Quality Improvement Program (CMAQ) –	Annual	February 15	MPO Planner	GTG Liaison/CMAQ Coordinator	CMAQ reporting information must be directly entered into the federal CMAQ Public Access System reporting module by February 15; this module is accessed via the federal User Profile and Access Control System (UPACS). Note: UPACS access can take up to 6 months	1. Recipients of Mandatory CMAQ funds (via direct allocation) are required to enter the required reporting data into the federal CMAQ Public Access System, accessed via UPACS.	FHWA-NM reviews the requests and either requests additional information or approves the federal CMAQ Public Access System reporting module requests.

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Mandatory; Reporting					to be granted. NMDOT advises recipients of Mandatory CMAQ funding to establish access early.	<div>2. Once data is entered, the recipient agency alerts the NMDOT CMAQ Coordinator and GTG Liaison.</div> <div>3. NMDOT CMAQ Coordinator reviews data in the system and either approves or follows up.</div> <div>4. Final data submission is due to FHWA-NM no later than March 1.</div>	
Quality Assurance Reviews							
Financial Audit of Fiscal Agents	Annual	Within 30 days of approval by fiscal agent	MPO Planner	GTG Liaison	<div>Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files</div> <div>File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext</div>	<div>1. MPO Planner submits copy of annual financial audit of their respective fiscal agent to GTG Liaison.</div> <div>2. GTG Liaison reviews audit and reports any deficiencies identified and / or the need for corrective action to the GTG Unit Supervisor.</div> <div>3. GTG Unit Supervisor notifies the Bureau Chief and Division Director about the audit review results.</div>	None
Site Review	Annual	Date scheduled by GTG Liaison, no later than April 30	MPO Planner	GTG Liaison	MPO staff required to participate in the site review and provide access to electronic files pertaining to the expenditure of state and federal funds.	Refer to <i>PPM</i> for information.	None

## Metropolitan Transportation Plan

Metropolitan Transportation Plans (MTPs) are long range plans that assess transportation needs and identify projects that could potentially be implemented using federal, state and/or local funds that are reasonably expected to become available over a 20-year (or longer) period. In general, federal law requires each MPO to update its long range plan at least every 5 years (or more often if the MPO elects to do so). However, any MPO in an area designated as “nonattainment” or subject to a maintenance plan under the Clean Air Act must update its transportation plan at least every 4 years.<sup>63</sup>

Federal law requires that every MTP must, at minimum:<sup>64</sup>

- Be consistent with federal transportation law (the MTP must cite applicable sections of the law).<sup>65</sup>
- Identify transportation facilities (including major roadways; transit, multimodal and intermodal facilities; non-motorized transportation facilities; and intermodal connectors) that function as an integrated metropolitan transportation system, giving special emphasis to those facilities that serve important national and regional transportation functions.<sup>66</sup>
- Consider the ten planning factors previously listed and in 23 USC § 134(h)(1) as they relate to a (minimum) 20-year forecast period.<sup>67</sup>
- Describe performance measures and performance targets used to assess the performance of the transportation system, consistent with 23 USC § 134(h)(2).<sup>68</sup>
- Include a system performance report evaluating the condition and performance of the transportation system with respect to the performance targets.<sup>69</sup>
- Discuss potential environmental mitigation activities (and potential areas to carry them out), including activities with the greatest potential to restore and maintain the environmental functions affected by the plan.<sup>70</sup>
- Incorporate a financial plan that: (i) demonstrates how the MTP can be implemented; (ii) indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan; and (iii) recommends any additional financing strategies for needed projects and programs.<sup>71</sup>
- Incorporate operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.<sup>72</sup>

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<sup>63</sup> 23 USC § 134 (i)(1)(B) – Frequency

<sup>64</sup> 23 USC § 134 (i)(2) – Transportation Plan

<sup>65</sup> 23 USC § 134(d) – Designation of Metropolitan Planning Organizations

<sup>66</sup> 23 USC § 134 (i)(2)(A)(i) – Identification of Transportation Facilities – In General

<sup>67</sup> 23 USC § 134(i)(2)(A)(ii) – Identification of Transportation Facilities – Factors

<sup>68</sup> 23 USC § 134(i)(2)(B) – Performance Measures and Targets

<sup>69</sup> 23 USC § 134(i)(2)(C) – System Performance Report

<sup>70</sup> 23 USC § 134(i)(2)(D) – Mitigation Activities. The discussion must be developed in consultation with federal, state, and tribal wildlife, land management, and regulatory agencies.

<sup>71</sup> 23 USC § 134(i)(2)(E) – Financial Plan

<sup>72</sup> 23 USC 134(i)(2)(F) – Operational and Management Strategies

- Incorporate capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs.<sup>73</sup>
- Incorporate transportation and transit enhancement activities.<sup>74</sup>
- The MPO of a metropolitan area in nonattainment for ozone or carbon monoxide under the Clean Air Act must coordinate the MTP with the transportation control measures in the State Implementation Plan (SIP) for air quality.<sup>75</sup>
- Scenario planning is not required under federal law; however, NMDOT, FHWA-NM, and FTA Region 6 encourage the practice, which involves:
  - Potential regional investment strategies for the planning horizon;
  - An assumed distribution of population and employment;
  - A scenario that, to the maximum extent practicable, maintains baseline conditions for the performance measures identified in 23 USC § 134(h)(2);
  - A scenario that improves the baseline conditions for as many of the performance measures as possible;
  - Revenue constrained scenarios based on the total revenues expected to be available over the forecast period of the plan; and
  - Estimated costs and potential revenues available to support each scenario.<sup>76</sup>
- The NMDOT, FHWA-NM, and FTA Region 6 also support the MPOs' decisions to address additional emerging issues relevant to their respective metropolitan areas, such as climate change, energy policies, livability, environmental and economic sustainability, quality of life, and border issues.
- The MPOs must provide public and transportation stakeholders a reasonable opportunity to comment on the MTP. An explicit list of interested parties to which the MPO must reach out is contained in 23 USC § 134(i)(6)(A).
- All transportation plans involving federal participation must be published or otherwise made readily available for public review by the MPO.

The NMDOT's assigned GTG Liaison must review all draft and final MTPs and MTP amendments for completeness in meeting federal planning requirements.<sup>77</sup> Therefore, MPO staff must provide the NMDOT with adequate time to review documents at the draft and final stages. See Table 3 for review/approval process.

For each area under the jurisdiction of an Indian Tribal government, MPOs must develop their MTP in consultation with any affected Tribal governments and the Secretary of the Interior consistent with 23 USC § 135(f)(2)(C) and 23 CFR § 450.316(c). The current NMDOT Tribal Consultation process is to provide representatives of all tribal entities that fall within the MPO planning jurisdiction (whether as voting members of the MPO Policy Committee or not) the opportunity to participate in the MTP process. Additional and more direct tribal consultation with a tribal entity may be necessary on a project specific basis. The NMDOT provides the services of its Tribal Liaison to assist MPOs whenever an issue or

<sup>73</sup> 23 USC § 134(i)(2)(G) – Capital Investment and Other Strategies

<sup>74</sup> 23 USC § 134(i)(2)(H) – Transportation and Transit Enhancement Activities

<sup>75</sup> 23 USC § 134(i)(3) – Coordination with Clean Air Act Agencies

<sup>76</sup> 23 USC § 134(i)(4) – Optional Scenario Development. For more information on scenario planning, see [https://www.fhwa.dot.gov/planning/scenario\\_and\\_visualization/scenario\\_planning/](https://www.fhwa.dot.gov/planning/scenario_and_visualization/scenario_planning/).

<sup>77</sup> 23 CFR § 450.324

concern involving tribal lands and entities arises. MPOs are directed to the NMDOT website for the Tribal Liaison's contact information.

MTPs are posted on MPO websites.

## Travel Demand Model

Travel Demand Models (TDMs) are software tools which are used to identify transportation needs by evaluating travel and demographic data for a geographic area with the purpose of creating passenger and freight volume forecasts. These forecasts can be used to estimate the demand for roadways within municipalities, regions, and states. The demand for roadways corresponds to use by drivers, whether local or long-distance travel, originating in-state or out-of-state, and for personal or commercial purposes. TDMs can be enhanced by being connected to land use models, to test iterations of how transportation changes impact land use decisions and vice-versa, and can be used to test land use-related policy scenarios. TDMs can also be used to model air quality emissions, either as travel-only models, or combined with land use models.

TDMs can be used to test travel demand scenarios, which are produced based on varying levels of travel to inform transportation planning options; specifically, increased understanding of current and anticipated travel from travel demand modeling aids in addressing issues of congestion, maintenance, and road provision. TDMs can also be used to evaluate the impact of significant transportation projects in terms of obtaining data for performance measures and facilitating evaluation of project cost to benefit ratios. Additionally, TDMs can be developed and used to evaluate projects for air quality impacts, in support of efforts described in the Air Quality and Conformity section below.

Travel demand modeling supports requirements outlined in Federal statutes, which specify that MTPs shall contain:

Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure, provide for multimodal capacity increases based on regional priorities and needs, and reduce the vulnerability of the existing transportation infrastructure to natural disasters.<sup>78, 79</sup>

Federal regulations also require that MTPs shall provide "the current and projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan."<sup>80</sup>

Each of the five MPOs in New Mexico have a TDM, which they should maintain on a regular basis to support long-range planning efforts, and to evaluate significant proposed projects within each MPO area, activities which can inform MPOs' TIPs. In general, TDM updates should occur at least every five years:

- In advance of long term planning, such as MTP development (approximately every 4-5 years);
- Following every decennial census, wherein the Federal government provides updated socio-economic data, which may also result in changes to the MPO boundary; and

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<sup>78</sup> 23 USC § 134(i)(2)(G)

<sup>79</sup> 49 USC § 5303(i)(2)(G)

<sup>80</sup> 23 CFR § 450.324(f)(1)

- When a major dataset in the model has become obsolete, though in some cases, new data may be integrated into a TDM without a full upgrade.

MPO staff, potentially with consultant support, will coordinate and collaborate with the Bureau TDM Manager in advance of any major model update, to ensure consistency between the regional and statewide models. The Bureau TDM Manager will review proposed procedures and data, confirming that all are sound and based on best practices. Then the MPOs will initiate their TDM update, which will include presentation to regional stakeholders, to ensure that the data and procedures utilized reflect the current regional conditions as much as possible.

Upon completion of TDM update by MPO staff, the Bureau TDM manager will review the final model and documentation to ensure that the initially proposed procedures and data sources were suitably utilized, confirming with MPO staff that the final products are consistent with the original update plan.

## Public Participation Plan

Every MPO must develop a Public Participation Plan (PPP) in consultation with residents and other interested parties.<sup>81</sup> To the maximum practicable extent, all MPOs must develop a public participation framework that:

- Includes representatives for all transportation modes, including non-motorized;
- Holds public meetings at convenient and accessible locations and times;
- Employs visualization techniques to describe plans;
- Provides information in electronic formats and by means (such as the Internet) that afford reasonable opportunity for public consideration; and
- Complies with all applicable federal and state laws, including the New Mexico Open Meetings Act.<sup>82</sup>

The PPP specifies how the MPO will address federal and state requirements and how the MPO will provide reasonable opportunities for public and agencies to comment on work products, including MTPs and TIPs. The PPP must address federal requirements regarding the length of time allotted for public reviews of various MPO work products and any exceptions allowed. Sample PPPs can be found on the EPMPO (<http://www.elpasompo.org/>) and SFMPO (<http://santafemppo.org/>) websites.

A PPP must, at a minimum, include the following elements:

- Procedures for informing the public about meetings and agendas;
- Location where current and archived documents can be accessed;
- Framework for public participation in the development of plans (unique to each plan or work product);
- Timeframes for public comment review periods;
- Brief description of the MPO and its organizational structure; and
- Tools and activities for informing and educating the public (media, social media, visualization, response to comments, workshops, emails, newsletters, etc.).

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<sup>81</sup> 23 CFR § 450.316

<sup>82</sup> NMSA 1978, Chapter 10, Article 15

PPPs should be reviewed prior to development of the MTP (either a four or five year schedule depending on specific MPO requirements), when new federal legislation is adopted, and/or every five years at a minimum and updated as necessary. See Table 3 for review/approval process. PPPs are posted on MPO websites.

## Title VI Requirements

### *Title VI Plan*

The Title VI Plan details how an MPO will comply with federal environmental justice and limited English proficiency requirements mandated in Title VI of the Civil Rights Act of 1964 and all related regulations and directives. The Title VI Plan generally includes the efforts to be taken by the MPO to prevent discrimination and the methods for how it will achieve compliance for work products, planning activities, and public participation. The Title VI Plan serves as the assurance to the U.S. Department of Transportation that persons are not excluded from the planning process. The Title VI Plan also details the complaint process for any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program, or activity (whether federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency.

When developing their Title VI Plan, MPOs may wish to conduct a self-assessment to determine their progress in providing language assistance to Limited English Proficiency (LEP) persons.<sup>83</sup> The assessment results may help revise the plan to better serve the LEP population. The assessment considers the following four factors:

1. **Demography:** The number or proportion of LEP persons eligible to be involved in programs and services or likely to be encountered
2. **Frequency of Contact with the Program:** The frequency with which LEP persons access or come into contact with programs and services
3. **Nature and Importance of the Program:** The nature and importance of the program, activity, or service in LEP individuals' lives
4. **Resources Available:** The resources and cost for providing assistance to LEP populations

Appendix E contains a sample format that provides guidance for addressing Title VI requirements. The Title VI Plan addresses the following considerations:

- Compliance with federal environmental justice and limited English proficiency requirements mandated in Title VI of the Civil Rights Act of 1964
- Best practices to be considered by the MPO to prevent discrimination and the methods for how the compliance will be achieved for
  - Work products
  - Planning activities
  - Public participation
- Primary contact person to handle complaints and method to process and address complaints

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<sup>83</sup> U.S. Department of Justice website (<http://www.lep.gov/selfassesstool.htm>)

The MPO Title VI Plan should be reviewed every three years,<sup>84</sup> and/or when new federal legislation is adopted, and updated as necessary. See Table 3 for review/approval process and Appendix E for a boilerplate. Title VI Plans are posted on MPO websites and each MPO shall also designate a Title VI Coordinator. MPOs may use their Council of Government's Title VI Plan, provided it includes specific information about the transportation program in the Plan. MPOs may also have stand-alone plans. Having stand-alone plans is recommended for FMPO, MVMPO and SFMPO, which cover different geographic areas than their fiscal agents.

### ***Title VI Reporting***

MPO Title VI Coordinator (as identified in the MPO Title VI Plan) must submit an annual update to the NMDOT Title VI Coordinator. The annual update should include, but is not limited to, any changes in procedure and organizational structure, as well as a record of any Title VI complaints. All Title VI complaints should also be reported to the NMDOT Title VI Coordinator as they occur. Annual updates are due by October 1. Even if there are no changes or complaints, formal correspondence should be submitted to the NMDOT Title VI Coordinator indicating that there are no changes or complaints.

## **Transportation System Performance Measures and Targets**

The metropolitan transportation planning process must provide for the establishment and use of a performance-based approach to transportation decision-making to support the national transportation goals described in 23 USC § 150(b) and in 49 USC § 5301.<sup>85</sup> In general, each MPO must establish performance targets to address the performance measures described in 23 USC § 150(c) and, where applicable, to use in tracking progress towards attaining critical outcomes for its respective planning region. The MPO must coordinate its selection of performance targets with those established by NMDOT to ensure consistency, to the maximum extent practicable.

In addition, the MPO must coordinate its selection of performance targets, to the maximum extent practicable, with providers of public transportation to ensure consistency with 49 USC 5326(c) and 49 USC 5329(d). The MPO must establish its performance targets no later than 180 days after the date on which the NMDOT or provider of public transportation establishes its performance targets.

Finally, MPOs must integrate into their metropolitan transportation planning processes – either directly or by reference – the goals, objectives, performance measures, and targets described in other state transportation plans and transportation processes, as well as any plans developed under 49 USC Chapter 53 by providers of public transportation and required as part of a performance-based program.<sup>86</sup>

The MPO: Performance-Based Planning and Programming Target Setting Procedures chapter of this manual outlines in more detail the performance management requirements for the MPOs.

## **Unified Planning Work Program and Budget**

MPOs must adopt detailed Unified Planning Work Programs (UPWP) and Budgets that describe the transportation planning activities the MPO intends to undertake over a two-year period.<sup>87</sup> The UPWP includes all activities funded under 23 CFR and the Federal Transit Act. Approval of a UPWP is necessary

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<sup>84</sup> NMDOT's Construction and Civil Rights Bureau requires all subrecipients of federal funds to update or review their Title VI Plan at least every three years

<sup>85</sup> 23 USC § 134(h)(2) – Performance-Based Approach

<sup>86</sup> 23 USC § 134(h)(2) – Performance-Based Approach

<sup>87</sup> 23 CFR § 450.308(c) – Funding for Transportation Planning and Unified Planning Work Programs

for receipt of FHWA planning and research funds and to document the use of funds provided under 23 USC and 49 USC.<sup>88</sup> The MPOs are encouraged to coordinate the development of UPWPs with appropriate RTPOs if projects extend across organizational boundaries.

In addition to background information about the MPO and a description of the process to develop the UPWP, each UPWP must include the following, at a minimum:<sup>89, 90</sup>

- Descriptions of the planning priorities for the metropolitan area;
- Descriptions of the work to be accomplished (needs to provide enough detail for NMDOT to determine eligibility compliance);
- Resulting products of the activities/tasks;
- Descriptions of who will perform each activity/task (for example, MPO staff, local government staff, or consultant);
- Estimated hours in-house personnel will spend on each activity/task;
- Schedule for conducting activities/tasks, including milestones;
- Proposed funding by activity/task;
- Summary of total amounts and sources of federal and matching funds;
- Identification of incomplete work elements/activities carried over from previous fiscal years;
- A detailed training plan for Policy Board/Committee members that includes a schedule and specific trainings including the following:
  - The transportation planning process and the role of the MPO, MPO members, NMDOT, FHWA and FTA Region 6 in this process;
  - Overview of state and federal regulations, policies and procedures governing the MPOs;
  - Overview of the TIP/STIP process; and
  - Overview of this PPM including the MPO's responsibilities.
- Professional development opportunities (meetings, conferences, trainings, etc.) that MPO staff may attend during the FFYs included in the UPWP.
- Two-year budget. Note: The budget included in the UPWP should be an accurate reflection of the MPO's financial needs and all programmed funding should be expended in the applicable FFY. Unexpended funds will not "roll over" into subsequent UPWPs. Unexpended funds can carry-forward between the two years of one UPWP (e.g. from FFY19 to FFY20 of the FFY19/20 UPWP), but not between two different UPWPs (e.g. from the FFY17/18 UPWP to the FFY19/20 UPWP).
  - If an MPO seeks additional funds to the amount programmed, the MPO may apply for State Planning and Research (SPR) Part A funding, through the Division. Calls for projects are generally issued every two years.
  - In order to carry-forward funds from year 1 to year 2 of the UPWP, MPO staff must amend the carry-forward funds into the year 2 budget. Prior to undertaking the budget

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<sup>88</sup> 23 CFR § 450.308(b) – Funding for Transportation Planning and Unified Planning Work Programs

<sup>89</sup> 23 CFR § 450.308(c) – Funding for Transportation Planning and Unified Planning Work Programs

<sup>90</sup> 23 CFR § 420.111(b) – What are the documentation requirements for use of FHWA planning and research funds?

amendment, MPOs must confirm the year 1 remaining balance with their GTG Liaison to ensure they carry-forward the correct amount. Note: the carry-forward amounts do not affect the federal obligation, state encumbrance or NTP, as year 1 funds are already available for both years of the UPWP.

- Summary of work program and budget that shows:
  - Federal share by type of fund;
  - Matching rate by type of fund;
  - State and/or local matching share; and
  - Other state or local funds.

Appendix C contains a two-year UPWP boilerplate developed by the MPOs and NMDOT which should be used to develop the UPWP. The Work Program Review Checklist (see Appendix C) developed for use by GTG Liaisons provides additional guidance for elements to include in the UPWP. The Month-by-Month Work Program and PPM Timeline (Figure 1 in Appendix B) provides a schedule for coordinating the development of the UPWP with the NMDOT. Once approved as part of the NMDOT Planning Work Program, the UPWP serves as the template for the Quarterly Reports. As Quarterly Reports are cumulative, they form the basis for the Annual Performance and Expenditure Report, due after the close of each FFY.

See Table 3 for review/approval process. UPWPs are posted on MPO websites.

The UPWPs for TMAs (MPOs with populations greater than 200,000 people) must also include cost estimates for transportation planning, research, development, and technology transfer-related activities that will be funded with other federal or state and/or local funds, particularly for producing the FHWA-required data (for example, data for preparing proposed legislation, evaluating the performance of the nation's transportation systems, etc.) used for planning for other transportation modes.

All parties are bound by the approved UPWP currently in effect unless administratively or formally amended as described below:

- **Administrative Amendment.** An administrative amendment to the UPWP may be accomplished unilaterally by the MPO if it meets the following criteria:
  1. The UPWP revision will not cause core MPO product delivery schedules to be set back by more than a month.<sup>91</sup>
  2. The UPWP revision will result in a change (increase or decrease) of 20% or less of the approved budgeted hours for a specific work program Task.
  3. The UPWP revision will result in a cost change (increase or decrease) of 20% or less of any approved budget line items.
  4. The UPWP revision will result in a cost change (increase or decrease) of 10% or less to the total UPWP budget.
  5. The following is always an Administrative Amendment:
    - The purpose of the amendment is to add, delete or revise non-federal funds, including state, local, or tribal, for existing or new UPWP projects or tasks.

The MPO Planner must notify GTG Liaison of any Administrative Amendments in writing via email and by completing the MPO/RTPO Work Program Amendment Request Form (see Appendix E). The

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<sup>91</sup> Core MPO products are: MTP, TIP, UPWP, PPP, CMP, and HPMS Traffic Counts. (This list is subject to change.)

MPO Planner must submit the amended UPWP and Budget with the MPO/RTPO Work Program Amendment Request Form. The GTG Liaison has 10 working days to review the Administrative Amendment to ascertain that it meets the criteria, or comment, also via email, if they believe it does not. If the UPWP Administrative Amendment affects the MPO's FTA-issued funds, the GTG Liaison seeks review and concurrence from the NMDOT Transit Bureau. The NMDOT Transit Bureau has 10 working days to review the Amendment. The GTG Liaison alerts the GTG Supervisor and Bureau Chief of any Administrative Amendments they receive, as well as updates NMDOT's files with the amendment information and updated UPWP and Budget. MPOs should share Administrative Amendments with their Policy Boards/Committees as informational items; Administrative Amendments do not require Policy Board/Committee action.

- **Formal Amendments.** A formal amendment is required if there are substantive changes to work products or tasks funded by the UPWP, as defined by the following criteria:
  1. The UPWP revision will cause core MPO product delivery schedules to be set back by more than a month<sup>92</sup>; or
  2. The UPWP revision will result in a change (increase or decrease) of more than 20% of the approved budgeted hours for a specific work program Task.
  3. The UPWP revision will result in a cost change (increase or decrease) of 20% or more of any approved budget line items.
  4. The UPWP revision will result in a cost change (increase or decrease) of more than 10% to the total UPWP budget.

Formal Amendments require action by the MPO Policy Board/Committee prior to the amendment being submitted to the GTG Liaison. Formal Amendments must be submitted to the GTG Liaison via email and by completing the MPO/RTPO Work Program Amendment Request Form (see Appendix E). The MPO Planner must submit by email the amended UPWP and Budget with the MPO/RTPO Work Program Amendment Request Form. If the UPWP Formal Amendment affects the MPO's FTA-issued funds, the GTG Liaison seeks review and concurrence from the NMDOT Transit Bureau. The Formal UPWP Amendment may be implemented upon receiving formal approval of the corresponding PWP amendment by the FHWA-NM, FTA Region VI and NMDOT. MPOs may submit drafts of their Amendment Request Forms to their GTG Liaisons (and Transit Bureau) for feedback, prior to the MPO bringing it to their boards/committees.

See Table 3 and Month-by-Month Work Program and PPM Timeline for the amendment submittal timeline and review/approval process.

Each UPWP has a Control Number (CN) associated with it; however, the UPWP CNs are not included or amended in an MPO's TIP. The UPWP CNs are managed in the eSTIP by the NMDOT Bureau and STIP Unit as part of the Planning Work Program.

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<sup>92</sup> Core MPO products are: MTP, TIP, UPWP, PPP, CMP, and HPMS Traffic Counts. (This list is subject to change.)

## Indirect Cost Plan

An Indirect Cost Plan is optional for MPOs, as a method for allocating indirect costs. The Plan is completed by the fiscal agent for the MPOs, and must be accepted by the cognizant agency of the MPO's fiscal agent. A copy of the Plan and the cognizant agency's approval should be forwarded to NMDOT. The Indirect Cost Plan is submitted annually and follows the review/approval process outlined in Table 3. All Indirect Cost Plans must comply with 2 CFR 200.

Alternatively, in order to capture indirect costs, MPO fiscal agents may use the de minimis rate of 10% of modified total direct costs,<sup>93</sup> provided the fiscal agent receives less than \$35 million annually from federal programs, and has never had a federally-approved indirect cost plan (rate or allocation). To establish use of the de minimis rate, the agency must request use with its federal cognizant agency and the cognizant agency must respond with its approval. If approved, the fiscal agent must use the de minimis rate on all its federal awards. Should an MPO's fiscal agent elect to use the de minimis rate, the MPO must provide documentation of approval to NMDOT according to the Indirect Cost Plan timelines and requirements as outlined in Table 3.

## Transportation Improvement Program

The Transportation Improvement Program (TIP) is a list of regionally significant and/or federally funded transportation projects within an MPO covering a minimum period of 6 years.<sup>94</sup> The TIP is 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 Title 23 USC and 49 USC Chapter 53. Once the TIP has been approved by the MPO, it must be included in the STIP without modification, if approved by the NMDOT Secretary.<sup>95</sup>

Under 23 CFR § 450.326-332, MPOs develop TIPs that define which federal transportation funds are pledged to specific transportation projects in MPO regions. TIPs include all surface transportation projects funded with federal funding and all regionally significant projects even if funded by state or local dollars. Federal rules require that TIPs cover a period of not less than 4 years, include project funding levels by year and funding source, and describe project work scopes. For projects to be included in TIPs, they must first be in the MPO's MTP or consistent with the MTP. TIPs are financially constrained

## Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is the state's transportation capital improvement program. Federally funded and/or regionally significant projects in the MPO areas are reflected in the MPO Transportation Improvement Program (TIP) or the RTPD list of recommended projects. The New Mexico STIP is a 6-year plan and includes specific funding levels by year for project implementation. The STIP is fiscally constrained for the first four years, so that program costs do not exceed estimated revenues. The STIP must be consistent with the Long-Range Statewide Transportation Plan (LRSTP) and the MPO Metropolitan Transportation Plans (MTPs). The FHWA-NM and FTA Region 6 approve the STIP every 4 years. Refer to the *State Transportation Improvement Program (STIP) Manual* on the NMDOT website for more information about the STIP and TIP procedures, including transfer of funds between programs, FHWA to FTA, and state to state.

After MAP-21 and FAST, the NMDOT developed statewide performance based measures and targets which established investment priorities. This *PPM*, the *STIP Manual*, and the eSTIP (the electronic STIP database) are updated to reflect the plans, targets and evaluation criteria required under MAP-21 and FAST.

<sup>93</sup> 2 CFR § 200.414(f)

<sup>94</sup> The 6 year STIP/TIP was implemented beginning in FFY2016, prior to that the STIP/TIPs covered four years.

<sup>95</sup> 23 CFR § 450.218(b)

to assure program costs do not exceed available estimated revenues. MPOs provide reasonable opportunity for public comment and review during TIP development and subsequent TIP amendment processes.

**Consistency and Cooperation between STIP and TIP.** The development of metropolitan area TIPs must be compatible with the STIP development process, according to 23 CFR § 450.326(a). The STIP will be developed in cooperation with MPOs and TIPs must be developed in cooperation with the NMDOT and public transportation operators, according to 23 CFR § 450.218(b) and 23 CFR § 450.326(a).

MPOs are directed to the *State Transportation Improvement Program (STIP) Manual*<sup>96</sup> for further detail regarding the following:

- Projects required to be in the STIP;
- Projects not required to be in the STIP;
- Procedures;
- Amendments, formal and administrative;
- Time lines;
- Project descriptions;
- Corrective actions;
- Conditional or partial FHWA-NM approval of STIP amendments;
- End-of-Year close-out procedures;
- Advanced construction procedures;
- Procedure for transfers of funds (e.g. from FHWA to FTA for transit projects);
- Self-certification requirements
- Conformity determinations for TIPs; and
- Order of obligation of federal funds.

**TIP Approval/Submittal Process.** The TIP must be published or otherwise made readily available by the MPO for public review as specified in each MPO's Public Participation Plan (see section on PPPs) and/or TIP policies and procedures.<sup>97</sup>

TIPs must be approved by both the MPO Policy Board and the Governor. In New Mexico, the Secretary of the NMDOT serves as the Governor's designee for approval purposes. Once an MPO Policy Board approves a TIP, and the NMDOT concurs that all listed projects meet federal eligibility requirements and that the TIP is fiscally constrained, the NMDOT must incorporate it into the STIP without making any changes. The STIP Coordinator releases the STIP for public comment. This is followed by approval by the New Mexico Secretary of Transportation. Then the STIP Coordinator submits the STIP and any subsequent amendments to the FHWA-NM and FTA Region 6 for approval. The FHWA-NM and FTA Region 6 shall jointly find that each metropolitan TIP is consistent with the applicable MTP produced by the continuing and comprehensive transportation process carried on cooperatively by the MPOs, NMDOT, and public transit operators in accordance with 23 USC § 134 and 49 USC § 5303.<sup>98</sup> The NMDOT processes STIP amendments on a quarterly basis.

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<sup>96</sup> MRMPO and EPMPO have TIP Policies and Procedures consistent with the *State Transportation Improvement Program Manual*

<sup>97</sup> 23 CFR § 450.316 – Interested Parties, Participation, and Consultation

<sup>98</sup> 23 CFR § 450.330 – TIP Action by the FHWA and the FTA (Note: MPOs are supposed to follow rules for metropolitan planning that are similar to these national rules.)

MPOs are directed to the *STIP Manual* posted on the NMDOT website for more detail regarding the TIP/STIP submittal, review, approval and amendment process. MPO staff may also seek technical assistance from the NMDOT STIP Unit or GTG Liaison assigned to the MPO.

By federal law, each MPO must certify that its metropolitan transportation planning process is being carried out in accordance with all applicable federal laws and regulations at least once every 4 years. New Mexico MPOs are required to submit self-certification statements to the NMDOT STIP Coordinator in conjunction with each new or amended TIP, and MPOs can amend their TIPs as often as four times per year (and sometimes more if one or more out-of-cycle amendments take place); therefore, the self-certification process actually occurs much more frequently than once every 4 years. The MPOs receiving FTA funds are required to self-certify on an annual basis through the NMDOT Transit and Rail Division.

The applicable laws and regulations address:<sup>99</sup>

- Metropolitan transportation planning processes and outcomes;
- Air quality in nonattainment and maintenance areas;
- Civil rights;
- Discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- Disadvantaged business enterprises in USDOT funded projects;
- Implementation of an equal employment opportunity program on federal highway construction contracts;
- Discrimination against individuals with disabilities;
- Discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- Discrimination based on gender.

**Awards and Amendments to Bureau-Managed Program Projects.** The Bureau issues an Award Form to the NMDOT District or Responsible Charge for a T/LPA project when the District or T/LPA is awarded Federal-Aid funds through a program managed by the Bureau (HSIP, CMAQ Non-Mandatory, TAP [Small Urban, Rural or Flex] or RTP). For T/LPA projects, the Responsible Charge signs the Award Form and returns it to the Bureau Program Coordinator. The Program Coordinator sends the completed Award Form to the identified parties included on the Form as well as the MPO TIP Coordinator and eSTIP point of contact. This initiates the TIP/STIP amendment process.

All change requests (administrative or formal amendments) to an awarded District or T/LPA project that is funded by HSIP, CMAQ Non-Mandatory, TAP (Small Urban, Rural or Flex) or RTP shall be sent to the respective Coordinator at the NMDOT. The process for changing awards to Bureau-managed programs is as follows and uses the Award Change Form:

- a. The T/LPA submits proposed changes via email to the respective Region Coordinator. The Region Coordinator contacts the appropriate NMDOT Program Coordinator to discuss the changes. If an NMDOT District is requesting the change, the District contacts the NMDOT Program Coordinator directly.
- b. The NMDOT Program Coordinator reviews the proposed changes to determine eligibility and feasibility. If the request is approved, the NMDOT Program Coordinator issues an Award Change Form via email to the District or T/LPA. If the request is not approved, the Coordinator responds accordingly to the District or T/LPA inquiry.
- c. The T/LPA or District reviews, signs and returns the Award Change Form to the NMDOT Program Coordinator.

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<sup>99</sup> 23 CFR § 450.336(a) – Self-Certifications and Federal Certifications

- d. The NMDOT Program Coordinator emails the approved Award Change Form to all of the identified parties on the form, including the T/LPA, the Region Coordinator, the STIP Coordinator and if applicable, the MPO TIP Coordinator. This initiates the TIP/STIP amendment process.
- e. For T/LPA projects, the Region Coordinator notifies the T/LPA when the STIP amendment is approved, which indicates final approval of the requested project changes.
- f. The T/LPA follows the agreement amendment process outlined in the T/LPA Handbook, Chapter 2.

## Traffic Counts and Traffic Flow Maps

Reliable traffic count information is critical for the development of studies, project development, and for meeting federal reporting requirements.

**Traffic Count Submittal Process.** MPOs and NMDOT cooperatively determine how required traffic counts in MPO areas will be conducted and by whom. All counts, whether conducted by NMDOT, an MPO or a contracted service, must comply with the most current NMDOT *State Traffic Monitoring Standards* to be compatible with the statewide database format, maintained by the Data Management Bureau (DMB). DMB will notify the MPO if/when the NMDOT's database rejects any submitted counts. The MPO and NMDOT then meet to resolve technical issues, which may require the MPO to submit a recount, or NMDOT to update its road network supporting their database.

Traffic count locations must be counted within a specific cycle, depending on roadway classifications, developed in coordination between DMB and MPOs, confirmed through a multi-year traffic count program. Additional counts may be taken as necessary to support studies, information requests, or Travel Demand Model updates.

**Traffic Flow Maps.** Should an MPO elect to produce traffic flow maps, it must follow the requirements outlined in the most current version of NMDOT's *State Traffic Monitoring Standards*.

## Annual Listing of Obligated Projects

Each MPO must publish, and post on its website, an annual listing of all projects for which federal funds have been obligated in the preceding year. The list must be consistent with the categories identified in the adopted TIP and represent the results of a cooperative effort between NMDOT, any affected transit operators, and the MPO. The list must be made available for public review.<sup>100</sup> The list should include, at a minimum, the following details for each project:

1. Name of project;
2. Location of project, including termini;
3. Other descriptive information;
4. Amount of funds programmed in TIP (including federal, state and local funds);
5. Amount of funds obligated in the preceding program year (including federal, state and local funds); and
6. Amount of funds remaining and available for use in subsequent years, for phased projects.

The information provided in the list of obligated projects should be understandable to a broad readership with varying levels of familiarity with transportation planning and programming concepts. See Table 3 for the review/approval process.

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<sup>100</sup> 23 USC § 134(j)(7)(B) – Publication of Annual Listings of Projects

## Annual Performance and Expenditure Report

Federal regulations require that the NMDOT monitor the activities of New Mexico's MPOs to assure that work supported by FHWA-NM planning funds "is being managed and performed satisfactorily and that time schedules are being met."<sup>101</sup> To meet this requirement, every MPO must prepare an Annual Performance and Expenditure Report (APER) that documents how the MPO has accomplished the work outlined in its UPWP and provides a final accounting of expenditures made during the year. The activities and tasks should be presented in a clear and detailed manner that is consistent with the UPWP and allows the NMDOT Bureau to track MPO progress with implementing the UPWP. The APER should be derived from the Quarterly Reports for that FFY. As the Quarterly Reports are cumulative, they provide an itemization of work done for each task in the UPWP, as well as provide a quarter-by-quarter expenditure breakdown. This serves as a helpful basis for the APER, although additional information is required, as outlined below. The APER should also utilize the following templates (or something equivalent), included in Appendix C:

- Budgeted Staff Hours Summary;
- Budget Summary by Line Item;
- Summary of Consultant/Vendor Services; and
- Narrative Summary by Task.

The Annual Performance and Expenditure Report must contain at a minimum:<sup>102</sup>

- Summary of work completed that year, based on Quarterly Report information, including a comparison of actual performance and accomplishments with established goals as outlined in the MTP and UPWP;
- Summary of staff hours per UPWP task;
- Progress in meeting schedules and deadlines;
- Financial summary, including budgeted (approved) amounts, actual costs incurred, and cost overruns or underruns (financial summary must show breakdown for each program funding source (i.e. FHWA Section 112, FTA funds, other));
- Approved UPWP amendments; and
- Other pertinent supporting data.

See Table 3 for the review/approval process.

## Freight Program Assessment

At the end of each odd numbered calendar year, all MPOs are required by FHWA to assess the status of their freight programs or efforts to date by answering approximately 40 questions with a "Yes," "No," or "In Progress," and comment or provide additional information, as needed. The questions are gathered under the following nine headings:

1. Current Capacity for Freight Planning;
2. Public and Private Sector Relationships;
3. Planning and Programming;

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<sup>101</sup> 23 CFR §420.117(a) – What are the program monitoring and reporting requirements?

<sup>102</sup> 23 CFR § 420.117(b)(1) – What are the program monitoring and reporting requirements?

4. Funding;
5. Freight Operations;
6. Multi-Jurisdictional Coordination;
7. NHS Intermodal Connectors;
8. Land Use; and
9. Additional Comments.

See Table 3 for the review/approval process.

## Reimbursement Packets (Cover Letters, Quarterly Reports and Invoices)

The Federal-Aid Highway Program (FAHP) is a reimbursement program and requires a local match. The MPOs, therefore, must expend their own funds initially, and then seek reimbursement from the NMDOT for the federal portion. The NMDOT reimburses the MPOs for the federal portion using State Road funds, and then seeks reimbursement from the FHWA-NM for the federal portion. All costs related to federal awards must comply with 2 CFR § 200, as well as Buy America requirements (23 CFR § 635.410). Should an MPO want to request a waiver to Buy America requirements, the MPO must spearhead the waiver request process, though NMDOT would ultimately need to submit it on behalf of the MPO.

In general, an MPO must submit costs to NMDOT for reimbursement in the FFY in which the cost was incurred.<sup>103</sup> Costs incurred prior to authorization are not eligible for reimbursement.<sup>104</sup> For example, an MPO paid a phone bill in October 2018 for September 2018 services; however, the cost cannot be included in October-December 2018 (FFY19 Quarter 1) reimbursement packet, since the cost was incurred prior to the FFY19 Notice to Proceed authorization date of October 1, 2018. Rather, the September bill must be paid and included in the July-September 2018 reimbursement request (FFY18 Quarter 4), even if it was paid in October 2018. The only exception to this rule is between Year 1 and Year 2 of the same UPWP, and also requires the MPO to have sufficient funds carrying forward from Year 1 of the UPWP to cover the costs incurred during Year 1, but which are being submitted with a Year 2 reimbursement request.

MPOs must submit via email a Reimbursement Packet that includes a cover letter from the appropriate MPO representative/fiscal agent, Quarterly Report, and Quarterly Invoice with all supporting documentation, to the NMDOT by the 25th of the month following the close of the quarter. (Exception: The third quarter Reimbursement Packet is due July 12 to meet deadlines of state fiscal year closeout procedures.)

The Quarterly Report documents the work performed to date to meet the tasks outlined in the MPO's UPWP. The Report for the first quarter should be derived from the most recently approved UPWP. Under each task and budget in the UPWP, MPO staff needs to provide an itemization of work accomplished that quarter on each task, as well as show the expenditures and remaining budget for that task. For subsequent quarters, the Quarterly Report must be cumulative; therefore, the previous quarter's Quarterly Report will serve as the starting point for the next quarter's (i.e. use the Quarterly Report from the first quarter as the starting point for the second quarter's). If the MPO has amended the UPWP since the last Quarterly Report, those amendments must be integrated into new Quarterly Report. The fourth quarter's Quarterly Report will ultimately serve as the basis for the Annual Performance and Expenditure Report.

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<sup>103</sup> A cost is incurred when the legal obligation to pay arises, which may differ from when payment occurs.

<sup>104</sup> 23 CFR § 420.113(a)(5)

The Invoice outlines the expenditures all of which should be referenced in the Quarterly Report and the UPWP. The Reimbursement Packet must include all supporting documentation for the Invoice.

The Quarterly Report and Invoice must:

- Document work performed and hours billed by MPO staff to federal transportation planning funds;
- Document split ratio (if used) for that quarter between FWHA PL and FTA 5303 funds; this requirement does not apply to MPOs that bill their hours/costs directly to either PL or 5303 funds based on the type of work;
- Document match ratio is met (85.44% federal/14.56% MPO for Planning [PL] funds; 80% federal/20% MPO for SPR and FTA funds) on a quarterly basis;
- Document progress made towards achieving target dates in UPWP; provide explanation when slippage occurs; and
- Deliverables and progress reports from consultants on contract with the MPO as listed in the UPWP.

The NMDOT prefers receiving quarterly invoices. However, an MPO may request approval to submit monthly invoices for a set period to address cash flow problems that may arise.

MPOs are required to keep (and submit as indicated) the following documentation:

- **Timesheet (also known as a Personnel Activity Report)** - All MPO staff who charge time to a federally funded task are required to maintain internal accurate and current time records using database and spreadsheets that meet the requirements outlined in 2 CFR § 200.430(i) – *Standards for Documentation of Personnel Expenses*. The timesheets must track hours by UPWP task and funding source. The timesheets do not need to be included in the Reimbursement Packet, unless the GTG Liaison specifically requests this information. GTG Liaisons will review timesheets as part of the Quality Assurance Reviews. In the event that work hours involve multitasking among several federally funded tasks, the MPO is required to obtain preapproval by the NMDOT (through its Liaison) of a cost allocation plan to address the specifics of each situation.
- **Timesheet Summary** – This is the monthly (or quarterly) summary of all MPO staff timesheets and should be submitted as part of the Reimbursement Packet. Again, a sample spreadsheet is provided as part of the MPO Time Tracking workbook.
- **Quarterly Budget Report** - The purpose of this report is to track expenditures by line item as defined by task in the UPWP budget. Moving funds from one line item to another is possible, but requires an administrative or formal amendment, depending on the amounts, thus the MPOs are responsible for tracking expenditures per line item. MPOs may use the boilerplate Excel workbook provided by the GTG Liaison (an example is provided in Appendix C) and submit this report with the Reimbursement Packet.
- **Quarterly Expenditure Summary** - The purpose of this report is to provide a summary of federal funds expended plus local match paid, by quarter. MPOs should separate out various FHWA funds, FTA funds, and other fund sources as applicable. MPOs may use the boilerplate Excel workbook provided by the GTG Liaison (an example is provided in Appendix C) and submit this report with the Reimbursement Packet.
- **Backup Documentation** - for any single expenditure over \$500 (\$3,000 for TMAs), the reimbursement packet must include request for payment (invoice or bill), receipt or proof the payment has been made. This requirement applies to all single expenditures that meet the

thresholds noted above, including but not limited to: consultant contracts, office supplies, travel-related purchases, etc.

- **Submittal and Review Process.** The NMDOT requires MPO Planners to submit a complete and accurate Reimbursement Packet for PL funds to the assigned NMDOT GTG Liaison, according to the checklist provided below. The GTG Liaison has 5 working days to review and approve, or reject for cause, the Reimbursement Packet. The GTG Liaison then forwards an approved Reimbursement Packet to the Bureau Financial Manager, who has another 5 days to independently review and approve, or reject for cause, the Reimbursement Packet. The Financial Manager then processes the approved Reimbursement Packet for payment. The NMDOT has a total of 30 calendar days<sup>105</sup> to process and pay approved reimbursement requests. The clock stops at each step in the review process when the reviewer sends an email to the MPO Planner requesting additional information or providing grounds for rejecting the packet. It is then up to the MPO Planner to resubmit the required materials and/or revisions.

If a submitted Reimbursement Packet is incomplete or incorrect, NMDOT will send a formal rejection letter to the Executive Director of the Fiscal Agent (or MPO Officer if there is no Executive Director). It is then up to the MPO Planner to resubmit the required materials and/or revisions with an updated date on the invoice. If the GTG Liaison has minor questions or clarifications, they may send a request via an email to the MPO Planner to get additional information.

**In-State and Out-of-State Travel Costs.** An MPO may be reimbursed for in-state or out-of-state travel costs associated with staff attending relevant meetings, trainings or conferences. A staff person's travel must be considered "necessary to the federal award" in order for it to be reimbursable.<sup>106</sup> If the staff person splits their time between multiple programs or grants, NMDOT will only reimburse the MPO for the percentage of travel costs that matches the percentage of that person's salary normally billed to the NMDOT. (The Bureau may grant an exception to this rule, if the MPO provides a detailed justification and the Bureau concurs with the exception.) Officials covered by 2 CFR § 200.444, which includes Council of Government (COG) chief executives, are required to receive written approval from NMDOT to charge their travel costs to a federal grant administered by NMDOT.<sup>107</sup> In order for out-of-state travel costs to be reimbursable, the MPO must comply with the requirements below. Note: MPO fiscal agents may have additional requirements, which NMDOT does not monitor.

Travel costs must be submitted for reimbursement in a quarterly reimbursement packet for the FFY in which the travel activity took place, and also only after the travel took place. This is particularly important with regard to registration fees, as they are often paid significantly prior to when the travel occurs. (E.g. MPO staff registers in June for a conference occurring in October; the registration fee (and other travel costs) must be included in the October-December quarterly reimbursement packet.)

To ensure eligibility, an MPO must itemize specific out-of-state trainings and conferences in its UPWP, or contact their GTG Liaison in writing prior to travel, in order to confirm the eligibility of travel costs for a specific training or conference that is not included in its UPWP. The travel costs included below are eligible for reimbursement for approved travel, according to the stipulations included below. MPOs are required to keep all travel receipts (where required below) on file; NMDOT does not need the receipts as part of the MPO's reimbursement packet, unless single expenditures cost more than \$500 (or \$3000 for TMAs).

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<sup>105</sup> 2 CFR § 200.305(b)(3)

<sup>106</sup> 2 CFR § 200.474(b)(1)

<sup>107</sup> 2 CFR § 200.474(a)

- Registration fees (receipts required on file): conference or training registration fees are eligible for reimbursement within the FFY in which the conference or training is taking place, and only after the travel has taken place.
- Airfare (receipt required on file): basic least expensive airfare in accordance with 2 CFR § 200.474(e).
- Transportation (receipts required on file): transportation to/from the airport and to/from the conference or training location, including mileage (not to exceed federal Internal Revenue Service rates), taxi/ridesharing fare, transit fare, shuttle fare, rental vehicle and fuel, bicycle/scooter-share fares, and parking.
- Lodging, subsistence and incidentals (per person): travelers (and subsequently MPOs) may either be reimbursed on a per diem or actuals (with receipts) basis.
  - Per diem rates must be consistent with either the U.S. General Services Administration (GSA) rates for the specific location during the specific timeframe,<sup>108</sup> or the State of New Mexico out-of-state per diem rate.<sup>109</sup> Alternative per diem rates may be used, provided they do not exceed the GSA or State of New Mexico rates.
  - For reimbursement of actual costs, the MPO must retain all receipts and must comply with the requirements below.
    - Lodging: not to exceed \$215/night total (including the rate, taxes and other fees). If lodging will exceed this amount, the MPO must receive pre-approval. Pre-approval can be obtained by sending the request via email to the MPO's GTG Liaison. The email justification must include at least three lodging quotes, purpose and location of travel. The lodging cost justification may consider cost, as well as proximity to the meeting/conference venue, and whether the lodging choice is the meeting/conference hotel.
    - Meals: not to exceed more than \$45/day.

Reimbursement is never allowed for the following expenses (including but not limited to): alcoholic beverages, host/hostess gifts (even if in lieu of other expenses), airfare/hotel/rental vehicle upgrades, and other items identified as unnecessary by NMDOT.

**MPO Reimbursement Packet Checklist.** All Reimbursement Packets must contain the following information. GTG Liaisons will use this checklist and the Reimbursement Checklist (included in Appendix E) to review the documentation for accuracy and completeness:

- ❖ Request for Reimbursement Cover Letter that includes:
  - ✓ Date
  - ✓ MPO contact and contact information
  - ✓ Vendor Number
  - ✓ Control Number(s)
  - ✓ Unique Invoice or Reimbursement Number
  - ✓ Invoice Period of Performance (Quarter or Month)

<sup>108</sup> U.S. GSA per diem rates are available at <https://www.gsa.gov/travel/plan-book/per-diem-rates> (link subject to change)

<sup>109</sup> 2.42.2 NMAC

- ✓ Amount of reimbursement requested
- ❖ Quarterly Report on Project Activities/Progress using the UPWP format as outlined above which includes:
  - ✓ Updates for all UPWP tasks
  - ✓ Total staff hours per task per quarter
  - ✓ Cumulative accounting of quarterly activities by task and percent completion of task with supporting documentation
  - ✓ Explanation of expenditures included on Invoice, such as consultant services associated with a UPWP task

Note: If no specific activities were scheduled to occur under a given UPWP task for a given quarter, state that fact in the Quarterly Report under the task in question. In addition, identify and explain any schedule changes encountered and how the MPO intends to address the changes, particularly any delays.

- ❖ Invoice that includes:
  - ✓ Date
  - ✓ Fiscal Agent and contact information
  - ✓ Vendor Number
  - ✓ Control Number(s)
  - ✓ Unique Invoice or Reimbursement Number
  - ✓ Invoice Period of Performance (Quarter or Month)
  - ✓ Amount of reimbursement requested with Local Match clearly identified
  - ✓ Timesheet Summary
  - ✓ Quarterly Budget Report
  - ✓ Quarterly Expenditure Summary
  - ✓ Notification/Request to Close in the case of Final Invoice
  - ✓ Entity Certification and Signature (MPO/fiscal agent representative)
- ❖ Invoice Documentation that is organized and clearly explains the expenditures. If necessary, documentation should include page numbers and a summary of the expenditures and associated documentation. At a minimum, invoices should include the following:
  - ✓ For TMAs, written detailed explanation of any line item, non-personnel costs that total more than \$3000. For non-TMA MPOs, written, detailed explanation of any line item, non-personnel costs that total more than \$500.
  - ✓ For TMAs, invoices along with proof of payment (if available) for any purchase over \$3000. For non-TMA MPOs, invoices and along with proof of payment (such as receipts) for any purchases over \$500.
  - ✓ Documentation of the Match provided.

As the pass-through agency, NMDOT is allowed to ask for additional information, beyond this checklist and as needed, prior to approving reimbursement requests.<sup>110</sup>

## U.S. Census-Related Work Products

The final release of U.S. Census data is a catalyst for a number of federally-mandated planning activities. These activities typically occur within the two fiscal years following the final U.S. Census data release.

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<sup>110</sup> 2 CFR § 200.331(a)(3)

These activities are conducted in coordination with the state's MPOs and RTPOs. The following subsections describe these non-annually recurring activities.

### ***Urbanized Area Boundary Delineation, and Possible Adjustment following Decennial Census***

An urbanized area is defined as a geographic area with a population greater than 50,000 people. An urbanized area designation is based on decennial U.S. Census figures and triggers certain transportation planning requirements mandated under federal transportation legislation. When new census figures become available, MPOs should review the data and determine if and how their urbanized area boundary has changed. A boundary change could trigger several necessary actions such as modifying the MPO planning boundary and updating the MPO and/or Statewide Travel Demand Model.

The MPO staff review the new UZA boundary, and identify potential locations to “smooth” or expand the boundaries for ease of planning and improvement funding, preparing a report and maps to support potential boundary expansions. Then the MPO Policy Board reviews boundary-smoothing proposals in the context of a public hearing in accordance with the MPOs Public Participation Plan. Adjusted (aka “smoothed”) urbanized area boundaries do not require the Governor’s approval.

MPOs are directed to review the information in Table 3 for more detail on submitting what is commonly referred to as an “urban area boundary adjustment or ‘smoothing’” packet to the NMDOT for FHWA-NM approval. Once FHWA-NM approves the adjusted boundaries, the Bureau sends new shape files applicable parties, as noted in the Bureau Chapter.

### ***Functional Classification***

All roadways have a designated functional classification based on factors such as volume, connectivity, adjoining land uses, functionality as part of an interconnected system, number of lanes, and intersection spacing. Updates to the functional classifications may be necessary as new development occurs or as roadways are improved and/or carry increasing traffic volume. MPOs should review their functional classification systems when updating their MTPs and when requested as part of a statewide functional classification update effort, which the NMDOT will conduct following each decennial census.

**Submittal/Review Process.** There are two standard procedures pertaining to updating the functional classification of roadways in New Mexico:

1. Statewide Functional Classification Review – every 10 years following U.S. Census publication of decennial census, identification of new urban area boundaries.
  - The Bureau Chief or designee oversees state’s review, coordinates with the District Engineers, FHWA-NM, FTA Region 6, state and federal land management agencies, and tribal entities; ensures federal regulations addressed at the statewide level regarding evaluation criteria, public involvement.
  - MPOs and RTPOs lead the discussion within their jurisdictions, ensuring the public has access to hearings as called for in their Public Participation Plan.
  - Bureau Chief/designee compiles statewide analysis, GIS shapefiles, supporting data and submits NMDOT’s recommendations to FHWA-NM/FTA Region 6 for formal review and approval.
  - FHWA-NM has up to 90 days to review, comment, and/or approve the requested changes.
  - The Bureau Chief notifies all parties of approved changes, including the MPOs, RTPOs, District Engineers, any impacted state and federal land management agencies, tribal entities, the NMDOT GIS Unit, and DMB Chief.
2. MPO/RTPO-initiated proposals submitted to NMDOT in the interim between statewide reviews.
  - Bureau provides guidance on meeting federal criteria, submittal requirements – see *Highway Functional Classification Concepts, Criteria and Procedures*.

- MPO and RTPO Policy Boards/Committees review entity submittals in a public hearing and submit adopted/recommended functional classification revision package to their respective NMDOT GTG Liaison.
- The Bureau technical planner reviews the proposal on behalf of the NMDOT, with input from the GTG Liaison and Unit Supervisor, Bureau Chief, District Engineer and other NMDOT managers, then adds NMDOT's recommendation(s) to the submittal package, keeping MPO/RTPO Planner/Program Manager informed throughout the process.
- The Bureau technical planner prepares a submittal letter to FHWA-NM for signature by the Division Director.
- FHWA-NM has a minimum 30 days to review, comment and/or approve the requested changes.
- The Bureau technical planner notifies all parties of approved changes, including the MPO/RTPO, District Engineer, GIS Unit, and Data Management Bureau Chief.

### ***Metropolitan Planning Area (MPA) Boundary Reviews***

The MPA boundaries shall be reviewed after each Census by the MPO (in cooperation with the State and public transportation operator(s)) to determine if existing MPA boundaries meet the minimum statutory requirements for new and updated urbanized area(s), and shall be adjusted as necessary. As appropriate, additional adjustments should be made to reflect the most comprehensive boundary to foster an effective planning process that ensures connectivity between modes, reduces access disadvantages experienced by modal systems, and promotes efficient overall transportation investment strategies.

**Review/approval process.** The MPO shall work with NMDOT (including the GTG Liaison), member agencies and public transportation operators to review the MPA boundaries and if necessary, recommend changes. The proposed changes must be approved by the Policy Board/Committee and then submitted to the NMDOT Secretary for approval, with NMDOT notified. Following MPA boundary approval by the MPO and the Governor (or designee), the MPA boundary descriptions shall be provided for informational purposes to the FHWA, FTA, and NMDOT. The MPA boundary descriptions shall be submitted either as a geo-spatial database or described in sufficient detail to enable the boundaries to be accurately delineated on a map.

## Air Quality and Conformity

For MPOs declared to be air quality nonattainment or maintenance areas, there are many special requirements in addition to the basic requirements for a metropolitan planning process.<sup>111</sup> These include formal agreements to address air quality planning requirements, requirements for setting metropolitan planning area boundaries, interagency coordination, requirements for a Congestion Management Process (CMP), public meeting requirements, and conformity findings on MTPs and TIPs. Sections of the Metropolitan Planning Regulations governing air quality are summarized in the following bullets, and described in further detail in the following sections:

- In a metropolitan area that does not include the entire nonattainment or maintenance area, an agreement is required among the state DOT(s), state air-quality agency, affected local agencies, and the MPO providing for cooperative planning in the area outside the metropolitan planning area but within the nonattainment or maintenance area [23 CFR § 450.314(c)]. In metropolitan areas with more than one MPO, an agreement is required among the state and the MPO describing how they will coordinate to develop an overall MTP for the metropolitan area; in nonattainment and maintenance areas, the agreement is required to include state and local air-quality agencies [23 CFR § 450.314(e)]. The MPO is required to coordinate development of the MTP with the State Implementation Plan (SIP) development process, including the development of Transportation Control Measures (TCMs).
- In TMAs designated as nonattainment areas, federal funds may not be programmed for any project that will result in a significant increase in carrying capacity for single occupancy vehicles, unless the project results from a Congestion Management Process (CMP) meeting the requirements of 23 CFR § 450.322(e).
- In nonattainment and maintenance areas, the FHWA-NM, FTA Region 6, and MPO must make

### Air Quality and Nonattainment

The development of transportation systems has a direct impact on air quality. As a result, FHWA-NM and FTA Region 6 in conjunction with the U.S. Environmental Protection Agency (EPA) have regulations about how data should be collected and analyzed and how those results should be used to help mitigate the negative impacts of transportation on air quality. The National Ambient Air Quality Standards (NAAQS) are federal standards set by the EPA that establish an air quality concentration meant to protect public health and welfare. The NAAQS have been set for six pollutants (also called criteria pollutants): ozone, nitrogen dioxide, carbon monoxide, lead, particulate matter (two categories: PM<sub>2.5</sub> and PM<sub>10</sub>), and sulfur dioxide. Many of these air pollutants come from natural or various non-transportation related sources, this section focuses specifically on the on-road or transportation related sources.

The New Mexico Environment Department (NMED) measures air quality throughout the state and reports results to the EPA. Currently, New Mexico uses EPA standards to determine if there are air quality issues that require further attention. An area is considered in “nonattainment” when the concentration of one or more criteria air pollutants in a region exceed(s) allowable standards (in general terms, over a 3-year average). MPOs in nonattainment areas must evaluate all projects for air quality impacts and identify actions or plans to mitigate the environmental impacts of the transportation system. Once a nonattainment area has demonstrated that the air quality results are within acceptable standards, then the area is designated as a “maintenance” area for a minimum of 7 years.

<sup>111</sup> 40 CFR § 93.121 and § 93.122

a conformity determination on any new or amended TIPs [23 CFR § 450.326(a)].

- In nonattainment TMAs, there must be an opportunity for at least one formal public meeting during the TIP development process [23 CFR § 450.326(b)].
- In nonattainment and maintenance areas, the TIP shall give priority to eligible TCMs identified in the approved SIP and shall provide for their timely implementation [23 CFR § 450.326(k) and § 450.332(e)].
- For the purpose of including Federal Transit Act Section 5309-funded projects in a TIP [49 USC § 5309], in nonattainment and maintenance areas, the TIP shall describe the progress in implementing required TCMs [23 CFR § 450.326(n)(3)].
- In nonattainment or maintenance areas, if a TIP is amended by adding or deleting projects that affect transportation-related pollutants, the MPO and the FHWA-NM and FTA Region 6 must make a new conformity determination [23 CFR § 450.328(a)].

In TMAs that are nonattainment or maintenance areas, the FHWA-NM and FTA Region 6 will review and evaluate the transportation planning process to assure that the process meets the requirements of applicable provisions of Federal law and this subpart, including 40 CFR § 93 [23 CFR § 450.336(b)]. Air Quality requirements are spelled out in 23 CFR § 450.324(n) and § 450.326(a).

## State Implementation Plan

The Clean Air Act (CAA) requires that each state develop a general plan to maintain National Ambient Air Quality Standards (NAAQS) in all areas of the state, and specific plans to address the nonattainment areas within the state. These plans are known as State Implementation Plans (SIPs) and the New Mexico Environment Department develops these plans. In New Mexico, three regions (Albuquerque, southern Doña Ana County and Grant County) are in nonattainment and have specific SIPs for maintaining air quality. Each of the SIPs is tailored to the specific type of pollutant for which the region is in nonattainment (for example, carbon monoxide, particulate matter, sulfur dioxide) and provides control measures and regulations for maintaining air quality. SIPs must be developed with public input and formally adopted by the state before submittal to the EPA for final approval. Control measures found in an approved SIP are enforceable in federal court. Additionally, the EPA tracks certain SIP elements related to infrastructure, which include emission limits, ambient air quality monitoring systems, programs for enforcement of approved control measures, stationary source monitoring systems, air quality modeling, participation by affected local entities, and permitting fees.

**Conformity.** The Clean Air Act Amendments (CAAA) of 1977 first introduced the concept of coordinating the transportation and air quality processes and ensuring that all projects in MPO TIPs are consistent with approved SIPs. This is determined through the transportation conformity process. In order to receive federal funding from FHWA-NM and FTA Region 6, MPOs in nonattainment or maintenance areas must show that anticipated emissions resulting from the implementation of a project or program conform to the requirements in the SIP. Transportation Control Measures (TCMs) are programs included in the approved SIP that are designed to reduce emissions from transportation sources by promoting alternative modes (transit, bicycling, walking), or changing traffic flow and congestion conditions. Some examples of TCMs are developing high-occupancy vehicle (HOV) lanes and improving public transit systems.

All projects must have a conformity determination before they can be implemented. This can be done through a “blanket” TIP conformity determination, which states that all proposed projects in the TIP are within the on-road mobile source emission limits established by the SIP. For new projects added to the MTP and TIP after a determination has been made or projects that have had a major change in scope, a

qualitative “hot spot” analysis can be done to show no negative impacts to air quality will result from implementation. Conformity determinations are ultimately made by the FHWA-NM and FTA Region 6. However, the MPO Policy Boards make initial conformity determinations for plans and programs within their boundaries and state DOTs usually do so for areas outside of MPOs. Conformity must be determined on the MTP and TIP at least every 4 years, 24 months after SIP motor vehicle emission budgets are approved by the EPA, or within 12 months after a new nonattainment designation become effective.

## Congestion Management Process

According to federal regulation 23 CFR § 450.322, a metropolitan-wide congestion management process (CMP) is required in TMAs to ensure a safe and effective integrated management and operation of the multimodal transportation system. Performance measures and strategies for congestion management should be included in the document and reflected in the MPO’s TIP and MTP. The congestion management process shall include:<sup>112</sup>

- Methods to monitor and evaluate the performance of the multimodal transportation system, and identify the causes of recurring and nonrecurring congestion;
- Performance measures that are tailored to the locality, assess the extent of congestion, and support the evaluation of the effectiveness of congestion reduction and mobility enhancement strategies;
- A program for data collection to determine causes, extent, and duration of congestion;
- Identification of implementation strategies and schedules with possible funding sources for each; and
- A process and timeline for assessment of the effectiveness of implement strategies in meeting performance measures established by the document.

Congestion management strategies could include:

- Demand management measures;
- Traffic operational improvements;
- Public transportation improvements;
- Intelligent Transportation Systems (ITS) technologies that conform to the statewide ITS architecture; or
- Additional system capacities (except in TMAs that have a nonattainment designation for ozone or carbon monoxide).

For MPOs that are TMAs and are designated as nonattainment areas for ozone or carbon monoxide, federal funds may not be programmed for projects that add capacity unless they are addressed through the process outlined in the CMP, or if they are directly addressing safety issues along the corridor. If a capacity project is proposed to be advanced with federal funding, the CMP must provide an analysis of travel demand reduction and operational management as a result of the additional facilities.

## Congestion Mitigation and Air Quality Improvement Program

Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding is a category of federal aid funding targeted to address air quality problems from mobile sources (cars, trucks, and buses). The

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<sup>112</sup> 23 CFR § 450.322(d) – Congestion Management Process in Transportation Management Areas

CMAQ category is divided into two parts – mandatory and non-mandatory funds. Federal references for CMAQ are found in 23 USC § 149 and 23 CFR, Part 450, Subpart C: Metropolitan Transportation Planning and Programming. The FHWA website provides background information that may be useful for public officials, staff, and interested citizens who have limited knowledge about federal transportation funding and planning. Refer to the Multimodal Planning and Programs Bureau Chapter of this manual for more information on CMAQ management. This section focuses on MPO-specific requirements.

**CMAQ-Mandatory Program Implementation and Reporting.** CMAQ-Mandatory funds must be used in maintenance and nonattainment areas, and are allocated by proportion of population in each area. If the area is within an MPO boundary, these funds are allocated directly to the MPO and must be programmed through the MPO planning process. New Mexico currently has one non-attainment area. In southern Doña Ana County (which includes Sunland Park, Anthony, and Chaparral), the EPMPO receives official notice of CMAQ funds, as does NMDOT District 1. Federal regulations require the NMDOT to program CMAQ funds in cooperation and consultation with EPMPO and New Mexico member governments in the maintenance area.

MPO recipients of CMAQ-Mandatory funding must secure access to the federal CMAQ Public Access System via the User Profile and Access Control System (UPACS) and enter their projects' information into the system by February 15 of each year. NMDOT verifies MPO data prior to FHWA-NM review. NMDOT must submit all data to FHWA-NM by March 1 of each year.

See Table 3 for submittal/review process.

## Federal Certification of TMAs

In conjunction with the MPO certification process, the FHWA-NM and FTA Region 6, in partnership with the NMDOT Bureau, complete a statewide review of the MPO transportation planning process. The review occurs no less than once every 4 years to determine if the planning process conducted by all member agencies, local agencies, the state, and transit operators meets all federal legal and regulatory requirements. For individual MPOs, the review process is developed to focus on issues of significance to the particular MPO. The reviews are conducted with the objective of evaluating the effectiveness and efficiency of the processes in place at each MPO, highlighting good practices, exchanging information, and identifying opportunities for improvements. MPOs are encouraged to address any major issues identified in a cooperative, consultative, and comprehensive manner and in accordance with federal and state requirements. The NMDOT Bureau assists the MPOs with implementing corrective actions.

The review effort consists of a desk review of MPO-produced documentation, an onsite review, and the production of a report that summarizes the review and describes the findings. The desk review focuses on the core MPO documentation as identified in the Federal regulations, which include the MPO agreements, Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Public Participation Plan (PPP), Unified Planning Work Program (UPWP), financial documentation, transit operator triennial review, and other supplemental documents that are helpful to identify the extent of the planning process.

The onsite review focuses on discussion with the MPO staff about the core function, products, processes and procedures in place for the management of the metropolitan transportation planning process. The onsite review typically includes a public session to gather citizen feedback on the MPO planning process. The FHWA-NM and the FTA Region 6 must provide opportunities for public involvement and must consider the public input received in arriving at a decision on a certification action.

After reviewing and evaluating the process, the FHWA-NM and FTA Region 6 take one of four possible actions:

- If the process meets all federal requirements and a TIP has been approved by the MPO and the NMDOT Secretary, the two agencies will jointly certify the transportation planning process.
- If the process substantially meets the federal requirements and a TIP has been approved by the MPO and the NMDOT Secretary, the two agencies will jointly certify the transportation planning process subject to certain specified corrective actions being taken.
- If the process does not meet the federal requirements, the two agencies will jointly certify the planning process as the basis for approval of only those categories of programs or projects that the FHWA-NM and FTA Region 6 jointly determine, subject to certain specified corrective actions being taken.
- If the FHWA-NM and FTA Region 6 do not certify the transportation planning process, the NMDOT may withhold up to 20 percent of project funds that would otherwise be attributable to the TMA. This action is in addition to the other corrective actions and funding restrictions. Unless the funds have lapsed, they will be restored to the MPO when the metropolitan transportation planning process is certified by the FHWA-NM and FTA Region 6.

A certification of the MPO planning process remains in effect for 4 years unless a new certification determination is made sooner by the FHWA-NM and FTA Region 6 or a shorter term is specified in the certification report.

## Special Studies Generated by Task Forces and Committees

MPOs are often involved in some manner with special studies or committees, whether generated by the MPO, NMDOT, or both. Examples of studies generated by the MPO Policy Boards are bicycle and pedestrian plans or access management plans for the MPO region. Some MPOs have standing committees that meet regularly to provide input to the MPO on specific areas of interest to their particular region and context. The MPOs at times have been called upon by the NMDOT Transit and Rail Division to participate in statewide studies of transit services.

# NMDOT Agreements, Authorizations and Responsibilities to the MPOs

The NMDOT acts on behalf of FHWA-NM in carrying out the statewide planning process, as prescribed in the Stewardship and Oversight Agreement between the NMDOT and FHWA-NM (see the Multimodal Planning and Programs Bureau chapter in the PPM for more information). Each MPO is assigned a GTG Liaison to serve as the initial point of the NMDOT contact for the MPO. The GTG Liaison also serves as a resource to the MPO, and facilitates coordination and communication between the MPO and the different areas of the NMDOT, including the District Offices. MPO Planners should follow established protocol by first contacting their assigned GTG Liaison with questions or concerns and for additional information. This informal contact can be in person or via telephone, email, letter, or fax as appropriate. The NMDOT administers its responsibilities in relation to the FHWA-NM and the MPOs in part by preparing, distributing, and enforcing the following documents or actions (which are described in the following subsections):

- Cooperative Agreement
- Notice to Proceed
- Quality Assurance Review Process
- Federal Certification of TMAs

## Cooperative Agreement

The Cooperative Agreement (CA) is the contractual agreement between the NMDOT and the MPO that delineates the responsibilities of each organization. NMDOT will prepare new CAs in response to recurring “triggers”:

- A new federal transportation authorization bill introduces new requirements;
- Significant future revisions to this PPM, which may trigger the need to update CAs absent a change in Federal transportation legislation;
- An updated JPA may trigger the need for a new CA; or
- Expiration of Cooperative Agreements.

## Notice to Proceed, Notice of Closure and End Date

**Notice to Proceed.** After FHWA-NM approval of the NMDOT PWP (which includes the UPWPs) and obligation of federal funds, the NMDOT issues a Notice to Proceed (NTP) to each MPO as a notice to start work on its UPWP. The NTP authorizes the MPO to seek reimbursement for the federal portion of the approved UPWP budget for the term of the UPWP. The Bureau sends out the Notice to Proceed by September 30 so that MPOs can begin work on October 1. The NTP authorizes the funding from October 1 through Year 2 of the current UPWP (i.e. the NTP for Year 1 of the FFY19/20 UPWP will authorize funds from October 1, 2018 to September 30, 2020 and the NTP for Year 2 of the FFY19/20 UPWP will authorize funds from October 1, 2019 to September 30, 2020). The Bureau uses the “Advanced Construction” process, in order to authorize funds for the federal fiscal year, prior to that year beginning. The Advanced Construction process is described in further detail in the NMDOT *STIP Manual*, available on the NMDOT website.

If NMDOT receives updated Metro Planning (PL) targets after it sends the NTPs to the MPOs, NMDOT will amend the PWP at the next regularly scheduled amendment. Once the amendment is approved,

NMDOT will obligate the funds and send the MPOs amended NTPs. The MPOs may then use the amended NTPs to initiate UPWP budget amendments.

**Notice of Closure.** NMDOT also issues a Notice of Closure (NOC), which is a formal letter to the MPO indicating that the project is closed and that NMDOT will not process any additional reimbursement requests. NMDOT issues the NOC letter either: 1) upon payment of the final reimbursement request, or 2) if no final reimbursement was submitted, upon passage of the final reimbursement submission date included in the agreement/contract. For example, a contract expires on September 30, 2020 and the contract stipulates that the final reimbursement request must be submitted to NMDOT within 30 days of contract expiration; if NMDOT does not receive a final reimbursement request by October 30, 2020, then it will issue a NOC letter.

**End Date.** As NMDOT obligates funding, it also sets up end dates in FHWA's Financial Management Information System (FMIS). The end date is required for all federal projects, and represents a day by which all activity on the federal project must be completed (i.e. final invoices processed, closeout documentation received by FHWA, etc.). NMDOT's practice is to set the end date for ~90 days after the end of the project term. For MPO UPWP Control Numbers, the end dates are ~90 days after the close of year two of the UPWP. For example, for a FFY19-20 UPWP, which covers work through September 30, 2020, the end date is December 31, 2020. After an MPO submits its last reimbursement packet for a UPWP, NMDOT has paid the final invoice, and/or NMDOT sent a NOC letter, the GTG Liaison and Bureau Financial Manager undertake the project closeout process, which they complete by the end date. Once a federal project is closed out, there cannot be any more activity (e.g. reimbursement requests) on that project.

## Quality Assurance Review

GTG Liaisons will meet with their assigned MPOs on an as-needed basis to review UPWP progress and discuss any issues. In addition to regular meetings between the GTG Liaison and the MPO, the NMDOT will engage in a four-tiered, quality assurance review process of MPO administrative functions. The first two steps are mandatory and are performed annually. The NMDOT will enact Steps 3 and 4 as conditions warrant:

1. Review financial audits of MPO fiscal agents;
2. Conduct Quality Assurance Site Review;
3. Conduct Quality Assurance Site Review Follow-Up; and
4. Conduct Office of Inspector General Audit.

### *Step 1 – Review Financial Audits of MPO Fiscal Agents*

MPO Planners are required to submit copies of annual financial audits of their respective fiscal agent to their GTG Liaison within 30 days of approval by the MPO's fiscal agent.

If the audit contains any findings, the GTG Liaison will review with the GTG Supervisor. They will determine if the findings require a response by the fiscal agent, to be presented at the QAR site review (Step 2). Unaddressed audit findings may impact eligibility to receive federal funds.

### *Step 2 – Conduct Quality Assurance Site Review*

The GTG Liaison will schedule an annual Quality Assurance Site Review with each MPO for which the GTG Liaison is responsible. The objectives for the NMDOT's annual quality assurance review are to:

- Verify that the MPO planning process complied with current transportation planning law;

- Determine if the MPO planning process is a continuing, cooperative, and comprehensive process;
- Review UPWP progress, including accomplishments, issues, schedule changes, etc.;
- Identify noteworthy practices to share with other MPOs;
- Enhance the MPO planning process and improve the quality of the transportation decision-making; and
- Determine the administration systems in place for the sound oversight management of federal funds in the operation of the MPO.

The GTG Liaison will first attempt to schedule the onsite visit with sufficient advance notice to ensure that all required documentation and MPO staff are available to facilitate the review. It is incumbent upon the MPO Planner to cooperate and assist with the scheduling on behalf of their entity. However, the GTG Liaison is responsible for conducting the site visit, and will proceed whether or not the MPO Planner chooses to facilitate the process. The NMDOT, FHWA-NM, and FTA Region 6 possess the authority to inspect all documentation pertaining to the expenditure of state and federal funds at any time. Therefore, MPO Planners are required to keep electronic and hard copy files constantly up to date, well organized, and accessible for viewing. Appendix C contains a checklist that provides additional information and that will assist MPO staff with preparing for the quality assurance site reviews.

The GTG Liaison will submit a report on the Quality Assurance Site Review to the GTG Unit Supervisor who will review and discuss the report with the GTG Liaison. The GTG Liaison will provide the final report to the MPO Planner. If the report indicates that the proper administrative systems are in place and fully operational, no further action is required.

### ***Step 3 – Conduct Quality Assurance Site Review Follow-Up***

If the GTG Liaison's Quality Assurance Review report raises any concerns, the GTG Unit Supervisor will discuss the report with the Bureau Chief and, ultimately, the Division Director, to determine the appropriate course of action to take depending upon the severity of the concerns. Possible follow-up actions include:

- Requiring the MPO Planner to identify corrective actions (along with a timeline that includes major milestones);
- Requiring a UPWP amendment or modification to address the corrective actions, if necessary;
- Conducting another Quality Assurance Site Review in 6 months or less to confirm improvements; or
- Proceeding to Step 4.

### ***Step 4 – Conduct Office of Inspector General Audit***

The Division Director will determine if a formal audit by the NMDOT Office of Inspector General is necessary. If so, the Division Director makes the request in writing, typically by email, to the Office of Inspector General. The Division Director then follows the Office of Inspector General directives from that point forward, and the Division becomes responsible for enforcing the findings and recommendations of the resulting audit.

## **Consequences of Non-conformance by an MPO**

The following section outlines the procedure for addressing non-conformance by an MPO. Examples of non-conformance include, but are not limited to, the following:

- Not meeting deadlines as outlined in this PPM (and specified on the Month-by-Month Work Program Timeline). *Note that some deadlines have automatic consequences if missed, such as if an MPO does not submit a WP amendment by the stated deadline. The consequence of this is that the amendment is not included in the PWP amendment, thus is not approved. This does not count as non-conformance on the part of the MPO;*
- Continuously submitting incorrect or incomplete information; and
- Refusing to follow and/or comply with the procedures outlined in this PPM.

Table 4, seen below, outlines the procedures the NMDOT will follow when addressing non-conformance on the part of an MPO. Non-conformances are tracked cumulatively over the course of the federal fiscal year (FFY). Every instance of non-conformance results in the entity increasing the non-conformance level. For example, if an MPO submits a Reimbursement Packet after the deadline and then misses a deadline for another work product, the MPO is considered to be at Level 2. If an MPO is at Level 1 or 2 at the close of the FFY, the MPO will start off at Level 1 at the beginning of the following FFY. Level 3 and above, including Corrective Action Plan, carry forward into the following FFY.

Table 4  
Non-Conformance Procedures

Non-conformance Level	NMDOT Action	Notifications
<b>Level 1</b>	GTG Liaison notifies MPO Planner in writing of non-conformance	GTG Unit Supervisor copied on email
<b>Level 2</b>	GTG Liaison notifies MPO Planner in writing of non-conformance	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer copied on email
<b>Level 3</b>	The MPO develops a Corrective Action Plan in response to the findings outlined by NMDOT and submits to the GTG Liaison for review/concurrence by the Bureau Chief and Division Director	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer/RTPO COG Executive Director copied on submittal email for Corrective Action Plan  MPO Planner sends Corrective Action Plan to MPO Policy Board/Committee Chair
<b>Level 4 (a “new” incident of non-conformance or failure to follow CAP) and any additional non-conformances</b>	GTG Unit Supervisor notifies MPO Planner in writing of failure to follow Corrective Action Plan  Division informs MPO Policy Board/Committee of pending loss of funds	GTG Unit Supervisor, Bureau Chief, Division Director, MPO Officer copied on email  Division Director notifies DOT Secretary of situation

<b>Level 5 (a “new” incident of non-conformance or failure to follow Corrective Action Plan) and any additional non-conformances</b>	1) GTG Unit Supervisor, Bureau Chief and Division Director set up meeting with MPO Planner, MPO Officer and MPO Policy Board/Committee Chair to discuss suspension of payment	NMDOT Secretary, FHWA-NM and FTA Region 6 are provided notification of the meeting
	2) If a determination is made to suspend payment to the MPO, DOT Cabinet Secretary sends letter to MPO Officer	MPO Policy Board/Committee Chair and FHWA and FTA copied on letter
	3. If the MPO elects to appeal the decision, NMDOT will arrange a meeting with all parties, as well as the appropriate FHWA and FTA representatives	

Please note that other types of non-conformance, such as on-going lack of communication or failure to meet deadlines outside of those specifically listed in the PPM may be grounds for NMDOT to follow the steps outlined above and/or issue a CAP.

# Metropolitan Planning Organizations Checklists

This list summarizes the work products of the MPOs. Please note that not every item maybe required/undertaken. Unless otherwise specified, work products are submitted to the GTG Liaison.

## Monthly

- ☐ Coordinate with NMDOT GTG Liaison
- ☐ Record hours worked per task identified in Unified Planning Work Program (UPWP) – use timesheets

## Quarterly

- ☐ Prepare and submit Reimbursement Packet (cover letter, invoice, quarterly report and all supporting documentation) to GTG Liaison
- ☐ Prepare and submit Unified Planning Work Program quarterly amendment to GTG Liaison, as needed, for approval by FHWA-NM and FTA Region 6
- ☐ Participate in quarterly MPO meetings
- ☐ Prepare and distribute quarterly meeting minutes (MPO meeting host only)
- ☐ Prepare and submit draft Transportation Improvement Program amendment to NMDOT, for approval by NMDOT, FHWA-NM and FTA Region 6

## Annually

- ☐ Prepare and submit Annual Performance and Expenditure Report (APER) to GTG Liaison, provided to FHWA-NM and FTA Region 6 for informational purposes only
- ☐ Prepare and submit Annual Listing of Obligated Projects GTG Liaison, for concurrence from FHWA-NM and FTA Region 6
- ☐ Review Notice to Proceed received from NMDOT
- ☐ Participate in joint meeting with NMDOT and RTPs
- ☐ Collect and submit traffic counts to NMDOT
- ☐ Post traffic flow maps on website
- ☐ Issue calls for projects (e.g TAP, RTP, other discretionary funds)
- ☐ Participate in Quality Assurance Reviews (QARs)
- ☐ Adopt Safety (Performance Measure 1) targets, submit documentation and update MTP
- ☐ Prepare and submit annual Title VI Report to NMDOT Title VI Coordinator, due October 1

## Every 2 Years

- ☐ Prepare and submit final two-year UPWP and budget to GTG Liaison, for approval by NMDOT, FHWA-NM and FTA Region 6
- ☐ Prepare and submit Transportation Improvement Program (TIP) to NMDOT, for approval by NMDOT, FHWA-NM and FTA Region 6
- ☐ Participate in Statewide Transportation Improvement Program (STIP) development by NMDOT

## Every 3 Years

- ☐ Prepare documentation and participate in FTA Region 6 review of TMAs, for approval by FTA Region 6
- ☐ Review Title VI Plan and update as necessary

### Every 4 Years

- ☐ Prepare and submit Metropolitan Transportation Plan (MTP), for approval by FHWA-NM and FTA Region 6, for areas with nonattainment or maintenance designations for air quality
- ☐ Prepare and submit Public Participation Plan, provided to FHWA-NM and FTA Region 6 for informational purposes only, for areas with nonattainment or maintenance designations for air quality
- ☐ Review and coordinate as necessary with NMDOT to update Cooperative Agreement with NMDOT
- ☐ Participate with FHWA-NM/FTA Region 6/NMDOT in Federal Certification process, for approval by FHWA-NM and FTA Region 6 (MRMPO and EPMPO)
- ☐ Prepare and submit Metropolitan Transportation Plan Amendments, for approval by FHWA-NM and FTA Region 6
- ☐ Prepare and submit letters about Policy Board member changes
- ☐ Adopt Pavement and Bridge Condition (Performance Measure 2), System Performance/Freight/CMAQ (Performance Measure 3), and Transit Asset Management targets, submit documentation and update MTP

### Every 5 Years

- ☐ Prepare and submit Metropolitan Transportation Plan (MTP), for approval by FHWA-NM and FTA Region 6 (at least every 5 years, unless MPO has nonattainment or maintenance designation for air quality)
- ☐ Review and update as necessary the Public Participation Plan (PPP), provided to FHWA-NM and FTA Region 6 for informational purposes only. PPP should be reviewed, at a minimum, prior to each MTP update (at least every 5 years, unless MPO has nonattainment or maintenance designation for air quality)

### Ongoing and Other

- ☐ Meet with GTG Liaison to discuss progress on the UPWP (as needed)
- ☐ Review and update as necessary Joint Powers Agreement with member governments, submit to GTG Liaison
- ☐ Functional classification if required other than after new census data
- ☐ Review and update as necessary bylaws

# Archiving Requirements

Archiving is the process of accumulating and storing documents that record the function and work products of the NMDOT, MPOs and RTPOs. Documents and work products must be archived according to either the federal or state requirements and must comply with whichever has the more stringent archiving requirements. Below are some of the major laws pertaining to records archiving; however, this list is not exhaustive and NMDOT, MPOs and RTPOs should independently confirm archiving requirements for their records.

## New Mexico Administrative Code (NMAC)

Title 1	General Government Administration
Chapter 21	Functional Records Retention and Disposition Schedules
Part 2	Retention and Disposition of Public Records

This NMAC section (1.21.2) is the complete code governing public records retention for the State of New Mexico. Below are some pertinent excerpts.

### **1.21.2.112 Program and Project Files** *(Replaces 1.15.2.151 Feasibility Studies)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to administrative programs and projects not identified in other classifications.
- C. **Retention:** destroy five years from date file closed.

### **1.21.2.114 Publications** *(Replaces 1.15.2.114 Manuals of Procedures, 1.15.2.307 Publications)*

- A. **Category:** Administration - general management.
- B. **Description:** Agency publications intended for distribution to the public.
- C. **Retention:** permanent, transfer to state library when published.

### **1.21.2.116 Reports – General** *(Replaces 1.18.805.31 Federal and State Apportionment Reports and Files)*

- A. **Category:** Administration - general management.
- B. **Description:** General reports not identified in other classifications.
- C. **Retention:** destroy two years from date file created

### **1.21.2.117 Reports – Historical** *(Replaces 1.15.2.117 Reports)*

- A. **Category:** Administration - general management.
- B. **Description:** Historical reports including, but not limited to the following subject matter: vital records, natural resources, emissions, professional licensure registries, disease management, rural health care, student nutrition, emergency response, homeland security, infrastructure, tribal education and statutorily required reports; and not identified in other classifications.
- C. **Retention:** permanent, transfer to archives one year from date file created.

### **1.21.2.122 Grant Administration** *(Replaces 1.15.4.208 Revenue Contracts and Grants)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to grant administration.
- C. **Retention:** destroy three years from the date file closed.

### **1.21.2.413 Federal Compliance and Reporting** *(Replaces 1.18.805.24 Federal Planning Reports)*

- A. **Category:** Governance and compliance - audit, oversight and compliance.
- B. **Description:** Records related to oversight and federal compliance reporting.
- C. **Retention:** destroy three years from date file closed.

**1.21.2.608 Goods and Services** (*Replaces 1.15.4.307 Contract/Agreement Files*)

- A. **Category:** Legal and judiciary - contract management.
- B. **Description:** Records related to contracting of goods and services.
- C. **Retention:** destroy six years from date file closed.

## U.S. Code of Federal Regulations (CFR)

### 2 CFR § 200.333 Retention Requirements for Records

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

(b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

(c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.

(d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.

(e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

(1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of

the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

(2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

# Metropolitan Planning Organizations: Performance-Based Planning and Programming Target Setting Procedures

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## Overview

### Purpose Statement

This chapter of the PPM details the federal Performance-Based Planning and Programming (PBPP) requirements and the federally mandated performance measures, for which states and Metropolitan Planning Organizations (MPOs) are required to set targets. The purpose of this chapter is to document the procedures developed cooperatively by the New Mexico Department of Transportation (NMDOT), MPOs and public transportation providers that will be followed to meet the PBPP requirements and set targets. A separate section is provided for each topic area and each section provides a brief background, identifies to whom the requirement applies, and lists the responsibilities of each affected party. NMDOT, the MPOs and the public transportation providers agree to follow these procedures, and regularly review and update the procedures as needed.

### Background

Federal surface transportation legislation, beginning with the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21; July 6, 2012) and continued in the Fixing America's Surface Transportation Act (FAST Act; December 4, 2015), established performance requirements for states and MPOs under the Transportation Performance Management (TPM) program. MAP-21 established the following national performance goal areas for the federal highway programs:<sup>113</sup>

- **Safety:** To achieve a significant reduction in traffic fatalities and serious injuries on all public roads;
- **Infrastructure Condition:** To maintain the highway infrastructure asset system in a state of good repair;
- **Congestion Reduction:** To achieve a significant reduction in congestion on the National Highway System;
- **System Reliability:** To improve the efficiency of the surface transportation system;
- **Freight Movement and Economic Vitality:** To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development;
- **Environmental Sustainability:** To enhance the performance of the transportation system while protecting and enhancing the natural environment; and
- **Reduced Project Delivery Delays:** To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

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<sup>113</sup> 23 USC § 150(b)

The FAST Act builds on MAP-21, continuing the planning and performance-based program requirements. Additionally, the FAST Act:<sup>114</sup>

1. Requires the planning process to consider projects/strategies to:
  - Improve the resilience and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation, and
  - Enhance travel and tourism.
2. Requires State DOTs to incorporate into their long-range statewide transportation plans (LRSTPs) the performance measures of transit agencies not represented by MPOs.
3. Requires State DOTs to include descriptions of performance measures in their LRSTPs.
4. Expands the freight program, including requiring State DOTs to develop multimodal state freight plans using a performance-based planning process.

## Performance Measures/Targets

United States Department of Transportation (USDOT) establishes national **performance measures** via final rules and State DOTs, MPOs, and providers of public transportation establish **performance targets** based on those rules. The final rules outline the performance requirements for states and MPOs under the TPM program. The NMDOT, MPOs and public transportation providers must jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, including:

- Gathering data for national performance measures;
- Performance target setting at state and MPO level;
- Coordination between States and MPOs;
- Reporting on performance at regular intervals; and
- Collecting data for the State asset management plan for the National Highway System (NHS).

State DOTs have **one year** from the effective date of each final rule to set two-and four-year performance targets, for 2020 and 2022.<sup>115</sup> The deadline for MPOs to set performance targets is no later than 180 days after the State DOT or Public Transportation Provider establishes performance targets.<sup>116</sup> The schedule for the target adoptions is outlined in Table 5 below.

Table 5  
Performance Target-Setting Timelines

Performance Area	CFR	FHWA / FTA	Final Rule Publication Date	Final Rule Effective Date	State DOT Target-Setting / Reporting Deadline	MPO Target-Setting Deadline*
PM1 - Safety Performance Measures	23 CFR 490	FHWA	March 15, 2016	April 14, 2016	August 31, 2017; annually thereafter	February 27, 2018; annually thereafter
Statewide & Metropolitan Planning; Non-Metropolitan Planning	23 CFR 450	FHWA & FTA	May 27, 2016	June 27, 2016	June 27, 2017; ongoing	December 27, 2017; ongoing
Transit Asset Management (TAM) Plan and Targets	49 CFR 625	FTA	July 26, 2016	October 1, 2016	October 1, 2017; every 4 years thereafter	April 1, 2018; every 4 years thereafter within each TAM Plan update

<sup>114</sup> 23 USC § 135

<sup>115</sup> 23 CFR § 450.206(c)(2)

<sup>116</sup> 23 CFR § 450.306(d)(3)

National Transit Database, including TAM progress reporting	49 CFR 625	FTA	July 26, 2016	October 1, 2016	Annually, generally due on last business day in January for prior FFY	Annually, generally due on the last business day of the fourth month after the end of the program's fiscal year (e.g. for programs on the state FY, their reporting is due on the last business day in October)
Public Transportation Agency Safety Plan (PTASP)	49 CFR 673	FTA	July 19, 2018	July 19, 2019	July 20, 2020; updated annually by individual FTA Section 5307-funded transit agencies thereafter	Annually, subsequent to transit agencies' annual updates
Highway Asset Management Plan	23 CFR 515 and 667	FHWA	October 24, 2016	October 2, 2016; Part 667 effective November 23, 2016	June 30, 2019 (final submitted); update every 4 years thereafter	NA
PM2 - Pavement & Bridge Perf. Measures	23 CFR 490	FHWA	January 18, 2017	May 20, 2017	May 20, 2018; mid-performance report due October 1, 2020 and every 4 years thereafter (target adjusting optional); full-period performance report due October 1, 2022 and every 4 years thereafter (target setting mandatory)	November 16, 2018; mid-performance report due October 1, 2020 and every 4 years thereafter (target adjusting optional); full-period performance report due October 1, 2022 and every 4 years thereafter (target setting mandatory)
PM3 - NHS, Freight, & CMAQ Performance Measures	23 CFR 490	FHWA	January 18, 2017	May 20, 2017	May 20, 2018; mid-performance report due October 1, 2020 and every 4 years thereafter (target adjusting optional); full-period performance report due October 1, 2022 and every 4 years thereafter (target setting mandatory)	November 16, 2018; mid-performance report due October 1, 2020 and every 4 years thereafter (target adjusting optional); full-period performance report due October 1, 2022 and every 4 years thereafter (target setting mandatory)
*MPO must set targets within 180 days of NMDOT setting its targets; these dates represent the latest possible date for establishment.						

Additional information related to the performance measures final rule can be found on the Federal Highway Administration (FHWA) TPM website.<sup>117</sup>

<sup>117</sup> Federal Highway Administration, Transportation Performance Management website: <https://www.fhwa.dot.gov/tpm/rule.cfm>.

# General Performance Planning and Programming Requirements

States are required to use a performance-based approach to transportation planning,<sup>118</sup> as follows:

1. The statewide transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decision making to support the national goals described in 23 USC § 150(b) and the general purposes described in 49 USC § 5301.
2. Each State shall select and establish performance targets in coordination with the relevant MPOs to ensure consistency to the maximum extent practicable. The targets shall address the performance areas described in 23 USC § 150(c), and the measures established under 23 CFR § 490, where applicable, to use in tracking progress toward attainment of critical outcomes for the State. States shall establish performance targets that reflect the measures identified in 23 USC § 150(c) not later than one year after the effective date of the USDOT final rule on performance measures. Each State shall select and establish targets under this paragraph in accordance with the appropriate target setting framework established at 23 CFR § 490.
3. In areas not represented by an MPO, the selection of public transportation performance targets by a State shall be coordinated, to the maximum extent practicable, with providers of public transportation to ensure consistency with the performance targets that public transportation providers establish under 49 USC § 5326(c) and 49 USC § 5329(d).
4. A State shall integrate into the statewide transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in this section, in other State transportation plans and transportation processes, as well as any plans developed pursuant to Chapter 53 of Title 49 by providers of public transportation in areas not represented by an MPO required as part of a performance-based program. Examples of such plans and processes include the Highway Safety Improvement Program (HSIP), Strategic Highway Safety Plan (SHSP), the State Asset Management Plan for the NHS, the State Freight Plan, the Transit Asset Management Plan (TAMP), and the Public Transportation Agency Safety Plan.
5. A State shall consider the performance measures and targets established under this paragraph when developing policies, programs, and investment priorities reflected in the LRSTP and State Transportation Improvement Program (STIP).

MPOs are also required to use a performance-based approach to transportation decision making and planning<sup>119</sup> and the metropolitan transportation planning process shall provide for the establishment and use of a performance-based approach to transportation decision-making to support the national goals described in 23 USC § 150(b) and the general purposes described in 49 USC § 5301(c).

If MPOs establish their own performance targets, the following applies:

1. Performance targets shall address the performance measures or standards established under 23 CFR § 490 (where applicable), 49 USC § 5326(c), and 49 USC § 5329(d) to use in tracking progress toward attainment of critical outcomes for the region of the MPO.
2. The selection of targets that address performance measures described in 23 USC § 150(c) shall be in accordance with the appropriate target setting framework established at 23 CFR § 490,

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<sup>118</sup> 23 CFR § 450.206(c)

<sup>119</sup> 23 CFR § 450.306(c)

and shall be coordinated with the relevant State(s) to ensure consistency, to the maximum extent practicable.

3. The selection of performance targets that address performance measures described in 49 USC § 5326(c) and 49 USC § 5329(d) shall be coordinated, to the maximum extent practicable, with public transportation providers to ensure consistency with the performance targets that public transportation providers establish under 49 USC § 5326(c) and 49 USC § 5329(d).

## Long Range Statewide Transportation Plan and State Transportation Improvement Program

The NMDOT Planning Division is the lead NMDOT office in developing the LRSTP, which it updates approximately every five years. The current LRSTP, the New Mexico 2040 Plan (2040 Plan), is scheduled for update in 2020 and will be amended to comply with the PBPP requirements.

The LRSTP shall include:<sup>120</sup>

- A description of the applicable federal performance measures and targets used in assessing the performance of the transportation system in accordance with 23 CFR § 450.206(c).
- A system performance report and subsequent updates that:
  - Evaluates the condition and performance of the transportation system with respect to the performance targets; and
  - Describes progress achieved by the MPOs in meeting performance targets in comparison with system performance recorded in previous reports.<sup>121</sup>

The progress description should include the information that is available at the time of the LRSTP adoption (or update), such as the reporting information required under 23 CFR § 490.107, which outlines the schedule and reporting requirements for the state Biennial Performance Reports (BPRs) and mid-performance period progress report (see Reporting section below).

The STIP Unit is the lead NMDOT office in developing the four-year STIP. The STIP must include, to the maximum extent possible, a description of how the **program of projects** in the STIP contributes to achievement of the performance targets identified in the LRSTP<sup>122</sup> and other State performance-based plans (SHSP, Freight Plan, TAMP, etc.), linking investment priorities to those targets.

## Metropolitan Transportation Plans and Transportation Improvement Programs

Metropolitan Transportation Plans (MTPs) adopted/updated on or after May 27, 2018<sup>123</sup> must address and comply with the PBPP requirements by including the following information in the appendix:

- A description of the federally required performance measures and targets used in assessing the performance of the transportation system. Targets shall be included for:
  - Performance Measure 1 (PM 1): Safety;
  - Performance Measure 2 (PM 2): Bridge and Pavement Condition Performance;
  - Performance Measure 3 (PM 3): Congestion Reduction, System Reliability, Freight Movement and Economic Vitality, and Environmental Sustainability; and
  - Transit Asset Management.

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<sup>120</sup> 23 CFR § 450.216(f)(1) and (2)

<sup>121</sup> 23 CFR § 450.216(f)(2) and 23 CFR § 450.324(g)

<sup>122</sup> 23 CFR § 450.218(q)

<sup>123</sup> The PM 1 targets must be included in MTPs that are adopted or amended after 5/27/18. The PM 2 and 3 targets must be included in MTPs that are adopted or amended after 5/20/19.

- Each MPO's "Transit Asset Management Performance Targets," as required by 23 CFR § 450.206(c), which support the national goals described in 23 USC § 150(b) and the general purposes described in 49 USC § 5301(c).
- A system performance report and subsequent updates evaluating the progress achieved by the MPO in meeting the targets in comparison with system performance recorded in previous reports, including baseline data.
- If the MPO has developed multiple scenarios, an analysis of how the preferred scenario improved the conditions and performance of the transportation system and how changes in local policies and investments impacted the costs necessary to achieve the identified performance targets is required. Currently, this only applies to El Paso MPO (EPMPO) and Mid-Region MPO (MRMPO).

For their Transportation Improvement Programs (TIPs), each MPO will<sup>124</sup>:

- Design the TIP so it makes progress toward achieving the performance targets. Each MPO shall include the mandatory performance targets in their designated TIP project selection criteria.
- To the maximum extent practicable, describe how the **program of projects** in the TIP contributes to achievement of the performance targets identified in the MTP, per the NMDOT State Transportation Improvement Program Manual (STIP Manual).
- Include in the self-certification narrative a description of how the other performance based planning and programming documents are being implemented through the TIP.

## MPO Coordination with Public Transportation Providers

MPOs shall invite each public transportation provider operating within the MPO planning area to submit and present the most recent "Transit Asset Management Plan" (TAM) to the MPO Technical or equivalent committee. These may be individual TAMs or part of the State's consolidated TAM plan. The plans will inform a discussion and agreement upon "Transit Asset Management Performance Targets." Recommended targets will be presented for adoption by the MPO's Policy Board/Committee at the next regularly scheduled meeting. In the event that no changes are suggested to the targets, the appendix and targets will remain standing until the next review period. This strategy would satisfy the requirements listed below:

- Consult with the urban public transportation providers on the establishment of 4-year performance measure targets to ensure consistency;
- Agree to plan and program projects with the transit provider that contribute to the State of Good Repair target for that performance measure;
- Submit the resolution(s) approving the targets to NMDOT Transit and Rail Division. The resolution must clearly identify or state each target; and
- Revisit the targets when the MPO develops a new TIP and/or MTP.

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<sup>124</sup> 23 CFR 450.326(d)

## Performance Measures Overview

This section outlines the Safety (PM 1), System Preservation (PM 2), and System Performance (PM 3) measures. It includes detailed information on the rules' requirements for data, calculations, target setting, reporting, MPO coordination, and timeline.

Table 6  
Summary of Performance Measures and Targets

Performance Measure	Targets Required
PM 1 - Safety	<ul style="list-style-type: none"><li>• Number of fatalities</li><li>• Number of serious injuries</li><li>• Fatalities/100 million VMT</li><li>• Serious injuries/100 million VMT</li><li>• Non-motorized fatalities &amp; serious injuries</li></ul>
PM 2 - Bridge	<ul style="list-style-type: none"><li>• Percentage of NHS bridges classified as in good condition</li><li>• Percentage of NHS bridges classified as in poor condition</li></ul>
PM 2 - Pavement	<ul style="list-style-type: none"><li>• Percentage of pavement on the Interstate System in good condition</li><li>• Percentage of pavement on the non-Interstate NHS in good condition</li><li>• Percentage of pavement on the Interstate System in poor condition</li><li>• Percentage of pavement on the non-Interstate NHS in poor condition</li></ul>
PM 3 - System Performance, Freight Movement, and Air Quality	<ul style="list-style-type: none"><li>• Percent of person-miles traveled on the Interstate System that are reliable</li><li>• Percent of person-miles traveled on the non-Interstate NHS that are reliable</li><li>• Percentage of the Interstate System mileage providing for reliable truck travel times</li><li>• Annual Hours of peak-hour excessive delay per capita</li><li>• Percent of Non-SOV Travel</li><li>• On-Road Mobile Source Emissions Reduction</li></ul>

## Coordination, Target Setting, and Reporting Requirements

The TPM requirements for NMDOT and MPO coordination, target setting, reporting, and significant progress determination are similar across the safety, infrastructure, and system performance measure areas. The notable exceptions are for much of the PM 1 Safety requirements, which are called out separately where different from the other measures. This section will provide the general guidelines in these areas, with measure-specific information where applicable.

A summary of the TPM requirements for the Safety performance measures (PM 1) and all other performance measures is provided in Table 7.

Table 7  
TPM Requirements

TPM Requirements for Safety (PM 1) vs. Other Measures (PMs 2 and 3)		
	<u>PM 1 - Safety</u>	<u>PMs 2 and 3 - Infrastructure and System Performance</u>
<b>Initial Performance Period</b>	2018, annually thereafter	2018-2022, four year cycles thereafter
<b>Target Setting Frequency</b>	Annually	Every four years (with adjustments optional at midpoint)
<b>Applicability</b>	All Public Roadways	National Highway System (NHS) & Interstates (varies across measures)
<b>Reporting</b>	HSIP Annual Report	Biennial Performance Reports
<b>Reports Due</b>	August 31	Baseline – October 1, 2018 Mid-period – October 1, 2020 Full-period – October 1, 2022 Every four years thereafter
<b>Adjustments to Targets</b>	Must be approved by FHWA	In the Mid Performance Period Progress Report (2 years after target establishment)

## Target Setting

This section summarizes the three performance measures for which targets are required to be set by NMDOT and the MPOs.

### *PM 1 - Safety*

NMDOT reports targets in the HSIP annual report due annually on August 31. Targets must be identical to National Highway Traffic Safety Administration (NHTSA) Highway Safety Plan (HSP) targets for the three common measures (number of fatalities, rate of fatalities, and number of serious injuries).

### *PMs 2 and 3 - Infrastructure and System Performance Target Setting*

NMDOT set its first two- and four-year statewide targets by the May 20, 2018 deadline for the statewide infrastructure and system performance measures, and reported the targets to FHWA in the baseline report which was due October 1, 2018. States may adjust targets at the halfway point in each period, i.e. 2020. These targets are also referred to as the National Highway Performance Program (NHPP) and National Highway Freight Performance (NHFP) targets.

### *MPO Target Setting*

Once NMDOT establishes and reports on its own performance targets, the MPOs have 180 days to establish their own 4-year targets (not 2-year targets). Targets do not have to be formally submitted to

FHWA, but after the 180 day period NMDOT must be able to produce these targets to FHWA upon request.

In most cases, MPOs have two options to set targets:

1. Agree to plan and program projects to support the relevant NMDOT target; or
2. Commit to their own *quantifiable target* for that performance measure.

For Safety measures (PM 1), if an MPO selects a quantifiable target other than the NMDOT target, the MPO must report the vehicle miles traveled (VMT) estimate used for rate targets and the methodology used to develop the estimate. MPOs report to the NMDOT, and must be made available to FHWA upon request.

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) measures (in PM 3), which currently apply only to EPMP, <sup>125</sup> have slightly different requirements, some of which change after the first reporting period:

- **CMAQ Emissions Reduction:** The emissions reduction measure applies only to MPOs in a non-attainment or maintenance area, but has different requirements depending on MPO urbanized area size, and whether the MPO is a Transportation Management Area (TMA):

Table 8

MPOs serving TMAs > 1 million population	2- and 4-year targets
Other MPOs in a non-attainment or maintenance area	4-year targets only

- **CMAQ Congestion:** MPOs in a non-attainment or maintenance area are required to establish quantifiable “unified” targets <sup>126</sup> with the State DOT according to the below parameters:

Table 9

First Performance Period	<ul style="list-style-type: none"><li>• 4-year targets only for Peak Hour Excessive Delay</li><li>• 2- and 4-year targets for percent non-Single Occupant Vehicle (SOV) travel</li><li>• Applies to MPO populations &gt; 1M</li></ul>
Subsequent Performance Periods	<ul style="list-style-type: none"><li>• 2- and 4-year targets</li><li>• Applies to MPO populations &gt; 200K</li></ul>

### Target Adjustment

NMDOT can adjust the 4-year targets in the Mid Period Performance Report, but should discuss the basis for the change and how it supports the expectations outlined in longer range plans, such as the

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<sup>126</sup> The targets for the traffic congestion measures [23 CFR § 490.707(a) and (b)] reported by the State DOTs and MPOs for an urbanized area must be identical [23 CFR § 490.105(f)(5)]. If a multistate MPO is required to establish targets for the traffic congestion measures, all applicable MPOs and State DOTs must establish only one 2-year target and one 4-year target for the entire urbanized area for each traffic congestion measure. The MPOs and State DOTs should collectively develop and implement a mutually agreed upon coordination process so that both MPOs and State DOTs meet their respective target establishment and reporting deadlines.

asset management or LRSTP. NMDOT will coordinate with relevant MPOs for all target adjustments, but explicit agreement on target adjustments are required for all unified CMAQ target changes.

Safety targets should not be changed after they are submitted in the annual HSIP report unless explicitly approved by FHWA.

When NMDOT adjusts a target, MPOs that have chosen to support the State target have the option to adopt the new target or to establish their own quantifiable target.

## Performance Periods

Performance periods for the different measures vary to some degree, as shown in Table 10:

Table 10

Safety	January 1, 2018 – December 31, 2018	Annually thereafter
CMAQ emissions reduction	October 1, 2017 – September 30, 2021	Every four years thereafter
All other measures	January 1, 2018 – December 31, 2021	Every four years thereafter

## Reporting

The safety performance measures (PM 1) are reported by NMDOT in the HSIP annual report, submitted through the FHWA Online Reporting Tool. Required information for all other measures is submitted by NMDOT to FHWA in a series of biennial performance reports through the online FHWA reporting tools (UPACS and CMAQ Public Access System). Basic information and the required elements are listed for each report below.<sup>127</sup>

### *PM 1*

#### HSIP Report

Submitted by NMDOT for all safety measures; due August 31 each year; major elements include:

- Statewide targets for the five safety measures;
- Any additional targets (if applicable) and boundaries for them; and
- The most recent 5 years of serious injury data and non-motorized serious injury data.

### *PMs 2 and 3*

#### Baseline Performance Report

Submitted by NMDOT; due every four years beginning on October 1, 2018; major elements include:

- 2-year and 4-year targets and a discussion of the basis for each target (except 2-year targets for Interstate pavement and non-Interstate NHS reliability);
- Baseline performance (2017 data; except Interstate pavement and non-Interstate NHS reliability);
- Discussion of how the targets support expectations in longer range plans (LRSTP and TAMPs);

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<sup>127</sup> States (and MPOs that choose to adopt and support State targets) are encouraged to coordinate and rely on the same information for reporting on progress, and where possible, use the information reported to FHWA by the State to meet the biennial reporting requirements of 23 CFR § 490.107 and to meet the LRSTP reporting requirements of 23 CFR § 450.216(f) (and vice versa). States are subject to the system performance report requirements of 23 CFR § 450.216(f)(2) and biennial performance report required by 23 CFR § 490.107.

- Urbanized area boundaries and population data for additional targets (if applicable); and
- Location of truck freight bottlenecks in the State.

### Mid-Period Performance Progress Report

Submitted by NMDOT; due every four years beginning on October 1, 2020; major elements include:

- 2-year condition/performance (baseline performance for Interstate pavement condition and non-Interstate NHS reliability);
- 2-year progress in achieving performance targets;
- Investment strategy discussion;
- Discussion of congestion at truck freight bottlenecks;
- Target adjustment discussion, if needed; and
- 2-year significant progress discussion for the NHPP targets and the NHFP targets.

### Full-Period Performance Progress Report

Submitted by NMDOT; due every four years beginning on October 1, 2022; major elements include:

- 4-year condition/performance; 4-year progress in achieving performance targets;
- Investment strategy discussion;
- Discussion of congestion at truck freight bottlenecks;
- 4-year significant progress evaluation for applicable targets;
- Extenuating circumstances discussion on applicable targets; and
- Applicable target achievement discussion.

### MPO Reporting

1. MPO targets are adopted by resolution or other appropriate legal instrument by the MPO Policy Board/Committee and included in the MTP appendix. MPOs submit the targets to their NMDOT GTG Liaison via email.
2. MPOs report baseline safety performance and progress toward achieving the targets in the system performance report in the appendix of the MTP. VMT estimate and methodology is also required if the MPO established its own safety targets.
3. CMAQ targets and performance reports must be included in biennial performance reports, included in the MTP appendix, for applicable MPOs.

## Significant Progress

This section outlines the “significant progress” requirements for each Performance Measure, as well as consequences of failure to make significant progress.

### PM 1 - Safety<sup>128</sup>

To achieve significant progress for the safety measures, four out of the five targets must be either met, or performance must be better than that for the year prior to target establishment.<sup>129</sup>

Significant progress will be determined two years after the first safety targets are established, then annually thereafter. FHWA will report findings to states beginning March of 2020.

<sup>128</sup> 23 CFR § 490.211

<sup>129</sup> Guidance: FHWA Procedure for Safety Performance Measure Computation and State Target Achievement Assessment: [https://www.fhwa.dot.gov/tpm/guidance/safety\\_performance.pdf](https://www.fhwa.dot.gov/tpm/guidance/safety_performance.pdf)

### *PMs 2 and 3 – Bridge/Pavement and System Performance (NHPP and NHFP Measures)<sup>130</sup>*

For all other measures, other than CMAQ measures, significant progress is determined every two years, after the mid-point and end point of each performance period, and will be determined individually for each measure. Significant progress is achieved if<sup>131, 132</sup>:

1. Performance is better than baseline performance;
2. Performance is better than targeted performance.

FHWA will inform NMDOT of the determination.

### *Failure to Make Significant Progress*

If NMDOT fails to make significant progress for the collective safety measures (PM 1), in the following year NMDOT must (1) use a portion of obligation authority only for HSIP projects, and (2) submit an annual implementation plan that describes actions the NMDOT will take to meet the targets.

If NMDOT fails to make significant progress for any other individual, applicable measures (non-CMAQ measures) the NMDOT must document the actions that will be taken to achieve the target. If FHWA determines that the NMDOT Interstate pavement condition falls below the minimum level for the most recent year, the NMDOT must obligate a portion of NHPP and transfer a portion of Surface Transportation Block Grant (STBG) funds to address Interstate pavement condition.

Failure to make significant progress on the freight reliability measure (PM 3) necessitates additional detailed reporting in the biennial performance reports, including:

- Identification of significant freight system trends, needs, and issues;
- Description of freight policies and strategies that guide freight-related investments;
- Inventory of truck freight bottlenecks, and detailed data on each identified bottleneck including:
  - Route and milepost location for each bottleneck,
  - Roadway section inventory data reported in Highway Performance Management System (HPMS),
  - Annual Average Daily Traffic (AADT) and Average Annual Daily Truck Traffic (AADTT),
  - Travel-time data and measure of delay, such as travel time reliability, or average truck speeds, and
  - Capacity feature causing the bottleneck or any other constraints applicable to trucks, such as geometric constraints, weight limits or steep grades; and
- Description of ways in which the State is allocating funding to improve bottlenecks, including:
  - Methods to address each bottleneck, and
  - Improvement efforts planned or programmed through State or MPO freight plans, STIP/TIP, regional or corridor level efforts, other related planning efforts, and operational/capital activities.
- A description of the actions NMDOT will undertake to achieve the target established for the Freight Reliability measure.

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<sup>130</sup> 23 CFR § 490.109

<sup>131</sup> FHWA Computation Procedure for the Bridge Condition Measures (FHWA-HIF-18-023):

<https://www.fhwa.dot.gov/tpm/guidance/hif18023.pdf>

<sup>132</sup> FHWA Computation Procedure for the Pavement Condition Measures (FHWA-HIF-18-022):

<https://www.fhwa.dot.gov/tpm/guidance/hif18022.pdf>

## Performance Measure 1: Safety

The Safety Performance Management (PM 1) rulemaking institutes new data collection standards and performance reporting requirements as part of the annual HSIP submittal. While the necessary fatality and serious injury data are already collected and centralized in the Fatality Analysis Reporting System (FARS) and State motor vehicle crash database, the new rulemaking mandates that all data must be collected and classified according to common standards.<sup>133</sup>

### Safety Performance Measures

There are five safety performance measures:

1. Number of fatalities;
2. Rate of fatalities;
3. Number of serious injuries;
4. Rate of serious injuries; and
5. Number of non-motorized fatalities and non-motorized serious injuries.

### Metric and Measure Calculation

Unlike the other TPM measures, the safety metric results are the measure results - no additional calculation is required.

All measures are calculated as a five-year rolling average, and should be rounded to the nearest tenth.

### Data Sources

- **Fatalities:** FARS, or the Fatality Analysis Reporting System-Annual Report File (FARS-ARF) if the final FARS data is not available;
- **Serious Injuries and Non-motorized Fatalities and Serious Injuries:** State motor vehicle crash database (managed by the University of New Mexico (UNM) Geospatial and Population Studies Traffic Research Unit);
- **State Vehicle Miles Travelled (VMT):** Highway Performance Management System (HPMS), managed by NMDOT Data Management Bureau; and
- **MPO VMT:** Estimated by the MPO, if the MPO is setting targets.

### Applicability

Geographic – Fatalities and serious injuries on all public roads subject to HSIP requirements.

### Data Submittal

Fatality and serious injury data are maintained by NMDOT, with fatalities submitted to FARS on an ongoing basis and all crash data housed at UNM.

### Responsibilities

The NMDOT Multimodal Planning and Programs Bureau (MPPB) is the lead NMDOT office in developing the PM 1 Safety targets and will:

- Develop targets annually in cooperation with the NMDOT Traffic Safety Division and the MPOs;
- Coordinate with the MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable. This includes at least one meeting, in the spring, with the MPOs to discuss/gather feedback on the proposed targets for the upcoming reporting year;

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<sup>133</sup> 23 CFR § 490.207(a)

- Provide fatality and serious injury data to the MPOs as soon as the data is available;
- Update the MPOs, as needed or requested, on the status of the performance targets;
- Report the targets to FHWA in the State's HSIP annual report by August 31; and
- Provide a copy of the submitted HSIP annual report to the MPOs upon request.

Each MPO will:

- Coordinate with NMDOT on the development and establishment of annual targets to ensure consistency, to the maximum extent practicable;
- Establish a target for each performance measure within 180 days of August 31 each year by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the NMDOT safety target for that performance measure, or
  - Committing to a quantifiable target for that performance measure.
- Submit the documentation adopting the targets to NMDOT MPPB by February 27 of each year. The documentation must clearly identify/state each target; and
- If the MPO committed to a quantifiable target different from the state target, annually report to MPPB the VMT estimate used for the targets and the methodology used to develop the estimate.

## Performance Measure 2: Bridge and Pavement Condition Performance

The second performance measure (PM 2) is for bridge and pavement condition. There are six performance measures.

1. Percent of pavement in Interstate in good condition;
2. Percent of pavement on non-Interstate NHS in good condition;
3. Percent of pavement on Interstate in poor condition; and
4. Percent of pavement on the non-Interstate NHS in poor condition.

### Bridge Performance Measures

5. Percentage of NHS bridges by deck area classified as in good condition.
6. Percentage of NHS bridges by deck area classified as in poor condition.

#### *Data Sources*

The data for the bridge measures is submitted by the NMDOT in the National Bridge Inventory (NBI).

#### *Applicability*

The bridge measure is applicable to all bridges carrying the NHS. This includes on- and off-ramps connected to the NHS and bridges carrying the NHS that cross a state border. NMDOT must establish 2-year and 4-year performance targets for these measures; MPOs must establish 4-year performance targets.

#### *Data Submittal*

States must submit the most current NBI data for all bridges no later than March 15 of each year.

#### *Responsibilities*

The NMDOT Bridge Bureau is the lead office in developing NHS bridge condition performance targets and will:

- Submit the NBI data for bridges;
- Develop 2-year and 4-year targets (first completed May 20, 2018), as well as any updates to the targets, in cooperation with the MPOs;
- Coordinate with the MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable;
- Update the MPOs, as needed or requested, on the status of the performance targets;
- Report the targets to FHWA in the Biennial Performance Report by October 1. The Baseline Performance Period Report is due every four years beginning October 1, 2018. The Mid Performance Period Progress Report is due every four years beginning October 1, 2020. The Full Performance Period Progress Report is due every four years beginning October 1, 2022; and
- Provide copies of submitted reports to the MPOs upon request.

Each MPO will:

- Coordinate with NMDOT on the development and establishment of 4-year targets to ensure consistency, to the maximum extent practicable;
- Establish a target for each performance measure for all NHS bridges in their metropolitan planning area within 180 days of NMDOT establishing or adjusting a target by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the NMDOT NHS bridge condition target for that performance measure, or
  - Committing to a quantifiable target for that performance measure.
- Submit the documentation adopting the targets via email to MPPB by the 180-day deadline. The documentation must clearly identify/state each target.

## Pavement Performance Measures

1. Percentage of pavements on the Interstate System in good condition.
2. Percentage of pavement on the non-Interstate NHS in good condition.
3. Percentage of pavements on the Interstate System in poor condition.
4. Percentage of pavements on the non-Interstate NHS in poor condition.

### *Data Sources*

The data for the pavement performance measures comes from the HPMS field manual inventory data. The condition metrics include IRI, Rutting, Faulting, and Cracking Percent in one direction. The inventory data elements include through lanes, surface type, and structure type. The effective date for the Interstate System is January 1, 2018 and for Non-Interstate NHS routes is January 1, 2020. The data will be collected annually for Interstate System and every two years for non-Interstate NHS.

### *Applicability*

The pavement condition performance measures are applicable to mainline highways on the NHS. State DOTs are required to establish targets for the full extent of the NHS in the state, regardless of ownership. This excludes ramps, shoulders, turn lanes, crossovers, and rest areas.

### *Data Submittal*

NMDOT will continue to submit the pavement data annually through HPMS in accordance with the HPMS field manual. NMDOT began data collection to comply with the requirements in 23 CFR 490 in 2018 for both the Interstate and non-Interstate NHS. The pavement data collection is completed on an annual basis for both the Interstate and Non-Interstate NHS, even though the non-Interstate NHS is only required on a biennial frequency. NMDOT collects non-Interstate NHS pavement data for both NMDOT-maintained and locally maintained roads. The full International Roughness Index (IRI), Rutting, Cracking

Percent, and Faulting inventory for Interstate pavements was due April 15, 2019, with annual submittals after that. The first IRI inventory submittal was due June 15, 2018, with annual submittals thereafter. The first full IRI, Rutting, Cracking Percent, and Faulting inventory submittal for non-Interstate NHS is due June 15, 2021, with annual submittals after that.

The measures apply to all NHS mainline roadways. The measures do not apply to NHS intermodal connectors. State DOTs must establish 2-year and 4-year performance targets for these measures; MPOs must establish 4-year performance targets.

### *Responsibilities*

The NMDOT Pavement Management Bureau (PMB) is the lead office in developing NHS pavement performance targets and will:

- Develop 2-year and 4-year targets (first completed May 20, 2018), as well as any updates to the targets, in cooperation with the MPOs;
- Coordinate with the MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable;
- Provide NHS condition metrics – IRI, rutting, faulting and cracking percent – to the MPOs once calendar year data is available;
- Update the MPOs, as needed or requested, on the status of the performance targets;
- Report the targets to FHWA in the Biennial Performance Report by October 1. The Baseline Performance Period Report is due every four years beginning October 1, 2018. The Mid Performance Period Progress Report is due every four years beginning October 1, 2020. The Full Performance Period Progress Report is due every four years beginning October 1, 2022; and
- Provide copies of submitted reports to the MPOs upon request.

Each MPO will:

- Coordinate with NMDOT on the development and establishment of targets to ensure consistency, to the maximum extent practicable;
- Establish a target for each performance measure for all NHS roadways within their metropolitan planning area within 180 days of NMDOT establishing or adjusting a target by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the NMDOT NHS pavement condition target for that performance measure, or
  - Committing to a quantifiable target for that performance measure.
- Submit the documentation approving the targets via email to NMDOT PMB and MPPB by the 180-day deadline. The documentation resolution must clearly identify/state each target.

## Performance Measure 3: System Performance, Freight, Congestion and Air Quality

The third performance measure (PM 3) is for system performance, freight, congestion and air quality. There are six performance measures, although not all apply to New Mexico at this time.

1. Percent of person-miles traveled on the Interstate System that are reliable;
2. Percent of person-miles traveled on the non-Interstate NHS that are reliable;
3. Percent of the Interstate System mileage providing for reliable truck travel times;
4. Annual hours of peak-hour excessive delay per capita;
5. Percent non-SOV travel; and
6. On-road mobile source emissions reduction.

# National Highway Performance Program (NHPP) System Performance

## “Travel Time Reliability”

1. Percent of person miles traveled on the Interstate System (IS) that are reliable.
2. Percent of person miles traveled on the non-IS NHS that are reliable.

There are two performance measures (known collectively as the NHS Performance measures) used to assess Travel Time Reliability (TTR).<sup>134</sup> There is a similar third performance measure for truck traffic on the Interstates: Truck Travel Time Reliability (TTTR) Index, discussed later.<sup>135</sup>

### *Metric Calculation*

These measures are based on calculation of the **Level of Travel Time Reliability (LOTTR)** metric for all segments of the NHS. FHWA defines ‘reliable’ for these measures as an operating level where 80 percent of the travel times observed on a roadway segment require less than 50 percent more travel time than what is observed normally.

NMDOT will calculate the LOTTR metric for all NHS road segments in the State. MPO performance will be based on the NMDOT’s metric calculations for the road segments within its boundaries.

### *Data Sources*

**Travel times:** Travel Time Data Set (National Performance Management Research Data Set - NPMRDS) or equivalent data set showing average travel time (all vehicles) for each contiguous segment of NHS in 15 minute increments (for 14 hours on all days from 6AM-8PM only). Segments are determined by states, in coordination with MPOs. States can use equivalent data set(s) with FHWA pre-approval (see below).

**Travel volumes:** AADT needed to calculate the travel time reliability measures will be used, as reported to HPMS in June of the reporting year, to assign an annual volume to each reporting segment. Annual volume will be calculated as: AADT x 365 days.

**Average vehicle occupancies (AVO):** The average occupancy factors for the State and/or metropolitan area (as applicable) needed to calculate travel time reliability measures can be provided by the State, or if they are not available, will come from the most recently available data tables published by FHWA for car, bus and truck occupancy rate averages.

### *Applicability*

Geographic – Travel in all states on NHS route segments only, excluding NHS intermodal connectors as well as on- and off-ramps.

Temporal – Travel between 6AM-8PM every day of the year

### *Data Submittal*

Starting in 2018 and annually thereafter, NMDOT shall calculate and report the four LOTTR metrics for each segment via HPMS by June 15 of each year for the previous year’s measures (e.g. by June 15, 2018 for 2017 data).

### *Responsibilities*

The NMDOT MPPB is the lead office in developing NHS performance targets and will:

- Confirm reporting segments (Traffic Message Channel Segments, or TMCs) in coordination with the MPOs. State DOTs have the option to accept the Travel Time Segments in the NPMRDS as

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<sup>134</sup> 23 CFR § 490.507(a)

<sup>135</sup> 23 CFR § 490.607

the reporting segments or use an equivalent data set, pre-approved by FHWA. NMDOT currently uses NPMRDS. If NMDOT decides to use a different data set than NPMRDS, NMDOT must coordinate with the MPOs. NMDOT, with concurrence from the MPOs, must request FHWA approval for the use of such equivalent data source(s) no later than October 1st before the beginning of the calendar year in which the data source would be used and FHWA must approve the use of that data source prior to implementation and use of that data source by NMDOT and the MPOs.<sup>136</sup>

- MPOs must use the same data set as NMDOT (either NPMRDS data set or alternative NPMRDS-equivalent data set approved by FHWA). If an MPO opts to use an alternative NPMRDS-equivalent data set, the MPO must request FHWA approval for the use of such equivalent data source(s) no later than October 1st before the beginning of the calendar year in which the data source would be used and FHWA must approve the use of that data source prior to implementation and use of that data source.
- Develop 2-year and 4-year targets (first completed May 20, 2018), as well as any updates to the targets, in cooperation with the MPOs.
- Coordinate with the MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable.
- Provide reliability data to the MPOs, as requested.
- Update the MPOs, as needed or requested, on the status of the performance targets.
- Report the targets to FHWA in the Biennial Performance Report by October 1. The Baseline Performance Period Report is due every four years beginning October 1, 2018. The Mid Performance Period Progress Report is due every four years beginning October 1, 2020. The Full Performance Period Progress Report is due every four years beginning October 1, 2022.
- Provide copies of submitted reports to the MPOs upon request.

Each MPO, as is applicable, will:

- Coordinate with NMDOT on the reporting segments;
- Coordinate with NMDOT on the development and establishment of 4-year targets to ensure consistency, to the maximum extent practicable;
- Establish a target for each performance measure for all Interstates (as applicable) and NHS roadways in their metropolitan planning area within 180 days of NMDOT establishing or adjusting a target by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the NMDOT NHS reliability target for that performance measure, or
  - Committing to a quantifiable target for that performance measure.
- Submit the documentation adopting the targets via email to MPPB by the 180-day deadline. The documentation must clearly identify/state each target.

## Freight Movement on the Interstate

### “Freight Reliability”

#### 1. Truck Travel Time Reliability (TTTR) Index.

There is one performance measure identified in 23 CFR § 490.607: Truck Travel Time Reliability (TTTR) Index. The measure applies to freight movement on the Interstate System.

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<sup>136</sup> 23 CFR § 490.103(e)

### ***Metric Calculation***

The **truck travel time reliability (TTTR)** measure is similar to the LOTTR, but with a different ratio numerator and applicable only to the Interstates. For trucks, FHWA defines ‘reliable’ as an operating level where 95 percent of the travel times observed on a roadway segment are less than 50 percent more than what is observed normally.

### ***Data Sources***

**Truck travel times** - Travel Time Data Set (NPMRDS) or equivalent data set showing average travel time (trucks) for each segment in 15-minute increments. Travel time data needed to calculate the Freight Reliability measure shall come from the travel time data set.<sup>137</sup> Segments are determined by states, in coordination with MPOs. As described above in the NHPP System Performance section, states can use equivalent data set(s) with FHWA pre-approval.

### ***Applicability***

Geographic – Travel in all states on Interstate route segments only

Temporal – 24 hours, every day of the year

### ***Data Submittal***

Starting in 2018 and annually thereafter, NMDOT shall calculate and report the five TTTR metrics for each segment via HPMS by June 15 of each year for the previous year’s measures, (e.g. by June 15, 2018 for 2017 data). The five TTTR metrics are as follow:

- (i) Includes “AM Peak” travel times occurring between the hours of 6 a.m. and 10 a.m. for every weekday (Monday -Friday) from January 1st through December 31st of the same year;
- (ii) Includes “Mid Day” travel times occurring between the hours of 10 a.m. and 4 p.m. for every weekday (Monday-Friday) from January 1st through December 31st of the same year;
- (iii) Includes “PM Peak” travel times occurring between the hours of 4 p.m. and 8 p.m. for every weekday (Monday-Friday) from January 1st through December 31st of the same year;
- (iv) Includes “Overnight” travel times occurring between the hours of 8 p.m. and 6 a.m. for every day (Sunday-Saturday) from January 1st through December 31st of the same year; and
- (v) Includes “Weekend” travel times occurring between the hours of 6 a.m. and 8 p.m. for every weekend day (Saturday-Sunday) from January 1st through December 31st of the same year.

### ***Responsibilities***

The NMDOT MPPB is the lead office responsible for developing the freight reliability performance (TTTR) target and will:

- Define reporting segments in coordination with the MPOs;
- Develop a 2-year and 4-year target (first completed May 20, 2018), as well as any updates to the target, in cooperation with the MPOs;
- Coordinate with the MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable;
- Identify truck freight bottlenecks and address progress made in addressing congestion at truck freight bottlenecks as part of the Biennial Performance Reports;
- Report the targets to FHWA in the Biennial Performance Report by October 1. The Baseline Performance Period Report is due every four years beginning October 1, 2018. The Mid Performance Period Progress Report is due every four years beginning October 1, 2020. The Full Performance Period Progress Report is due every four years beginning October 1, 2022; and

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<sup>137</sup>23 CFR § 490.103(e)

- Provide copies of submitted reports to the MPOs upon request.

Each MPO with Interstate highways located within its metropolitan planning area will:

- Coordinate with NMDOT on the reporting segments;
- Coordinate with NMDOT on the development and establishment of 4-year targets to ensure consistency, to the maximum extent practicable;
- Establish a target for freight reliability on Interstates in their metropolitan planning area within 180 days of NMDOT establishing or adjusting a target by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT freight reliability target for that performance measure, or
  - Committing to a quantifiable target for that performance measure.
- Submit the documentation adopting the targets via email to MPPB by the 180-day deadline. The documentation must clearly identify/state each target.

## CMAQ Traffic Congestion

### **“Excessive Delay”**

1. Annual Hours of Peak Hour Excessive Delay (PHED) Per Capita
2. Percent of Non-Single Occupant Vehicle (SOV) travel

There are two performance measures identified in 23 CFR § 490.707. Currently, New Mexico does not qualify for either, as the 1st Performance Period (2018-2022) is only applicable to MPOs with NHS in the intersected area of the urbanized area with a population greater than 1 million, metropolitan planning area, and a nonattainment or maintenance area. This section of this chapter will be updated when the metrics do apply to MPOs with NHS in the intersected area of the urbanized area with a population greater than 200,000, metropolitan planning area, and a nonattainment or maintenance area, starting in the 2nd Performance Period.

## CMAQ Air Quality

### **“Emissions Reduction”**

1. Total Emissions Reduction

One performance measure is identified in 23 CFR 490.807.

### *Measure Calculation*

There is no metric for emissions reduction. The measure is the sum of all emissions reductions estimates (kg/day) for CMAQ-funded projects, cumulative for two years and again for four years. Applicable criteria pollutants include:

- Nitrogen Oxide (NO<sub>x</sub>),
- Volatile Organic Compounds (VOCs),
- Carbon Monoxide (CO), or
- Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).

### *Applicability*

Geographic – All nonattainment and maintenance areas for CMAQ criteria pollutants. Currently, New Mexico is in non-attainment for (Particulate Matter) PM 10 in Southern Doña Ana County, which is within the EPMPO boundary.

Applicability will be determined one year before the Baseline Report is due, and reassessed one year before the Mid Period Progress Report is due.

### *Data Sources*

**Emissions reduction** – Based on estimates reported in States’ CMAQ annual plan, as maintained in the FHWA CMAQ Public Access System.

The measure is the 2-year and 4-year cumulative reported emission reductions for all projects funded by CMAQ funds in nonattainment or maintenance areas. Targets must reflect the anticipated cumulative emissions reduction to be reporting in the FHWA CMAQ Public Access System.

State DOTs must establish 2- and 4-year targets. MPOs with a population more than 1 million and/or with a designated nonattainment or maintenance area must develop 2- and 4-year targets; all other MPOs with a designated nonattainment or maintenance area must establish 4-year targets.

The requirements of the CMAQ on-road mobile source emissions apply to State DOTs whose geographic boundaries include any part of a nonattainment or maintenance area for ozone, carbon monoxide, or particularly matter.

### *Responsibilities*

The NMDOT MPPB is the lead office in developing the CMAQ on-road mobile source emissions performance target and will:

- Develop 2-year and 4-year targets (first completed May 20, 2018), as well as any updates to the targets, in cooperation with the applicable MPOs;
- Coordinate with the applicable MPOs on the establishment of targets to ensure consistency, to the maximum extent practicable;
- Enter project information into the FHWA CMAQ Public Access System for each CMAQ project funded in the previous fiscal year by March 1 of the following fiscal year;
- Extract the data necessary to calculate the Total Emissions Reduction measures as it appears in the FHWA CMAQ Public Access System on July 1 for project obligated in the prior fiscal year;
- Update the MPOs, as needed or requested, on the status of the performance targets; and
- Attach the applicable MPO CMAQ Performance Plan (currently only required from EPMPO) to the Biennial Performance Report.

Each MPO, as applicable (currently only applicable to EPMPO), will:

- Coordinate with NMDOT on the development and establishment of targets to ensure consistency, to the maximum extent practicable. MPOs with population of more than 1 million and a designated nonattainment or maintenance area must develop 2-year and 4-year targets. Other MPOs must develop 4-year targets;
- Establish a target for each performance measure for all NHS roadways in their metropolitan planning area within 180 days of NMDOT establishing or adjusting a target by either:
  - Agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT safety target for that performance measure, or
  - Committing to a quantifiable target for that performance measure;
- Submit the documentation adopting the targets via email to MPPB by the 180-day deadline. The documentation must clearly identify/state each target; and
- Submit to MPPB the biennial CMAQ Performance Plan. The plan must be submitted to NMDOT prior to October 1 for inclusion with NMDOT’s Biennial Performance Reports.

# Transit Asset Management

The Federal Transit Administration (FTA) published the final Transit Asset Management (TAM) rule<sup>138</sup> in July 2016. TAM rules will assist with monitoring and maintaining a state of good repair for transit assets. The MPOs work with large and small urban transit providers to establish targets for performance measures in the MPO areas. The first deadline for the completion of all TAM plans was October 1, 2018 and they need to be updated every four years thereafter. There are four performance measures identified in 49 CFR § 625.43:

Four Performance Measures	
➤	Equipment: (non-revenue) service vehicles – percentage of vehicles that have either met or exceed their useful life benchmark
➤	Rolling stock – percentage of vehicles within a particular asset class that have either met or exceed their useful life benchmark
➤	Infrastructure: rail fixed-guideway track, signals and systems – percentage of track segments with performance restrictions
➤	Facilities – percentage of facilities within as asset class, rated below condition 3 on the TERM scale

FTA TAM rules establish two tiers of TAM planning responsibilities. In New Mexico, Rio Metro Regional Transit District and ABQ RIDE are Tier I agencies and develop their TAM plans in consultation with the MPO.

A Tier I transit agency:

- Operates rail;
- Owns, operates, or manages 101 or more vehicles in revenue service during peak regular service across all fixed route mode of transportation;
- Owns, operates, or manages 101 or more vehicles in revenue service during peak regular service in one non-fixed route mode of transportation.

Small urban transit agencies (Santa Fe Trails, Farmington Red Apple Transit, Las Cruces RoadRUNNER Transit) are Tier II providers, and they develop their own individual TAM plans in consultation with the MPOs.

NMDOT is responsible for the development of a New Mexico Statewide Group TAM Plan for rural transit Tier II providers.

A Tier II transit agency:

- Owns, operates, or manages 100 or less vehicles in revenue service during peak regular service across all non-rail fixed route modes;
- Owns, operates, or manages 100 or less vehicles in revenue service during peak regular service in any one non-fixed route mode;
- Are a subrecipient under the 5311 Rural Area Formula Program;
- Are an Indian Tribal Government.

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<sup>138</sup> 49 CFR § 625

Tier I agencies must comply with all nine elements of the TAM plan. Tier II agencies are responsible only for the top four elements. Table 11 lists the various elements.

Table 11  
Elements of the TAM Plan

Tier	Element	Brief Description
Tier I and II	1. An inventory of asset	A register of capital assets and information about those assets.
	2. A condition assessment of inventoried assets	A rating of the assets' physical state; to be completed for assets an agency has direct capital responsibility for; should be at a level of detail sufficient to monitor and predict performance of inventoried assets
	3. Description of a decision support tool	An analytic process or tool that (1) assists in capital asset investment prioritization and/or (2) estimates capital needs over time <i>does not necessarily mean software</i>
	4. A prioritized list of investments	A prioritized list of projects or programs to manage or improve the SGR of capital assets
Tier I only	5. TAM and State of Good Repair (SGR) policy	A TAM policy is the executive-level direction regarding expectations for transit asset management; a TAM strategy consists of the actions that support the implementation of the TAM policy
	6. Implementation strategy	The operational actions that a transit provider decides to conduct, in order to achieve its TAM goals and policies
	7. List of key annual activities	The actions needed to implement a TAM plan for each year of the plan's horizon
	8. Identification of resources	A summary or list of the resources, including personnel, that a provider

	needs to develop and carry out the TAM plan
9. Evaluation plan	An outline of how a provider will monitor, update, and evaluate, as needed, its TAM plan and related business practices, to ensure the continuous improvement

The requirements of the Transit Asset Management (TAM) Program apply to:

- NMDOT– Develops Group Plan for rural transit Tier II Providers; and
- Large and Small Urban Public Transportation Providers – Develop individual plans.

## Responsibilities

The NMDOT Transit and Rail Division is the lead NMDOT office in developing the performance targets and will:

- Develop targets as needed for rural transit Tier II providers in cooperation with the public transportation providers; and
- Update the MPOs, as needed or requested, on the status of the performance targets for rural transit Tier II providers.

Each MPO will:

- Consult with the urban public transportation providers on the establishment of 4-year performance measure targets to ensure consistency;
- Agree to plan and program projects with the transit provider that contribute to the State of Good Repair target for that performance measure;
- Submit the resolution(s) approving the targets to NMDOT Transit and Rail Division. The resolution must clearly identify/state each target; and
- Revisit the targets when the MPO updates its TIP and its MTP.

Each urban public transportation provider will:

- Develop targets annually in coordination with the MPOs and consult with NMDOT Transit and Rail Division, if needed;
- Make the transit asset management plan, any supporting records or documents performance targets, investment strategies, and the annual condition assessment report available to NMDOT AMPD, Transit and Rail Division and the applicable MPO; and
- Report the targets as defined 49 CFR 625.55. Provide this information to the applicable MPO and NMDOT Transit and Rail Division.

## Public Transportation Agency Safety Plan

### Background

FTA published the final Public Transportation Agency Safety Plan (PTASP) rule (49 CFR 673) on July 19, 2018. The rule requires certain operators of public transportation systems that receive funds under FTA's Urbanized Area Formula Grants (Section 5307) to develop safety plans that include Safety Performance Targets and the processes and procedures to implement Safety Management Systems. In

New Mexico, the affected operators are ABQ RIDE, Rio Metro Regional Transit District, North Central Regional Transit District, Santa Fe Trails, Farmington Red Apple Transit, and Las Cruces RoadRUNNER Transit. The rule became effective on July 19, 2019. PTASPs must be in place by July 20, 2020.

## Responsibilities

The PTASP rule allows individual operators to opt out of a statewide PTASP and prepare individual plans. In New Mexico, all of the affected operators have chosen to prepare individual PTASPs. The PTASP rule requires coordination with states and MPOs in the development of Safety Performance Targets.

# New Mexico Transportation Asset Management Plan

## Background

NMDOT is required to develop and implement a risk-based asset management plan for the National Highway System (NHS) to improve or preserve the condition of the assets and the performance of the system. NMDOT is required to submit the plan to FHWA and update the plan at least every four years.

At a minimum, the plan must include a summary of NHS pavement and bridge assets, regardless of ownership.

The majority of New Mexico's NHS is owned by NMDOT. NMDOT collects and analyzes condition and performance for all NHS pavement and bridges, regardless of ownership.

The requirements of the Transportation Asset Management Plan (TAMP) apply to NMDOT.

## Responsibilities

The NMDOT Asset Management Bureau is the lead office in preparing the TAMP. The Asset Management Bureau will:

- Prepare and implement the TAMP (first submitted to FHWA April 26, 2018 and certified by FHWA on June 29, 2018; due date for final plan was June 30, 2019);
- Update the TAMP at least every four years;
- Gather data on the condition and performance of the NHS, regardless of ownership;
- Share asset-related data, as requested, with the MPOs; and
- Regularly share information related to the TAMP with the MPOs. This includes plan and status updates, and other information as identified.

# Regional Transportation Planning Organizations

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This section of the NMDOT Program Procedures Manual (PPM) discusses the Regional Transportation Planning Organizations (RTPOs) in New Mexico and their participation in the comprehensive and collaborative statewide planning process.

## RTPO Structure in New Mexico

Nonmetropolitan transportation planning is governed by 23 USC § 135(m) and the RTPOs are established by state statute and New Mexico State Transportation Commission Policy 68. The passage of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) established the requirement for a consultative planning process involving local elected and appointed officials in rural areas, which New Mexico meets through its relationships with the Councils of Government (COGs) and RTPOs. ISTEA also made federal transportation funding available to support RTPO planning programs.

The NMDOT establishes 4-year Cooperative Agreements (CAs) with regional COGs/Economic Development Districts (EDDs) to act as fiscal agents and administer the RTPOs. The CA identifies the respective roles and responsibilities of the COG/EDD, RTPO, and NMDOT. The NMDOT and RTPOs collaborate to continually refine and update a standard Regional Work Program (RWP) format. The NMDOT establishes an annual planning budget for the RTPOs to use for RWP activities.

The Moving Ahead for Progress in the 21st Century (MAP-21) federal authorization act of 2012 was the first federal action to formally discuss the designation “RTPOs” (although the previous transportation bill SAFETEA-LU, referred to Regional Planning Organizations). MAP-21 makes it optional for states to designate RTPOs “...to enhance the planning, coordination, and implementation of statewide strategic long-range transportation plans and transportation improvement programs, with an emphasis on addressing the needs of nonmetropolitan areas of the State.”<sup>139</sup> MAP-21 and the subsequent Fixing America’s Surface Transportation (FAST) Act stipulate that states must consult with RTPOs representing an area with a population greater than 5,000 people and less than 200,000 people (the Transportation Management Area threshold) before obligating funding.<sup>140</sup> RTPOs are required to be multijurisdictional organization of nonmetropolitan local officials and representatives of local transportation systems who volunteer to participate in the organization.<sup>141</sup> The following seven RTPOs representing the rural, nonmetropolitan areas of New Mexico (see map in Appendix A):

- Mid-Region (MRRTPO)
- Northeast (NERTPO)
- Northern Pueblos (NPRTPPO)
- Northwest (NWRTPPO)
- South Central (SCRTPPO)
- Southeast (SERTPPO)
- Southwest (SWRTPPO)

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<sup>139</sup> 23 USC § 135(m)(1) – Designation of Regional Transportation Planning Organizations – In General

<sup>140</sup> 23 USC § 133(d)(3) – Consultation with Regional Transportation Planning Organizations

<sup>141</sup> 23 USC § 135(m)(2) – Designation of Regional Transportation Planning Organizations – Structure

# Communication Protocol

The NMDOT Government to Government (GTG) Unit in the Multimodal Planning and Programs Bureau (Bureau) of the Planning Division (Division) maintains liaison staff assignments with all of the RTPOs in the state.<sup>142</sup> RTPO Planning Program Managers should contact the assigned GTG Liaison with questions or concerns and for additional information. This informal contact can be in person or via telephone, email, or letter as appropriate. RTPO fiscal agents are responsible for notifying the GTG Liaison in writing of any staff changes that affect the RTPO and ensuring that the GTG Liaison has the most current contact information for the Planning Program Manager.

The NMDOT assumes certain responsibilities of the New Mexico Division of the Federal Highway Administration (FHWA-NM) for administering the Federal-Aid Highway Program (FAHP) under a Stewardship and Oversight Agreement.<sup>143</sup> Therefore, RTPO staff should direct requests for general information and/or federal code interpretations to their respective GTG Liaison. The liaison will coordinate a response on behalf of the NMDOT. As needed, the NMDOT will seek guidance from the FHWA-NM.

NMDOT uses email to communicate with the RTPOs on procedural changes until these changes are formalized via amendment to this manual. Additionally, emails such as (but not limited to) the “GTG Update” email from the GTG Supervisor are used to relay direction, deadlines and other information to the RTPOs and are considered formal notification.

## Internal Structure

Federal code establishes the following minimum governance/structural requirements for RTPOs:<sup>144</sup>

- A Policy Committee, the majority consisting of nonmetropolitan local officials (and their designees) and as appropriate, additional representatives from State agencies, private business, transportation service providers, economic development practitioners and the public in the region.
- A fiscal and administrative agent such as an existing regional planning and development organization (in New Mexico, these are the COGs/EDDs) to provide professional planning, management and administrative support.

Although the details may vary, the structural elements common to all of the RTPOs in New Mexico include the following items. RTPOs are responsible for reviewing and updating the following documents and submitting current versions to their GTG Liaison, as well as posting them on the applicable RTPO website. Therefore, all of the following documents can be found on the RTPO websites. Examples of some of the Work Products are included in Appendix D.

## Bylaws

RTPOs are required to maintain Bylaws that define the ongoing operational structure of the organization and establish the relationships between the RTPO and member organizations. RTPO Planning Program Managers must schedule an RTPO Policy Board review of the Bylaws as needed and submit documentation of any updates to their assigned NMDOT GTG Liaison. Triggers for review of the by-laws

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<sup>142</sup> Refer to NMDOT website for current MPO/RTPO Contact List

<sup>143</sup> Refer to NMDOT website for current Stewardship and Oversight Agreement with FHWA-NM

<sup>144</sup> 23 USC § 135(m)(3)

include implementation of new federal legislation and/or formation of a new member agency, which is eligible for membership within the RTPO jurisdiction. Appendix D contains an example of RTPO bylaws.

The Bylaws should be specific to each RTPO based on the geographical area and member organizations, but generally include the following sections:

1. **Membership:** The Membership section defines the member entities' and their representation on the Policy Board/Committee (each RTPO has either a Policy Board or a Policy Committee thus these terms are used interchangeable throughout this section), as well as any other committees. Official membership can also include representation from allied organizations such as Regional Transit Districts, school districts, law enforcement, NMDOT, land grants and others. In some RTPOs, these representatives are considered affiliated advisory (non-voting) members. Membership should also include representatives of agencies that receive public transportation funds if any.<sup>145</sup>
2. **Member Policy Training:** The Bylaws should specify types of trainings for new members to the Policy and Technical Committees, as well as training required by the adoption of new state and federal regulations, policies, and procedures (see the text box below for more information). A training plan may be more detailed in the Regional Work Program (RWP) as far as schedule and specific trainings provided, but should, at a minimum, include the following:
  - a. the transportation planning process and the role of the RTPO, RTPO members, NMDOT, FHWA and FTA Region 6 in this process;
  - b. overview of state and federal regulations, policies and procedures governing the RTPOs;
  - c. overview of the Regional Transportation Improvement Program Recommendations (RTIPR) and Transportation Improvement Program (TIP) process; and
  - d. overview of this PPM including the RTPO's responsibilities.
3. **Policy and Decision-Making:** The Policy and Decision-Making section establishes the process for how policy and decisions are to be arrived at in the conduct of RTPO business. There is a range of structure throughout New Mexico's RTPOs from a very formal (for example, Robert's Rules of Order) to a less formal operational style. All RTPOs use motions, seconds, and a call for votes for their action items.
4. **Voting Basis:** The Voting Basis issue may be included in the *Policy and Decision Making* section and covers what constitutes a quorum for voting on decisions. It may also include a varying majority for different types of decisions.
5. **Officers:** The Officers section includes lists the officer positions for the RTPO committees and how they are to be selected. The section also includes when officers are to be elected.
6. **Committee Structure and Function:** The Committee Structure and Function section lists the various committees and explains their function. As noted above, each RTPO has its own name for its various committees. The general committee structure is:
  - a. *Policy Board/Committee* – this committee is required by statute<sup>146</sup> and is the decision making authority of the RTPO. The Policy Committee membership should consist of nonmetropolitan local officials and additional representatives, as appropriate, from NMDOT, private business, transportation service providers, economic development practitioners, and the local public.

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<sup>145</sup> 23 USC § 135(m)(2) - Structure

<sup>146</sup> 23 USC § 135(m)(3)(A) - Requirements

- b. *Technical Advisory Committees* – the membership of these committees usually includes city/county/tribal engineers, road managers, and planning staff. They function as an advisory group, which reviews and makes recommendations on actions and information that is to be presented to the Policy Committee. These committees are not required.
  - c. *Standing Committees* – these committees are determined by the individual RTPO and meet at specified intervals. These committees are not required. RTPOs may choose to operate these committees as separate or joint groups.
7. **Meeting Schedules:** This section identifies when the regular meeting schedule is set each year.
  8. **Compliance with New Mexico Open Meetings Act:** This section specifies that the Policy Committee will adopt a resolution addressing compliance with the New Mexico Open Meetings Act requirements on an annual basis.
  9. **Staff Structure and Function:** All RTPOs have the equivalent of an RTPO fiscal/administrative agent, though the titles may vary. The fiscal/administrative agent could be from an existing regional planning and development organization. Its role is to provide professional planning, management, and administrative support. This agent is empowered to enter into contractual agreements and has operational financial authority with regard to the RTPO. The RTPO agent acts at the direction of and on behalf of the Policy Committee. At minimum, the RTPO agent provides oversight and direction to RTPO staff, and may take an active role in the on-going functions of the RTPO.

## Policy Committee Member Development and Training

The RTPO Planning Program Manager is responsible for ensuring that new Policy Committee members become well versed in their role and responsibilities and cognizant of the breadth and scope of state and federal regulations pertaining to statewide transportation planning as practiced in the state of New Mexico. The GTG Liaison will assist by providing background information and presentation materials and can bring in other Departmental staff to assist with presentations on special programs, District Office responsibilities, priorities and budgets, transit planning, Regional Design Center responsibilities and activities, design parameters, funding opportunities, environmental certifications, and many other transportation-related topics.

Policy Committee member training is an on-going activity, triggered not only by the introduction of new Committee members, but also by the adoption of new state and federal regulations, policies, and procedures. The RTPO Program Manager is responsible for providing and tracking the training that he/she provides, addressing, at a minimum, the following topics:

1. **Who** – How does the RTPO fit into the big picture of statewide transportation planning, and what is the role of an RTPO Policy Committee member, staff member, COG Board member, the role of NMDOT, FHWA-NM, and FTA Region 6?
2. **Why** – Overview of state and federal regulations, policies and procedures governing RTPOs. How can local entities benefit from participation in the RTPO?
3. **What** – What products are required of RTPOs? What programming, recommending authority does the RTPO have? What belongs on an RTPO agenda and what does not? How do projects move from the RTIPR to the STIP? What criteria govern project selection on the STIP?
4. **When** – When are these products expected, what are critical milestones and target dates in the RWP?

# RTPO Responsibilities

The core responsibilities of an RTPO are to:<sup>147</sup>

- Develop and maintain, in cooperation with the State, regional long-range multimodal transportation plans (RTPs);
- Develop regional transportation improvement program recommendations (RTIPR) for consideration by the State;
- Foster the coordination of local planning, land use, and economic development plans with State, regional, and local transportation plans and programs;
- Provide technical assistance to local officials;
- Provide training to Board/Committee members (see text box above);
- Participate in national, multistate, and State policy and planning development processes to ensure the regional and local input of nonmetropolitan areas;
- Provide a forum for public participation in the statewide and regional transportation planning processes;
- Consider and share plans and programs with neighboring regional transportation planning organizations, metropolitan planning organizations, and tribal organizations;
- Maintain an RTPO website that includes current information such as meeting agendas and minutes, as well as current planning documents, such as the Long-Range Regional Transportation Plan, Regional Work Program, Title VI Plan, etc.
- Conduct other duties, as necessary, to support and enhance the regional and statewide planning process; and
- Maintain, in an organized fashion, all applicable records per the federal and state archiving requirements (identified in a following section) and to make those records constantly accessible and available to NMDOT, FHWA-NM and FTA Region 6 to review (see section on Quality Assurance Reviews for more information).

RTPOs are also expected to maintain a working knowledge of State and local transportation projects in their RTPO area and provide assistance with local-lead projects from planning stages and funding through construction. RTPOs are also expected to participate in the following:

- **Roundtable Meetings (as needed).** The RTPOs alternate hosting periodic “roundtable” meetings in the various RTPO regions of the state, generally hosted once a quarter, but only occur when there are items for discussion and review. Agenda items typically include discussion items identified by the RTPOs, updates from the Bureau (such as current projects, guidance on reporting, and how to access technical assistance), as well as reports from the RTPOs. The host RTPO is responsible for arranging the meeting location, working with the Bureau to develop the agenda, distributing meeting information by email to all contacts, running the meeting and writing and distributing meeting notes. Meeting notes from the previous meeting should be reviewed and approved at the subsequent meeting.

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<sup>147</sup> 23 USC § 135(m)(4) – Duties

- **Joint Meeting (as needed).** The NMDOT Bureau will organize and host a joint meeting between the staff of the Bureau, RTPOs, and MPOs as well as other NMDOT and FHWA-NM personnel. RTPO staff are expected to attend these meetings and contribute to the development of the agenda. For the Joint Meetings, the Bureau arranges the meeting location, develops the agenda with the MPOs/RTPOs, distributes meeting materials, runs the meeting and writes and distributes meeting notes. Meeting notes from the previous meeting should be reviewed and approved that the subsequent Roundtable (and MPO Quarterly) meeting.

## RTPO Work Products and Submittal Process

In general, work products required of the RTPO are detailed in this PPM, established by the CA between NMDOT and the COG/EDD, and outlined in the RWP, approved by both the NMDOT and FHWA-NM. The work products are listed below and explained in more detail in the following sections:

- Regional Transportation Plan (RTP)
- Public Participation Plan (PPP)
- Title VI Plan
- Regional Work Program (RWP) and Budget
- Regional Transportation Improvement Program Recommendations (RTIPR)
  - Project Feasibility and Prospectus Forms
- Reimbursement Packets (Cover Letters, Quarterly Reports, Invoices and backup documentation)
- Annual Performance and Expenditure Report (APER)
- Roadway Functional Classification
- Participate in annual Quality Assurance Reviews
- Traffic Counts (optional for RTPOs)
- Special Studies Generated by Task Forces and Committees

Most work products require review by the Bureau (via the GTG Liaison) for approval and concurrence that planning activities and fund expenditures comply with Federal regulations and the RWP. Table 12 summarizes the submittal and review process for the various RTPO work products. All work products should be submitted to the GTG Liaison unless otherwise specified. The following subsections discuss the work products and their specific submittal and review requirements in addition to those outlined in Table 12. Appendices D and E contain boilerplates for developing some of these work products and examples of some of these items.

TABLE 12  
RTPO Work Product Submittals

RTPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (RTPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Regional Transportation Plan (RTP)							
	Update as necessary based on Federal legislation or New Mexico Long-Range Statewide Transportation Plan updates.	GTG Liaison and RTPO Planning Program Manager agree upon a schedule for drafting and reviewing versions of the RTP.	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Examples: 2014_0530_ SWRTPO_RTP_Draft1.docx  2014_0930_ SWRTPO_RTP_Final.docx	1. RTPO Planning Program Manager works with GTG Liaison to review drafts and incorporate comments according to the outlined schedule. 2. RTPO Policy Committee formally approves final Plan. 3. RTPO Planning Program Manager submits approved RTP to GTG Liaison. 4. RTPO staff post approved RTP on RTPO website.	None – RTP provided for informational purposes only. The GTG Liaison follows internal protocol to notify the FHWA-NM and FTA Region 6 by email that the NMDOT reviewed and approved the RTP in terms of compliance with federal regulations and attaches the approved RTP to the email.
Public Participation Plan (PPP)							
	Review and update as needed based on following conditions: <ul style="list-style-type: none"><li>• In conjunction with a revised RTP.</li><li>• 5 years since previous PPP.</li><li>• As necessary based on federal legislation or public input.</li></ul>	GTG Liaison and RTPO Planning Program Manager agree upon a schedule for drafting and reviewing versions of the Plan.	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Examples: 2014_0530_ NWRTPO_PPP_Draft1.docx  2014_0930_ NWRTPO_PPP_Final.docx	1. RTPO Planning Program Manager works with the appropriate GTG Liaison to review the current PPP to ensure compliance with applicable Federal regulations and determine needed revisions, including revisions based on public input received. 2. RTPO issues the draft PPP or revisions for a 45-day public comment period. 3. RTPO Policy Committee formally approves the revised or new PPP. 4. RTPO Planning Program Manager submits the approved PPP to the GTG Liaison. 5. RTPO staff post the approved PPP on the RTPO website.	None – PPP provided for informational purposes only. The GTG Liaison follows internal protocol to notify the FHWA-NM and FTA Region 6 by email that the NMDOT reviewed and approved the PPP in terms of compliance with federal regulations and attaches the approved PPP to the email.
Title VI Plan							
	3 years since previous Title VI Plan	GTG Liaison and RTPO Planning Program Manager agree upon a schedule for drafting and reviewing versions of the Title VI Plan.	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Examples: 2014_0530_ NPRTPO_TitleVI_Draft1.docx  2014_0930_ NPRTPO_TitleVI_Final.docx	1. RTPO Planning Program Manager works with GTG Liaison and NMDOT Title VI Coordinator to review the current Title VI Plan to ensure compliance with applicable federal regulations and determine needed revisions, including revisions based on public input received. 2. RTPO issues the draft Title VI Plan or revisions for a 45-day public comment period and posts on website. 3. The RTPO Policy Committee formally approves the revised or new Title VI Plan. 4. RTPO Planning Program Manager submits the approved Title VI Plan to the GTG Liaison. 5. GTG Liaison sends approved Title VI Plan to NMDOT Title VI Coordinator for review and concurrence. 6. RTPO staff post the approved Title VI Plan on the RTPO website.	None – Title VI Plan provided for informational purposes only. The NMDOT Title VI Coordinator follows internal protocol to notify the FHWA-NM and FTA Region 6 by email that the NMDOT reviewed and approved the Title VI Plan in terms of compliance with federal regulations.

TABLE 12  
RTPO Work Product Submittals

RTPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT		Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (RTPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Regional Work Program (RWP) and Budget								
Draft Program	2 years	Coordination schedule to develop program is detailed in Month-by-Month Work Program and PPM Timeline.  Draft due on or before June 1 in even-numbered FFYs.		RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Examples: 2014_0430_NERTPO_FFY15RWP_Draft2.docx	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.	None
Final Program	2 years	Coordination schedule to develop program is detailed in Month-by-Month Work Program and PPM Timeline.  Final due on or before July 1 in even-numbered FFYs		RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Examples: 2014_0930_NERTPO_ FFY15RWP_Final.docx	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.  RTPO staff post the approved RWP on the RTPO website.	1.FHWA-NM and FTA Region 6 provide review comments and/or determination of acceptance in writing to Division Director. 2.FHWA-NM and FTA Region 6 provide determination of acceptance for revised RWP in writing to Division Director, if necessary.
Amendments-Formal	Quarterly, as needed		Policy Board/Committee Approved	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files	Submittal and review process is detailed in Month-by-Month Work Program and PPM Timeline.	1. FHWA-NM and FTA Region 6 provide review comments and/or approval in writing for RWP quarterly amendment to Division Director.
		Draft				File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext	RTPO Planning Program Manager must use the MPO/RTPO Work Program Amendment Request Form when submitting an amendment to the GTG Liaison.	
		February 1	March 10			Example: 2014_0430_NERTPO_FFY15RWP_Q1Amendment1.docx		
		May 1	June 10					
		August 1*	September 10*					
		November 1	December 10					
*only in Year 1 of RWP  (Updated schedule effective starting with the FFY21/22 RWP cycle.)								

TABLE 12  
RTPO Work Product Submittals

RTPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (RTPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Amendments - Administrative	As needed	As needed	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXMPO_FFYWorkProduct_version.ext  Example: 2014_0430_FMPO_FFY15UPWP_Q1Amendment1.docx	<ol style="list-style-type: none"><li>Using the MPO/RTPO Work Program Amendment Request Form, the RTPO Planning Program Manager submits proposed administrative amendment and summary to GTG Liaison for consideration. The RTPO Planning Program Manager must include the amended RWP and Budget with the Form.</li><li>GTG Liaison submits amendment information to GTG Supervisor and Bureau Chief for review and concurrence, as well as updates NMDOT files with amended RWP and Budget.</li><li>GTG Liaison notifies the RTPO Planning Program Manager of concurrence within 10 calendar days.</li><li>RTPO Planning Program Manager should share the Administrative Amendment with the Policy Committee as an informational item only.</li></ol>	None
Indirect Cost Plan (or de minimis rate)							
	Annual (Optional)	Plan is submitted annually. For years that have an RWP submission, the Plan is submitted with the RWP.  Final due on or before July 1.	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Example: 2014_0501_MRRTPO_FFY15CAPICA_Draft3.docx  2014_0701_MRRTPO_FFY15CAPICA_Final.docx	Submittal and review process is detailed in Month-by-Month Work Program Timeline via process outlined for submission of RWP, though it happens annually.	<ol style="list-style-type: none"><li>FHWA-NM and FTA Region 6 provide review comments and/or determination of acceptance in writing to Division Director.</li><li>FHWA-NM and FTA Region 6 provide determination of acceptance for Plan in writing to Division Director, if necessary.</li></ol> NOTE: If FHWA is not the RTPO's cognizant agency, then the approval will come from the federal agency that is the cognizant agency, and must be adhered to by FHWA.
Regional Transportation Improvement Program Recommendations (RTIPR)							
RTIPR	As determined by RTPO, but should be every other year, at a minimum. Schedule must be included in the RTIPR section of the RWP.	As needed	RTPO Planning Program Manager	GTG Liaison and District Technical Support Engineer	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Example: 2014_0415_MRRTPO_FFY15RTIPR_Final.docx	As outlined in RTPO RWP and as coordinated with the respective NMDOT District office.	None

TABLE 12  
RTPO Work Product Submittals

RTPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (RTPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
Reimbursement Packets (Cover Letter, Quarterly Report, and Invoice)							
	Quarterly	January 25 April 25 July 12 October 25	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext	1. RTPO Planning Program Manager submits packet to GTG Liaison for review. 2. If approved, GTG Liaison submits approved packet to Bureau Financial Manager. If not approved, GTG Liaison emails RTPO Planning Program Manager within 5 working days to request additional information or provide grounds for rejecting the packet. 3. Bureau Financial Manager reviews package. If approved, the packet is then submitted to the GTG Supervisor for final approval. 4. GTG Supervisor reviews. If approved, the Bureau Financial Manager then processes for payment. If not approved, the GTG Liaison emails RTPO Planning Program Manager to request additional information. If the packet is rejected, the GTG Liaison emails a rejection letter to both the RTPO Planning Program Manager and the COG/EDD Executive Director. 5. RTPO Planning Program Manager resubmits packet with required materials and/or required revisions.	None
Annual Performance and Expenditure Report (APER)							
Draft/Final Report	Annual	Draft due November 15 Final due November 30	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext  Example: 2014_1201_SERTPO_FFY14APER_Final.docx	1. RTPO Planning Program Manager submits draft to GTG Liaison for review. 2. GTG Liaison requests any changes, if needed, to the report by November 20. 3. RTPO Planning Program Manager revises report and resubmits to GTG Liaison by November 30. 4. RTPO posts report on RTPO website. 5. The NMDOT Bureau compiles the Division APER, the MPO and RTPO APERs in one submittal to FHWA-NM/FTA Region 6 for informational purposes within 90 days following the close of the Federal fiscal year, December 30.	None – report provided for informational purposes only.
Roadway Functional Classification							
	Update based on following conditions: <ul style="list-style-type: none"><li>• In conjunction with an RTP update.</li><li>• When requested as part of a statewide update.</li></ul>		RTPO Planning Program Manager	Various	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention: Refer to <i>PPM</i> for information.	Refer to PPM for information.	None

TABLE 12  
RTPO Work Product Submittals

RTPO Work Product	Submittal Frequency to NMDOT	Submittal Date to NMDOT	Designee Responsible to Submit to NMDOT	NMDOT Recipient	Submittal Format	Submittal Review and Approval Process (RTPO/NMDOT)	Submittal Review and Approval Process (NMDOT/Governor, FHWA-NM, FTA Region 6)
	<ul style="list-style-type: none"><li>As necessary based on development / changes in traffic patterns and volumes.</li></ul>						
Quality Assurance Reviews (QAR)							
Financial Audit of Fiscal Agents	Annual	30 days after the audit is posted to the State Auditor's Office website, saonm.org	RTPO Planning Program Manager	GTG Liaison	Electronic submittal of files following designated file naming convention; GTG Liaison to send email confirming receipt of files  File Naming Convention Year_MonthDay_XXRTPO_FFYWorkProduct_version.ext	1. RTPO Planning Program Manager submits copy of annual financial audit of their respective fiscal agent to GTG Liaison. 2. GTG Liaison reviews audit and reports any deficiencies identified and / or the need for corrective action to the GTG Unit Supervisor. 3. GTG Unit Supervisor will notify the Bureau Chief and Division Director about the audit review results.	None
Site Review	Annual	Date scheduled by GTG Liaison.	RTPO Planning Program Manager	GTG Liaison	RTPO staff are required to participate in the site review and provide access to electronic files pertaining to the expenditure of state and federal funds.	Refer to QAR section of <i>PPM</i> for information.	None

## Regional Transportation Plan

Regional Transportation Plans<sup>148</sup> (RTPs) are long-range and assess transportation needs and identify projects that could potentially be implemented using federal, State and local funds that are reasonably expected to be available over a 20-year (or longer) period. Each RTPO is expected to develop and maintain its RTP in cooperation with NMDOT, consistent with the socioeconomic projections, travel demand forecasts, scenario testing, revenue projections, prioritization process, evaluation criteria and performance measures established in the NMDOT Long-Range Statewide Transportation Plan (LRSTP). Triggers for updating RTPs are LRSTP updates and, potentially, new Federal legislation.

The RTPO's assigned NMDOT GTG Liaison will provide technical guidance regarding the cooperative process and the development of the RTP. This can include suggestions for obtaining GIS support, socioeconomic projections, travel demand data, traffic counts, crash records and other statistical data and analysis to help maintain consistency between the RTPO RTP and the LRSTP.

See Table 12 for submittal/review process.

## Public Participation Plan

The NMDOT requires every RTPO to develop a Public Participation Plan (PPP) in consultation with citizens and other interested parties. To the maximum practicable extent, all RTPOs must develop a public participation framework that:

- Includes representatives for all transportation modes, including non-motorized;
- Holds public meetings at convenient and accessible locations and times;
- Employs visualization techniques to describe plans;
- Provides information in electronic formats and by means (such as the Internet) that afford reasonable opportunity for public consideration; and
- Complies with all applicable federal and state laws, including the New Mexico Open Meetings Act.<sup>149</sup>

The PPP specifies how the RTPO will address these federal requirements and how the RTPO will provide reasonable opportunities for public and agencies to comment on work products, including RTPs and RTIPRs. The PPP must address federal requirements regarding the length of time allotted for public reviews of various RTPO work products and any exceptions allowed.

At a minimum, a PPP must include the following elements:

- Procedures for informing the public about meetings and agendas;
- Location where current and archived documents can be accessed;
- Framework for public participation in the development of plans (unique to each plan or work product);
- Timeframes for public comment review periods;
- Brief description of the RTPO and its organizational structure; and
- Tools and activities for informing and educating the public (media, social media, visualization, response to comments, workshops, emails, newsletters, etc.).

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<sup>148</sup> 23 USC § 135(m)(4)(A)

<sup>149</sup> NMSA 1978, Chapter 10, Article 15

PPPs should be reviewed prior to development of the RTP, when new federal legislation is adopted, and/or every five years at a minimum, and updated as necessary.

See Table 12 for submittal/review process.

## Title VI Requirements

### *Title VI Plan*

The Title VI Plan details how an RTPO will comply with federal environmental justice and limited English proficiency (LEP) requirements mandated in Title VI of the Civil Rights Act of 1964 and all related regulations and directives. The Title VI Plan generally includes the efforts to be taken by the RTPO to prevent discrimination and the methods for how it will achieve compliance for work products, planning activities, and public participation. The Title VI Plan serves as the assurance to the U.S. Department of Transportation that persons are not excluded from the planning process.<sup>150</sup> The Title VI Plan also details the complaint process for any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program or activity (whether federally-funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency.

When developing their Title VI Plan, RTPOs may wish to conduct a self-assessment to determine their progress in providing language assistance to Limited English Proficiency (LEP) persons.<sup>151</sup> The assessment results may help revise the plan to better serve the LEP population. The assessment considers the following four factors:

- **Demography:** the number or proportion of LEP persons eligible to be involved in programs and services or likely to be encountered;
- **Frequency of Contact with the Program:** the frequency with which LEP persons access or come into contact with programs and services;
- **Nature and Importance of the Program:** the nature and importance of the program, activity, or service in LEP individuals' lives; and
- **Resources Available:** the resources and cost for providing assistance to LEP populations.

Appendix E contains a boilerplate that provides guidance for addressing Title VI requirements. The Title VI Plan addresses the following considerations:

- Compliance with federal environmental justice and LEP requirements mandated in Title VI of the Civil Rights Act of 1964;
- Best practices to be considered by the RTPO to prevent discrimination and the methods for how the compliance will be achieved for:
  - Work products;
  - Planning activities;
  - Public participation; and
- Primary contact person to handle complaints and method to process and address complaints.

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<sup>150</sup> 23 CFR § 200.9(a)(1) – Assurance required by federal law

<sup>151</sup> Department of Justice website (<http://www.lep.gov/selfassesstool.htm>)

The RTPO Title VI Plan should be reviewed every 3 years,<sup>152</sup> and/or when new federal legislation is implemented and/or when the LRSTP is updated, and updated as necessary. RTPOs may use their COG's/EDD's Title VI Plan, provided it includes specific information about the transportation program in the Plan. RTPOs may also have stand-alone plans.

See Table 12 for submittal/review process.

### *Title VI Reporting*

RTPO Title VI Coordinator (as identified in the RTPO Title VI Plan) must submit an annual update to the NMDOT Title VI Coordinator. The annual update should include, but is not limited to, any changes in procedure and organizational structure, as well as a record of any Title VI complaints. All Title VI complaints should also be reported to the NMDOT Title VI Coordinator as they occur. Annual updates are due by October 1. Even if there are no changes or complaints, formal correspondence should be submitted to the NMDOT Title VI Coordinator indicating that there are no changes or complaints.

## **Regional Work Program and Budget**

Every RTPO must adopt a detailed Regional Work Program (RWP) and associated budget describing the transportation planning activities of the RTPO over a 2-year period. The NMDOT consulted with the RTPOs to develop a standard boilerplate for the RWP (provided in Appendix D). The Work Program Review Checklist in Appendix D also provides useful information for developing an RWP. Once approved as part of the NMDOT PWP, the RWP serves as the template for the Quarterly Reports. As Quarterly Reports are cumulative, they form the basis for the Annual Performance and Expenditure Report (see below) which is due after the close of each FFY.

The RTPO budget is developed using the RWP Budget and Invoicing Templates, which can be found in Appendix D. The Budget Template is inserted into the RWP boilerplate, along with the RTPO Glossary of Budget Categories, also found in Appendix D. The directions for the Glossary specify for the RTPO to include both direct/actual and allocated costs in their explanation. The RTPO budget is comprised of direct and allocated costs. Budgets must be developed in accordance with 2 CFR 200. If the fiscal agent for an RTPO chooses to do an Indirect Cost Plan (optional), the plan must comply with the requirements outlined in 2 CFR 200. The Indirect Cost Plan is submitted annually and follows the review/approval process outlined in Table 12.

Unexpended funds can carry-forward between the two years of one RWP (e.g. from FFY17 to FFY18 of the FFY17/18 RWP), but not between two different RWPs (e.g. from the FFY17/18 RWP to the FFY19/20 RWP). In order to carry-forward funds from year 1 to year 2 of the RWP, RTPO staff must amend the carry-forward funds into the year 2 budget. Prior to undertaking the budget amendment, RTPOs must confirm the year 1 remaining balance with their GTG Liaison to ensure they carry-forward the correct amount. Note: the carry-forward amounts do not affect the federal obligation, state encumbrance or NTP, as year 1 funds are already available for both years of the RWP.

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<sup>152</sup> NMDOT's Construction and Civil Rights Bureau requires all subrecipients of federal funds to update or review their Title VI Plan at least every three years

All parties are bound by the approved RWP currently in effect unless administratively or formally amended as described in the following bullets:

- **Administrative Amendment.** An administrative amendment to the RWP may be accomplished unilaterally by the RTPPO if it meets all of the following criteria.
  1. The RWP revision will not significantly impact approved work program priorities and work product delivery schedules (by causing other project delivery schedules to be set back by more than a month);
  2. The RWP revision will result in a change (increase or decrease) of 20% or less of the approved budgeted amount (staff hours or cost) for a specific function or budget line item; and
  3. The RWP revision will result in a cost change (increase or decrease) of 10% or less to the total RWP budget.

The RTPPO Planning Program Manager must notify the GTG Liaison of any Administrative Amendments in writing via email and by completing the MPO/RTPPO Work Program Amendment Request Form (see Appendix E). The RTPPO Planning Program Manager must submit the amended RWP and Budget with the MPO/RPO Work Program Amendment Request Form. The GTG Liaison has 10 working days to review the Administrative Amendment to ascertain that it meets the criteria, or comment, also via email, if he/she believes it does not. The GTG Liaison alerts the GTG Supervisor and Bureau Chief of any Administrative Amendments that he/she receives, as well as updates NMDOT's files with the amendment information and updated RWP and Budget. RTPPOs should share Administrative Amendments with their Policy Committees as informational items; Administrative Amendments do not require Policy Committee action.

- **Formal Amendment.** A formal amendment is required if there are substantive changes to work elements funded by the RWP, as defined by the following criteria:
  1. The RWP revision will impact approved work program priorities by causing other project delivery schedules to slip by more than one month;
  2. The RWP revision will result in a change (increase or decrease) of more than 20% of the approved budgeted amount (staff hours or cost) for a specific function or budget line item; or
  3. The RWP revision will result in a change (increase or decrease) of more than 10% to the total RWP budget.

RTPPOs may submit drafts of their Amendment Request Forms to their GTG Liaisons for feedback, prior to the RTPPO bringing it to their Policy Committee. Formal Amendments require action by the RTPPO Policy Committee prior to the final amendment being submitted to the GTG Liaison. Formal Amendments must be submitted to the GTG Liaison via email and by completing the MPO/RTPPO Work Program Amendment Request Form (see Appendix E). The RTPPO Planning Program Manager must submit the amended RWP and Budget with the MPO/RTPPO Work Program Amendment Request Form. The Formal RWP Amendment may be implemented upon receiving formal approval of the corresponding PWP amendment by the FHWA-NM, FTA Region VI and NMDOT.

The Month-by-Month Work Program and PPM Timeline (Figure 1 in Appendix B) provides a schedule for coordinating the development of, and amendment to, the Regional Work Program with the NMDOT.

See Table 12 for submittal/review process.

## Indirect Cost Plan

An Indirect Cost Plan is optional for RTPOs, as a method for allocating indirect costs. The Plan is completed by the fiscal agent for the RTPOs, and must be accepted by the cognizant agency of the RTPO's fiscal agent. A copy of the Plan and the cognizant agency's approval should be forwarded to NMDOT. The Indirect Cost Plan is submitted annually and follows the review/approval process outlined in Table 12. All Indirect Cost Plans must comply with 2 CFR 200.

Alternatively, in order to capture indirect costs, RTPO fiscal agents may use the de minimis rate of 10% of modified total direct costs, provided the fiscal agent receives less than \$35 million annually from federal programs, and has never had a federally-approved indirect cost plan (rate or allocation). To establish use of the de minimis rate, the agency must request use with its federal cognizant agency and the cognizant agency must respond with its approval. If approved, the fiscal agent must use the de minimis rate on all its federal awards. Should an RTPO's fiscal agent elect to use the de minimis rate, the RTPO must provide documentation of approval to NMDOT according to the Indirect Cost Plan timelines and requirements as outlined in Table 12.

## Regional Transportation Improvement Program Recommendations (RTIPR) and Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is a federally mandated, fiscally constrained, four year planning document that lists all regionally significant and federally funded projects. This document is approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) every four years and all projects awarded to T/LPAs are required to be in the STIP. The Regional Transportation Improvement Program Recommendations (RTIPR) is a prioritized list of projects that each of the RTPOs develops on a regularly-scheduled basis for possible inclusion in the STIP, and is developed in accordance with New Mexico State Transportation Commission Policy 68. RTIPRs should be completed at least every other year and the RTIPR development schedule must be outlined in the RTIPR section of the RWP. The specific process for development of the RTIPR varies slightly among each RTPO, as does the project ranking criteria. However, the role of the RTIPR generally follows the Standardized RTIPR Process, as included in Appendix D.

## Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is the state's transportation capital improvement program. Federally funded and/or regionally significant projects in the MPO/RTPO areas are reflected in the MPO Transportation Improvement Program (TIP) or the RTPO list of recommended projects. The New Mexico STIP is a 6-year plan and includes specific funding levels by year for project implementation. The STIP is fiscally constrained for the first four years, so that program costs do not exceed estimated revenues. The STIP must be consistent with the Long-Range Statewide Transportation Plan (LRSTP) and the MPO Metropolitan Transportation Plans (MTPs). The FHWA-NM and FTA Region 6 approve the STIP every 4 years. Refer to the *State Transportation Improvement Program (STIP) Manual* on the NMDOT website for more information about the STIP and TIP procedures, including transfer of funds between programs, FHWA to FTA, and state to state.

After MAP-21 and FAST, the NMDOT developed statewide performance based measures and targets which established investment priorities. This PPM, the *STIP Manual*, and the eSTIP (the electronic STIP database) are updated to reflect the plans, targets, and evaluation criteria required under MAP-21 and FAST.

Projects on the RTIPR are submitted by the participating Tribal/Local Public Agencies (T/LPAs), or other eligible entities, and are prioritized based on criteria set by each RTPO. Prioritization criteria should be derived from the goals and performance measures listed in the RTPO's RTP and demonstrate how each project meets those goals and measures. Many of the RTPOs also use the RTIPR as a place to list projects that are considered regional priorities including safety, planning, active transportation and roadway projects.

The Project Feasibility Form (PFF) opens the dialogue between the NMDOT Districts and the T/LPAs or other eligible entities regarding projects for possible inclusion in the RTIPR/STIP. RTPO member agencies complete and submit PFFs to the RTPO Planning Program Manager. Following the RTPO-established submittal deadline, the RTPO Planning Program Manager distributes the completed PFF and organizes a meeting at the member agency's location to discuss the overall feasibility of the project and likelihood of the project for receiving funding from the NMDOT. A feasibility meeting is required for any project that is to be included in the RTIPR. The RTPO Planning Program Manager invites the following to the feasibility meeting: T/LPA, NMDOT District Technical Support Engineer (or alternate as identified by the District), GTG Liaison, and as needed the NMDOT Environmental Bureau T/LPA Liaison, and the Regional Design Center T/LPA Coordinator. Other NMDOT staff may be invited as appropriate for the project type.

The NMDOT requires T/LPAs and other eligible entities to submit a Project Prospectus Form (PPF) as part of the application process for transportation infrastructure projects including roadways, bridges, sidewalks, multi-use paths, and corridor/feasibility studies. If the T/LPA is applying for federal funding through the NMDOT, the sponsoring agency must submit a PFF form and receive District concurrence before the PPF is submitted. The purpose of a standardized PPF is to provide NMDOT with a project description that is as complete as possible so that, if the project is selected for funding, NMDOT staff can begin drafting the contract/agreement promptly after the start of a new fiscal year. In addition, the STIP Unit and District Offices enter the project information from the PPF into the STIP.

The current PFF and PPF can be found in the Multimodal Planning and Programs Bureau section of the NMDOT website.

There are a number of opportunities for RTPOs to move projects from their RTIPR to the STIP, or from the RTIPR to implementation via a funding source that does not require listing on the STIP:

- The District Office(s) may select RTPO projects for inclusion in the STIP using Federal highway funds appropriated to the NMDOT, based on State priorities and evaluation criteria; or
- The T/LPA applies for and is awarded discretionary funds from programs such as Local Government Road Fund (LGRF), Highway Safety Improvement Program (HSIP), Transportation Alternatives Program (TAP), Recreational Trails Program (RTP), Congestion Mitigation and Air Quality Improvement Program (CMAQ) Non-Mandatory, Public Lands Access, Community Development Block Grant (CDBG), Economic Development Administration (EDA), U.S. Department of Housing and Urban Development (HUD), and/or U.S. Environmental Protection Agency (EPA) grant, Colonias Infrastructure Fund, etc.

For each area under the jurisdiction of an Indian Tribal government, RTPOs must develop the RTP and RTIPR in consultation with any affected Tribal governments and the Secretary of the Interior consistent with 23 USC § 135(f)(2)(C). The current NMDOT Tribal Consultation protocol is to include representatives of all tribal entities within the RTPO planning jurisdiction as voting members of the RTPO Policy Committee. Additional and more direct tribal consultation with a tribal entity may be necessary on a project-specific basis. The NMDOT provides the services of its Tribal Liaison to assist RTPOs whenever an

issue or concern involving tribal lands and entities arises. RTPOs are directed to the NMDOT website for the Tribal Liaison's contact information.

RTPO Program Managers must become well-versed in the NMDOT's *STIP Manual* and the *T/LPA Handbook*, posted on the NMDOT website, in order to provide solid technical assistance to member entities and the RTPO Policy Committee vis-à-vis refining local project selection criteria and prioritizing projects for inclusion on the RTIPR. Because the RTIPR is considered advisory, and because RTPOs are not granted the same programming responsibility under federal law as the MPOs are, RTPOs must work very closely with their GTG Liaison, Transit and Rail Division staff, and, in particular, their District Office(s) to develop a strong candidate list of potential transportation improvement projects in the RTIPR in order for local priority projects to make their way onto the STIP.

NMDOT periodically offers training on the T/LPA Handbook, which provides information on all stages of project development and oversight. The GTG Unit Supervisor will distribute information on these trainings as they are scheduled by NMDOT. RTPO Planning Program Managers are expected to have a general understanding of the T/LPA project development process in order to help guide their entities, particularly through the application process.

## Reimbursement Packets

The Federal-Aid Highway Program is a reimbursement program and requires a local match. Therefore, the RTPOs must expend local transportation planning funds initially then seek reimbursement from the NMDOT for the federal portion. The NMDOT reimburses the RTPOs for the federal portion using State Road funds then seeks reimbursement from FHWA-NM for the federal portion. All costs related to federal awards must comply with 2 CFR § 200 as well as Buy America requirements (23 CFR § 635.410). Should an RTPO want to request a waiver to Buy America requirements, the RTPO must spearhead the waiver request process, though NMDOT would ultimately need to submit it on behalf of the RTPO.

In general, an RTPO must submit costs to NMDOT for reimbursement in the FFY in which the cost was incurred.<sup>153</sup> Costs incurred prior to authorization are not eligible for reimbursement.<sup>154</sup> For example, an RTPO paid a phone bill in October 2018 for September 2018 services; however, the cost cannot be included in October-December 2018 (FFY19 Quarter 1) reimbursement packet, since the cost was incurred prior to the FFY19 Notice to Proceed authorization date of October 1, 2018. Rather, the September bill must be paid and included in the July-September 2018 reimbursement request (FFY18 Quarter 4), even if it was paid in October 2018. The only exception to this rule is between Year 1 and Year 2 of the same RWP, and also requires the RTPO to have sufficient funds carrying forward from Year 1 of the RWP to cover the costs incurred during Year 1, but which are being submitted with a Year 2 reimbursement request.

RTPOs must submit via email a Reimbursement Packet that includes the items listed below. Reimbursement Packets are due to the NMDOT by the 25th of the month following the close of the quarter. (Exception: The third quarter Reimbursement Packet is due July 12 to meet deadlines for state fiscal year closeout procedures.) The NMDOT prefers receiving quarterly invoices. However, an RTPO may request approval to submit monthly invoices for a set period to address cash flow problems that may arise.

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<sup>153</sup> A cost is incurred when the legal obligation to pay arises, which may differ from when payment occurs.

<sup>154</sup> 23 CFR § 420.113(a)(5)

RTPOs are required to submit the following as part of each Reimbursement Packet (NMDOT provides all RTPOs with the sample Excel workbook and will provide the workbook to others upon request):

1. **Signed Cover Letter** – The signed cover letter requests reimbursement from the NMDOT. It must include the following:
  - ✓ Date
  - ✓ RTPO contact and contact information
  - ✓ Vendor Number
  - ✓ Control Number(s)
  - ✓ Unique Invoice or Reimbursement Number
  - ✓ Invoice Period of Performance (Quarter or Month)
  - ✓ Amount of reimbursement requested
  - ✓ Notification/Request to Close in the case of Final Invoice
2. **Quarterly Report** - The Quarterly Report documents the work performed to date, and billed to federal transportation funds, to meet the tasks outlined in the RTPO's RWP. The Report for the first quarter should be derived from the most recently approved RWP. Under each Function and staff hours budget in the RWP, RTPO staff need to provide an itemization of hours spent and work accomplished that quarter on each Function, the remaining budgeted hours for that Function, as well as any other specific costs that apply directly to that Function (e.g. costs incurred for consultant services for long-range planning). RTPO staff should also explain when they are not progressing on certain Functions, and explain any schedule changes encountered and how the RTPO intends to address the changes.

The Quarterly Report does not need to incorporate the total amount invoiced; rather it is considered the documentation of the staff hours line item, as well as showing how other specific costs are assisting in fulfilling various Functions.

For subsequent quarters, the Quarterly Report must be cumulative; therefore, the previous quarter's Quarterly Report will serve as the starting point for the next quarter's (i.e. use the Quarterly Report from the first quarter as the starting point for the second quarter's). Please note that if the RWP has been amended since the last Quarterly Report, those amendments need to be manually integrated into new Quarterly Report. The fourth quarter's Quarterly Report will ultimately serve as the basis for the Annual Performance and Expenditure Report.
3. **Quarterly Invoice** – Using the template provided by NMDOT Bureau, RTPOs must submit quarterly invoices showing the total costs for that quarter, and the amount it is billing for (80% federal SPR funds, 20% match). Each invoice must include:
  - ✓ Date (this must be updated every time an invoice is resubmitted)
  - ✓ Fiscal Agent and contact information
  - ✓ Unique Invoice or Reimbursement Number
  - ✓ Vendor Number
  - ✓ Control Number(s)
  - ✓ Billing Period (Quarter or Month)
  - ✓ Amount of reimbursement requested with Local Match clearly identified
  - ✓ Entity Certification and Signature with Date (fiscal agent representative)
4. **Quarterly Expenditure Summary (QES)** - The purpose of this report is to provide a comparison between budgeted line items and quarterly expenditures. It also shows the balance for each line

item, as well as the balance of the total FFY authorized funds and the local match paid. RTPOs should use the template Excel workbook provided by the GTG Liaison.

5. **Timesheet Summary** – This is the quarterly summary of all RTPO staff timesheets. This should match the itemized hour by Function in the Quarterly Report.
6. **Consultant/Vendor Services Summary worksheet** – If applicable, RTPOs must document by Function any consultant or vendor services utilized and paid throughout the FFY. The Excel workbook provided by each RTPO's GTG Liaison contains a template.
7. **Backup documentation as required** – backup documentation must be organized and clearly explain the expenditures. If necessary, documentation should include page numbers and a summary of expenditures. Backup documentation is needed for the following:
  - ✓ Written, detailed explanation of any non-personnel line item on the QES that total more than \$500
  - ✓ Invoices and proof of payment for any purchases over \$500

RTPO staff are not required to submit Timesheets (or Personnel Activity Reports) with each reimbursement packet; however all RTPO and COG/EDD staff who charge time to a federally funded task are required to maintain internal accurate and current time records using database and spreadsheets that meet the requirements outlined in 2 CFR § 200.430(i) – *Standards for Documentation of Personnel Expenses*. The timesheets do not need to be included in the Reimbursement Packet, unless the GTG Liaison specifically requests this information. GTG Liaisons will review timesheets as part of the annual Quality Assurance Reviews. In the event that work hours involve multitasking among several federally funded tasks, the RTPO is required to obtain preapproval by the NMDOT (through its Liaison) of a cost allocation plan to address the specifics of each situation. RTPO Planning Program Managers are also encouraged to track their activities using the Daily Log template provided in Appendix D or something similar.

Both the Quarterly Report and Quarterly Expenditure Summary provide the RTPO the opportunity to assess whether an amendment to its RWP is needed. Should the RTPO decide an amendment is warranted, they should pursue it according to the Quarterly Amendment Process, outlined elsewhere in the PPM.

**Submittal and Review Process** – The NMDOT requires RTPO Planning Program Managers to submit a complete and accurate Reimbursement Packet to the assigned NMDOT GTG Liaison, according to the list above. The GTG Liaison has 5 working days to review and approve, or reject for cause, the Reimbursement Packet. The GTG Liaison then forwards an approved Reimbursement Packet to the Division Financial Manager, who independently reviews and approves, or rejects for cause, the Reimbursement Packet. The Financial Manager then provides the invoice to the GTG Unit Supervisor for final review. Once all approvals are received, the Financial Manager processes the approved Reimbursement Packet for payment. The NMDOT has a total of 30 calendar days<sup>155</sup> to process and pay approved reimbursement requests. The clock stops at each step in the review process when the reviewer sends an email to the RTPO Planning Program Manager requesting additional information or providing grounds for rejecting the packet.

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<sup>155</sup> 2 CFR § 200.305(b)(3)

If a submitted Reimbursement Packet is incomplete or incorrect, NMDOT will send a formal rejection letter to the Executive Director of the Fiscal Agent. It is then up to the RTPo Planning Program Manager to resubmit the required materials and/or revisions with an updated date on the invoice. If the GTG Liaison has minor questions or clarifications, they may send a request via an email to the RTPo Planning Program Manager to get additional information.

GTG Liaisons will use this section and the Reimbursement Packet Checklist (included in Appendix E) to review the Reimbursement Packet for accuracy and completeness. As the pass-through agency, NMDOT is allowed to ask for additional information, as needed, prior to approving reimbursement requests.<sup>156</sup>

See Table 12 for submittal/review process.

**In-State and Out-of-State Travel Costs.** An RTPo may be reimbursed for in-state or out-of-state travel costs associated with staff attending relevant meetings, trainings or conferences. A staff person's travel must be considered "necessary to the federal award" in order for it to be reimbursable.<sup>157</sup> If the staff person splits their time between multiple programs or grants, NMDOT will only reimburse the RTPo for the percentage of travel costs that matches the percentage of that person's salary normally billed to the NMDOT. (The Bureau may grant an exception to this rule, if the RTPo provides a detailed justification and the Bureau concurs with the exception.) Officials covered by 2 CFR § 200.444, which includes Council of Government (COG) chief executives, are required to receive written approval from NMDOT to charge their travel costs to a federal grant administered by NMDOT.<sup>158</sup> In order for out-of-state travel costs to be reimbursable, the RTPo must comply with the requirements below. Note: RTPo fiscal agents may have additional requirements, which NMDOT does not monitor.

Travel costs must be submitted for reimbursement in a quarterly reimbursement packet for the FFY in which the travel activity took place, and also only after the travel took place. This is particularly important with regard to registration fees, as they are often paid significantly prior to when the travel occurs. (E.g. RTPo staff registers in June for a conference occurring in October; the registration fee (and other travel costs) must be included in the October-December quarterly reimbursement packet.)

To ensure eligibility, an RTPo must itemize specific out-of-state trainings and conferences in its RWP, or contact their GTG Liaison in writing prior to travel, in order to confirm the eligibility of travel costs for a specific training or conference that is not included in its RWP. The travel costs included below are eligible for reimbursement for approved travel, according to the stipulations included below. RTPos are required to keep all travel receipts (where required below) on file; NMDOT does not need the receipts as part of the MPO's reimbursement packet, unless single expenditures cost more than \$500 (or \$3000 for TMAs).

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<sup>156</sup> 2 CFR § 200.331(a)(3)

<sup>157</sup> 2 CFR § 200.474(b)(1)

<sup>158</sup> 2 CFR § 200.474(a)

- Registration fees (receipts required on file): conference or training registration fees are eligible for reimbursement within the FFY in which the conference or training is taking place, and only after the travel has taken place.
- Airfare (receipt required on file): basic least expensive airfare in accordance with 2 CFR § 200.474(e).
- Transportation (receipts required on file): transportation to/from the airport and to/from the conference or training location, including mileage (not to exceed federal Internal Revenue Service rates), taxi/ridesharing fare, transit fare, shuttle fare, rental vehicle and fuel, bicycle/scooter-share fares, and parking.
- Lodging, subsistence and incidentals (per person): travelers (and subsequently RTPOs) may either be reimbursed on a per diem or actuals (with receipts) basis.
  - Per diem rates must be consistent with either the U.S. General Services Administration (GSA) rates for the specific location during the specific timeframe,<sup>159</sup> or the State of New Mexico out-of-state per diem rate.<sup>160</sup> Alternative per diem rates may be used, provided they do not exceed the GSA or State of New Mexico rates.
  - For reimbursement of actual costs, the RTPO must retain all receipts and must comply with the requirements below.
    - Lodging: not to exceed \$215/night total (including the rate, taxes and other fees). If lodging will exceed this amount, the RTPO must receive pre-approval. Pre-approval can be obtained by sending the request via email to the RTPO's GTG Liaison. The email justification must include at least three lodging quotes, purpose and location of travel. The lodging cost justification may consider cost, as well as proximity to the meeting/conference venue, and whether the lodging choice is the meeting/conference hotel.
    - Meals: not to exceed more than \$45/day.

Reimbursement is never allowed for the following expenses (including but not limited to): alcoholic beverages, host/hostess gifts (even if in lieu of other expenses), airfare/hotel/rental vehicle upgrades, and other items identified as unnecessary by NMDOT.

## Annual Performance and Expenditure Report

The NMDOT monitors the activities of New Mexico's RTPOs and MPOs to assure that work supported by FHWA-NM planning funds "is being managed and performed satisfactorily and that time schedules are being met."<sup>161</sup> To meet this requirement, every RTPO must prepare an Annual Performance and Expenditure Report (APER) that documents how the RTPO accomplished the work outlined in the RWP and provides a final accounting of expenditures made during the past federal fiscal year. The activities

<sup>159</sup> U.S. GSA per diem rates are available at <https://www.gsa.gov/travel/plan-book/per-diem-rates> (link subject to change)

<sup>160</sup> 2.42.2 NMAC

<sup>161</sup> 23 CFR § 420.117(a)

and tasks should be presented in a clear and detailed manner that is consistent with the RWP and allows the NMDOT to track progress with implementing the RWP.

The APER should be derived from the fourth quarter Quarterly Report for that FFY. As the Quarterly Reports are cumulative, they provide an itemization of work done for each task in the RWP, as well as provide a quarter-by-quarter expenditure breakdown. This serves as a helpful basis for the APER, although additional information is required, as outlined below. The APER should also utilize the following templates, included in Appendix D:

- Budgeted Staff Hours Summary;
- Budget Summary by Line Item;
- Summary of Consultant/Vendor Services; and
- Narrative Summary by Function.

The Annual Performance and Expenditure Report must contain at a minimum.<sup>162</sup>

- Comparison of actual performance and accomplishments with established goals as outlined in the RTP and RWP;
- Progress in meeting schedules;
- Status of expenditures in a format compatible with the work program, including a budgeted (approved) amounts and actual cost incurred;
- Cost overruns or underruns;
- Approved RWP revisions;
- Any amount of federal funds not spent during the fiscal year for implementation of the RWP; and
- Other pertinent supporting data.

See Table 12 for submittal/review process.

## Functional Classification

All roadways have a designated functional classification based on factors such as volume, connectivity, adjoining land uses, functionality as part of an interconnected system, number of lanes, and intersection spacing. Updates to the functional classifications may be necessary as new development occurs or as roadways are improved and/or carry increasing traffic volume. RTPOs should review their functional classification systems when updating their RTPs and when requested as part of a statewide functional classification update effort, which the NMDOT will conduct following each decennial census.

**Submittal/Review Process.** There are two standard procedures pertaining to updating the functional classification of roadways in New Mexico:

1. Statewide Functional Classification Review – every 10 years following U.S. Census publication of decennial census, identification of new urban area boundaries:
  - The Bureau Chief or designee oversees state's review, coordinates with the District Engineers, FHWA-NM, FTA Region 6, state and federal land management agencies, and tribal entities; ensures federal regulations addressed at the statewide level regarding evaluation criteria, public involvement.
  - MPOs and RTPOs lead the discussion within their jurisdictions, ensuring the public has access to hearings as called for in their Public Participation Plan.

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<sup>162</sup> 23 CFR § 420.117(b)(1)

- The Bureau Chief/designee compiles statewide analysis, GIS shapefiles, supporting data and submits NMDOT's recommendations to FHWA-NM/FTA Region 6 for formal review and approval.
  - FHWA-NM has up to 90 days to review, comment, and/or approve the requested changes.
  - The Bureau Chief notifies all parties of approved changes, including the MPOs, RTPOs, District Engineers, any impacted state and federal land management agencies, tribal entities, the NMDOT GIS Unit, and Data Management Bureau Chief.
2. MPO/RTPO-initiated proposals submitted to NMDOT in the interim between statewide reviews:
- The Bureau provides guidance on meeting federal criteria, submittal requirements – see *Highway Functional Classification Concepts, Criteria and Procedures*.
  - MPO and RTPO Policy Boards/Committees review entity submittals in a public hearing and submit adopted/recommended functional classification revision package to their respective NMDOT GTG Liaison.
  - The Bureau technical planner reviews the proposal on behalf of the NMDOT, with input from the GTG Liaison and Unit Supervisor, Bureau Chief, District Engineer and other NMDOT managers, then adds NMDOT's recommendation(s) to the submittal package, keeping MPO/RTPO Planner/Program Manager informed throughout the process.
  - The Bureau technical planner prepares a submittal letter to FHWA-NM for signature by the Division Director.
  - FHWA-NM has a minimum 30 days to review, comment and/or approve the requested changes.
  - The Bureau technical planner notifies all parties of approved changes, including the MPO/RTPO, District Engineer, GIS Unit, and Data Management Bureau Chief.

## Special Studies Generated by Task Forces and Committees

RTPOs are commonly involved in some manner with special studies or committees, some generated by the RTPO itself, others commissioned by NMDOT, or both. Examples of studies generated by the RTPO Policy Committees are bicycle and pedestrian plans, as well as access management plans for the RTPO region. Some RTPOs have standing committees that meet regularly to provide input to the RTPO on specific areas of interest to their particular region and context. At times, the RTPOs have been called upon to participate in statewide studies of transit services commissioned and conducted by the NMDOT Transit and Rail Division.

## Traffic Counts and Traffic Flow Maps

RTPOs are not required to conduct traffic counts. However, should an RTPO conduct traffic counts, the NMDOT requires that counts are performed in accordance with the most current NMDOT *State Traffic Monitoring Standards*, so that the counts can be coordinated with and accepted by the NMDOT Data Management Bureau. The RTPOs are referred to the SERTPO for current best practices regarding RTPO-initiated traffic counts.

**Traffic Flow Maps.** Should an RTPO elect to produce traffic flow maps, it must follow the requirements outlined in the most current version of NMDOT's *State Traffic Monitoring Standards*.

# NMDOT Agreements, Authorizations and Responsibilities to the RTPOs

The NMDOT acts on behalf of FHWA-NM in carrying out the statewide planning process, as prescribed in the Stewardship and Oversight Agreement between NMDOT and FHWA-NM (see the Multimodal Planning and Programs Bureau chapter in this PPM for more information). Each RTPO is assigned a GTG Liaison to serve as the initial point of the NMDOT contact for the RTPO. The GTG Liaison also serves as a resource to the RTPO, and facilitates coordination and communication between the RTPO and the different areas of the NMDOT, including the District Offices. RTPO Program Managers should follow established protocol by first contacting their assigned GTG Liaison with questions or concerns and for additional information. This informal contact can be in person or via telephone, email, letter, or fax as appropriate. The NMDOT administers its responsibilities in relation to the FHWA-NM and the RTPOs in part by preparing, distributing and enforcing the following documents or actions (which are described in the following subsections):

- Cooperative Agreement
- Notice to Proceed
- Quality Assurance Review Process

## Cooperative Agreement

The Cooperative Agreement (CA) is the contractual agreement between the NMDOT and the RTPO that delineates the responsibilities of each organization. NMDOT will prepare new CAs in response to recurring “triggers”:

- A new federal transportation authorization bill introduces new requirements;
- Significant future revisions to this PPM, which may trigger the need to update CAs absent a change in Federal transportation legislation; or
- Expiration of Cooperative Agreements.

## Notice to Proceed, Notice of Closure and End Date

**Notice to Proceed.** Upon FHWA-NM approval of the NMDOT Division PWP and obligation of federal funds, the NMDOT issues a Notice to Proceed (NTP) to each RTPO as a notice to start work on its RWP. The NTP authorizes the RTPO to seek reimbursement for the federal portion of the approved RWP budget for the term of the RWP. The NMDOT Bureau sends out the Notice to Proceed by September 30 so that RTPOs can begin work on October 1. The NTP authorizes the funding from October 1 through Year 2 of the current RWP (i.e. the NTP for Year 1 of the FFY19/20 RWP will authorize funds from October 1, 2018 to September 30, 2020 and the NTP for Year 2 of the FFY19/20 RWP will authorize funds from October 1, 2019 to September 30, 2020). The NMDOT Bureau to uses the “Advanced Construction” process, in order to authorize funds for the federal fiscal year, prior to that year beginning. The Advanced Construction process is described in further detail in the NMDOT *STIP Manual*, available on the NMDOT website.

**Notice of Closure.** NMDOT also issues a Notice of Closure (NOC), which is a formal letter to the RTPO indicating that the project is closed and that NMDOT will not process any additional reimbursement requests. NMDOT issues the NOC letter either: 1) upon payment of the final reimbursement request, or 2) if no final reimbursement was submitted, upon passage of the final reimbursement submission date included in the agreement/contract. For example, a contract expires on September 30, 2020 and the

contract stipulates that the final reimbursement request must be submitted to NMDOT within 30 days of contract expiration; if NMDOT does not receive a final reimbursement request by October 30, 2020, then it will issue a NOC letter.

**End Date.** As NMDOT obligates funding, it also sets up end dates in FHWA's Financial Management Information System (FMIS). The end date is required for all federal projects, and represents a day by which all activity on the federal project must be completed (i.e. final invoices processed, closeout documentation received by FHWA, etc.). NMDOT's practice is to set the end date for ~90 days after the end of the project term. For RTPO RWP Control Numbers, the end dates are ~90 days after the close of year two of the RWP. For example, for a FFY19-20 RWP, which covers work through September 30, 2020, the end date is December 31, 2020. After an RTPO submits its last reimbursement packet for an RWP, NMDOT has paid the final invoice, and/or NMDOT sent a NOC letter, the GTG Liaison and Bureau Financial Manager undertake the project closeout process, which they complete by the end date. Once a federal project is closed out, there cannot be any more activity (e.g. reimbursement requests) on that project.

## Quality Assurance Review Process

GTG Liaisons will meet with their assigned RTPOs on a regular basis (quarterly at a minimum) to review RWP progress and discuss any issues. In addition to regular meetings between the GTG Liaison and the RTPO, the NMDOT will engage in a four-tiered, quality assurance review process of RTPO administrative functions. The first two steps are mandatory and are performed annually. The NMDOT will enact Steps 3 and 4 as conditions warrant:

1. Review financial audits of RTPO fiscal agents;
2. Quality Assurance Site Review;
3. Quality Assurance Site Review Follow-Up; and
4. Office of Inspector General Audit.

### *Step 1 – Review Financial Audits of Fiscal Agents*

RTPO Program Managers are required to submit copies of annual financial audits of their respective fiscal agent to their GTG Liaison within 30 days of approval by the RTPO's fiscal agent and the state auditor.

If the audit contains any findings, the GTG Liaison will review with the GTG Supervisor. They will determine if the findings require a response by the fiscal agent, to be presented at the QAR site review (Step 2). Unaddressed audit findings may impact eligibility to receive federal funds.

### *Step 2 – Quality Assurance Site Review*

The GTG Liaison will schedule an annual Quality Assurance Site Review with each RTPO for which the GTG Liaison is responsible. The objectives for the NMDOT annual quality assurance review are to:

- Verify that the RTPO planning process complied with current transportation planning law;
- Determine if the RTPO planning process is a continuing, cooperative, and comprehensive process;
- Review RWP progress, including accomplishments, issues, schedule changes, etc.;
- Identify noteworthy practices to share with other RTPOs;
- Enhance the RTPO planning process and improve the quality of the transportation decision-making; and

- Determine the administration systems in place for the sound oversight management of federal funds in the operation of the RTPO.

The GTG Liaison will first attempt to schedule the onsite visit with sufficient advance notice to ensure that all required documentation and RTPO staff are available to facilitate the review. It is incumbent upon the RTPO Program Manager to cooperate and assist with the scheduling on behalf of their entity. However, the GTG Liaison is responsible for conducting the site visit, and will proceed whether or not the RTPO Program Manager chooses to facilitate the process. The NMDOT, FHWA-NM, and FTA Region 6 possess the authority to inspect all documentation pertaining to the expenditure of State and Federal funds at any time. Therefore, RTPO Planning Program Managers are required to keep electronic and hard copy files constantly up to date, well-organized, and accessible for viewing. Appendix D contains a checklist that provides additional information and that will assist RTPO staff with preparing for the quality assurance site reviews.

The GTG Liaison will submit a report on the Quality Assurance Site Review to the GTG Unit Supervisor who will review and discuss the report with the GTG Liaison. The GTG Liaison will provide the final report to the RTPO Planner. If the report indicates that the proper administrative systems are in place and fully operational, no further action is required.

### ***Step 3 – Quality Assurance Site Review Follow-Up***

If the GTG Liaisons' Quality Assurance Review (QAR) report indicates that the proper administrative systems are in place and fully operational, no further action is required. If the report raises any concerns, the GTG Unit Supervisor will discuss the report with the Bureau Chief and, ultimately, the Division Director, to determine the appropriate course of action to take depending upon the severity of the concerns. Possible follow-up actions include:

- Requiring the RTPO Planning Program Manager to identify corrective actions (along with a timeline that includes major milestones);
- Requiring a RWP amendment or modification to address the corrective actions, if necessary;
- Conducting another Quality Assurance Site Review in 6 months or less to confirm improvements; and
- Proceeding to Step 4.

### ***Step 4 – Office of Inspector General Audit***

The Division Director will determine if a formal audit by the NMDOT Office of Inspector General is necessary. If so, the Division Director makes the request in writing, typically by email, to the Office of Inspector General. The Division Director then follows the Office of Inspector General directives from that point forward, and the Division becomes responsible for enforcing the findings and recommendations of the resulting audit.

## **Consequences of Non-Conformance by an RTPO**

The following section outlines the procedure for addressing non-conformance by an RTPO. Examples of non-conformance include, but are not limited to, the following:

- Not meeting deadlines as outlined in this PPM (and specified on the Month-by-Month Work Program Timeline). *Note that some deadlines have automatic consequences if missed, such as if an RTPO does not submit an RWP amendment by the stated deadline. The consequence of this is that the amendment is not included in the PWP amendment, thus is not approved. This does not count as non-conformance on the part of the RTPO;*

- Continuously submitting incorrect or incomplete information; and
- Refusing to follow and/or comply with the procedures outlined in this PPM.

Table 13, seen below, outlines the procedures the NMDOT will follow when addressing non-conformance on the part of an RTPO. Non-conformances are tracked cumulatively over the course of the federal fiscal year (FFY). Every instance of non-conformance results in the entity increasing the non-conformance level. For example, if an RTPO a Reimbursement Packet after the deadline and then misses a deadline for another work product, the RTPO is considered to be at Level 2. If an RTPO is at Level 1 or 2 at the close of the FFY, the RTPO will start off at Level 1 at the beginning of the following FFY. Level 3 and above, including Corrective Action Plan, carry forward into the following FFY.

Table 13  
Non-Conformance Procedures

Non-Conformance Level	NMDOT Action	Notifications
<b>Level 1</b>	GTG Liaison notifies RTPO Planning Program Manager in writing of non-conformance	GTG Unit Supervisor copied on email
<b>Level 2</b>	GTG Liaison notifies RTPO Planning Program Manager in writing of non-conformance	GTG Unit Supervisor, Bureau Chief, Division Director, RTPO COG Executive Director copied on email
<b>Level 3</b>	The RTPO develops a Corrective Action Plan in response to the findings outlined by NMDOT and submits to the GTG Liaison for review/concurrence by the Bureau Chief and Division Director	GTG Unit Supervisor, Bureau Chief, Division Director, RTPO COG Executive Director copied on submittal email for Corrective Action Plan  RTPO Planning Program Manager sends final Corrective Action Plan to RTPO Policy Board/Committee Chair
<b>Level 4 (a “new” incident of non-conformance or failure to follow CAP) and any additional non-conformances</b>	GTG Unit Supervisor notifies RTPO Planning Program Manager in writing of failure to follow Corrective Action Plan  Division informs RTPO Policy Committee of pending loss of funds	Bureau Chief, Division Director, COG Executive Director copied on email  Division Director notifies DOT Secretary of situation
<b>Level 5 (a “new” incident of non-conformance or failure to follow Corrective Action Plan) and any additional non-conformances</b>	1) GTG Unit Supervisor, Bureau Chief and Division Director set up meeting with RTPO Planning Program Manager, COG Executive Director and RTPO Policy Committee	NMDOT Secretary, FHWA-NM and FTA Region 6 are provided notification of the meeting

	Chair to discuss suspension of payment	
	2) If a determination is made to suspend payment to the RTPO, DOT Cabinet Secretary sends letter to RTPO COG Executive Director	RTPO Policy Committee Chair and FHWA and FTA copied on letter
	3) If the RTPO elects to appeal the decision, a meeting will be arranged with all parties, as well as the appropriate FHWA and FTA representatives	

Please note that other types of non-conformance, such as on-going lack of communication or failure to meet deadlines outside of those specifically listed in the PPM may be grounds for NMDOT to follow the steps outlined above and/or issue a Corrective Action Plan.

# Regional Transportation Planning Organizations Checklists

This list summarizes the work products of the RTPOs. Note that not every item may be required/undertaken.

## Monthly

- ☐ Record hours worked per task identified in Regional Work Program (RWP) – keep log and timesheet (known as the Personnel Activity Report (PAR))
- ☐ Coordinate with GTG Liaison

## Quarterly

- ☐ Meet with GTG Liaison to discuss progress on the RWP (if needed)
- ☐ Prepare and submit Reimbursement Packet with cover letter, Invoice and Quarterly Report to GTG Liaison
- ☐ Prepare and submit RWP quarterly amendments to GTG Liaison, as needed, for approval by NMDOT, FHWA-NM and FTA Region 6
- ☐ Participate in quarterly RTPO meetings
- ☐ Prepare and distribute quarterly meeting minutes (RTPO meeting host only)
- ☐ Monitor and participate in, if necessary, the quarterly STIP amendment process

## Annually

- ☐ Prepare and submit Annual Performance and Expenditure Report (APER) to GTG Liaison, provided to FHWA-NM and FTA Region 6 for informational purposes only
- ☐ Review Notice to Proceed received from NMDOT
- ☐ Participate in Quality Assurance Review (QAR)
- ☐
- ☐ Assist member governments with preparing and submitting Project Feasibility Forms (PFF), and applications as needed
- ☐ Prepare and submit functional classification changes to NMDOT, as needed outside of the post Decennial Census statewide functional classification update
- ☐ Prepare and submit annual Title VI Report to NMDOT Title VI Coordinator, due October 1

## Every 2 Years

- ☐ Prepare and submit draft two-year RWP and budget to GTG Liaison
- ☐ Prepare and submit final two-year RWP and budget to GTG Liaison, for approval by NMDOT, FHWA-NM and FTA Region 6
- ☐ Prepare and submit Cost Allocation Plan, for approval by FHWA-NM and FTA Region 6
- ☐ Issue calls for projects (e.g. TAP, RTP and other discretionary programs); may be more/less frequent
- ☐ (At a minimum) Prepare and submit Regional Transportation Improvement Program Recommendations (RTIPR) to GTG Liaison, consistent with the NMDOT long-range statewide transportation plan (LRSTP)

## Every 3 Years

- ☐ Review Title VI Plan and update as necessary

## Every 5 Years

- ☐ Update Regional Long Range Transportation Plan (RTP) in coordination with the development of the New Mexico Long-Range Statewide Transportation Plan (LRSTP)

- ☐ Prepare and submit draft RTP to GTG Liaison
- ☐ Prepare and submit final RTP to GTG Liaison, provided to FHWA-NM and FTA Region 6 for informational purposes only
- ☐ Prepare and submit Public Participation Plan (PPP) to GTG Liaison, provided to FHWA-NM and FTA Region 6 for informational purposes only

#### Every 10 Years

- ☐ Prepare and submit functional classification changes to NMDOT, in coordination with processing data after the Decennial Census with the statewide functional classification update

#### RTPO As-Needed Checklist

- ☐ Review and update bylaws, as necessary (for example, after new federal transportation legislation is passed)
- ☐ Review and coordinate as necessary with NMDOT to update Cooperative Agreement with NMDOT
- ☐ Participate in joint meeting with NMDOT and MPOs

# Archiving Requirements

Archiving is the process of accumulating and storing documents that record the function and work products of the NMDOT, MPOs and RTPOs. Documents and work products must be archived according to either the federal or state requirements and must comply with whichever has the more stringent archiving requirements. Below are some of the major laws pertaining to records archiving; however, this list is not exhaustive and NMDOT, MPOs and RTPOs should independently confirm archiving requirements for their records.

## New Mexico Administrative Code (NMAC)

Title 1	General Government Administration
Chapter 21	Functional Records Retention and Disposition Schedules
Part 2	Retention and Disposition of Public Records

This NMAC section (1.21.2) is the complete code governing public records retention for the State of New Mexico. Below are some pertinent excerpts.

### **1.21.2.112 Program and Project Files** *(Replaces 1.15.2.151 Feasibility Studies)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to administrative programs and projects not identified in other classifications.
- C. **Retention:** destroy five years from date file closed.

### **1.21.2.114 Publications** *(Replaces 1.15.2.114 Manuals of Procedures, 1.15.2.307 Publications)*

- A. **Category:** Administration - general management.
- B. **Description:** Agency publications intended for distribution to the public.
- C. **Retention:** permanent, transfer to state library when published.

### **1.21.2.116 Reports – General** *(Replaces 1.18.805.31 Federal and State Apportionment Reports and Files)*

- A. **Category:** Administration - general management.
- B. **Description:** General reports not identified in other classifications.
- C. **Retention:** destroy two years from date file created

### **1.21.2.117 Reports – Historical** *(Replaces 1.15.2.117 Reports)*

- A. **Category:** Administration - general management.
- B. **Description:** Historical reports including, but not limited to the following subject matter: vital records, natural resources, emissions, professional licensure registries, disease management, rural health care, student nutrition, emergency response, homeland security, infrastructure, tribal education and statutorily required reports; and not identified in other classifications.
- C. **Retention:** permanent, transfer to archives one year from date file created.

### **1.21.2.122 Grant Administration** *(Replaces 1.15.4.208 Revenue Contracts and Grants)*

- A. **Category:** Administration - general management.
- B. **Description:** Records related to grant administration.
- C. **Retention:** destroy three years from the date file closed.

### **1.21.2.413 Federal Compliance and Reporting** *(Replaces 1.18.805.24 Federal Planning Reports)*

- A. **Category:** Governance and compliance - audit, oversight and compliance.
- B. **Description:** Records related to oversight and federal compliance reporting.
- C. **Retention:** destroy three years from date file closed.

**1.21.2.608 Goods and Services** (*Replaces 1.15.4.307 Contract/Agreement Files*)

- A. **Category:** Legal and judiciary - contract management.
- B. **Description:** Records related to contracting of goods and services.
- C. **Retention:** destroy six years from date file closed.

## U.S. Code of Federal Regulations (CFR)

### 2 CFR § 200.333 Retention Requirements for Records

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

(b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

(c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.

(d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.

(e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

(1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of

the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

(2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

# References

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Federal Highway Administration (FHWA), 2013. *Highway Functional Classification Concepts, Criteria and Procedures – 2013 Edition*.

[https://www.fhwa.dot.gov/planning/processes/statewide/related/highway\\_functional\\_classifications/fcauab.pdf](https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf)

Federal Highway Administration and Federal Transit Administration, 2007. *The Transportation Planning Process: Key Issues -- A Briefing Book for Transportation Decisionmakers, Officials, and Staff*. A

Publication of the Transportation Planning Capacity Building Program. Publication Number:

FHWA-HEP-07-039, updated September 2007.

<http://www.planning.dot.gov/documents/BriefingBook/BBook.htm#2BB>

## Code Of Federal Regulations

2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

23 CFR Part 420. *Title 23, Highways, Chapter I, Federal Highway Administration, Department of Transportation, Subchapter E, Planning and Research, Part 420, Planning and Research Program Administration, Subpart A, Administration of FHWA Planning and Research Funds, Code of Federal Regulations*.

- Section 420.101: What is the purpose of this part?
- Section 420.103: How does the FHWA define the terms used in this part?
- Section 420.105: What is the FHWA's policy on use of FHWA planning and research funds?
- Section 420.107: What is the minimum required expenditure of State planning and research funds for research development and technology transfer?
- Section 420.109: What are the requirements for distribution of metropolitan planning funds?
- Section 420.111: What are the documentation requirements for use of FHWA planning and research funds?
- Section 420.113: What costs are eligible?
- Section 420.115: What are the FHWA approval and authorization requirements?
- Section 420.117: What are the program monitoring and reporting requirements?
- Section 420.119: What are the fiscal requirements?
- Section 420.121: What other requirements apply to the administration of FHWA planning and research funds?

23 CFR Part 450. "Planning Assistance and Standards," *Title 23, Highways, Chapter I, Federal Highway Administration, Department of Transportation, Subchapter E, Planning and Research, Code of Federal Regulations*.

- Subpart A, Transportation Planning and Programming Definitions

23 CFR Part 450. "Planning Assistance and Standards," *Title 23, Highways, Chapter I, Federal Highway Administration, Department of Transportation, Subchapter E, Planning and Research, Subpart B, Statewide Transportation Planning and Programming, Code of Federal Regulations.*

- Section 450.200: Purpose
- Section 450.202: Applicability
- Section 450.204: Definitions
- Section 450.206: Scope of the statewide and nonmetropolitan transportation planning process
- Section 450.208: Coordination of planning process activities
- Section 450.210: Interested parties, public involvement, and consultation
- Section 450.216: Development and content of the long range statewide transportation plan

23 CFR Part 450. "Planning Assistance and Standards," *Title 23, Highways, Chapter I, Federal Highway Administration, Department of Transportation, Subchapter E, Planning and Research, Part 450, Planning Assistance and Standards, Subpart C, Metropolitan Transportation Planning and Programming, Code of Federal Regulations.*

- Section 450.310: Metropolitan planning organization designation and redesignation
- Section 450.312: Metropolitan planning area boundaries
- Section 450.314: Metropolitan planning agreements
- Section 450.316: Interested parties, participation and consultation
- Section 450.322: Congestion management process in transportation management areas
- Section 450.324: Development and content of the metropolitan transportation plan
- Section 450.326: Development and content of the transportation improvement program (TIP)
- Section 450.328: TIP revisions and relationship to the STIP
- Section 450.330: TIP action by the FHWA and the FTA
- Section 450.334: Annual listing of the obligated projects
- Section 450.336: Self-certifications and Federal certifications

40 CFR Part 93. "Determining Conformity of Federal Actions to State or Federal Implementation Plans," *Title 40, Protection of Environment, Chapter I, Environmental Protection Agency, Subchapter C, Air Programs, Code of Federal Regulations.*

49 CFR Part 611. "Major Capital Investment Projects," *Title 49, Transportation, Subtitle B, Other Regulations Relating to Transportation (Continued), Chapter VI, Federal Transit Administration, Department of Transportation, Code of Federal Regulations.*

49 CFR Part 613. "Metropolitan and Statewide and Nonmetropolitan Planning," *Title 49, Transportation, Subtitle B, Other Regulations Relating to Transportation (Continued), Chapter VI, Federal Transit Administration, Department of Transportation, Code of Federal Regulations.*

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- B. **Description:** Records related to contracting of goods and services.
- C. **Retention:** destroy six years from date file closed.

## New Mexico Statutes Annotated

10-15 NMSA. "The Open Meetings Act." 2013.

67-3-14 NMSA. "State Transportation Commission; Powers and Duties; Road Funds." 2003.

## Public Laws

Public Law 103-454. *Federally Recognized Indian Tribe List Act of 1994*. Washington D.C. November 2, 1994.

## United States Code

23 USC Chapter 1. *Title 23, Highways, Chapter 1, Federal-Aid Highways, United States Code.* Washington D.C.

- Section 101: Definitions and declaration of policy
- Section 103: Federal-aid systems
- Section 104: Apportionment
- Section 106: Project approval and oversight
- Section 133: Surface transportation block grant program
- Section 134: Metropolitan transportation planning
- Section 135: Statewide and nonmetropolitan transportation planning
- Section 148: Highway safety improvement program
- Section 150: National goals and performance management measures
- Section 167: National freight policy

23 USC Chapter 2. *Title 23, Highways, Chapter 2, Other Highways, United States Code.* Washington D.C.

- Section 203: Federal lands transportation program
- Section 204: Federal lands access program

23 USC Chapter 3. *Title 23, Highways, Chapter 3, General Provisions, United States Code.* Washington D.C.

- Section 328: Eligibility for environmental restoration and pollution abatement
- Section 329: Eligibility for control of noxious weeds and aquatic noxious weeds and establishment of native species

23 USC Chapter 505. *Title 23, Highways, Chapter 5, Research, Technology, and Education, United States Code.* Washington D.C.

- Section 505: State planning and research

42 USC § 7407. “Air Quality Control Regions,” *Title 42, The Public Health and Welfare, Chapter 85, Air Pollution Prevention and Control, Subchapter I, Programs and Activities, Part A, Air Quality and Emission Limitations, United States Code.* Washington D.C.

42 USC § 7506. “Limitations on Certain Federal Assistance,” *Title 42, The Public Health and Welfare, Chapter 85, Air Pollution Prevention and Control, Subchapter I, Programs and Activities, Part D, Plan Requirements for Nonattainment Areas, Subpart 1, Nonattainment Areas in General, United States Code.* Washington D.C.

42 USC § 12101. “Findings and Purpose,” *Title 42, The Public Health and Welfare, Chapter 126, Equal Opportunity for Individuals with Disabilities, United States Code.* Washington D.C.

49 USC Chapter 53. *Title 49, Transportation, Subtitle III, General and Intermodal Programs, Chapter 53, Public Transportation, United States Code.* Washington D.C.

- Section 5301: Policies and purposes
- Section 5303: Metropolitan transportation planning
- Section 5304: Statewide and nonmetropolitan transportation planning

- Section 5306: Private enterprise participation in metropolitan planning and transportation improvement programs and relationship to other limitations
- Section 5309: Fixed guideway capital investment grants
- Section 5326: Transit asset management
- Section 5329: Public transportation safety program
- Section 5336: Apportionment of appropriations for formula grants

# Glossary

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(Adapted from 23 CFR § 450.104 and 23 USC § 101)

**administrative modification.** A minor revision to a long range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) 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. An administrative modification is a revision that does not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

**alternatives analysis (AA).** A study required for eligibility of funding under the Federal Transit Administration's (FTA's) Capital Investment Grant program (49 USC § 5309 ), which includes an assessment of a range of alternatives designed to address a transportation problem in a corridor or subarea, resulting in sufficient information to support selection by state and local officials of a locally preferred alternative for adoption into a metropolitan transportation plan, and for the Secretary to make decisions to advance the locally preferred alternative through the project development process, as set forth in 49 CFR Part 611 (Major Capital Investment Projects).

**amendment.** A revision to a long range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, re-demonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving "non-exempt" projects in nonattainment and maintenance areas). In the context of a long range statewide transportation plan, an amendment is a revision approved by the state in accordance with its public involvement process.

**apportionment.** Includes unexpended apportionments made under prior authorization laws.

**asset management.** A strategic and systematic process of operating, maintaining, and improving physical assets, with a focus on both engineering and economic analysis based upon quality information, to identify a structured sequence of maintenance, preservation, repair, rehabilitation, and replacement actions that will achieve and sustain a desired state of good repair over the lifecycle of the assets at minimum practicable cost.

**attainment area.** Any geographic area in which levels of a given criteria air pollutant (for example, ozone, carbon monoxide, PM10, PM2.5, and nitrogen dioxide) meet the health-based National Ambient Air Quality Standards (NAAQS) for that pollutant. An area may be an attainment area for one pollutant and a nonattainment area for others. A "maintenance area" is not considered an attainment area for transportation planning purposes. Also see *maintenance area*; *nonattainment area*.

**available funds.** Funds derived from an existing source dedicated to or historically used for transportation purposes. For federal funds, authorized and/or appropriated funds and the extrapolation of formula and discretionary funds at historic rates of increase are considered "available." A similar approach may be used for state and local funds that are dedicated to or historically used for transportation purposes. Also see *committed funds*.

**carpool project.** Refers to any project to encourage the use of carpools and vanpools, including provision of carpooling opportunities to the elderly and individuals with disabilities; systems for locating potential riders and informing them of carpool opportunities; acquiring vehicles for carpool use; designating existing highway lanes as preferential carpool highway lanes; providing related traffic control devices; designating existing facilities for use

for preferential parking for carpools; and real-time ridesharing projects (such as projects where drivers, using an electronic transfer of funds, recover costs directly associated with the trip provided through the use of location technology to quantify those direct costs, subject to the condition that the cost recovered does not exceed the cost of the trip provided).

**committed funds.** Funds dedicated or obligated for transportation purposes. For state funds that are not dedicated to transportation purposes, only those funds over which the Governor has control may be considered “committed.” Approval of a Transportation Improvement Program (TIP) by the Governor is considered a commitment of those funds over which the Governor has control. For local or private sources of funds not dedicated to or historically used for transportation purposes (including donations of property), a commitment in writing (for example, letter of intent) by the responsible official or body having control of the funds may be considered a commitment. For projects involving 49 USC § 5309 funding, execution of a Full Funding Grant Agreement (or equivalent) or a Project Construction Grant Agreement with the U.S. Department of Transportation shall be considered a multi-year commitment of federal funds. Also see *available funds*.

**conformity.** A Clean Air Act [42 USC § 7506(c)] requirement that ensures that federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals established by a State Implementation Plan (SIP). Conformity, to the purpose of the SIP, means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS). The transportation conformity rule (40 CFR 93) sets forth policy, criteria, and procedures for demonstrating and assuring conformity of transportation activities.

**conformity lapse.** Pursuant to Section 176(c) of the Clean Air Act [42 USC § 7506(c)], as amended, the conformity determination for a metropolitan transportation plan or Transportation Improvement Program (TIP) has expired and, thus, there is no currently conforming metropolitan transportation plan or TIP.

**congestion management process.** A systematic approach required in transportation management areas (TMAs) that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under Title 23 USC, and Title 49 USC, through the use of operational management strategies.

**consideration.** One or more parties takes into account the opinions, action, and relevant information from other parties in making a decision or determining a course of action.

**construction.** The supervising, inspecting, actual building, and incurrence of all costs incidental to the construction or reconstruction of a highway or any project eligible for assistance under this title, including bond costs and other costs relating to the issuance in accordance with Section 122 (23 USC § 101) of bonds or other debt financing instruments and costs incurred by the state in performing federal-aid project-related audits that directly benefit the Federal-Aid Highway Program. Such term includes (A) preliminary engineering, engineering, and design-related services directly relating to the construction of a highway project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration [NOAA]), and architectural-related services; (B) reconstruction, resurfacing, restoration, rehabilitation, and preservation; (C) acquisition of rights-of-way; (D) relocation assistance, acquisition of replacement housing sites, and acquisition and rehabilitation, relocation, and construction of replacement housing; (E) elimination of hazards of railway-highway grade crossings; (F) elimination of roadside hazards; (G) improvements that directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas; and (H) capital improvements that directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits, scale installation, and scale houses.

**consultation.** One or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), consider the views of the other parties and periodically inform them about action(s)

taken. This definition does not apply to the “consultation” performed by the states and the municipal planning organizations (MPOs) in comparing the long range statewide transportation plan and the metropolitan transportation plan, respectively, to state and tribal conservation plans or maps or inventories of natural or historic resources [see 23 CFR § 450.214(i) and § 450.322(g)(1) and (g)(2)].

**cooperation.** The parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

**coordinated public transit-human services transportation plan.** A locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services for funding and implementation.

**coordination.** 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.

**county.** This term includes corresponding units of government under any other name in states that do not have county organizations and, in those states in which the county government does not have jurisdiction over highways, any local government unit vested with jurisdiction over local highways.

**design concept.** The type of facility identified for a transportation improvement project (for example, freeway, expressway, arterial highway, grade-separated highway, toll road, reserved right-of-way rail transit, mixed-traffic rail transit, or busway).

**design scope.** The aspects that will affect the proposed facility's impact on the region, usually as they relate to vehicle or person carrying capacity and control (for example, number of lanes or tracks to be constructed or added, length of project, signalization, safety features, access control including approximate number and location of interchanges, or preferential treatment for high-occupancy vehicles).

**designated recipient.** An entity designated, in accordance with the planning process under 49 USC §§ 5303, 5304, and 5306, by the chief executive officer of a state, responsible local officials, and publicly-owned operators of public transportation, to receive and apportion amounts under 49 USC § 5336 that are attributable to transportation management areas (TMAs) identified under 49 USC § 5303, or a state 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.

**environmental mitigation activities.** Strategies, policies, programs, actions, and activities that, over time, will serve to avoid, minimize, or compensate for (by replacing or providing substitute resources) the impacts to or disruption of elements of the human and natural environment associated with the implementation of a long range statewide transportation plan or metropolitan transportation plan. The human and natural environment includes neighborhoods and communities, homes and businesses, cultural resources, parks and recreation areas, wetlands and water sources, forested and other natural areas, agricultural areas, endangered and threatened species, and the ambient air. The environmental mitigation strategies and activities are intended to be regional in scope, and may not necessarily address potential project-level impacts.

**Federal-aid highway.** A public highway eligible for assistance under 23 USC § 101 other than a highway functionally classified as a local road or rural minor collector.

**federal land management agency.** Units of the federal government currently responsible for the administration of public lands (for example, U.S. Forest Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and the National Park Service).

**federal lands access transportation facility.** A public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to federal lands for which title or maintenance responsibility is vested in a state, county, town, township, tribal, municipal, or local government.

**federal lands transportation facility.** A public highway, road, bridge, trail, or transit system that is located on, is adjacent to, or provides access to federal lands for which title and maintenance responsibility is vested in the federal government, and that appears on the national federal lands transportation facility inventory described in 23 USC § 203(c).

**federally funded nonemergency transportation services.** Transportation services provided to the general public, including those with special transport needs, by public transit, private nonprofit service providers, and private third-party contractors to public agencies.

**financial plan.** Documentation required to be included with a metropolitan transportation plan and Transportation Improvement Program (TIP) (and optional for the long range statewide transportation plan and Statewide Transportation Improvement Program [STIP]) 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.

**financially constrained or fiscal constraint.** The metropolitan transportation plan, Transportation Improvement Program (TIP), and Statewide Transportation Improvement Program (STIP) includes sufficient financial information for demonstrating that projects in the metropolitan transportation plan, TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first 2 years of the TIP and STIP only if funds are “available” or “committed.” Also see *available funds*; *committed funds*.

**forest development roads and trails.** Forest roads and trails under the jurisdiction of the U.S. Forest Service.

**forest road or trail.** A road or trail wholly or partly within, or adjacent to, and serving the National Forest System that is necessary for the protection, administration, and utilization of the National Forest System and the use and development of its resources.

**freight shipper.** Any business that routinely transports its products from one location to another by providers of freight transportation services or by its own vehicle fleet.

**Full Funding Grant Agreement.** An instrument that defines the scope of a project, the federal financial contribution, and other terms and conditions for funding New Starts projects as required by 49 USC § 5309(d)(1).

**Governor.** The Governor of any of the 50 states or the Commonwealth of Puerto Rico or the Mayor of the District of Columbia.

**highway.** This term includes (A) a road, street, and parkway; (B) a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and (C) a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a state transportation department, including such facilities as may be required by the U.S. Customs and Immigration Services in connection with the operation of an international bridge or tunnel.

**illustrative project.** An additional transportation project that may (but is not required to) be included in a financial plan for a metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) if reasonable additional resources were to become available.

**Indian Tribal government.** A duly formed governing body for an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, Public Law 103-454.

**intelligent transportation system (ITS).** Electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

**interim metropolitan transportation plan.** A transportation plan composed of projects eligible to proceed under a conformity lapse and otherwise meeting all other applicable provisions of this part, including approval by the municipal planning organization (MPO).

**Interim Transportation Improvement Program.** A Transportation Improvement Program (TIP) composed of projects eligible to proceed under a conformity lapse and otherwise meeting all other applicable provisions of this part, including approval by the municipal planning organization (MPO) and the Governor.

**Interstate System.** The Dwight D. Eisenhower National System of Interstate and Defense Highways as described in 23 USC § 103(c).

**long range statewide transportation plan.** The official, statewide, multimodal, transportation plan covering a period of no less than 20 years developed through the statewide transportation planning process.

**maintenance.** The preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient use of the highway.

**maintenance area.** Any geographic region of the United States that the U.S. Environmental Protection Agency (EPA) previously designated as a nonattainment area for one or more pollutants pursuant to the Clean Air Act Amendments of 1990, and subsequently redesignated as an attainment area subject to the requirement to develop a maintenance plan under Section 175A of the Clean Air Act, as amended. Later redesignated by the Administrator of the Environmental Protection Agency as an air quality attainment area, under Section 107(d) of the Clean Air Act [42 USC § 7407(d)]. Also see *attainment area*; *nonattainment area*.

**management system.** A systematic process, designed to assist decision makers in selecting cost effective strategies/actions to improve the efficiency or safety of, and protect the investment in the nation's infrastructure. A management system can include Identification of performance measures; data collection and analysis; determination of needs; evaluation and selection of appropriate strategies/actions to address the needs; and evaluation of the effectiveness of the implemented strategies/actions.

**metropolitan planning area (MPA).** The geographic area determined by agreement between the metropolitan planning organization (MPO) for the area and the Governor, in which the metropolitan transportation planning process is carried out.

**metropolitan planning organization (MPO).** The policy board of an organization created and designated to carry out the metropolitan transportation planning process.

**metropolitan transportation plan.** The official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the metropolitan planning organization (MPO) through the metropolitan transportation planning process.

**National Ambient Air Quality Standards (NAAQS).** Those standards established pursuant to Section 109 of the Clean Air Act.

**National Highway System.** The Federal-Aid highway system as described in 23 USC § 103(b).

**nonattainment area.** Any geographic region of the United States that has been designated by the U.S. Environmental Protection Agency (EPA) as a nonattainment area under Section 107 of the Clean Air Act for any pollutants for which National Ambient Air Quality Standards (NAAQS) exists. Also see *attainment area*; *maintenance area*.

**nonmetropolitan area.** A geographic area outside a designated metropolitan planning area.

**nonmetropolitan local officials.** Elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.

**obligated projects.** Strategies and projects funded under Title 23 USC and 49 USC Chapter 53 for which the supporting federal funds were authorized and committed by the state or designated recipient in the preceding program

year, and authorized by the Federal Highway Administration (FHWA) or awarded as a grant by the Federal Transit Administration (FTA).

**operating costs for traffic monitoring, management, and control.** This term includes labor costs, administrative costs, costs of utilities and rent, and other costs associated with the continuous operation of traffic control, such as integrated traffic control systems, incident management programs, and traffic control centers.

**operational and management strategies.** Actions and strategies aimed at improving the performance of existing and planned transportation facilities to relieve congestion and maximizing the safety and mobility of people and goods.

**operational improvement.** This term (A) means (i) a capital improvement for installation of traffic surveillance and control equipment, computerized signal systems, motorist information systems, integrated traffic control systems, incident management programs, and transportation demand management facilities, strategies, and programs; and (ii) such other capital improvements to public roads as the Secretary may designate, by regulation; and (B) does not include resurfacing, restoring, or rehabilitating improvements, construction of additional lanes, interchanges, and grade separations, and construction of a new facility on a new location.

**Personnel Activity Report (PAR).** A 2 CFR 200-compliant timesheet documenting daily staff hours worked and indicates which federal program staff hours are billed to, as well as a breakdown by work program function/task.

**project.** Any transportation undertaking eligible for assistance under Title 23 USC.

**project agreement.** The formal instrument to be executed by the Secretary and the recipient as required by 23 USC § 106.

**Project Construction Grant Agreement.** An instrument that defines the scope of a project, the federal financial contribution, and other terms and conditions for funding Small Starts projects as required by 49 USC § 5309(e)(7).

**project selection.** The procedures followed by metropolitan planning organizations (MPOs), states, and public transportation operators to advance projects from the first four years of an approved Transportation Improvement Program (TIP) and/or Statewide Transportation Improvement Program (STIP) to implementation, in accordance with agreed upon procedures.

**provider of freight transportation services.** Any entity that transports or otherwise facilitates the movement of goods from one location to another for others or for itself.

**public authority.** A federal, state, county, town, or township, Indian tribe, municipal, or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities.

**public road.** Any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

**public transportation operator.** The public entity which participates in the continuing, cooperative, and comprehensive transportation planning process in accordance with 23 USC §§ 134 and 135, and 49 USC §§ 5303 and 5304, and is the designated recipient of federal funds under 49 USC Chapter 53 for transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation provided by Amtrak.

**regional ITS architecture.** A regional framework for ensuring institutional agreement and technical integration for the implementation of intelligent transportation system (ITS) projects or groups of projects. Also see *intelligent transportation system*.

**regionally significant project.** A transportation project [other than projects that may be grouped in the Transportation Improvement Program (TIP) and/or Statewide Transportation Improvement Program (STIP) or exempt projects as defined in the U.S. Environmental Protection Agency's (EPA's) transportation conformity regulation (40 CFR Part 93)] that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed-guideway transit facilities that offer a significant alternative to regional highway travel.

**revision.** A change to a long range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that occurs between scheduled periodic updates. A major revision is an "amendment," while a minor revision is an "administrative modification."

**rural areas.** All areas of a state not included in urban areas.

**safety improvement project.** A strategy, activity, or project on a public road that is consistent with the state strategic highway safety plan and corrects or improves a roadway feature that constitutes a hazard to road users or addresses a highway safety problem.

**Secretary.** Secretary of Transportation.

**state.** Any one of the 50 states, the District of Columbia, or Puerto Rico.

**state funds.** Includes funds raised under the authority of the state or any political or other subdivision thereof, and made available for expenditure under the direct control of the state transportation department.

**State Implementation Plan (SIP).** As defined in Section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under Section 110 of the CAA, or promulgated under Section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under Section 301(d) of the CAA and which implements the relevant requirements of the CAA.

**state strategic highway safety plan.** A comprehensive plan, based on safety data, developed by a state transportation department that (A) is developed after consultation with (i) a highway safety representative of the Governor of the state; (ii) regional transportation planning organizations and metropolitan planning organizations, if any; (iii) representatives of major modes of transportation; (iv) state and local traffic enforcement officials; (v) a highway-rail grade crossing safety representative of the Governor of the state; (vi) representatives conducting a motor carrier safety program under 49 USC § 31102, 31106, or 31309; (vii) motor vehicle administration agencies; (viii) county transportation officials; (ix) state representatives of nonmotorized users; and (x) other major federal, state, tribal, and local safety stakeholders; (B) analyzes and makes effective use of state, regional, local, or tribal safety data; (C) addresses engineering, management, operation, education, enforcement, and emergency services elements (including integrated, interoperable emergency communications) of highway safety as key factors in evaluating highway projects; (D) considers safety needs of, and high-fatality segments of, all public roads, including non-state-owned public roads and roads on tribal land; (E) considers the results of state, regional, or local transportation and highway safety planning processes; (F) describes a program of strategies to reduce or eliminate safety hazards; (G) is approved by the Governor of the state or a responsible state agency; (H) is consistent with 23 USC § 135(g); and (I) is updated and submitted to the Secretary for approval as required under 23 USC § 148(d)(2).

**state transportation department.** That department, commission, board, or official of any state charged by its laws with the responsibility for highway construction. May be termed "department of transportation."

**Statewide Transportation Improvement Program (STIP).** A statewide, prioritized listing/ program of transportation projects covering a period of 4 years that is consistent with the long range statewide transportation plan, metropolitan transportation plans, and Transportation Improvement Programs (TIPs), and required for projects to be eligible for funding under Title 23 USC and Title 49 USC Chapter 53.

**strategic highway safety plan.** A plan developed by the state department of transportation in accordance with the requirements of 23 USC § 148(a)(6).

**transportation alternatives.** Any of the following activities when carried out as part of any program or project authorized or funded under this title, or as an independent program or project related to surface transportation: (A) Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 USC § 12101 et seq.). (B) Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs. (C) Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users. (D) Construction of turnouts, overlooks, and viewing areas. (E) Community improvement activities, including (i) inventory, control, or removal of outdoor advertising; (ii) historic preservation and rehabilitation of historic transportation facilities; (iii) vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and (iv) archaeological activities relating to impacts from implementation of a transportation project eligible under this title. (F) Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to (i) address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in 23 USC § 133(b)(11), § 328(a), and § 329; or (ii) reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

**transportation control measure (TCM).** Any measure that is specifically identified and committed to in the applicable State Implementation Plan (SIP) that is either one of the types listed in Section 108 of the Clean Air Act or any other measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. Notwithstanding the above, vehicle technology-based, fuel-based, and maintenance-based measures that control the emissions from vehicles under fixed traffic conditions are not TCMs.

**Transportation Improvement Program (TIP).** A prioritized listing/program of transportation projects covering a period of 4 years that is developed and formally adopted by a metropolitan planning organization (MPO) as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under Title 23 USC and Title 49 USC Chapter 53.

**transportation management area (TMA).** An urbanized area with a population over 200,000, as defined by the U.S. Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the metropolitan planning organization (MPO) and designated by the Secretary of Transportation.

**transportation systems management and operations.** Integrated strategies to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system. The term includes (i) actions such as traffic detection and surveillance, corridor management, freeway management, arterial management, active transportation and demand management, work zone management, emergency management, traveler information services, congestion pricing, parking management, automated enforcement, traffic control, commercial vehicle operations, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations; and (ii) coordination of the implementation of regional transportation system management and operations investments (such as traffic incident management, traveler information services, emergency management, roadway weather management, intelligent transportation systems, communication networks, and information sharing systems) requiring agreements, integration, and interoperability to achieve targeted system performance, reliability, safety, and customer service levels.

**Tribal transportation facility.** A public highway, road, bridge, trail, or transit system that is located on or provides access to tribal land and appears on the national tribal transportation facility inventory described in 23 USC § 202(b)(1).

**truck stop electrification system.** A system that delivers heat, air conditioning, electricity, or communications to a heavy-duty vehicle.

**unified planning work program (UPWP).** A statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. 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.

**update.** Making current a long range statewide transportation plan, metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) through a comprehensive review. Updates require public review and comment; a 20-year horizon year for metropolitan transportation plans and long range statewide transportation plans; a 6-year program period for TIPs and STIPs; demonstration of fiscal constraint (except for long range statewide transportation plans); and a conformity determination (for metropolitan transportation plans and TIPs in nonattainment and maintenance areas).

**urban area.** The term "urban area" means either 1) an urbanized area, 2) in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or 3) urban place as designated by the Bureau of the Census having a population of 5,000 or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall encompass, at a minimum, the entire urban place designated by the Bureau of the Census.

**urbanized area.** An area with a population of 50,000 or more designated by the U.S. Census, within boundaries to be fixed by responsible state and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall encompass, at a minimum, the entire urbanized area within a state as designated by the U.S. Census.

**users of public transportation.** Any person, or groups representing such persons, who use transportation open to the general public, other than taxis and other privately funded and operated vehicles.

**visualization techniques.** Methods used by states and metropolitan planning organizations (MPOs) in the development of transportation plans and programs with the public, elected and appointed officials, and other stakeholders in a clear and easily accessible format such as maps, pictures, and/or displays, to promote improved understanding of existing or proposed transportation plans and programs.

# Acronyms

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3-C Process	Continuing, Cooperative and Comprehensive Planning Process
3R	Resurfacing, Restoration, and Rehabilitation
AADT	Annual Average Daily Traffic
AAR	Association of American Railroads
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act of 1990
ADE	Assistant District Engineer
ADT	Average Daily Traffic
ARNOLD	All Roads Network Of Linear referenced Data
ATA	American Trucking Association
ATMS	Advanced Traffic Management System
ATPPL	Alternative Transportation in Parks and Public Lands
ATR	automatic traffic recorder
AVC	Automatic Vehicle Classification
BANs	Bond Anticipation Notes
BEA	Bureau of Economic Analysis
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BLS	Bureau of Labor Statistics
BMPs	Best Management Practices
BOO	Build-Own-Operate
BOR	Bureau of Reclamation
BOT	Build-Operate-Transfer
BP	Bicycle-Pedestrian
BPE	Bicycle-Pedestrian-Equestrian
BPI	Bid Price Index
BPR	U.S. Bureau of Public Roads
BRT	Bus Rapid Transit
BTS	Bureau of Transportation Statistics
Bureau	Multimodal Planning & Programming Bureau of NMDOT
CA	Cooperative Agreement

CAA	Clean Air Act
CAD	Computer-Aided Design
CAP	Climate Action Plan
CAP	Corrective Action Plan
CDBG	Community Development Block Grant
CE	Categorical Exclusion
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	<i>Code of Federal Regulations</i>
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Plan
CMP	Congestion Mitigation Plan
COG	Council of Governments
DAR	Defense Access Road Program
DE	District Engineer
DEIS	Draft Environmental Impact Statement
Division	Planning Division of NMDOT
DMB	Data Management Bureau of NMDOT
DMS	Dynamic Message Sign
DO	District Office
DOD	U.S. Department of Defense
DOI	U.S. Department of the Interior
DOT	Department of Transportation
DRB	Dispute Review Board
DTA	Dynamic Traffic Assignment
DUI	driving under the influence
DVMT	daily vehicle miles traveled
EA	Environmental Assessment
EDA	Economic Development Administration
EDD	Economic Development District
EIA	Energy Information Administration
EIS	Environmental Impact Statement
EJ	Environmental Justice
EMS	Emergency Management System

EMS	Emergency Medical Services
EPA	U.S. Environmental Protection Agency
EPCOG	Eastern Plains Council of Governments
EPMPO	El Paso Metropolitan Planning Organization
ERFO	Emergency Relief for Federally Owned Roads
FAA	Federal Aviation Administration
FAF	Freight Analysis Framework
FAHP	Federal-Aid Highway Program
FARS	Fatality Analysis Reporting System
FAST Act	Fixing America's Surface Transportation Act
FCC	Federal Communications Commission
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FFY	federal fiscal year
FH	Forest Highways Program
FHWA	Federal Highway Administration
FHWA-NM	New Mexico Division of the Federal Highway Administration
FLAP	Federal Lands Access Program
FLH	Federal Lands Highway
FLHP	Federal Lands Highway Program
FLREA	Federal Lands Recreation Enhancement Act
FLTP	Federal Lands Transportation Program
FMIS	Fiscal Management Information System
FMPO	Farmington Metropolitan Planning Organization
FMS	Freeway Management System
FOBL	Federal Obligation Limitation
FONSI	Finding of No Significant Impacts
FPM	Freight Performance Manifest
FR	Federal Register
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FWS	U.S. Fish and Wildlife Service
GHG	greenhouse gas
GHSP	Governor's Highway Safety Program

GIS	geographic information systems
GO	General Office (Santa Fe)
GTG	Government-to-Government Unit of NMDOT
HERS-ST	Highway Economic Requirements System – Statewide Version
HES	Hazard Elimination Safety Program
HOV	high-occupancy vehicle
HPMS	Highway Performance Monitoring System
HSIP	Highway Safety Improvement Program
HTF	Highway Trust Fund
HUD	U.S. Department of Housing and Urban Development
IHS	Interstate Highway System
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IT/ITS	Intelligent Transportation/Intelligent Transportation Systems
JPA	Joint Powers Agreement
LEP	Limited English Proficiency
LGRF	Local Government Road Fund
LMHS	Land Management Highway System
LRP	Long Range Plan
LRSTP	Long Range Statewide Transportation Plan
L RTP	Long Range Transportation Plan
LTAP	Local Technical Assistance Program
MAP-21	Moving Ahead for Progress in the 21st Century
MOA	Memorandum of Agreement
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MPPB	Multimodal Planning and Programs Bureau of NMDOT
MRCOG	Mid-Region Council of Governments
MRMPO	Mid-Region Metropolitan Planning Organization
MRRTPO	Mid-Region Regional Transportation Planning Organization
MTA	Mass Transit Account
MTP	Metropolitan Transportation Plan
MVMPO	Mesilla Valley Metropolitan Planning Organization
NAA	nonattainment area
NAAQS	National Ambient Air Quality Standards

NEPA	National Environmental Policy Act of 1969
NERTPO	North East Regional Transportation Planning Organization
NHPP	National Highway Performance Program
NHS	National Highway System
NHTSA	National Highway Traffic Safety Administration
NMAC	New Mexico Administrative Code
NMDOT	New Mexico Department of Transportation
NMED	New Mexico Environment Department
NMSA	New Mexico Statutes Annotated
NPRTPO	Northern Pueblos Regional Transportation Planning Organization
NSB	National Scenic Byways (Program)
NTP	Notice to Proceed
NWRTPO	Northwest Regional Transportation Planning Organization
OST	Office of the Secretary of Transportation
P&E	Performance and Expenditure
PAR	Personnel Activity Report
PBCAT	Pedestrian Bicycle Crash Analysis Tool
PBPP	Performance-Based Planning and Programming
PDA	Project Development Agreement
PFF	Project Feasibility Form
PIP	Public Involvement Plan
PL	Planning Funds
PLDR	Public Lands Development Roads
PLH	Public Lands Highways
PMB	Pavement Management Bureau of NMDOT
PMP	Project Management Plan
PMT	Project Management Team
POV	Privately Owned Vehicle
PPF	Project Prospectus Form
PPM	NMDOT Planning Procedures Manual
PPM	Parts Per Million
PPP	Public Participation Plan
PRP	Park Roads and Parkways
PS&E	Plan Specification & Estimate

PWP	Planning Work Program
R&D	Research and Development
RDC	Regional Design Center
RFP	request for proposal
RFQ	request for quotation
RIB	Rail Infrastructure Bank
ROW	right-of-way
RTA	Regional Transit Authority
RTD	Regional Transit District
RTIPR	Regional Transportation Improvement Program Recommendations
RTP	Recreational Trails Program
RTP	Regional Transportation Plan
RTPO	Regional Transportation Planning Organization
RWP	Regional Work Program
S&O	Stewardship and Oversight
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SCRTPO	South Central Regional Transportation Planning Organization
SEIS	Supplemental Environmental Impact Statement
SERTPO	Southeast Regional Transportation Planning Organization
SFMPO	Santa Fe Metropolitan Planning Organization
SFY	State Fiscal Year
SH	State Highway
SHPO	State Historic Preservation Office
SHRP2	Future Strategic Highway Safety Plan
SHSP	Strategic Highway Safety Plan
SIB	State Infrastructure Bank
SIP	State Implementation Plan
SOV	single-occupancy vehicle
SPR	State Planning and Research
SRTS	Safe Routes to School
STBG	Surface Transportation Block Grant Program
STC	State Transportation Commission
STDM	Statewide Travel Demand Model
STIP	Statewide Transportation Improvement Program

STRAHNET	Strategic Highway Network
SWRTPO	Southwest Regional Transportation Planning Organization
TAP	Transportation Alternatives Program
TAZ	Transportation Analysis Zone
TDM	Traffic Demand Management
TDM	Travel Demand Model
TEA-21	Transportation Equity Act for the 21st Century
TEAM	Transportation Electronic Award Management
TED	Transportation and Economic Development
TIDP	Technology and Innovation Deployment Program
TIFIA	Transportation Infrastructure Finance and Innovation Act of 1998
TIGER	Topologically Integrated Geographic Encoding and Referencing
TIP	Transportation Improvement Program
Title VI	Title VI of the Civil Rights Act of 1964
TMA	Transportation Management Area
TMP	Traffic Management Plan
TOD	Transit-Oriented Development
TP&E	Transportation Planning and Engineering
TRADAS	TRAffic DAta System
TRB	Transportation Research Board
TSE	Technical Support Engineer
TTAP	Tribal Technical Assistance Program
TTP	Tribal Transportation Program
UA	urbanized area
UC	Urban Cluster
UPWP	Unified Planning Work Program
USC	<i>United States Code</i>
UZA	Urbanized Zone-Area
VE	Value Engineering
VMT	vehicle miles traveled
VPD	Vehicles per Day
VPPP	Value Pricing Pilot Program

# Statewide Resources

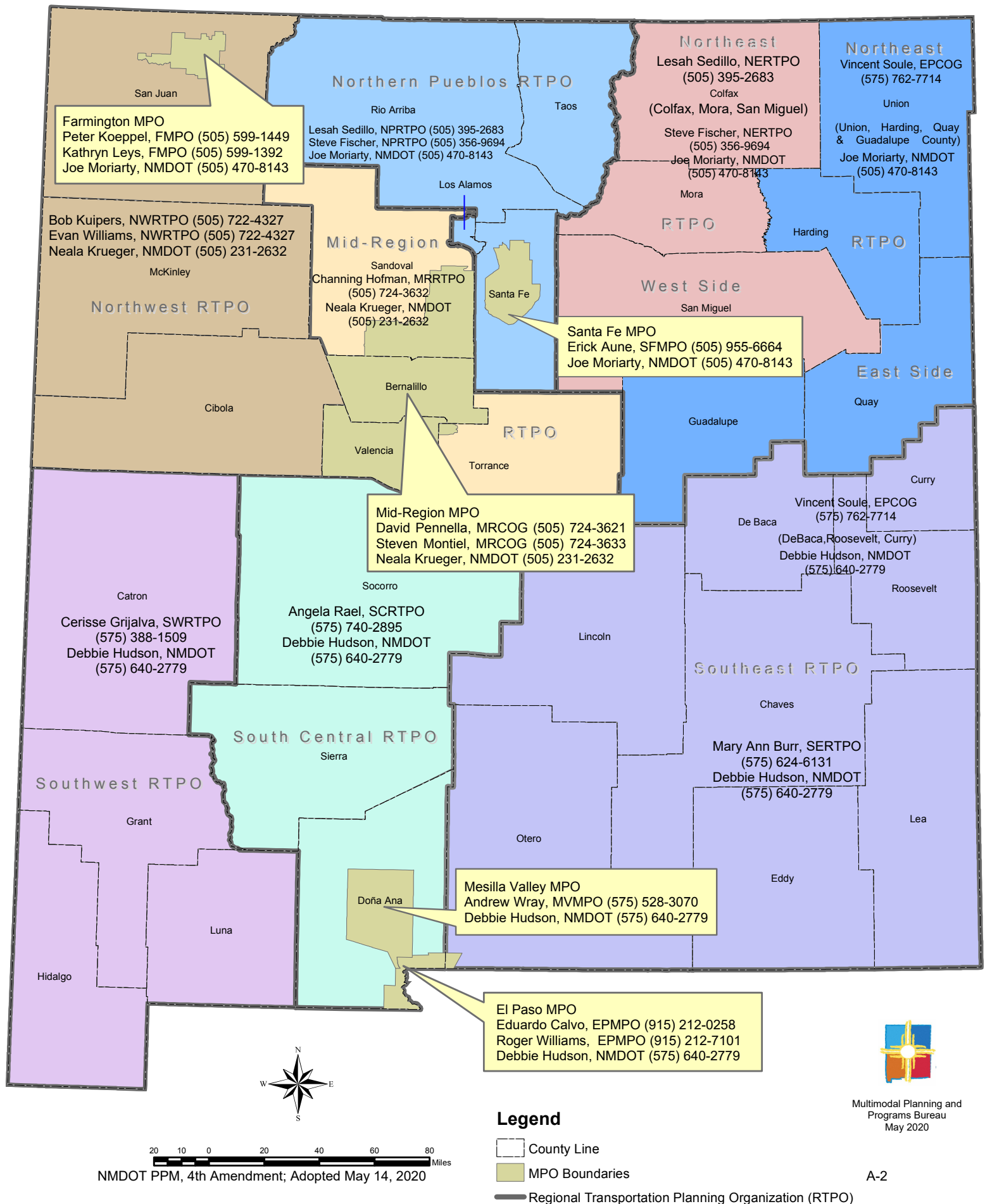
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## Appendix A Contents

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# 2020 Statewide Planner Areas

## Metropolitan and Regional Transportation Planning Organizations





# State of New Mexico

Michelle Lujan Grisham  
*Governor*

January 3, 2019

Mr. Michael R. Sandoval  
Cabinet Secretary  
1120 Cerrillos Road  
Santa Fe, NM 87504

Dear Secretary Sandoval,

I hereby delegate you, as Secretary of the New Mexico Department of Transportation, to act on my behalf in all matters requiring the Governor's approval under Title 23, Highways and Title 49, Transportation of the United States Code and Title 23, Highways and Title 49, Transportation of the Code of Federal Regulations.

Sincerely,

A handwritten signature in black ink that reads "Michelle Lujan Grisham".

Michelle Lujan Grisham  
Governor

# Timelines

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## Appendix B Contents

- Figure 1: Month-by-Month Work Program and PPM Timeline p. B-2

FIGURE 1  
Month-by-Month Work Program and PPM Timelines (MPO/RTPO, NMDOT) – Federal Fiscal Year Calendar

YEAR 1 of Unified Planning Work Program (UPWP) or Regional Work Program (RWP)

First Quarter	OCTOBER		NOVEMBER		DECEMBER
	[Begins first quarter of Federal Fiscal Year (FFY)]		1st		10th
	1st		1st		
	1st		5th		15th
	25th		10th		28th
			15th		31st
			15th		
			20th		
			30th		
			30th		
Second Quarter	JANUARY		FEBRUARY		MARCH
	[Begins second quarter of Federal Fiscal Year]		1st		1st
	25th		5th		10th
			10th		15th
			15th		
			15th		
			27th		
Third Quarter	APRIL		MAY		JUNE
	[Begins third quarter of Federal Fiscal Year]		1st		10th
	25th		5th		15th
	30th		10th		
			15th		
			31st		
Fourth Quarter	JULY		AUGUST		SEPTEMBER
	[Begins fourth quarter of Federal Fiscal Year; begins new State Fiscal Year]		[Note: fourth quarter PWP amendment cycle only occurs in Year 1]		10th
	12th		1st		15th
			5th		30th
			10th		
			15th		
			31st		

YEAR 2 of Unified Planning Work Program (UPWP) or Regional Work Program (RWP)

First Quarter	<b>OCTOBER</b>		<b>NOVEMBER</b>		<b>DECEMBER</b>
	[Begins first quarter of Federal Fiscal Year (FFY)] 1st MPO/RTPO Notices to Proceed (NTPs) for that FFY's funding become effective 1st MPOs/RTPOs submit annual Title VI Report to NMDOT Title VI Coordinator 25th MPO/RTPO Reimbursement Packets due to GTG Liaisons		1st Deadline for MPOs/RTPOs to submit draft first quarter UPWP/RWP formal amendments to GTG Liaisons; first quarter UPWP/RWP amendments should include Year 1 carry-forward funds (if any) 5th Deadline for GTG Liaison to submit draft first quarter UPWP/RWP formal amendments to Division Director (or designee) 10th Deadline for Division Director (or designee) to submit draft first quarter PWP formal amendments to STIP Unit for inclusion in draft STIP amendment 15th (Approximately) Deadline for STIP Unit to enter draft first quarter PWP formal amendments in eSTIP for inclusion in draft STIP amendment; amendment released for public comment 15th Deadline for MPOs and RTPOs to submit draft APERs to GTG Liaisons 20th Deadline for GTG Liaisons to request changes to MPO/RTPO APERs 30th Deadline for MPOs/RTPOs to submit revised APERs to GTG Liaisons 30th (Or date per FHWA) MPO Freight Program assessments due to Bureau freight planner 30th MPO Planner provides draft list of previous FFY obligated projects due to GTG Liaison for comparison to STIP. This list will be used for Annual Listing of Obligated Projects		10th Deadline for MPOs/RTPOs to submit board-approved first quarter UPWP/RWP formal amendments to GTG Liaison; GTG Liaison communicates changes (if any) between draft and board-approved UPWP/RWP amendment to STIP Unit 15th (Approximately) Draft STIP amendment public comment period closes and STIP Unit submits draft STIP amendment to FHWA-NM/FTA-Region 6 (includes first quarter PWP formal amendments) 20th (Or date per FHWA) Deadline for NMDOT to submit MPO Freight Program assessments to FHWA 28th Deadline for MPOs to post Annual Listing of Obligated Project Reports on MPO websites and notify GTG Liaisons 31st Deadline for NMDOT Division Director to submit the PWP's APER packet inclusive of MPO and RTPO APERs to FHWA-NM/FTA-Region 6
	<b>JANUARY</b>		<b>FEBRUARY</b>		<b>MARCH</b>
	[Begins second quarter of Federal Fiscal Year] 25th MPO/RTPO Reimbursement Packets due to GTG Liaisons		1st Deadline for MPOs/RTPOs to submit draft second quarter UPWP/RWP formal amendments to GTG Liaisons 5th Deadline for GTG Liaison to submit draft second quarter UPWP/RWP formal amendments to Division Director (or designee) 10th Deadline for Division Director (or designee) to submit draft second quarter PWP formal amendments to STIP Unit for inclusion in draft STIP amendment 15th (Approximately) Deadline for STIP Unit to enter draft second quarter PWP formal amendments in eSTIP for inclusion in draft STIP amendment; amendment released for public comment 15th NMDOT sends MPOs/RTPOs the estimated funding (PL and SPR) targets for next UPWP/RWP cycle 27th MPO safety targets and adoption documentation due to GTG Liaisons 15th Deadline for recipients of direct allocations of CMAQ-Mandatory to enter reporting data into federal CMAQ Public Access System		1st Deadline for CMAQ Coordinator to approve submissions and enter CMAQ Non-Mandatory reporting data into federal CMAQ Public Access System 10th Deadline for MPOs/RTPOs to submit board-approved second quarter UPWP/RWP formal amendments to GTG Liaison; GTG Liaison communicates changes (if any) between draft and board-approved UPWP/RWP amendment to STIP Unit 15th (Approximately) Draft STIP amendment public comment period closes and STIP Unit submits draft STIP amendment to FHWA-NM/FTA-Region 6 (includes second quarter PWP formal amendments)
Third Quarter	<b>APRIL</b>		<b>MAY</b>		<b>JUNE</b>
	[Begins third quarter of Federal Fiscal Year] 25th MPO/RTPO Reimbursement Packets due to GTG Liaisons 30th Deadline for MPO Planners to submit draft UPWPs to GTG Liaisons to review 30th Deadline for GTG Liaisons to conduct QARs of MPOs and RTPOs		1st Deadline for MPOs/RTPOs to submit draft third quarter UPWP/RWP formal amendments to GTG Liaisons 5th Deadline for GTG Liaison to submit draft third quarter UPWP/RWP formal amendments to Division Director (or designee) 10th Deadline for Division Director (or designee) to submit draft third quarter PWP formal amendments to STIP Unit for inclusion in draft STIP amendment 15th (Approximately) Deadline for STIP Unit to enter draft third quarter PWP formal amendments in eSTIP for inclusion in draft STIP amendment; amendment released for public comment 31st Deadline for GTG Liaisons to submit QAR reports to MPOs and RTPOs		1st Deadline for RTPOs to submit draft RWPs to GTG Liaisons for review 1st Deadline for GTG Liaisons to provide comments on draft UPWPs to MPO Planners; MPO Planners incorporate comments and take draft UPWPs to Policy Boards for approval/adoption 10th Deadline for MPOs/RTPOs to submit board-approved third quarter UPWP/RWP formal amendments to GTG Liaison; GTG Liaison communicates changes (if any) between draft and board-approved UPWP/RWP amendment to STIP Unit 15th Deadline for GTG Liaisons to provide comments on draft RWPs to RTPO Planners; RTPO Planners incorporate comments and take draft RWPs to Policy Committees for approval/adoption 15th (Approximately) Draft STIP amendment public comment period closes and STIP Unit submits draft STIP amendment to FHWA-NM/FTA-Region 6 (includes third quarter PWP formal amendments) [End of State Fiscal Year]
Fourth Quarter	<b>JULY</b>		<b>AUGUST</b>		<b>SEPTEMBER</b>
	[Begins fourth quarter of Federal Fiscal Year; begins new State Fiscal Year] 1st MPOs and RTPOs provide Final UPWPs/RWPs to GTG Liaisons 12th MPOs/RTPO Reimbursement Packets due to GTG Liaisons	z	[Note: fourth quarter PWP amendment cycle only occurs in Year 1] 1st Deadline for Division Director to submit to FHWA-NM and FTA Region 6 the review packet of NMDOT 2-year PWP with MPO and RTPO UPWPs/RWPs attached; starts 30-day FHWA-NM review period 31st Deadline for MPOs/RTPOs to submit proposed Functional Classification changes to Bureau technical planner via email, copying their GTG liaison		30th Deadline for Bureau to send NTPs to MPOs/RTPOs for the next FFY UPWP/RWP

# MPO Forms and Boilerplates

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## Appendix C Contents

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• MPO Annual Performance and Expenditure Narrative Summary	p. C-54

Notes regarding this template:

The attached template was created for use in developing each MPO's UPWP, Quarterly Reports and the End-Of-Year Report.

The quarterly report reporting table can be lengthened by simply typing in the boxes.

Whether a quarterly report table is used after each task or each subtask depends on how many subtasks there are and how different they are from each other.

Text in **red** needs to be modified for each MPO.

The End-of-Year report would include your final financial information in the appendices along with any supplemental comments (supplemental to the 4th quarterly report).

Subtasks can be limited as suggested by Rodolfo. That would make reporting easier.

Reporting on "findings" from reviews will be done separately on the spreadsheet provided by NMDOT and not in this template or in the quarterly report.



**Mid-Region Metropolitan Planning Organization**

# **TEMPLATE**

## **Unified Planning Work Program**

**Federal Fiscal Years 2015 & 2016  
(Oct. 1, 2014 through Sept. 30, 2016)**

Approved \_\_\_\_\_ 2014  
Amended \_\_\_\_\_

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**Mid-Region Metropolitan Planning Organization**  
MID-REGION COUNCIL OF GOVERNMENTS  
809 Copper Avenue NW, Albuquerque, New Mexico 87102  
(505) 247-1750-telephone (505) 247-1753-fax [www.mrcog-nm.gov](http://www.mrcog-nm.gov)

### **Mid-Region Metropolitan Planning Organization**

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Dewey V. Cave, Executive Director of the MRCOG and Executive Secretary to the MTB

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### **Special Thanks for Providing Data or Comments:**

MRMPO Metropolitan Transportation Board

MRMPO Transportation Coordinating Committee

Federal Highway Administration – New Mexico Division

Federal Transit Administration Region VI

City of Albuquerque Transit Department - ABQ Ride

Rio Metro Regional Transit District

NMDOT Transportation Planning and Safety Division

NMDOT Transit and Rail Division

NMDOT District 3

This report was funded in part through grants from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation. The views and opinions of the authors or agency expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation.

Mid-Region Metropolitan Planning Organization and the Mid-Region Council of Governments fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form, please contact the MRCOG Title VI Coordinator at (505) 247-1750-tel. (505) 247-1753-fax or email [mrcog@mrcog-nm.gov](mailto:mrcog@mrcog-nm.gov) or visit our website at [www.mrcog-nm.gov](http://www.mrcog-nm.gov).

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# I. INTRODUCTION

This Unified Planning Work Program (UPWP) is a mechanism for listing and organizing the **Mid-Region Metropolitan Planning Organization's** transportation planning activities that will be undertaken during the time period covered. This document was developed in accordance with the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) that was signed into law by President Obama on July 6, 2012, federal regulation 23 CFR 450 and FTA Circular 8100.1C.

## A. MRCOG General Overview

The Mid-Region Council of Governments (MRCOG) is a regional planning organization that develops policies and makes decisions about transportation planning in the greater Albuquerque region of New Mexico. It is a forum for cities, towns, villages, tribal governments, counties, transit agencies, and state agencies to address common regional issues.

MRCOG includes several organizational divisions such as the Mid-Region Metropolitan Planning Organization (MRMPO), Mid-Region Rural Transportation Planning Organization, Workforce Development-Central Region, Water Resources Management, Local Planning Assistance, and Economic Development-District 3. Several of these programs have their own governing bodies. In addition, MRCOG administratively houses the Rio Metro Regional Transit District under agreement with that district to provide staff, payroll services, office space, and other administrative functions.

## B. Transportation Planning

Federal law requires that every metropolitan area with a population over 50,000 have a designated Metropolitan Planning Organization (MPO) to qualify for receipt of federal highway and transit funds.<sup>1</sup> MRCOG is designated as the Metropolitan Planning Organization (MPO) for the Albuquerque Metropolitan Planning Area (AMPA) which is a Transportation Management Area (TMA) as well. MRMPO employees provide planning, coordination, and administrative support to the Mid-Region Metropolitan Transportation Board (MTB), which is MRMPO's policy-making body. Work tasks and responsibilities with respect to transportation planning for the MPO are detailed in this document, the Unified Planning Work Program. Refer to Appendix B for a map of the AMPA.

In addition, under state law MRCOG is designated as the Rural Transportation Planning Organization (RTPO) for Tarrant County, portions of Sandoval County and the southwest corner of Santa Fe County that includes the Town of Edgewood. Work tasks for planning activities in the RTPO are documented in a separate document, the Annual Work Program for the RTPO.

## C. Governance, Boards, and Committees

MRCOG is governed by the MRCOG Board of Directors. The Board is composed of locally-elected officials. Member agencies may select senior staff members to serve as alternates.

The Mid-Region Metropolitan Planning Organization (MRMPO) is governed by the Metropolitan Transportation Board (MTB) which is composed of elected officials and agency representatives

<sup>1</sup> 23 USC 134(d).

from within the Albuquerque Metropolitan Planning Area as well as representatives from the New Mexico Department of Transportation. Membership, officers and voting procedures are in accordance with the Bylaws adopted by the MTB. Standing and ad hoc committees provide the MTB with guidance on matters related to funding, congestion management, bicycle and pedestrian issues, intelligent transportation systems, freight, roadway access management, and other specific matters related to transportation planning.

#### **D. Unified Planning Work Program Requirements**

A Unified Planning Work Program (UPWP) must be developed by each MPO in cooperation with the state and public transportation operators<sup>2</sup> which identifies the work of the MPO over a one or two year period. The development of the UPWP is the joint responsibility of the MPO, State DOT, other state departments, public transportation operators and other planning and implementation agencies. The UPWP must identify work by major activity and task including those that address the planning factors in 23 CFR 450.306(a) which are listed in section G, below. Other requirements are that a discussion of planning priorities facing the metropolitan planning area must be included. This UPWP meets all federal requirements and covers a **two year** period.

The UPWP developed by an MPO must include:

- a description of the work to be accomplished;
- who shall perform the work for an activity/task;
- a schedule for completing the activity/task;
- resulting products of the activity /task;
- proposed funding by activity/task;
- a summary of the total amounts and sources of federal and matching funds<sup>3</sup>;
- identification of any incomplete work elements/activities carried over from previous fiscal years; and
- a summary of the work program that shows federal share by type of fund, matching rate by type of fund, state and/or local matching share and other state of local funds.
- **MPO's in TMAs must include (as applicable) cost estimates for transportation planning, research, development, and technology transfer related activities funded with other federal or state and/or local funds, particularly for producing the FHWA-required data (i.e., data for preparing proposed legislation, evaluating the performance of the Nation's transportation systems, etc.) for planning for other transportation modes.**

#### **E. The UPWP Development Process and Opportunities for Public Input**

The MPO staff develops the work program and budget for the next upcoming period in accordance with the following schedule. (Exact dates may vary by a few days.)

May 1 <sup>st</sup> Even Years	<b>1<sup>st</sup> Draft of UPWP to NMDOT Transp. Planning &amp; Safety Div. (NMDOT TPSD), ABQ Ride and Rio Metro RTD</b>
May 1 <sup>st</sup> Even Years	Proposed UPWP is posted online for Public Review and Comment. Begin 30 day public comment period.
May 31 <sup>st</sup> Even Years	MPO & NMDOT TPSD meeting on Draft UPWP
June 1 <sup>st</sup> - June 15 <sup>th</sup>	MPO staff revise proposed UPWP if necessary
Mid-June Even Years	<b>Metropolitan Transportation Board votes on Approving UPWP Opportunity for Public Comment at meeting</b>
July 1 <sup>st</sup> Even Years	MPO submits approved UPWP to NMDOT TPSD

<sup>2</sup> 23 CFR 450.308(c)

<sup>3</sup> 23 CFR 450.308(c)

Aug 1 <sup>st</sup> Even Years	NMDOT TPSD submits UPWP to FHWA-NM Division and FTA-Region VI for Review
Sept 1 <sup>st</sup> Even Years	FHWA-NM Division & FTA-Region VI comments on UPWPs to NMDOT TPSD
Sept 8 <sup>th</sup> Even Years	NMDOT TPSD submits final UPWPs (with changes, if any) to FHWA-NM Division and FTA-Region VI
Oct 1 <sup>st</sup> Even Years	Effective Date of UPWP at Beginning of Federal Fiscal Year

The public may participate in the development of the UPWP in a few ways. **The first is to attend MRMPO's MTB meetings which are held on a monthly basis and are open to the public. To learn more about these meetings, please contact Ms. Barbara Thomas at (505) 724-3616 or email at [bthomas@mrcog-nm.gov](mailto:bthomas@mrcog-nm.gov) . The public can also review the draft document during the 30-day public comment period. During this time, an electronic copy of the UPWP will be posted on the MRCOG website at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) . Additionally, information in the *MRMPO Public Participation Procedures* can also be found at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) .**

Amendments to the UPWP are required periodically to accommodate new tasks, award of funding grants and changes in work priorities. Amendments are scheduled, if needed, on a quarterly basis with the approved UPWP amendment submitted to NMDOT TPSD on the last day of each Federal Fiscal Year Quarter (December 31, March 31, June 30 & September 30). Opportunities for public comment on UPWP amendments are available at any board meeting at which the item will be discussed. **Agendas for all Metropolitan Transportation Board meeting are posted online at [www.mrcog-nm.gov](http://www.mrcog-nm.gov) .**

## **F. Funding Sources for Transportation Planning Activities**

Transportation planning efforts in the metropolitan area are financed primarily through federal funds. (FHWA Section 112 funds, FHWA State Planning and Research (SPR) grant funds, FTA Section 5303 funds.) Funds from local jurisdictions provide the required matching funds to receive the federal funds. Local funds also provide additional funds for transportation planning purposes. Occasionally, state funds or grants are used for general transportation planning. Special federal planning grants for specific programs are also utilized when the MPO is awarded these types of funds.

## **G. Planning Factors Under Federal Law**

The newest transportation bill, Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) continues the planning factors identified by the previous transportation bill, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The planning factors as stated in MAP-21 are:

- 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;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

#### **H. Planning Priorities for the Metropolitan Planning Area**

In this section the MPO describes the major planning priorities for the MPO. This section will be different for each MPO.

## II. WORK PROGRAM TASKS

The MPO's work program tasks are described in this section and are organized as shown below. Funding sources for all tasks are included in Appendix A.

<b>Task 1 - Program Support and Administration</b>	
1.1	Program Management and Administration
1.2	UPWP and Quarterly Reporting
1.3	Title VI Plan and Monitoring (includes Environmental Justice)
1.4	Public Participation
1.5	Website and Other Communications
1.6	Staff Training and Professional Development
1.7	Board Member Training
<b>Task 2 - Transportation Improvement Program (TIP)</b>	
2.1	TIP Development
2.2	TIP Management
2.3	Annual Project Listing and Obligation Report
<b>Task 3 - General Development and Data Collection/Analysis</b>	
3.1	Traffic Counting and Reporting
3.2	Population and Land Use Data Collection
3.3	Travel Demand Model Maintenance
3.4	Software Upgrades
3.5	Highway Functional Classification Review and Update
3.6	GIS Data Development, Mapping and Database Management
3.7	Development Review
3.8	Orthophotography
3.9	Planning Consultation & Local Transportation Planning Assistance
3.10	Land Use Modeling
<b>Task 4 - Transportation Planning</b>	
4.1	Metropolitan Transportation Plan (MTP)
4.2	Safety Analysis and Planning
4.3	CMP - Congestion Management Process
4.4	ITS - Intelligent Transportation Systems Planning
4.5	Land Use/Transportation Integration
4.6	Economic Impacts of Transportation Projects
4.7	SLRP Coordination
<b>Task 5 - Special Studies, Plans, Projects and Programs</b>	
5.1	Northwest Metro Area BRT Study
5.2	UNM/CNM Transit Study
5.3	Central Avenue BRT Study
5.4	I-25 South Operations Study

## Task 1 - Program Administration and Management (FTA Code 442100)

This consists of activities necessary for the administration, management, and operation of the MPO. This includes basic overhead, administrative costs, UPWP development, budget and financial management, annual and quarterly reports, general public participation, and public information.

Estimated Cost for Task 1 (includes all subtasks) = \$ \_\_\_\_\_  
 [The table below is an embedded Excel table; double click in it to edit.]

FY	Est. Staff Hrs.	Avg. Rate	Staff Cost	Consul. Hrs.	Con. Rate	Con. Cost	Other Costs	Est. TOTAL
FY 2015	1	\$20.00	\$20.00	1	\$100.00	\$100.00	\$1.00	\$121.00
FY 2016								

### 1.1 Program Support and Administration

This task encompasses general administration and oversight of the MPO. Included in this task are: staff meetings, day-to-day MPO activities, preparing and posting meeting agendas, review and revisions (if needed) of Metropolitan Transportation Board Bylaws and other similar administrative activities. This includes monitoring MPO progress in meeting scheduled deadlines in various state and federal policies, procedures and regulations.

Responsibilities: MPO staff and other agencies as necessary

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products:

Reimbursement Invoices are due the 25<sup>th</sup> day of the month following each FY quarter.

### 1.2 UPWP - Unified Planning Work Program and Quarterly & Annual Reporting

Monitor and revise, if necessary, the current UPWP. Develop the following UPWP for the next fiscal period. Prepare quarterly reports on the progress of main tasks and an annual report at the end of each Federal Fiscal Year.

Responsibilities: MPO staff and other agencies as necessary. For development of the next UPWP, ABQ Ride and Rio Metro RTD and NMDOT will be involved.

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Quarterly Reports	X			X			X			X			X			X			X			X		
Annual Perf. & Expen. Rpt.			X												X									
1 <sup>st</sup> Draft UPWP (FY 2017-18)																			X					
Revised UPWP to MTB																					X			
Amend. UPWP (if needed)			X			X			X			X			X			X			X			X

Key: X=due; P=in progress; D=done

### 1.3 Title VI Plan and Monitoring

Implement the *MRCOG Title VI Plan* and monitor environmental justice issues. Assure that all communications and public involvement efforts comply with the plan. Prepare the *Annual Title VI Report* (refer to page 4 or *Title VI Plan*). Review the *Title VI Plan* prior to the quadrennial Federal Certification Review and prepare revisions if necessary. Resolve all complaints in accordance with the *Title VI Plan*.

Responsibilities: MPO staff and other agencies as necessary.

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Annual Title VI Report			X												X									
Rev Title VI Plan/Quad Rev	This does not occur in the fiscal period of this UPWP																							
Resolution of Complaints	This task occurs if and when a complaint is filed.																							

Key: X=due; P=in progress; D=done

### 1.4 Public Participation

Implement the *Public Participation Procedures for the Mid-Region MPO* and monitor progress. Facilitate meetings of the Public Involvement Committee (PIC). Conduct surveys, online surveys, hold workshops and focus groups, utilize visualization techniques, and employ other methods to disseminate information and gather public input in the transportation planning process. Review the *Public Participation Procedures* (revise if necessary) prior to the development of the Metropolitan Transportation Plan.

Responsibilities: MPO staff and other agencies as necessary.

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
PIC Meetings	X			X			X			X			X			X			X			X		
Pub Mtg Fin Draft 2040 MTP						X	X											X						
Pub Mtg FY 2016-2021 TIP						X	X																	
Review Pub. Part. Proc.	This is done prior to start of MTP development and as needed.																							

Key: X=due; P=in progress; D=done

### 1.5 Website and Other Communications

Produce the *Travel Times E-newsletter*, maintain and update the MPO pages on MRCOG's website and use other methods to disseminate information

Responsibilities: MPO staff and other agencies as necessary.

Source of Funds: FHWA, FTA, Local Funds for Match

### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Travel Times E-Newsletter	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Website Maint & Update	This is an ongoing activity.																							

Key: X=due; P=in progress; D=done

### 1.6 Staff Training and Professional Development

Staff will attend meetings, workshops, and conferences designed to enhance their technical and professional skills and promote coordination between the MPO and other

Responsibilities: MPO staff.

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds

#### Representative Conferences, Training and Workshops

Attendance is dependent upon review of conference course/session offerings, conference costs, travel costs, conference location, employee work schedules and work load, etc. and may be subject to change. Other workshops and conferences may be attended by staff depending on funding availability and course offerings.

- ITS America
- Assoc. of Metropolitan Planning Organizations (AMPO) Conference
- American Planners Association (APA) Conference
- NM APA
- Smart Growth conference
- National Highway Institute (NHI) and National Transit Institute (NTI) courses
- Transportation Research Board (TRB) Conference
- CUBE modeling training
- a socioeconomic modeler's conference
- a pedestrian-bicycle planning seminar
- webinars hosted by APA, ITE and other agencies

### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
MPO Quarterly Mtgs			x			x			x			x			x			x			x			x
Other Conferences/Training	The schedule is dependent upon course offerings and staff work load.																							

Key: X=due; P=in progress; D=done

### 1.7 Board Member Training

Board member training and workshops to educate policy board members and possibly other committee members as to their roles and responsibilities regarding the transportation planning process.

Responsibilities: MPO staff.

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds

### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Board and committee member training												x												x

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

## Task 2 - Transportation Improvement Program (TIP) (FTA Task 442500)

This task covers the development, monitoring, and management of the Transportation Improvement Program (TIP) which implements transportation projects through federal, state, and local funding programs. The TIP spans a period of six years with the first four years constituting the federal TIP and the 5<sup>th</sup> and 6<sup>th</sup> year serving as informational years. The TIP must be fiscally constrained therefore; the total amount of funds programmed does not exceed the total amount of funding available.

Estimated Cost for Task 2 (includes all subtasks) = \$ \_\_\_\_\_

FY	Est. Staff Hrs.	Avg. Rate	Staff Cost	Consul. Hrs.	Con. Rate	Con. Cost	Other Costs	Est. TOTAL
FY 2015	1	\$20.00	\$20.00	1	\$100.00	\$100.00	\$1.00	\$121.00
FY 2016								

### 2.1 TIP Development

Develop and adopt a list of projects to be funded with federal transportation funds and regionally significant projects funded with state or local funds.

**Responsibilities:** All agencies through the TPTG (Transportation Program Technical Group), a subcommittee of the TCC (Transportation Coordinating Committee), which is responsible for the development of the TIP with MPO staff input and facilitation.

**Source of Funds:** FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Review TIP Policies & Proc.	X																							
Update on Existing TIP Proj	X																							
TIP Proj. Proposals Subm.		X																						
1 <sup>st</sup> Draft FY 2016-2021 TIP					X																			
TIP for Public Review						X																		
MTB Aprv. FY 2016-21 TIP							X																	

Key: X=due; P=in progress; D=done

### 2.2 TIP Management

Monitor the progress of projects in the TIP and their progress toward the timely obligation of funds. Revise the TIP to accommodate increased or decreased funding, to delay or advance projects as progress monitoring dictates. Revisions fall into two categories: TIP Administrative Modifications which are minor revisions and TIP Amendments which require approval by the Metropolitan Transportation Board.

**Responsibilities:** MPO staff manages the TIP and processes TIP Administrative Modifications. TIP Amendments are processed upon recommendation and analysis of the TPTG (Transportation Program Technical Group), and the TCC (Transportation Coordinating Committee).

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Progress Rpt fr Agencies	X	X	X	X	X	X	X	X					X	X	X	X	X	X	X					
TIP Admin. Modifications	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Quarterly TIP Amend.			X			X			X			X			X			X			X			X
TIP for Public Review						X																		
MTB Aprv. FY 2016-21 TIP							X																	

Key: X=due; P=in progress; D=done

### 2.3 Annual Project Listing and Obligation Report

In accordance with 23 CFR 450.332 the MPO shall prepare an annual report (no later than 90 days following the end of the program year) of the status of projects in that program year's TIP and the status of the obligation of the funds programmed in that year.

Responsibilities: MPO staff, NMDOT and other agencies as needed.

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
1 <sup>st</sup> Draft Annual Proj Listing		X												X										
Final Annual Proj. Listing			X												X									

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

## Task 3 - General Development and Data Collection/Analysis (FTA Tasks 442200 and 442500)

This consists of general planning activities, data collection, socioeconomic projections, mapping services, orthophotography, travel demand/traffic forecasting, development review, and local assistance.

Estimated Cost for Task 3 (includes all subtasks) = \$ \_\_\_\_\_

FY	Est. Staff Hrs.	Avg. Rate	Staff Cost	Consul. Hrs.	Con. Rate	Con. Cost	Other Costs	Est. TOTAL
FY 2015	1	\$20.00	\$20.00	1	\$100.00	\$100.00	\$1.00	\$121.00
FY 2016								

### 3.1 Traffic Counting and Reporting (FTA Task 442400)

Collect and process traffic data for routine monitoring of the transportation network, report data to NMDOT and conduct special needs traffic counts as needed. **Counts are collected on all major roads in the MRCOG region (Bernalillo, Sandoval, Valencia and Torrance counties and southern Santa Fe County) for a total of approximately 3000 count locations. Each location is counted once every three years (approx. 900-1000 counts/year) and all counts are reviewed to confirm they meet the Highway Performance Monitoring System standards of FHWA and the NMDOT.**

**Data collection is conducted system-wide as well as targeted locations and includes traffic counts, directional volume data, vehicle classification, bicycle counts, pedestrian counts, and intersection turning movements. Data is archived and logged into the traffic counts database and shared with local agencies for use in transportation planning activities. The Traffic Counts Program operates servers to receive traffic data from member agencies' ITS networks (including NMDOT-ITS). All reports and analyses are made available to member agencies and the general public. Funds are managed each fiscal year to maintain a reserve of funding that allows for the timely replacement of the traffic counting vehicle (approx. every 5-6 years) and counter machines (approx every 10-15 years).**

Special Notes: **add as needed**

Responsibilities: MPO staff and other agencies as necessary.

Source of Funds: FHWA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Conduct Traffic Counts	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Quarterly Transmittal	X			X			X			X			X			X			X			X		
Annual Traffic Flow Map										X												X		

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	

3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.2 Population and Land Use Data Collection (FTA Task 442200)

Collect, maintain and analyze multiple types of socioeconomic and demographic data. Provide forecasts for transportation planning purposes and for use by local and state agencies. Analyze and present data regarding growth and land use to member governments, planners, and the general public.

**This includes integration with other planning tools such as the accessibility and travel demand models, TranSight®, UrbanSim® and UrbanCanvas®, and other programs.**

Responsibilities: MPO staff and other agencies as necessary. **The development, maintenance and application of TranSight® is in partnership with the Rio Metro Regional Transit District.**

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Collect & Analyze Data	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Economic Impacts of Proj.	As needed on a project-by-project basis.																							
Planning Scenario Devel.																								

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.3 Travel Demand Model Maintenance (FTA Task 442200)

The MPO currently uses CUBE as the travel demand modeling program. Model runs are conducted upon request by various agencies and for development of the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). Updates

are done periodically, to the model's socioeconomic and demographic data, the roadway network and transit network.

Responsibilities: MPO staff and other agencies as necessary

Source of Funds: FHWA, FTA, Local Funds for Match

**Main Products and Schedule by Month**

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Model Maint. & Updates	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Model Runs	As needed.																							

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

**3.4 Software Upgrades (FTA Task 442200)**

Describe any upgrades to travel demand model, new software purchases, etc.

Responsibilities: MPO staff and other agencies as necessary

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds

**Main Products and Schedule by Month**

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	

3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.5 Highway Functional Classification Review and Update (FTA Task 442200)

Review the current Highway Functional Classification and revise if necessary. Major changes to the Highway Functional Classification occur approximately 2-3 years after each US Decennial Census in accordance with federal procedures. However, new roadways and changes in roadway utilization sometimes require revisions to the system; these are conducted on an as-needed basis.

Responsibilities: MPO staff and other agencies as necessary

Source of Funds: FHWA, Local Funds for Match

Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Functional Class Revisions	As needed.																							

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.6 GIS Data Development and Comprehensive Planning (FTA Task 442200)

Provide Geographic Information Systems (GIS) coverages and data in support of transportation planning within the metropolitan planning area. This includes GIS analytical and cartographic support for the MTP, TIP, ITS and CMP, system-wide, subarea and corridor technical studies, and maintaining systems maps.

Responsibilities: MPO staff and other agencies as necessary

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds

Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09



3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.8 Orthophotography (FTA Task 442200)

This is a biennial task led by the MPO to work with state, federal and local agencies and other interested parties to acquire and distribute regional digital orthophotography and digital elevation data. The MPO manages a contract for services to acquire orthophotography every two years. Orthophotos are used for mapping and geographic information technology applications, to update land use inventories, establish modeling network alignments, and evaluate the feasibility of transportation alternatives, as well as for public involvement activities.

Responsibilities: MPO staff serves as lead with principal responsibility for coordinating and planning for digital orthophotography missions in the region. Project participants vary for each cycle. Prior participants have included: City of Albuquerque, Albuquerque Metropolitan Arroyo and Flood Control Authority, Bernalillo County, Albuquerque-Bernalillo County Water Utility Authority, Kirtland Air Force Base, Village of Los Lunas, Middle Rio Grande Conservancy District, NMDOT, City of Rio Rancho, Sandia National Laboratory, Sandia Pueblo, Santa Ana Pueblo, Southern Sandoval County Arroyo and Flood Control Authority, the U.S. Geological Survey, and Valencia County.

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds

#### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
RFP Issued											X													
Contract award													X											
Product Delivery																	X	X	X					
Distribution of Orthos																			X	X	X			

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 3.9 Planning Consultation and Local Transportation Planning Assistance (FTA Task 442200)

The MPO will assist local agencies with the development of the transportation element of their comprehensive plans and other planning documents. The level of MPO involvement is dependent upon available resources.

MPO staff will assist local agencies with progressing capital improvement projects funded in the TIP through the project development process, certification process, and the process for the obligation of funds.

This subtask also includes routine, cooperative planning efforts with NMDOT, FHWA, FTA, other federal agencies, tribal governments, municipalities, transit agencies, natural resource agencies, and other similar agencies.

Responsibilities: MPO staff and other agencies as necessary.

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Transp. Elem. for Plans	As requested and as MPO resources allow.																							
Capital Project Assistance	As requested and as initiated by the TIP coordinator.																							

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

## Task 4 - Transportation Planning (FTA Task 442301)

This includes the development and monitoring of the long-range Metropolitan Transportation Plan (MTP), travel forecasting, coordinating with the state's long-range transportation plan and other studies. It also includes the Congestion Management Process (CMP), Intelligent Transportation Systems (ITS) planning, safety analyses, and other short to medium range planning activities.

Estimated Cost for Task 4 (includes all subtasks) = \$ \_\_\_\_\_

FY	Est. Staff Hrs.	Avg. Rate	Staff Cost	Consul. Hrs.	Con. Rate	Con. Cost	Other Costs	Est. TOTAL
FY 2015	1	\$20.00	\$20.00	1	\$100.00	\$100.00	\$1.00	<b>\$121.00</b>
FY 2016								

### 4.1 Metropolitan Transportation Plan (MTP)

The Metropolitan Transportation Plan (MTP) forms the basis for all transportation planning and projects within the metropolitan planning area. The MTP covers all modes of transportation that may serve the current and future needs of the region. The plan conforms to federal regulations as set forth in 23 CFR 450. The MTP is updated every four years and may be amended, if necessary, as required.

[Add other information here.](#)

Responsibilities: MPO staff serves as the lead. The development of the MTP is a cooperative effort by the MPO and its member agencies, NMDOT, and area transit agencies, with coordination and input from several other agencies such as: FHWA, FTA, "land use" planning agencies (i.e. municipal planning departments), City of Albuquerque Environmental Health (for air quality), U.S. Environmental Protection Agency, tribal governments, local governments, and other agencies as necessary

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
<b>90% Draft 2040 MTP</b>	X	X																						
<b>1<sup>st</sup> Draft for Public Review</b>			X																					
<b>Final Draft Public Review</b>						X																		
<b>Public Comment Period</b>						X	X																	
<b>MTB Air Qual Conformity</b>							X																	
<b>MTB Apprv 2040 MTP</b>							X																	
<b>MTP Amendments</b>	Amendments are processed as necessary.																							

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q.	

Report	
End of Year Report – Supplemental, if needed	

## 4.2 Safety Analysis and Planning

Develop, research, and analyze data to assist member agencies and the public with understanding crash information and transportation planning issues confronting the metropolitan region and identification of safety issues related to the transportation network. Explore the development of methodologies to estimate future crash data as well as economic impacts of crashes. This subtask includes maintaining consistency with the *NMDOT Comprehensive Transportation Safety Plan (CTSP)* and providing assistance to local member agency and health organization planning efforts and health impact assessments.

**Responsibilities:** MPO serves as lead in cooperation with NMDOT Transportation Planning and Safety Division and the UNM Division of Governmental Research

**Source of Funds:** FHWA, FTA, Local Funds for Match

### Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Annual Crash Report							X	X											X	X				

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

## 4.3 Congestion Management Process (CMP)

The MPO will collect data to monitor system-wide and link-based performance to investigate recurring and nonrecurring congestion. The CMP uses performance data to determine the cause and severity of congestion in the region. The CMP is used at various levels of planning and operational analyses such as the MTP, TIP and development of individual projects. The CMP is integrated into the metropolitan planning process and provides comprehensive information on the performance of the transportation system so residents, elected officials, and agencies can make informed decisions based on congestion levels and location appropriate strategies. This is an ongoing core activity of the MPO.

Responsibilities: MPO serves as lead in coordination with member agencies, regional transit providers and NMDOT.

Source of Funds: FHWA, FTA, Local Funds for Match

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

#### 4.4 Intelligent Transportation Systems (ITS)

ITS uses integrated systems to improve transportation safety, mobility, and traveler knowledge through the use of innovative technologies. The MPO coordinates the programming and deployment of ITS infrastructure and is responsible for maintaining the *Regional ITS Architecture* and updating the *ITS Implementation Plan*.

The MPO will collect data to monitor system-wide and link-based performance to investigate recurring and nonrecurring congestion. The CMP uses performance data to determine the cause and severity of congestion in the region. The CMP is used at various levels of planning and operational analyses such as the MTP, TIP and development of individual projects. The CMP is integrated into the metropolitan planning process and provides comprehensive information on the performance of the transportation system so residents, elected officials, and agencies can make informed decisions based on congestion levels and location appropriate strategies. This is an ongoing core activity of the MPO.

Responsibilities: MPO serves as lead in coordination with member agencies, regional transit providers and NMDOT.

Source of Funds: FHWA, FTA, Local Funds for Match, Local Non-Matching Funds.

#### Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09
Amend Reg. ITS Arch.	As necessary.																							

Key: X=due; P=in progress; D=done

## 4.5 Land Use/Transportation Integration

Responsibilities: MPO staff .....

## Main Products and Schedule by Month

Key: X=due; P=in progress; D=done

## 4.6 XXX Subtask

Responsibilities: MPO staff .....

## Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

#### 4.7 XXX Subtask

Enter study or subtask description.

Responsibilities: MPO staff .....

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

#### 4.8 YYY Subtask

Enter study or subtask description.

Responsibilities: MPO staff .....

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

**4.9 ZZZ Subask**

Enter study or subtask description.

Responsibilities: MPO staff .....

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

## Task 5 - Special Studies and Miscellaneous Activities (FTA Task 442700)

This task covers transportation planning activities that do not fall under the categories above.

Estimated Cost for Task 5 (includes all subtasks) = \$\_\_\_\_\_

FY	Est. Staff Hrs.	Avg. Rate	Staff Cost	Consul. Hrs.	Con. Rate	Con. Cost	Other Costs	Est. TOTAL
FY 2015	1	\$20.00	\$20.00	1	\$100.00	\$100.00	\$1.00	\$121.00
FY 2016								

### 5.1 XXX Subtask

Enter study or subtask description.

Responsibilities: MPO staff .....

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

PRODUCT	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)												FFY 2016 (Oct 1, 2015 - Sept 30, 2016)											
	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

### 5.2 XXX Subtask

Enter study or subtask description.

Responsibilities: MPO staff .....

Source of Funds: FHWA, FTA, Local Funds for Match

Main Products and Schedule by Month

	FFY 2015 (Oct 1, 2014 - Sept 30, 2015)	FFY 2016 (Oct 1, 2015 - Sept 30, 2016)
--	--	--

PRODUCT	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09

Key: X=due; P=in progress; D=done

1 <sup>st</sup> Q. Report	
2 <sup>nd</sup> Q. Report	
3 <sup>rd</sup> Q. Report	
4 <sup>th</sup> Q. Report	
End of Year Report – Supplemental, if needed	

# Appendices

## Appendix A – Budget Summary - Financial Resources Available

	Activity and/or Task Number	Fund Source	Federal Rate (%)	Matching Rate (%)	Federal Share (\$)	State Match (\$)	Local Match (\$)	Other Fund(s) Amount & Source	Control Number	TOTAL
PL FUNDS										
SPECIAL FUNDS										

### Budget Summary - Proposed Expenditures

Task Number	Program	Budgeted PL Funds	Budgeted Special Project Funds	Total Budgeted
1				
2				
3				
4				
5				
6				
TOTAL				

## **Appendix B - Metropolitan Planning Area Map**

## **Appendix C**

### **Consultant Services and Vendor Services Summary**

### Appendix C - Consultant and Vendor Services Summary

Task	Consultant/Vendor	Est. Total Cost	Description	Notes

## **Appendix D – UPWP Adoption Resolution**

## **Appendix E – Expenditure Reports**

*Note: Expenditure reports will be provided for quarters 1 through 4 and the end of year as they are developed.*

## Unified Planning Work Program Review Checklist

The following checklist can assist GTG Liaisons as they review draft UPWPs. MPOs may also use the list as desired when drafting their UPWPs. The list is illustrative, not inclusive. It may be used in conjunction with the UPWP Template, also included in the PPM Appendix C.

### **The Content of the UPWP Should:**

- ☐ Demonstrate the scope and schedule of major tasks.
- ☐ Respond to planning priorities, including the FAST Act (or current federal legislation) Planning Factors.
- ☐ Comply with state and federal planning/administration program requirements and policies.
- ☐ Contain the MPOs annual certification and assurances. The MPO planning process should address the major issues facing the region and should be conducted in accordance with all applicable laws.
- ☐ Reflect how the MPO will address the Performance-Based Planning and Programming (PBPP) requirements, as outlined in the MPO: PBPP Target Setting Procedures Chapter of the PPM.
- ☐ Respond to NMDOT concerns, regional transportation issues, regional transportation planning activities and transportation problems and needs facing the region.
- ☐ Reflect the progress made by the MPO in carrying out the previous year's program and its performance capabilities. All anticipated continuing activities should be clearly identified.
- ☐ Contain a work element in the draft UPWP for each discretionary planning grant application i.e., FHWA Metropolitan Planning (PL) funds, FTA § 5303 and 5304 Transit Planning Grants, and FHWA State Planning & Research (SPR) funds
- ☐ Include an information element, which lists the transportation planning activities being done by other transportation planning entities in the region.
- ☐ Show non-planning sources for all project work in the UPWP, e.g., transit marketing, ride matching, transportation engineering and Transportation Development Act (TDA) required activities, etc.
- ☐ Respond to Air Quality and Conformity issues if needed (please see 40 CFR 93 for Conformity requirements).
- ☐ If a MPO has any indirect costs associated with the UPWP they must submit an Indirect Cost Plan (ICAP) or, if using the de minimis cost rate, provide a letter of approval from their federal cognizant agency.

### **The Financial Information in the UPWP Should:**

- ☐ Reflect the fund source, type and amount for each work element. Also, show the same source, type and amount in the Financial Summary.
- ☐ Include and identify the correct local match for each federal fund source and type.
- ☐ Show consistency between the fund amounts identified within the work element/work task discussion and the fund amounts in the Financial Summary.

- ☐ Identify any carry-forward funds from prior years by fund source, type, amount and fiscal year within work elements and the Financial Summary. (Note: carry-forward PL funds are only allowed from year 1 to year 2 of the UPWP, and not between UPWPs.)
- ☐ Ensure compliance with 2 CFR 200.

**The Work Elements in the UPWP Should:**

- ☐ Illustrate an organized and logical flow of work element tasks and activities from project inception to project completion.
- ☐ Contains task statements which include enough detail that the work product is easily identifiable and eligibility can be easily determined.
- ☐ Work elements/work tasks which will be completed over multiple years should have a schedule that details and identified significant milestones to be accomplished throughout the term of the planning grant.
- ☐ Identify all planning consultant contracts in both the task and budget statements.
- ☐ All tasks and products listed are eligible uses of Federal Funds.

**NMDOT Asset Management and Planning Division  
Statewide Planning Bureau – Government to Government Unit  
Annual Quality Assurance Review of MPOs  
Checklist and Report**

**Initial QAR Meeting:**

Entity (MPO):	Reviewer:
	Review date:
Personnel interviewed (list names and positions):	

**QAR Follow-Up Meeting (if applicable):**

Entity (MPO):	Reviewer:
	Review date:
Personnel interviewed (list names and positions):	

**1. Summarize results of agency audit, including any findings for the year ending June 30, 2019.**

Provide context for any quotes, indicating the audit section in which the finding is found. Additionally, review the Single Audit Section and highlight any findings related to the PL grant.

[Pull quote(s) of importance from the annual audit, which can be found on the Office of the State Auditor's website: <http://www.saonm.org> if it hasn't been sent directly to you already; note that the PPM currently states that audits are due to GTG liaisons "30 days following approval by fiscal entity," but it may be better to go off of the date that the audit is "released" to the public via saonm.org]

Additionally, the audit is:      Current ☐      On file ☐      Posted to the website ☐

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
Notes from Follow-Up QAR:

**2. Planning Products – are the following current, on file and posted to the website (PDF)?**

Current	On file <sup>1</sup>	Posted to the website	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Metropolitan Transportation Plan (MTP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Transportation Improvement Program (TIP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unified Planning Work Program (UPWP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Participation Plan (PPP) (update in conjunction with MTP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Title VI Plan with contact person identified (update every 3 yrs) <sup>2</sup>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual Performance and Expenditure Report (APER)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual Listing of Obligated Projects
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Air Quality Conformity letter (for EPMPO)

<sup>1</sup> 'On file' assumes an electronic copy; hard copies are optional.

<sup>2</sup> Title VI Contact may be a specific person that works at the entity; it may also be a position that is routinely filled (e.g. HR Director); ideally the contact information should be stable (e.g. [ADA.TitleVI@xxcog.org](mailto:ADA.TitleVI@xxcog.org) or a general phone number) so that even if the person leaves, the contact information stays active.

- |                          |                          |                          |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Congestion Management Plans (for applicable MPOs) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other plans ( <i>list below</i> )                 |

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**3. Boards/Committees - are the following current, on file and posted to the website for all boards and committees?**

Current	On File	Posted to the website	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bylaws
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Members, including Chair and Vice Chair
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schedule of meetings
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Agendas (posted to website 72 hours prior to meeting)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meeting minutes (for the past 2 years)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved documents (i.e. signed resolutions)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**4. Financials - Reporting and Documentation**

- ☐ Reimbursement Packets consistently submitted in a timely, complete, and accurate fashion?
- ☐ Reimbursement Packets include cover letters, Quarterly Reports, Budget Reports, Expenditure Summary, Invoices and supporting documentation? Are these provided with the Reimbursement Packets and maintained on file?
  - Budget Report: track expenditures by line-item as defined by task in the UPWP budget
  - Expenditure Summary: provide a summary of federal funds expended plus local match paid, by quarter.
- ☐ Is the documentation on file, well-organized, and accessible?
  - Security: what measures does the MPO take to ensure their IT systems are secure? (explain below)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:

Notes from Follow-Up QAR:
---------------------------

**A. Timesheets and Timesheet Summary** - All MPO staff who charge time to a federally funded task are required to maintain internal, accurate, and current time records using database and spreadsheets comparable to the MPO Time Tracking workbook provided in the Planning Procedures Manual. GTG Liaison must randomly test a week to ensure the timesheets are on file and that they match what was included in that reimbursement packet.

- ☐ Is the MPO able to provide access to timesheets?
- ☐ Is supporting documentation available to track activities?
- ☐ Is the amount of time spent on MPO duties and billed to FHWA or FTA funds clearly indicated?
- ☐ In the event that work hours involve multi-tasking among several federally-funded tasks, does the MPO have a Cost Allocation Plan or Indirect Cost Agreement in place to address the specifics of each situation?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
Notes from Follow-Up QAR:

**B. Contract Awards**

- ☐ No Contractor Awards during the time period covered by this QAR

OR:

- ☐ Published Notice in Newspaper for Invitation for Bid or Request for Proposals (RFP) (advertisement), copy of ad
- ☐ Bidder's list at bid opening: Company(s) and quotation sheet(s); or copies of proposals received
- ☐ Award Letter, "NOTICE OF AWARD"/"NOTICE TO PROCEED" Forms
- ☐ All subsequent notices: starts, suspends, resumes, and completions
- ☐ Copy of fully executed Contract on file
- ☐ All invoicing (copies) for contractors, vendors, suppliers

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
Notes from Follow-Up QAR:

**C. Inventory of capital assets acquired with Federal Aid Highway Program funds valued at \$5,000 and greater**

- ☐ Not applicable

OR:

- ☐ Are there property records that include a description of the property, serial or other identification number, source of property, who holds title, acquisition date, cost of property, percentage of Federal participation, location, use and condition of property and ultimate disposition data including date of disposal and sale price?
- ☐ Is there a physical inventory of the property with results reconciled with property records (at least once every 2 years)?
- ☐ Is there a control system developed to ensure adequate safeguards to prevent loss, damage or theft of property? If there was an occurrence did NMDOT investigate and what were the results of that investigation?
- ☐ Are there adequate maintenance procedures developed to keep property in good condition?

Note: Disposition of items of equipment at current, per-unit, fair market value in excess of \$5,000 may be retained or sold and the awarding agency (FHWA) has the right to an amount calculated by multiplying the current market value or proceeds from sale by awarding agency's share of the equipment.

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

## 5. Structure/Intergovernmental & Other Agreements

Current    On file

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the Cooperative Agreement with NMDOT current and on file? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the JPA or MOA establishing the MPO current and on file?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Other (list)   |

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

## 6. MPOs: Traffic Counts and Other Roadway Data

- ☐ Is the MPO's traffic count program aligned with NMDOT?
- ☐ Are Functional System maps available and posted on the MPO's website?
- ☐ Has the MPO worked with NMDOT to maintain Functional and NHS designations?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:

Notes from Follow-Up QAR:
---------------------------

**7. Staff & Board/Committee Member Training and Professional Development**

- ☐ Is there a training/professional development plan for MPO staff and how is it being implemented?
- ☐ Have all MPO staff attended the basic NHI courses when offered [e.g. Federal-Aid Highways 101 (last offered spring 2014), Highway Program Funding (last offered winter 2016)]?
- ☐ Has an MPO Planner attended a NM Open Meetings Act training?
- ☐ Is the MPO following the UPWP training plan for Board/Committee Members? Are additional resources needed to implement the training plan?
  - What is the outreach to non-participating members? (*Detail below*)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
Notes from Follow-up QAR:

**8. Public Involvement & Outreach/Environmental Justice/Title VI**

- ☐ Is public attendance at meetings encouraged and tracked?
- ☐ Is public input received, addressed, and documented?
- ☐ Is there outreach to Environmental Justice/minority communities?
- ☐ Do meetings comply with the NM Open Meetings Act?
- ☐ Are Environmental Justice and Title VI complaints documented, addressed and tracked?
- ☐ Is NMDOT GTG Liaison informed of all complaints and resolution in a timely manner?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
Notes from Follow-up QAR:

**9. Performance Measures (PM) and Performance-Based Planning and Programming (PBPP)**

- ☐ Has the MPO adopted targets for PM 1 – Safety in this performance period (due annually, by Feb. 27)?
  - ☐ If yes, does the MPO have the resolution on file?
- ☐ Has the MPO adopted targets for PM 2 – Pavement and Bridge Condition in this performance period (due every four years, at a minimum, starting May 20, 2018)?
  - ☐ If yes, does the MPO have the resolution on file?

- ☐ Has the MPO adopted targets for PM 3 – System Performance, Freight, Congestion and Air Quality in this performance period (due every four years, at a minimum, starting May 20, 2018)?
  - ☐ If yes, does the MPO have the resolution on file?
- ☐ Does the MPO include its targets for PM 1, PM 2, and PM 3 in their MTP (if adopted after May 27, 2018)?
- ☐ Does the MPO have a self-certification included with every new TIP (adopted after May 27, 2018), indicating how the program of projects contributes to achieving the MPO's performance targets in the MTP?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-up QAR:</a>

**10. Tracking all TIP projects – how is the MPO Planner doing this?**

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-up QAR:</a>

**11. Nonconformance issues during the time period since the last QAR:**

- ☐ Have there been nonconformance issues (per PPM) since the last QAR?
- ☐ If so, is there a Corrective Action Plan underway?

--

**12. Overall organization:**

- ☐ Are files organized, easy to find, and backed up?
- ☐ Does MPO have a shared drive everyone uses or are files stored on separate PCs? (Multiple employees need to have access to all files reviewed in this QAR.)
  - How are files/documents archived? (*Detail below*)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**13. Additional notes and comments (concerns or commendations):**

--

14. GTG Liaison: Please provide a summary of the review, including issues/findings and follow up needed, along with a timeline for MPO to address any findings.

--

[Follow-up Recommendations for next QAR:](#)

**Review and Sign-off**

<b>Final Submitted to GTG Supervisor on (DATE)</b>
<b>Reviewed and Approved by (NAME) on (DATE)</b>
<b>Final Report (pdf) emailed to MPO on (DATE)</b>

## MPO APER Budgeted Staff Hours Summary

Staff Hours Summary FFYXX							
Tasks	Budgeted Hours	Q1	Q2	Q3	Q4	Total Actual hours	Percentage actual differs from budgeted*
1						0	
2						0	
3						0	
4						0	
5						0	
TOTAL	0					0	
*if actual hours differ from budgeted hours by +/- 20% for any Task, provide a narrative explanation below							

Explanation:

## MPO APER Budget Summary by Line item

FFYXX Budget Summary by Line Item							
Line Item (use categories from your FFYXX budget)	Budgeted	Q1	Q2	Q3	Q4	Actual	Percentage actuals differ from budgeted*
Personnel						0	
Fringe						0	
Travel						0	
Insurance						0	
Equipment Lease and Maintenance						0	
Equipment Purchase						0	
Audit						0	
Supplies						0	
Publications, registrations, advertising, memberships						0	
Postage						0	
Rent, utilities and telephone						0	
Legal						0	
Capital Improvements						0	
Printing						0	
Meetings						0	
Contracted Services						0	
Other (please specify)						0	
TOTAL	0					0	
*if any line item in the 'actual' column differs from budgeted amount +/- 20%, provide a narrative explanation below							

Explanation:

## Summary of Consultant/Vendor Services

FFY19 Summary of Consultant/Vendor Services					
UPWP Task(s)	Consultant/Vendor	Description of Work	Contracted Amount	Actual Cost	Percentage actuals differ from contract*

\*if actuals differ from contracted amount +/- 20%, provide a narrative explanation below

Explanation:

Please provide a BRIEF summary of Unified Planning Work Program activities by Task below. Please note if the activities of each Task were completed or if they are continuing into year two of the UPWP and provide an update on the progress of those activities.

<b>Task 1: Program Support and Administration</b>

<b>Task 2: Transportation Improvement Program (TIP)</b>

<b>Task 3: General Development and Data Collection/Analysis</b>

<b>Task 4: Transportation Planning</b>

<b>Task 5: Special Studies, Plans, Projects and Programs</b>

# RTPO Forms and Boilerplates

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## Appendix D Contents

• Regional Work Program (RWP) Boilerplate	p. D-2
• RTPO Budget/Invoicing Workbook	p. D-12
• RTPO Budget Glossary	p. D-26
• Regional Work Program (RWP) Review Checklist	p. D-29
• Daily Log Template	p. D-31
• Quality Assurance Review (QAR) Checklist	p. D-32
• RTPO Annual Performance and Expenditure Budget Summary	p. D-38
• RTPO Annual Performance and Expenditure Narrative Summary	p. D-41
• Standardized Regional Transportation Improvement Program Recommendation Process	p. D-42

**COG/EDD Name**  
**RTPO NAME**  
**FFY 20XX- 20XX REGIONAL WORK PROGRAM**  
**October 1, 20XX – September 30, 20XX**

**Introduction and Purpose**

(*RTPO staff:* briefly introduce and describe the purpose of the Regional Work Program)

The following are functions and task orders that the COG/EDD Name will complete in fulfillment of the contract for management of the RTPO Name Regional Transportation Planning Organization (RTPO) for Federal Fiscal Years (FFY20XX – FFY20XX) October 1, 20XX through September 30, 20XX.

**Function 1. Long-Range Planning and Implementation**

Task 1.1 Initiate and coordinate long-range regional transportation planning with other local, regional and statewide planning initiatives. Collaborate with NMDOT and other partners to identify and document current and future transportation needs, plans, and projects for inclusion in the RTPO Long-Range Regional Transportation Plan (RTP).

1.1.1 Review and update the RTP, including tasks and goals, at least once every five years in coordination with the NMDOT Long Range Statewide Transportation Plan (LRSTP) update.

1.1.2 Conduct and/or participate in corridor studies, transportation-related subarea plans, and regional and local multi-modal and intermodal planning activities, including bicycle master plans, comprehensive plans, transportation plans, safety plans, etc.

1.1.3 Support and coordinate long-range regional transportation planning with other local, regional, and statewide planning initiatives, such as Infrastructure Capital Improvement Plans (ICIP), the Statewide Transportation Improvement Program (STIP), and legislative capital outlay priorities.

Task 1.2 Create and implement a strategic plan for implementation of the action items identified by RTPO members and stakeholders as part of the RTP development process.

Function 1	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

## Function 1 Activity Tracking – 20XX

1 <sup>st</sup> Quarter Report	
2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	
4 <sup>th</sup> Quarter Report	

## **Function 2. Technical Support and Data Management**

Task 2.1 Collect and manage data, perform technical planning and plan development, in coordination with the transportation goals, trends and needs developed and identified in the RTP.

2.1.1 Collect and evaluate new population, economic development, travel demand and forecast data, projects and trends to inform regional planning efforts, and distribute this information with local counties and communities. Data to be collected and maintained by the RTPO may include land use data, demographic and population data, freight data, traffic count and crash data, and any other data that supports the goals and actions outlined in the RTP.

2.1.2 Assist project applicants with analysis, data collection and other technical support for transportation planning, project identification, and project development.

Task 2.2 Assist RTPO members and work with NMDOT staff on roadway and corridor-level classification and analysis, in accordance with the currently adopted rules, guidelines, and procedures. Keep members informed about criteria, timelines, and requirements for submittal of proposals to modify classifications.

2.2.2 Assist RTPO members and work with NMDOT staff on post-Census Urban Area Boundary Smoothing, as appropriate. Keep members informed about criteria, timelines, and requirements for submittal of proposals to modify Urban Area and Small Urban Area designations, based on FHWA Area Definitions.

Function 2	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

## Function 2 Activity Tracking – 20XX

1 <sup>st</sup> Quarter Report	
--------------------------------	--

2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	
4 <sup>th</sup> Quarter Report	

### **Function 3. Project Development and Monitoring**

Task 3.1 Assist project applicants in developing projects.

3.1.1 Provide information to potential applicants about funding opportunities.

3.1.2 Assist project applicants to identify projects that may be eligible for transportation funding from federal, state or other sources, based upon appropriate local, regional and state-wide plans and applicable data

3.1.3 Assist project applicants with applications for NMDOT federal and state transportation funding programs. Follow current adopted New Mexico Administrative Code (NMAC) and/or program guides provided by NMDOT for project eligibility, program guidelines, and application timelines. Submit all complete applications to the designated NMDOT coordinator in accordance with the schedule outlined in the applicable NMAC and/or guide(s).

3.1.4 Assist project applicants with identification of safety issues that warrant Road Safety Assessments, Safety Plans and/or qualify for Highway Safety Improvement Program funding.

Task 3.2 Manage preliminary project review process.

3.2.1 Establish and implement a process for RTPO members to prepare and submit Project Feasibility Forms (PFFs) and Project Prospectus Forms (PPFs), through coordination with NMDOT District(s).

3.2.2 Assist project applicants with development of PFFs and PPFs; ensure that all members are fully informed of the process and timelines, and support entities in accessing all forms and data required by project applicants to complete the forms. Ensure members are informed of Americans with Disabilities Act (ADA) and Title VI plan requirements for all recipients of federal funds.

3.2.3 Work with RTPO members to establish scoring criteria for project prioritization, based on goals and action items included in the RTP, the current NMDOT LRSTP, the Active Transportation and Recreational Programs Guide, Congestion Mitigation and Air Quality Improvement (CMAQ) Program Guide and other guidance from NMDOT.

3.2.4 Develop and maintain a prioritized list of projects based on the regional goals articulated in the RTP, and the statewide goals in the NMDOT LRSTP, as well as

Technical and Policy Committee review and input. This list will serve as the Regional Transportation Improvement Program Recommendations (RTIPR) list and be submitted to the NMDOT District for potential federal and state funding opportunities on an every-other-year basis (at a minimum). RTIPR development will occur based on this schedule:

(RTPO staff: insert RTIPR development schedule here)

Task 3.3 Provide assistance to local governments interested in pursuing transportation system development and coordination activities.

3.3.1 Facilitate prioritization of Public Transit Program applications for the RTPO area in response to the state-wide prioritization schedule established by NMDOT Transit and Rail Section staff. Submit the results to the NMDOT Transit Bureau in accordance with that schedule. Include the results in the RTPO RTIPR.

3.3.2 Support efforts on regional transportation system development, through coordination with local entities and NMDOT Transit & Rail Division.

Task 3.4 During the month of March, coordinate and co-facilitate RTIPR “zipper” meetings with NMDOT Government to Government Unit (GTG) liaison, the appropriate District staff, and applicable RTPOs, if necessary. Notify NMDOT GTG liaison and District staff of the dates, times, and locations for these “zipper” meetings. Submit the combined, prioritized RTIPR to GTG liaison, the District Engineers and all relevant RTPOs within ten days of the prioritization meeting.

Task 3.5 Track the progress of Statewide Transportation Improvement Program (STIP) projects within the RTPO region and ensure regular communication between the project sponsors, NMDOT staff and others to ensure the projects are meeting deadlines outlined in the Tribal/Local Public Agency (T/LPA) Handbook. Keep project applicants informed on project status, including through review of complete regional STIP project lists at meetings, and assist RTPO members with issues that may arise.

Function 3	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

#### Function 3 Activity Tracking – 20XX

1 <sup>st</sup> Quarter Report	
2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	

4 <sup>th</sup> Quarter Report	
--------------------------------	--

#### **Function 4. Other Activities and Projects**

- Task 4.1 Coordinate and participate with NMDOT staff on special studies or projects specified in the NMDOT Planning Work Program. Provide periodic updates to RTPO members on the status of the studies/projects and involve the members in this effort as appropriate.
- Task 4.2 Coordinate and participate with the Councils of Governments (COGs) and applicable New Mexico State agency staff on legislative studies related to state-wide or RTPO-specific transportation issues, as appropriate.
- Task 4.3 Monitor development of federal and state laws affecting the transportation system and provide information about the contents and status to RTPO members.
- Task 4.4 Attend RTPO Roundtable and special meetings.
- Task 4.5 Attend in-state and out-of-state conferences, training sessions or special meetings for staff and professional development opportunities. This task includes the purchase of any supporting materials that may be needed to coordinate, conduct or attend the conference, training session or meeting. RTPO staff may attend these out-of-state trainings during this RWP:

(RTPO staff: Per new PPM travel policy, insert list of out-of-state conferences and trainings RTPO staff may attend during this RWP.)

- Task 4.6 Participate in miscellaneous transportation-related programs and special projects in the RTPO region.

Function 4	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

#### **Function 4 Activity Tracking – 20XX**

1 <sup>st</sup> Quarter Report	
--------------------------------	--

2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	
4 <sup>th</sup> Quarter Report	

## **Function 5. General RTPO Support**

Task 5.1 Organize and facilitate all meetings of the RTPO in accordance with the Public Participation Plan.

5.1.1 Document the RTPOs public participation process including but not limited to, procedures the RTPO uses to comply with the *New Mexico Open Meetings Act* [NMSA 1978, Sections 10-51-1, *et. seq.*] and 23 CFR 450.

5.1.2 Per the *New Mexico Open Meetings Act* (NMSA, 1978, Section 10-15-1(D)) and 23 CFR 450.210, provide compliant public notice for all official RTPO Committee meetings.

5.1.3 Provide RTPO Committee members, the appropriate NMDOT District staff, and GTG with meeting agendas and information packets no later than seventy-two (72) hours in advance of RTPO Committee meetings.

5.1.4 On an annual basis, provide all eligible T/LPAs with the opportunity to appoint or confirm a representative and alternates to the RTPO Committee.

Task 5.2 Maintain bylaws that clarify and document member entities, responsibilities and roles, including voting protocols.

5.2.1 Maintain a list of RTPO Committee members with contact information and provide a copy of the list to appropriate NMDOT District staff, GTG, member entities, and other regular participants.

Task 5.3 Conduct Outreach Activities.

5.3.1 Engage in and document outreach activities and provide citizens and other transportation stakeholders with reasonable opportunities to participate in RTPO processes per 23 CFR 450.

5.3.2 Coordinate with RTPO members to maintain a list of entities including newly elected officials and potential members, who will be educated on the RTPO process. Document this outreach and presentations and share any questions or concerns in quarterly reports and with appropriate NMDOT staff.

Task 5.4 Maintain a website that includes current meeting information and planning documents, as referenced in the Quality Assurance Review (QAR) guidelines. Post a list of current Technical and Policy Committee members and keep this

information updated.

- Task 5.5 Coordinate training and professional development opportunities for RTPO members, including developing and maintaining training plans. Assist RTPO members to identify technical training needs and work with NMDOT, LTAP, and other entities to meet those needs. Informing member entities of training opportunities and encouraging participation

Function 5	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

#### Function 5 Activity Tracking – 20XX

1 <sup>st</sup> Quarter Report	
2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	
4 <sup>th</sup> Quarter Report	

### **Function 6. RTPO Administration**

- Task 6.1 Produce work products that meet all quarterly work requirements and deadlines per the Planning Procedures Manual (PPM) and submit a summary of activities completed per quarter.
- 6.1.1 Implement and monitor program expenditures in relation to the annual budget, per the PPM. Ensure documentation on program expenditures and activities are available to the public online and retained as physical copies, which will be reviewed during the annual Quality Assurance Review (QAR).
  - 6.1.2 Submit quarterly Reimbursement Packets per the PPM. Include this report as an informational item on the following RTPO Committee agenda and should reflect all costs outlined in the Invoice.
  - 6.1.3 Submit an Annual Performance and Expenditure Report (APER) each year, per the timeline and procedures documented in the PPM. The APER will be derived from the 4<sup>th</sup> quarter Quarterly Report, but will include additional descriptions to summarize the activities performed in the past year.
- Task 6.2 Solicit and utilize input from RTPO board members to develop the two-year (FFY 20XX- FFY 20XX) Regional Work Program (RWP) for submittal to the NMDOT by

deadlines outlined in the PPM.

- 6.2.1 Coordinate the RTPO's planning program with other RTPOs and any Metropolitan Planning Organizations (MPOs) or other agencies impacted by and/or associated with activities contained in the RWP.

Task 6.3 Develop an annual budget based on the tasks outlined in the RWP, and include cost-sharing methodologies and calculations for costs that are shared between various COG/EDD Name's programs, in accordance with 2 CFR 200 and the PPM. Apply and illustrate cost-sharing methodologies consistently when submitting quarterly Reimbursement Packets.

Task 6.4 Maintain a Public Participation Plan (PPP) that addresses Title VI and Environmental Justice procedures. Ensure a specific contact person and contact information is listed. Update the PPP in accordance with the PPM schedule or as determined appropriate by RTPO members or staff.

Task 6.5 Submit the COG/EDD Name Financial Audit for each State Fiscal Year to the NMDOT GTG Liaison, within 30 days of when the audit is released by the State Auditor's Office.

Function 6	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs	Budgeted Hours ('XX)	Actual Hours	Other Specific Costs
FFY 20XX/20XX Budget		N/A			N/A	
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						
Balance						

#### Function 6 Activity Tracking – 20XX

1 <sup>st</sup> Quarter Report	
2 <sup>nd</sup> Quarter Report	
3 <sup>rd</sup> Quarter Report	
4 <sup>th</sup> Quarter Report	

COG Name  
RTPO NAME

FFY 20XX- 20XX REGIONAL WORK PROGRAM AMENDMENTS  
**October 1, 20XX – September 30, 20XX**

(Insert all RWP amendments here)

COG Name  
RTPO NAME

FFY 20XX- 20XX REGIONAL WORK PROGRAM BUDGET  
**October 1, 20XX – September 30, 20XX**

(Insert two year budget here, broken out by year, and include direct and shared cost plan/glossary)

## **DIRECTIONS**

This form is set up to simplify tracking your budget and expenditures by setting up simple calculations for two years of budgeting and invoices.

**If you're viewing this document in the PPM Appendix, please ask your GTG Liaison for the Excel Workbook file.**

To start:

1. Fill in your **Annual Budget** for both years.
2. Update the invoices (**Y1\_IQ1** to **Y2\_IQ4**) with the correct contact information

Every quarter:

1. Fill in your expenditures in the **QES\_y1** (for FFY17) or **QES\_y2** (FFY18). This information will automatically populate the fields on the appropriate invoice page.
2. Print off the Quarterly Expenditure Summary (**QES\_y1** or **\_y2**) and appropriate invoice (**Yx\_IQx**) with each quarterly submission to your NMDOT GTG liaison

**\*Formula cells have been locked to avoid confusion. IF you need to alter the formulas in any cell, the password to unprotect a worksheet is "password" Only unprotect worksheets if you are 100% confident in what you are doing!**

If you want more than 17 budget categories, work with your GTG liaison to ensure you update this form to capture all categories.

If you want more than 17 budget categories, work with your GTG liaison to ensure you update this form to capture all categories.

<b>XXRTPO FFYXX/XX Budget Detail</b>	<b>Categories (Year 1)</b>	<b>Categories (Year 2)</b>
Personnel	\$ 100.00	\$ 200.00
Fringe		
Travel		
Insurance		
Equipment Lease and Maintenance		
Equipment Purchase		
Audit		
Supplies		
Publications, registrations, advertising, memberships		
Postage		
Rent, utilities and telephone		
Legal		
Capital Improvements		
Printing		
Meetings		
Contracted Services		
Other (please specify)		
<b>TOTAL EXPENDITURES</b>	\$ 100.00	\$ 200.00
Local Match (20%)	\$ 20.00	\$ 40.00
Federal Share (80%)	\$ 80.00	\$ 160.00

## Quarterly Expenditure Summary

XXRTPO FFYXX Q# Budget Detail*	Q1 Request	Q2 Request	Q3 Request	Q4 Request	Total Budgeted Amount	Requests YTD (incl. current request)	Balance
Personnel	\$ 100.00				\$ 100.00	\$ 100.00	\$ -
Fringe benefits					\$ -	\$ -	\$ -
Travel					\$ -	\$ -	\$ -
Insurance					\$ -	\$ -	\$ -
Equipment lease and maintenance					\$ -	\$ -	\$ -
Equipment purchase					\$ -	\$ -	\$ -
Audit					\$ -	\$ -	\$ -
Supplies					\$ -	\$ -	\$ -
Publications, registrations, advertising, memberships					\$ -	\$ -	\$ -
Postage					\$ -	\$ -	\$ -
Rent, utilities and telephone					\$ -	\$ -	\$ -
Legal					\$ -	\$ -	\$ -
Capital improvements					\$ -	\$ -	\$ -
Printing					\$ -	\$ -	\$ -
Meetings					\$ -	\$ -	\$ -
Contracted services					\$ -	\$ -	\$ -
Other (please specify)					\$ -	\$ -	\$ -
<b>TOTAL</b>	\$ 100.00	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	\$ -
<b>Local Match (20%)</b>	\$ 20.00	\$ -	\$ -	\$ -	\$ 20.00	\$ 20.00	\$ -
<b>Federal Share (80%)</b>	\$ 80.00	\$ -	\$ -	\$ -	\$ 80.00	\$ 80.00	\$ -

Control Number:	Invoice #	TOTAL	Local Match (20%)	Federal Share (80%)
Notice to Proceed 10/01/20XX)		\$ 106,250.00	\$ 21,250.00	\$ 85,000.00
Quarter				
Q1 ending 12/31		\$ 100.00	\$ 20.00	\$ 80.00
Q2 ending 3/31		\$ -	\$ -	\$ -
Q3 ending 6/30		\$ -	\$ -	\$ -
Q4 ending 9/30		\$ -	\$ -	\$ -
<b>BALANCE</b>		\$ 106,150.00	\$ 21,230.00	\$ 84,920.00

\*line items in excess of \$500 require a detailed explanation. Single purchases over \$500 require invoices and proof of payment

## Consultant/Vendor Services

FFYXX Summary of Consultant/Vendor Services								
RWP Function(s)	Consultant/Vendor	Q1 Request	Q2 Request	Q3 Request	Q4 Request	Total Contract Amount	Requests YTD (incl. current request)	Balance
2.1, 1.1.2	ABC Contractors	\$100				\$500	\$100	\$ 400.00
							\$ -	\$ -
								\$ -
<b>TOTAL</b>		\$100	\$ -	\$ -	\$ -	\$500	\$100	\$ 400.00
<b>Local Match (20%)</b>		\$ 20.00	\$ -	\$ -	\$ -	\$ 100.00	\$ 20.00	\$ 80.00
<b>Federal Share (80%)</b>		\$ 80.00	\$ -	\$ -	\$ -	\$ 400.00	\$ 80.00	\$ 320.00

# INVOICE

## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

**Bill To:**

NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q1 FFYXX	\$ 80.00	\$ 20.00	\$ 100.00
<b>TOTAL DUE (80%, Federal Share)</b>	<b>\$ 80.00</b>		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

# INVOICE

## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

**Bill To:**

NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q2 FFYXX	\$ -	\$ -	\$ -
TOTAL DUE (80%, Federal Share)	\$ -		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

# INVOICE

## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

### Bill To:

NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:
Vendor#:
Control #:
Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q3 FFYXX	\$ -	\$ -	\$ -
<b>TOTAL DUE (80%, Federal Share)</b>	<b>\$ -</b>		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

# INVOICE

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**Bill To:**

NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q4 FFYXX	\$ -	\$ -	\$ -
TOTAL DUE (80%, Federal Share)	\$ -		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

## Quarterly Expenditure Summary

XXRTPO FFYXX Q# Budget Detail*	Q1 Request	Q2 Request	Q3 Request	Q4 Request	Total Budgeted Amount	Requests YTD (incl. current request)	Balance
Personnel	\$ 200.00				\$ 200.00	\$ 200.00	\$ -
Fringe benefits					\$ -	\$ -	\$ -
Travel					\$ -	\$ -	\$ -
Insurance					\$ -	\$ -	\$ -
Equipment lease and maintenance					\$ -	\$ -	\$ -
Equipment purchase					\$ -	\$ -	\$ -
Audit					\$ -	\$ -	\$ -
Supplies					\$ -	\$ -	\$ -
Publications, registrations, advertising, memberships					\$ -	\$ -	\$ -
Postage					\$ -	\$ -	\$ -
Rent, utilities and telephone					\$ -	\$ -	\$ -
Legal					\$ -	\$ -	\$ -
Capital improvements					\$ -	\$ -	\$ -
Printing					\$ -	\$ -	\$ -
Meetings					\$ -	\$ -	\$ -
Contracted services					\$ -	\$ -	\$ -
Other (please specify)					\$ -	\$ -	\$ -
<b>TOTAL</b>	\$ 200.00	\$ -	\$ -	\$ -	\$ 200.00	\$ 200.00	\$ -
<b>Local Match (20%)</b>	\$ 40.00	\$ -	\$ -	\$ -	\$ 40.00	\$ 40.00	\$ -
<b>Federal Share (80%)</b>	\$ 160.00	\$ -	\$ -	\$ -	\$ 160.00	\$ 160.00	\$ -

Control Number:	Invoice #	TOTAL	Local Match (20%)	Federal Share (80%)
Notice to Proceed (10/01/20XX)		\$ 106,250.00	\$ 21,250.00	\$ 85,000.00
Quarter				
Q1 ending 12/31		\$ 200.00	\$ 40.00	\$ 160.00
Q2 ending 3/31		\$ -	\$ -	\$ -
Q3 ending 6/30		\$ -	\$ -	\$ -
Q4 ending 9/30		\$ -	\$ -	\$ -
<b>BALANCE</b>		\$ 106,050.00	\$ 21,210.00	\$ 84,840.00

\*line items in excess of \$500 require a detailed explanation. Single purchases over \$500 require invoices and proof of payment

## Consultant/Vendor Services

FFYXX Summary of Consultant/Vendor Services								
RWP Function(s)	Consultant/Vendor	Q1 Request	Q2 Request	Q3 Request	Q4 Request	Total Contract Amount	Requests YTD (incl. current request)	Balance
2.1, 1.1.2	ABC Contractors	\$100				\$500	\$100	\$ 400.00
							\$ -	\$ -
								\$ -
<b>TOTAL</b>		\$100	\$ -	\$ -	\$ -	\$500	\$100	\$ 400.00
<b>Local Match (20%)</b>		\$ 20.00	\$ -	\$ -	\$ -	\$ 100.00	\$ 20.00	\$ 80.00
<b>Federal Share (80%)</b>		\$ 80.00	\$ -	\$ -	\$ -	\$ 400.00	\$ 80.00	\$ 320.00

# INVOICE

## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

**Bill To:**

NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q1 FFYXX	\$ 160.00	\$ 40.00	\$ 200.00
<b>TOTAL DUE (80%, Federal Share)</b>	<b>\$ 160.00</b>		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

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Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q2 FFYXX	\$ -	\$ -	\$ -
TOTAL DUE (80%, Federal Share)	\$ -		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

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## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

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Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q3 FFYXX	\$ -	\$ -	\$ -
TOTAL DUE (80%, Federal Share)	\$ -		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

# INVOICE

## ENTITY NAME, ADDRESS AND CONTACT INFORMATION

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NAME OF LIAISON

New Mexico Department of Transportation

Planning Division

PO Box 1149

Santa Fe, NM 87504-1149

Date:

Invoice #:

Vendor#:

Control #:

Billing Period:

DESCRIPTION	AMOUNT (Federal Share)	Local Match (20%)	Total Expenditure (100%)
XXRTPO - Total expenditure Q4 FFYXX	\$ -	\$ -	\$ -
<b>TOTAL DUE (80%, Federal Share)</b>	<b>\$ -</b>		

*I hereby certify that the above is true and correct and that payments thereof has not been received*

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED INDIVIDUAL

## **Glossary of Budget Categories (2 CFR 200)**

For each budget item/category, you must explain whether you will provide actuals (timesheets, receipts, etc.) or use a formula for charging the cost to the RTPO program. Information on how to invoice for reimbursable expenses is provided under each budget category.

**PERSONNEL:** Costs are based on completed time sheets for each employee that reflect work program activities they have directly worked on. Other staff positions that have part of their salaries allocated may include Executive Director, Finance Specialist, and Executive Assistant.

*RTPOs should bill for personnel time using actuals. That is, each employee working on work program functions should have their time billed at their associated pay rate.*

**FRINGE BENEFITS:** Includes such items as health insurance, retirement benefits, and Social Security and Medicare.

*Fringe benefits should be billed as actual costs associated with the personnel completing RTPO work program functions.*

**TRAVEL:** Includes travel costs for activities such as board and committee meetings as well as professional development trainings and conferences. Travel per diem and mileage is figured in accordance with the NM Mileage and Per Diem Act and Board approval.

*Travel costs should be billed as actual, direct costs associated with implementation of the work program.*

**INSURANCE:** This may include liability insurance, vehicle insurance and property insurance.

*Insurance expenses may be billed in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**EQUIPMENT LEASE AND MAINTENANCE:** This line item covers the costs of items such as copier, postage meter and other equipment maintained for the office.

*Equipment lease and maintenance costs may be billed in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**EQUIPMENT PURCHASE:** Refers to purchase of equipment related to the execution of program work activities. Primarily consists of general office equipment.

*Equipment purchases should be billed as direct costs and must be accompanied by receipts.*

**AUDIT:** Refers to the annual third party auditing of financial statements.

*Audit costs should be billed as a direct expense.*

**SUPPLIES:** This includes general office supplies.

*Equipment lease and maintenance costs may be billed in proportion to the percentage of FHWA funds received by the entity, when compared to the organization's overall budget.*

**PUBLICATIONS, REGISTRATIONS, ADVERTISING, MEMBERSHIPS, OTHER:** Refers to costs associated with the planning functions of the RTPO. This may include registration fees for professional development, advertising of RFPs or public meeting announcements, professional transportation planning publications and membership in transportation planning organizations.

*These costs should be billed as direct expenses.*

**POSTAGE:** Mailing costs associated with program activities.

*Postage should be billed as a direct expense.*

**RENT, UTILITIES and TELEPHONE:** Refers to costs associated with the physical space within which regular office work takes place.

*Rent, utility and telephone costs should be billed in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**LEGAL:** Necessary legal costs should be authorized by the Board of Directors and charged to the program as appropriate. The Board of Directors may authorize a legal line item as part of the Annual Budget.

*Legal expenses may be billed directly or in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**CAPITAL IMPROVEMENTS:** Improvements and investments in capital assets owned by the organization. Capital improvements should be approved by the Board of Directors.

*Requires pre-approval from NMDOT. May be billed in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**PRINTING:** Refers to the production of printed materials in support of program work (copies of plans, meeting agendas, minutes, additional materials, etc.)

*May be billed as a direct cost or in proportion to the percentage of programming funds received by the entity from FHWA when compared to the organization's overall budget.*

**MEETINGS:** Costs associated with hosting or arranging for meetings related to program work.

*Should be billed as a direct expense.*

**CONTRACTED SERVICES:** Refers to the labor, supplies, and materials that will be provided by non-staff (non-employees for whom you do not pay payroll taxes) for project implementation.

*Should be billed as a direct expense. Invoices and contracts must accompany pay requests.*

**OTHER:** Expenditures that do not fit into any of the categories above. An explanation of the item to be charged is required.

## Regional Work Program Review Checklist

The following checklist can assist GTG Liaisons as they review draft Regional Work Programs (RWP). RTPOs may also use the list to draft their RWPs. The list is illustrative, not inclusive. It may be used in conjunction with the RWP Boilerplate, also included in the PPM Appendix D.

### The Content of the RWP Should:

- ☐ Demonstrate the scope and schedule of major tasks.
- ☐ Respond to planning priorities, including the FAST Act (or current federal legislation) Planning Factors.
- ☐ Comply with state and federal planning/administration program requirements and policies.
- ☐ Respond to NMDOT concerns, regional transportation issues, regional transportation planning activities and transportation problems and needs facing the region.
- ☐ Reflect the progress made by the RTPO in carrying out the previous year's program and its performance capabilities. All anticipated continuing activities should be clearly identified.
- ☐ Contain a work element in the draft RWP for each discretionary planning grant application i.e., FHWA State Planning & Research (SPR) funds, FTA § 5304 Transit Planning Grants, and any other funding used by the RTPO
- ☐ Include an information element, which lists the transportation planning activities being done by other transportation planning entities in the region.
- ☐ If an RTPO has any indirect costs associated with the RWP they must submit a budget indicating the methodology and rate for cost sharing among COG/EDD programs, an Indirect Cost Allocation Plan (ICAP), or a letter of approval from their federal cognizant agency, if using the de minimis cost rate.

### The Financial Information in the RWP Should:

- ☐ Reflect the fund source, type and amount for each work element. Also, show the same source, type and amount in the Financial Summary.
- ☐ Include and identify the correct local match for each federal fund source and type.
- ☐ Show consistency between the fund amounts identified within the work element/work task discussion and the fund amounts in the Financial Summary.
- ☐ Identify any carry-forward funds from prior years by fund source, type, amount and fiscal year within work elements and the Financial Summary. (Note: carry-forward SPR funds are only allowed from year 1 to year 2 of the RWP, and not between RWPs.)
- ☐ Include the budget glossary to indicate how the RTPO will allocate its direct and shared costs.
- ☐ Ensure compliance with 2 CFR 200.

### The Work Elements in the RWP Should:

- ☐ Illustrate an organized and logical flow of work element tasks and activities from project inception to project completion.
- ☐ Contains task statements which include enough detail that the work product is easily identifiable and eligibility can be easily determined.

- ☐ Work elements/work tasks which will be completed over multiple years should have a schedule that details and identified significant milestones to be accomplished throughout the term of the planning grant.
- ☐ Identify all planning consultant contracts in both the task and budget statements.
- ☐ All tasks and products listed are eligible uses of Federal Funds.

**EASTERN PLAINS COUNCIL OF GOVERNMENTS EMPLOYEE TIME & ATTENDANCE RECORD**

Employee Name: **NAME** Start: End: Year:

Weekday			WED	THR	FRI	SAT	SUN	MON	TUE	WED	THR	FRI	SAT	SUN	MON	TUE	WED	THR	FRI
Date			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Annual Leave																			
Sick Leave																			
Holiday Leave																			
		total hours			Closed							Closed							Closed
EPCOG Base Budget	100	0.00																	
Ute Water Commission	180	0.00																	
EDA	203	0.00																	
Transportation	210	0.00																	
EPCOG Enterprise (properties)	850	0.00																	
Santa Rosa Contract	195	0.00																	
Total Hours	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**NMDOT Asset Management and Planning Division  
Statewide Planning Bureau – Government to Government Unit  
Annual Quality Assurance Review of RTPOs  
Checklist and Report**

Initial QAR Meeting:

Entity (RTPO):	Reviewer:
	Review date:
Personnel interviewed (list names and positions):	

**QAR Follow-Up Meeting (if applicable):**

Entity (RTPO):	Reviewer:
	Review date:
Personnel interviewed (list names and positions):	

**1. Summarize results of agency audit, including any findings for the year ending June 30, 2019.**

Provide context for any quotes, indicating the audit section in which the finding is found.

Additionally, review the Single Audit Section and highlight any findings related to the SPR grant:

[Pull quote(s) of importance from the annual audit, which can be found on the Office of the State Auditor's website: <http://www.saonm.org> if it hasn't been sent directly to you already; note that the PPM currently states that audits are due to GTG liaisons "30 days following approval by fiscal entity," but it may be better to go off of the date that the audit is "released" to the public via saonm.org]

Additionally, the audit is:      Current ☐      On file ☐      Linked via the website ☐

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**2. Planning Products – are the following current, on file and posted to the website (PDF)?**

Current	On file <sup>1</sup>	Posted to the website	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Regional Work Program (RWP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Regional TIP Recommendations (RTIPR)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public Participation Plan (PPP) (update every 5 yrs)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Title VI Plan with contact person identified (update every 3 yrs) <sup>2</sup>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Regional Transportation Plan (RTP)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Annual Performance and Expenditure Report (APER)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other plans ( <i>list below</i> )

<sup>1</sup> 'On file' assumes an electronic copy; hard copies are optional.

<sup>2</sup> Title VI Contact may be a specific person that works at the entity; it may also be a position that is routinely filled (e.g. HR Director); ideally the contact information should be stable (e.g. [ADA.TitleVI@xxcog.org](mailto:ADA.TitleVI@xxcog.org) or a general phone number) so that even if the person leaves, the contact information stays active.

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**3. Boards/Committees - are the following current, on file and posted to the website?**

Current	On File	Posted to the website	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bylaws
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Members, including Chair and Vice Chair
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schedule of meetings
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Agendas (posted to website 72 hours prior to meeting)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meeting minutes (for the past 2 years)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved documents (i.e. signed resolutions)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**4. Financials - Reporting and Documentation**

- ☐ Reimbursement Packets consistently submitted in a timely, complete, and accurate fashion?
- ☐ Reimbursement Packets include cover letters, Quarterly Reports, Budget Reports, Expenditure Summary, Invoices and supporting documentation? Are these provided with the Reimbursement Packets and maintained on file? Does the RTPPO charge allocated costs consistently with what is included in the RWP Budget?
  - Budget Report: track expenditures by line item as defined by task in the RWP budget
  - Expenditure Summary: provide a summary of federal funds expended plus local match paid, by quarter
- ☐ Is the documentation on file, well-organized, and accessible?
  - Security: what measures does the RTPPO take to ensure their IT systems are secure? (explain below)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**A. Timesheets and Timesheet Summary** - All RTPPO staff who charge time to a federally funded task are required to maintain internal, accurate, and current time records using database and spreadsheets comparable to the RTPPO Time Tracking workbook provided in the

Planning Procedures Manual. GTG Liaison must randomly test a week to ensure the timesheets are on file and that they match what was included in that reimbursement packet.

- ☐ Is the RTPO able to provide access to timesheets?
- ☐ Is the amount of time spent on RTPO duties and billed to FHWA funds clearly indicated?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

#### **B. Contract Awards**

- ☐ No Contract Awards during the time period covered by this QAR
- OR:
- ☐ Published Notice in Newspaper for Invitation for Bid or Request for Proposals (RFP) (advertisement), copy of ad
  - ☐ Bidder's list at bid opening-Company(s) and quotation sheet(s); or copies of proposals received
  - ☐ Award Letter, "NOTICE OF AWARD"/"NOTICE TO PROCEED" Forms
  - ☐ All subsequent notices: starts, suspends, resumes, and completions
  - ☐ Copy of fully executed Contract on file
  - ☐ All invoicing (copies) for contractors, vendors, suppliers

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

#### **C. Inventory of capital assets acquired with Federal Aid Highway Program funds valued at \$5,000 and greater**

- ☐ Not applicable
- OR:
- ☐ Are there property records that include a description of the property, serial or other identification number, source of property, who holds title, acquisition date, cost of property, percentage of Federal participation, location, use and condition of property and ultimate disposition data including date of disposal and sale price?
  - ☐ Is there a physical inventory of the property with results reconciled with property records (at least once every 2 years)?
  - ☐ Is there a control system developed to ensure adequate safeguards to prevent loss, damage or theft of property? If there was an occurrence did NMDOT investigate and what were the results of that investigation?

- ☐ Are there adequate maintenance procedures developed to keep property in good condition?

Note: Disposition of items of equipment at current, per-unit, fair market value in excess of \$5,000 may be retained or sold and the awarding agency (FHWA) has the right to an amount calculated by multiplying the current market value or proceeds from sale by awarding agency's share of the equipment.

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

## 5. Structure/Intergovernmental & Other Agreements

Current   On file

- ☐   ☐  
☐   ☐

Is the Cooperative Agreement with NMDOT current and on file?

Other (*list below*)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

## 6. Staff & Board/Committee Member Training and Professional Development

- ☐ Is there a training/professional development plan for RTPO staff and how is it being implemented?
- ☐ Have all RTPO staff attended the basic NHI courses when offered [e.g. Federal-Aid Highways 101 (last offered spring 2014), Highway Program Funding (last offered winter 2016)]?
- ☐ Has the RTPO Program Manager attended a NM Open Meetings Act training?
- ☐ Is the RTPO following the RWP training plan for Board/Committee Members? Are additional resources needed to implement the training plan?
- What is the outreach to non-participating members? (*Detail below*)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

## 7. Public Involvement & Outreach/Environmental Justice/Title VI

- ☐ Is public attendance at meetings encouraged and tracked?

- ☐ Is public input received, addressed, and documented?
- ☐ Is there outreach to Environmental Justice/minority communities?
- ☐ Do meetings comply with the NM Open Meetings Act?
- ☐ Are Environmental Justice and Title VI complaints documented, addressed and tracked?
- ☐ Is NMDOT GTG Liaison informed of all complaints and resolution in a timely manner?

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**8. Tracking local-lead projects – how is the RTPO Program Manager doing this?**

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**9. Nonconformance issues during the time period since the last QAR:**

- ☐ Have there been nonconformance issues (per PPM) since the last QAR?
- ☐ If so, is there a Corrective Action Plan underway?

--

**10. Overall organization:**

- ☐ Are files organized, easy to find and backed up?
- ☐ Does COG/EDD have a shared drive everyone uses or are files stored on separate PCs?
  - How are files/documents archived? (*Detail below*)

General summary:
Concerns/Issues:
Best Practices:
Follow-Up Needed On:
<a href="#">Notes from Follow-Up QAR:</a>

**11. Additional notes and comments (concerns or commendations):**

--

**12. GTG Liaison:** Please provide a summary of the review, including issues/findings and follow up needed, along with a timeline for RTPO to address any findings.

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[Follow-up Recommendations for next QAR:](#)

**Review and Sign-off**

<b>Final Submitted to GTG Supervisor on (DATE)</b>
<b>Reviewed and Approved by (NAME) on (DATE)</b>
<b>Final Report (pdf) emailed to RTPO on (DATE)</b>

## RTPO APER Budgeted Staff Hours Summary

Staff Hours Summary FFYXX							
Function	Budgeted Hours	Q1	Q2	Q3	Q4	Total Actual hours	Percentage actual differs from budgeted*
1						0	
2						0	
3						0	
4						0	
5						0	
6						0	
7						0	
8						0	
TOTAL	0					0	
*if actual hours differ from budgeted hours +/- 20% in any function, provide a narrative explanation below							

Explanation:

## RTPO APER Budget Summary by Line item

FFYXX Budget Summary by Line Item							
Line Item (use categories from your FFYXX budget)	Budgeted	Q1	Q2	Q3	Q4	Actual	Percentage actuals differ from budgeted*
Personnel						0	
Fringe						0	
Travel						0	
Insurance						0	
Equipment Lease and Maintenance						0	
Equipment Purchase						0	
Audit						0	
Supplies						0	
Publications, registrations, advertising, memberships						0	
Postage						0	
Rent, utilities and telephone						0	
Legal						0	
Capital Improvements						0	
Printing						0	
Meetings						0	
Contracted Services						0	
Other (please specify)						0	
TOTAL	0					0	
*if any line item in the 'actual' column differs from budgeted amount +/- 20%, provide a narrative explanation below							

Explanation:

## Summary of Consultant/Vendor Services

FFYXX Summary of Consultant/Vendor Services					
RWP Function(s)	Consultant/Vendor	Description of Work	Contracted Amount	Actual Cost	Percentage actuals differ from contract*

\*if actuals differ from contracted amount +/- 20%, provide a narrative explanation below

Explanation:

Please provide a BRIEF (one to two sentences each) summary of Regional Work Program (RWP) activities by Function below. Please note if the activities of each Function were completed or if they are continuing into year two of the RWP (if applicable) and provide an update on the progress of those activities.

<b>Function 1: Long-Range Planning and Implementation</b>

<b>Function 2: Technical Support and Data Management</b>

<b>Function 3: Project Development and Monitoring</b>

<b>Function 4: Other Activities and Projects</b>

<b>Function 5: General RTPO Support</b>

<b>Function 6: RTPO Administration</b>



***Standardized RTIPR Process***  
*Government to Government Unit*  
*September 15, 2016*  
*Updated January 26, 2018*

***Background:***

The Regional Transportation Improvement Program Recommendations (RTIPR) process varies around New Mexico and the document serves different purposes in each Regional Transportation Planning Organization (RTPO) area. As part of the implementation of the Long-Range Statewide Transportation Plan (LRSTP), and its associated performance measures and targets, the New Mexico Department of Transportation (NMDOT) is undertaking an effort to standardize the RTIPR process around the state. A standardized process will ensure the RTIPR is helpful to both the RTPO and the NMDOT in determining which projects receive funding.

In coming years, NMDOT will program a significant portion of its federal funding by selecting projects based upon project evaluation criteria and prioritization processes. Projects will score highly when they positively contribute to NMDOT meeting its federally-mandated performance targets. (Please see the NMDOT Planning summary of MAP-21, FAST Act and Final Planning Rule for more information on the performance management and target requirements.)

***Role of the RTP:***

As part of the LRSTP planning processes, each RTPO develops a Regional Transportation Plan (RTP) that is consistent with the LRSTP and defines the specific goals of the RTPO region. Every transportation project in a region should be consistent with the related RTP; therefore, the RTIPR should be developed accordingly. If a project is not consistent with the applicable RTP, it should not be recommended for funding in the RTIPR. Further, the projects in the RTIPR should be ranked according to the regional project prioritization process that prioritizes projects based on the extent to which they meet the regional goals in the applicable RTP and the state goals in the LRSTP.

***Role of the PFF:***

All Tribal/Local Public Agency (T/LPA)-lead projects submitted for funding via the RTIPR must first complete the Project Feasibility Form (PFF) and be approved as “feasible” by the NMDOT District representative. If approved, the project can be prioritized through the RTPO project prioritization process to appear on the RTIPR with its appropriate ranking. Projects that are not deemed feasible through the PFF process should not be rated and ranked and should not appear on the RTPO’s RTIPR.

***Role of the Prioritization Process:***

Based upon the regional goals articulated in the RTP, and the statewide goals in the LRSTP, each RTPO will create a project prioritization process. This is the process that will be used to rate and rank the projects in each RTPO’s RTIPR.

The standardized project prioritization process to score and rank projects included in the applicable RTIPR must be consistent with the NMDOT LRSTP and each RTPO’s RTP. Examples for creating a prioritization process can be found in the Active Transportation and Recreational Programs Guide (see sections on “application scoring factors” and “application scoring matrix”) and the Project Prioritization

Process Guidebook developed and used by the Mid-Region Metropolitan Planning Organization. Links to these documents are provided below.

#### **Active Transportation and Recreational Programs Guide**

[http://dot.state.nm.us/content/dam/nmdot/planning/FFY18-19\\_TAP-RTP\\_Guide.pdf](http://dot.state.nm.us/content/dam/nmdot/planning/FFY18-19_TAP-RTP_Guide.pdf)

#### **Project Prioritization Process Guidebook**

<https://www.mrcog-nm.gov/images/stories/pdf/transportation/tip/PPP/ppp-guidebook-10-21-16.pdf>

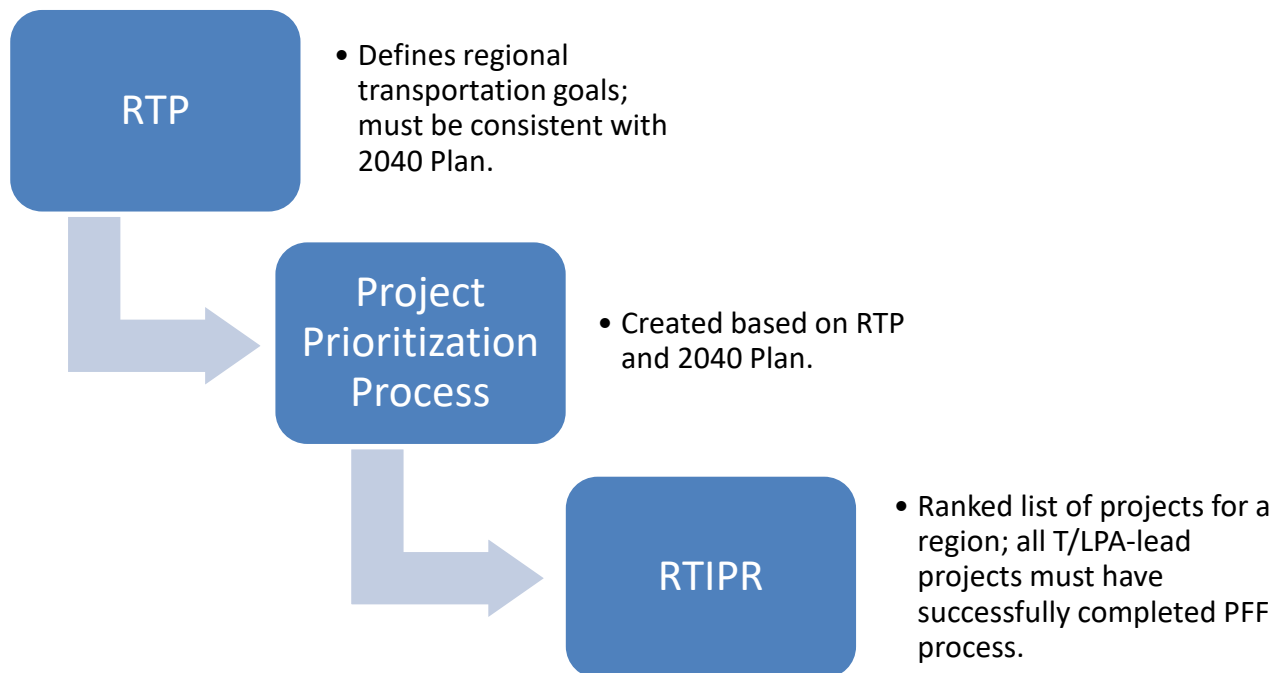
#### *Role of the RTIPR:*

The RTIPR may include both NMDOT-lead and T/LPA-lead projects.

The RTPOs will issue a call for projects according to their individual application cycles. Following submittal of all T/LPA projects (with an approved PFF) to the RTPO planner, the RTPO planner will coordinate a rating and ranking process with the RTPO board. The RTPO board will utilize the adopted criteria to rate and rank projects based on project characteristics and the extent to which they meet the articulated goals of the RTP and 2040 Plan. The resulting ranked list of projects is considered the RTIPR. The RTIPR is then submitted to the District and used for consideration by the state in developing the State Transportation Improvement Program (STIP).

All projects on the RTIPR should be confirmed with the sponsoring agency on a bi-annual basis in coordination with NMDOT's call for RTP, TAP and other projects, to ensure that the sponsoring agency still wants to pursue funding for that project.

#### *Process Flowchart:*



# MPO / RTPO Forms in Common

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## Appendix E Contents

• Reimbursement Packet Checklist	p. E-2
• Title VI Boilerplate	p. E-3
• Work Program Amendment Form	p. E-32
• Work Program Amendment Tracking Appendix	p. E-33

# NMDOT Government-to-Government Reimbursement Checklist

<b>Date Invoice Received:</b> _____ <b>Date of Invoice:</b> _____ <b>Invoice #:</b> _____ <b>Invoice amount:</b> _____ <b>PO#:</b> _____ <b>FFY:</b> _____	<b>Received by:</b> _____ <b>Entity submitting:</b> _____ <b>Funding program:</b> _____ <b>Vendor #:</b> _____ <b>Contract #:</b> _____ <b>Control #:</b> _____
--	---

**Date stamp and sign the reimbursement request. Check the following:**

	YES	NO	N/A	Comments
Does the Reimbursement Packet include invoice, quarterly report, and supporting documentation covering the same period?				
Does the reimbursement request include the correct Control #, Contract #, and Vendor #? Is it signed by the appropriate representative? Is it current (within 30 days)?				
Is the math accurate and is the correct match amount shown?				
Documentation- Is proper documentation (approval of purchase, invoice and proof of payment) provided for purchases over \$500 (over \$3000 for TMAs)?				
Deliverables- Are copies of plans and other Work Program deliverables, including deliverables for consultant contracts, for the quarter provided?				
Is there adequate funding in the project budget and budget line item?				
Is there adequate funding in the PO?				
Is this a final Invoice?				
Is this project released for closeout?				<div> <div> If yes, PO balance will be: </div> <div> Final PO balance will be: </div> <div> Fed Balance will be: </div> </div>

**Verified by (GTG Liaison sign here):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Verified by (Financial Staff sign here):** \_\_\_\_\_  
 NMDOT PPM, 4th Amendment; Adopted May 14, 2020

**Date:** \_\_\_\_\_

**Commented [RK1]:** MPOs/RTPOs should contact their GTG Liaison for a Microsoft Word (editable) version of this template.

# Title VI Plan Boilerplate

## MPO and RTPO

Revised July 5, 2018

## **I. Nondiscrimination Statement of Policy**

### **Title VI Policy Statement**

The (insert your organization name) is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 2, and all related regulations and directives. (insert your organization name) assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any (insert your organization name) program, activity or service.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quantity, quality, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

### **Environmental Justice/Limited English Proficiency Policy Statement**

(insert your organization name) is also committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations.

In addition, the (insert your organization name) also assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

### **Definition of Federal financial assistance and recipients affected**

Federal financial assistance is defined as any Federal dollars that are assigned to the (insert your organization name) to support any program and activity, by way of grant, loan or contract, other than a contract of insurance or guaranty.

### **Specific Forms of Discrimination Prohibited**

(insert your organization name) efforts to prevent discrimination must address, but are not limited to:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities related to a highway, infrastructure or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

(insert your organization name) programs and services covered by Title VI

(insert your organization name) Title VI Plan applies to all of the (insert your organization name) programs, activities and services, regardless of funding source. Some sections deal with specific requirements (e.g. FTA funded programs).

#### Authorities

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
2. Federal-Aid Highway Act of 1973 (23 U.S.C. §324 *et seq.*), (prohibits discrimination on the basis of sex);
3. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*) as amended, (prohibits discrimination on the basis of disability);
5. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability)
6. The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. § 4601
7. The National Environmental Policy Act of 1969, 42 U.S.C. § 4321;
8. 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation-Effectuation of Title VI Of The Civil Rights Act of 1964*);
9. 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
10. 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On the Basis Of Handicap In Program Or Activities Conducted By The Department Of Transportation*);
11. 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);

- 12.23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 13.28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 14.28 C.F.R. Part 50.3 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).

\_\_\_\_\_  
**Signed by Chief Administrative Officer or Designee**

\_\_\_\_\_  
**Date**

## II. Title VI and Environmental Justice – The Public Participation Plan (PPP)

The (insert your organization name) Public Participation Plan (PPP) describes how our organization communicates and distributes information to the public as well as how the public can interact and provide comments to our organization. The needs of those traditionally underserved by the existing system will be sought and considered by (insert your organization name).

Through its public involvement efforts, the (insert your organization name) will strive to achieve the following Title VI and Environmental Justice (EJ) goals:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Title VI states that no person shall, on the ground of race, color, or national origin be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The (insert your organization name) will ensure that the input and feedback from all people will be considered in the development of (insert your organization name) planning documents and activities.

EJ concerns and goals should be considered throughout all public engagement efforts, from project planning through construction and operation. This includes public outreach conducted during transportation planning and during the environmental reviews required by the National Environmental Policy Act (NEPA).

The following actions related to Environmental Justice and Title VI are meant to reduce the barriers for participation in the decision-making process by low income, minority or disabled individuals.

1. When possible, public meetings will be held in locations that are convenient to low and moderate income neighborhoods and accessible to disabled populations. Such locations include community centers, senior centers and schools. Where possible, members of our organization will meet at the locations of businesses, neighborhood groups, stakeholders, and other agencies.
2. Upon request, all of our organization's work products and documents will be made available in alternative formats, including Braille, large type and languages other than English.
3. The following statement will be included in all of our organization's documents: The (insert your organization name) does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services.

This document can be made available in alternative formats by contacting our organization (insert your organization's contact #, including TTY # if your organization has one).

4. The following statement will be included in all meeting announcements: (Include your organization's disability/special accommodation statement used for all meeting notices).
5. Agencies and organizations that represent low income, minority and disabled populations will be identified and included in our organization's mailings. Our staff will maintain an active listing of contacts for these organizations.
6. Our organization will evaluate Environmental Justice actions and Title VI requirements on an annual basis to ensure effectiveness of public involvement. This document will be reviewed and updated in conjunction with the Public Participation Plan.

### Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI. To ensure open communication with the public, the (insert your organization name) will adhere to the following requirements:

- The (insert your organization name) will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the (insert your organization name)'s website and in the (insert name of local newspaper used for meeting public notifications). Documents and agendas will be available at the (insert your organization name) office (Insert organization address) and at other locations identified in the Public Participation Plan (see Appendix D of the PPP).
- Public notices of (insert your organization name) meetings will be posted at the location of the meeting site.
- In appropriate documents, the (insert your organization name) will include a statement that the organization complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any (insert your organization name) program, activity, or service.

**Commented [RK2]:** Edit the requirements listed below as is appropriate for your organization. Please add/delete actions as needed.

Section VI of this plan describes the procedures on how members of the public can request additional information regarding the (insert your organization name) Title VI obligation. This section also identifies the procedures to be followed by members of the public to file a discrimination complaint against the (insert your organization name).

### III. Title VI and Environment Justice – (insert your organization name) Planning Requirements

The (insert your organization name) is responsible for ensuring Title VI compliance for the following planning activities:

**Commented [RK3]:** Edit the sections listed below as is appropriate for your organization. Please add/delete actions as needed.

### **Data Collection**

Census and other statistical data will be collected by the (insert your organization name) as a means of identifying low income and minority populations within the (insert your organization name). The data will be maintained for the purpose of planning projects and programs that serve various population groups. The data collection process will be reviewed regularly to ensure sufficiency in meeting Title VI requirements.

- (insert your organization name) Actions
  - Collect, maintain, and update databases of low income and minority concentrations within the (insert your organization name)
  - Utilize the data when developing plans and studies
  - Develop demographic profile maps to help identify neighborhoods with high concentrations of low income and minority populations
  - Use these maps in various planning documents

### **Unified Planning Work Program (include either UPWP or RWP section, but not both)**

*The (insert your organization name) Unified Planning Work Program (UPWP) is the annual list of projects and activities that are expected to be completed by staff and the governing and advisory committees for (insert your organization name). In this document, the (insert your organization name) will identify projects, studies, and other activities that will provide more transportation options to disadvantaged populations.*

- (insert your organization name) Actions
  - *Identify planning activities that will encourage involvement by all populations*
  - *Analyze the benefits and impacts that planning studies might have on low income and minority populations*
  - *Create maps highlighting socio-economic groups and their geographical relationship to jobs, housing, and transportation options for all modes*

### **Regional Work Program (include either UPWP or RWP section, but not both)**

*The (insert your organization name) Regional Work Program (RWP) is the annual list of projects and activities that are expected to be completed by staff and the governing (insert your organization name) committee. In this document, the (insert your organization name) will identify projects, studies, and other activities that will provide more transportation options to disadvantaged populations.*

- (insert your organization name) Actions
  - *Identify planning activities that will encourage involvement by all populations*
  - *Analyze the benefits and impacts that planning studies might have on low income and minority populations*

- Create maps highlighting socio-economic groups and their geographical relationship to jobs, housing, and transportation options for all modes

**Transportation Improvement Program** (include either TIP or STIP/RTIPR section, but not both)

The Transportation Improvement Program (TIP) is the short term program of projects that are expected to be designed, engineered, and constructed within the next four years. Projects should be reviewed to assess the benefits and impacts they might have on various aspects of the population.

- (insert your organization name) Actions
  - Work with the entities to identify transportation projects that serve areas of the (insert your organization name) with low income and minority populations
  - Provide opportunity for all populations to provide input into project identification

**Statewide Transportation Improvement Program / Regional Transportation Improvement Program Recommendations** (include either TIP or STIP/RTIPR section, but not both)

The Statewide Transportation Improvement Program (STIP) is the short term program of projects that are expected to be designed, engineered, and constructed within the next four years. The Regional Transportation Improvement Program Recommendations (RTIPR) is the ranked list of project that RTPOs recommend be funded through the STIP. Projects should be reviewed to assess the benefits and impacts they might have on various aspects of the population.

- (insert your organization name) Actions
  - Through the RTIPR process, work with the entities to identify transportation projects that serve areas of the (insert your organization name) with low income and minority populations
  - Through the RTIPR process, provide opportunity for all populations to provide input into project identification

**Metropolitan/Regional Transportation Plan**

The *Metropolitan Transportation Plan (MTP)/Regional Transportation Plan (RTP)* is the long range, comprehensive plan that identifies the projects, programs, and policies needed in the next 20 years to meet the transportation needs of this area. Using various data collected by the (insert your organization name), the *MTP/RTP* can estimate growth patterns of disadvantaged populations and address the benefits and burdens that future transportation projects might have.

- (insert your organization name) Actions

- Develop demographic profile maps that project growth in disadvantaged populations over at least a 20 year planning horizon
- Give all populations opportunity to provide input into project identification
- Assess the effects that future land use decisions and transportation projects might have on the neighborhoods, the environment, and the economy
- Ensure that the benefits and impacts of future transportation systems are equally distributed among all areas of the (insert your organization name)

### **Transit Planning**

(Describe the transit system and service areas covered by the transit system related to your organization's planning and oversight.)

- (insert your organization name) Actions
  - Using demographic profile maps, ensure that transit routes and stops fully serve those neighborhoods with high concentrations of low income and minority populations.
  - Work with (Insert name of transit agency associated with MPO/RTPO) to identify necessary changes to routes
  - Ensure bus stop locations are fully accessible for all users, both at the site and in the vicinity

### **IV. Organization/Staff Responsibilities**

Organizational Overview: *(This section should describe the structure of your organization. A comprehensive Organizational Chart should be provided as well. If the Title VI Coordinator is not recognized in the Organizational Chart, a separate chart should be provided to identify where the Title VI Coordinator exists within the organization.)*

Title VI Coordinator Responsibilities: The Title VI Coordinator is responsible for the development and implementation of the Title VI plan. The Coordinator must also ensure that all entities of the (insert your organization name) are compliant with Title VI requirements. The Title VI Coordinator is also responsible for:

- Submitting a Title VI plan and updates when there are changes in procedure, organizational structure, or complaints, to the NMDOT Title VI Coordinator. Submitting a Title VI plan every three years and an annual update to the NMDOT Title VI Coordinator. The annual updates should include, but are not limited to, any changes in procedure and organizational structure. If there are no changes, correspondence should be submitted stating there are no changes. All Title VI complaints should be reported to the NMDOT Title VI Coordinator as they occur, as well as in the annual report. Annual updates are due by October 1.
- Developing procedures for receiving, processing, investigating and reporting Title VI complaints.

- Maintaining a Title VI complaint log so that three years of complaints are documented.
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews or program areas.
- Conducting annual assessments of identified Title VI program areas.
- Developing Title VI information for dissemination.
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

## V. Primary Program Area & Review Procedures

The (insert your organization name) engages in the following program areas.

Program Area	General Description	Title VI/ Nondiscrimination Concerns and Responsibilities	Review Procedures for Ensuring Nondiscrimination
Ex. Planning			
Ex. Right of Way			
Ex. Environmental			
Ex. Research			

## VI. Title VI Complaint Procedures

The (insert your organization name) is committed to ensuring that all residents have equal access to all transportation services. It is further the intent of the (insert our organization name) that all residents are aware of their rights to such access. Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program or activity (whether Federally-funded or not) due to that person's race, color, national origin, gender age, disability, economic status, or limited English proficiency has the right to file a complaint.

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987

- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

An individual, group of individuals or entity may file a formal Title VI complaint. Complaints must be submitted to the NMDOT Title VI Coordinator in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator

*(Insert your organization Name)*

*(Insert your organization mailing address)*

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the New Mexico Department of Transportation (NMDOT), United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

*(Ensure the process details the following items:*

- *How to file a complaint*
- *What happens after a complaint is submitted to your organization*
- *How complainant is notified regarding the outcome of their complaint.)*

Title VI complaints must be investigated within 60 days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also require relevant information. *(insert your organization name)* may specify if there is a particular individual(s) that *(insert your organization name)* should not investigate the complaint due to conflict of interest or other reasons.

Title VI complaints may be forwarded to either NMDOT or FHWA for investigation. If the complaint is forwarded to one of these agencies, *(insert your organization name)* will provide the name and contact information for the person handling the Title VI complaint to the complainant.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Title VI complaints may also be filed directly with the following agencies as stated above:

New Mexico Department of Transportation  
Construction and Civil Rights Bureau  
Attn. Title VI Coordinator  
1570 Pacheco St. Suite A-10  
Santa Fe, NM 87505  
Phone: (505) 470-9668

or

Federal Highway Administration, New Mexico  
Attn. Civil Rights Coordinator  
4001 Office Court Dr. Suite 801  
Santa Fe, NM 87507  
Phone: (505) 820-2021

**(insert your organization name) Title VI Complaint Form**

<b>Section I</b>	
Name:	
Address:	
Telephone (Home/Cell):	Telephone (Work):
Email Address:	
<b>Section II</b>	
Are you filing this complaint on your own behalf: Yes <input type="checkbox"/> No <input type="checkbox"/>	
*If you answered "yes" to this question, go to Section III.	
If you answered "no" please enter the name and relationship of the person you are filing the complaint against:	Name:
	Relationship:
If you are filing a complaint as a third party, please explain why in the space below:	
Have you obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>Section III</b>	
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin	
Date of Alleged Discrimination (Month, Day, Year):	Date:
Explain, as clearly as possible, what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and contact information of any witnesses. If more space is needed please attach additional sheets to this form:	

**Section IV**

Have you previously filed a Title VI complaint)? Yes ☐ No ☐

**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes ☐ No ☐

If yes, please check and name all that apply:

☐ Federal Agency: \_\_\_\_\_

☐ Federal Court: \_\_\_\_\_

☐ State Agency: \_\_\_\_\_

☐ State Court: \_\_\_\_\_

☐ Local Agency: \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

#### **Section VI**

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please submit this form in person at the address below, or mail form to:

*(insert your organization contact information)*

## VII. Title VI Program Management Procedures

*(Describe the scope and purpose of your organization, including how transportation projects are planned, also how the public participation plan procedure includes low-income and minority populations. Additionally, describe how your organization accommodates requests and provides information for people that are Limited English Proficient.)*

The (insert your organization name) Title VI Coordinator shall ensure the following occurs:

- The transportation planning process fully complies with the requirements of Title VI.
- Monitor the transportation planning process overall strategies and goals and ensure compliance with Title VI requirements.
- Review operational policies and procedures to ensure Title VI compliance.
- Monitor the service equities of planning data collection and analysis for potential impacts on social, economic, and/or ethnic groups.
- Ensure the planning organizational membership attempts to reflect the makeup of the population served. This would include periodically reporting the (insert your organization name) racial, ethnic, and gender composition of public involvement organizations or groups.
- Ensure the opinions and views of all groups within their populations are solicited and considered in the planning of transportation projects.
- Monitor compliance with Environmental Justice issues to identify low-income and minority populations that may be impacted by transportation planning process.
- Evidence that input from minority groups/persons has been considered in the transportation planning process. Evidence could include but is not limited to the participation level and composition of participants in public information settings. Also reporting any follow-up and conclusions to issues communicated throughout the planning process.
- Monitor the gathering and utilization of demographic data used to identify and locate low-income and minority populations in order to investigate the possible benefits and detriments of transportation plans on these populations.
- Monitor compliance with Limited English Proficiency (LEP) populations to improve access and comprehension of the transportation planning process for individuals comprising the LEP population.

## VIII. Title VI Related Training

The *(insert your organization name)* Title VI Coordinator shall ensure that staff is trained and familiar with *(insert your organization name)* related policies and procedures. *(Your organization could fulfill this requirement by a periodic refresher session for senior management, periodic training/discussion sessions to provide opportunities to discuss practical situations and how Title VI requirements may be useful. You may also use FHWA Training Resources (e.g. webinars) or NMDOT Office of Equal Opportunities for possible on-site Title VI training.)*

## IX. Limited English Proficiency (LEP) Plan

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. Any agency receiving federal funds needs to develop a Limited English Proficiency (LEP) Plan.

The primary element of the LEP Plan is the Four Factor Analysis. *(U.S. DOT "Policy Guidance Concerning Recipients Responsibilities to Limited English Proficient Persons" dated December 14, 2005 is a useful resource when performing the Four Factor Analysis.)*

The Four Factor Analysis includes the following factors:

- **Number or Proportion of LEP Individuals:** This factor should describe your efforts to provide meaningful opportunities to your Limited English Proficient population. Your organization should ask *"What number or proportion of individuals will be excluded from benefits or services absent efforts to remove language barriers?"*
- **Frequency of Contact with the Program:** If LEP persons must access your program/activity daily, the recipient of federal funds has a greater responsibility to tailor their services to the needs of LEP persons. This factor should be data driven and decisions should be in direct correlation to whatever data gathering exercises your organization uses.
- **Nature and Importance of the Program:** The need LEP individuals have to access benefits and services amplify with programs where the denial or delay of access may have life or death implications. Recipients of federal funds should identify programs of this type of importance and describe the process to ensure LEP persons are not denied or delayed in receiving the service or benefit of that service.
- **Resources Available:** Your organization may have limited resources and may not have to take the same steps as a larger organization to provide LEP assistance in programs that have a limited number of LEP persons (e.g., where contact is infrequent, where the total cost of providing language services is relatively high,

and/or where the program is not crucial to a person's day to day existence.) Claims of limited resources will need to be well-substantiated.

In addition, your organization should address the appropriate mix of written and oral language assistance. Your organization should identify the following:

- Documents that should be translated
- Process to identify when oral translation is needed
- When services should be immediately available

#### **X. External Communication (Notification to Public Beneficiaries)**

Your organization should provide information to members of the public detailing their Title VI obligation and notify members of the public of the protections against discrimination afforded to them by Title VI. Requirements include:

- Dissemination of Information: Your organization should disseminate this information to members of the public via accessible printed and electronic media, including posting on your organization's website.
- Contents of Notification: At a minimum, the notification should include the following:
  1. Statement that your organization operates the Federal Program(s) without regard to race, color, national origin, sex, age, or disability.
  2. Identify procedures to be followed by members of the public to request additional information regarding your organization's Title VI obligation.
  3. Identify procedures to be followed by members of the public to file a discrimination complaint against your organization.

#### **XI. Notice of Rights**

*(Describe how your notice is disseminated to the public, whether the notice is provided in other languages, and provide a copy of the notice. A sample notice is provided below.)*

##### **Your Rights Against Discrimination Under Title VI of the Civil Rights Act of 1964**

(insert your organization name) operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied benefits of, or otherwise subjected to discrimination under any (insert your organization name) program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with (insert your organization name) or the New Mexico Department of Transportation.

To file a Title VI discrimination complaint, please contact:

(insert your organization's contact information)

## **Appendix A**

### **FHWA Assurances for Title VI and Other Nondiscriminatory Statutes**

The (insert your organization name) (hereafter referred to as the "Recipient") HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

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

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

#### **General Assurances**

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

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

#### **Specific Assurances**

More specifically and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs and activities:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient shall insert the following notification in all solicitations for bids, Request For Proposals for work, or material subject to the Acts and the Regulations and made in connection with the Federal Aid Highway Program, and in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

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

specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance.

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

By signing this Assurance, (insert your organization name) also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to the Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The (insert your organization name) gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under Federal-Aid Highway Program. This ASSURANCE is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

\_\_\_\_\_  
**Signed by Chief Administrative Officer or Designee**

\_\_\_\_\_  
**Date**

## Appendix B

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time-to-time, (hereinafter referred to as the “Regulations”), which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of the 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the New Mexico Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the (insert your organization name) or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's non-compliance with the nondiscrimination provisions of this contract, the (insert your organization name) will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating or suspending the contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the (insert your organization name) or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the (insert your organization name) to enter into any litigation to protect the interests of the (insert your organization name). In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## **Appendix C**

### **Covenant Running with the Land Assurance**

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the State of New Mexico will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the State of New Mexico all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

#### **(Habendum Clause)**

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

The State of New Mexico, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and]\* (2) that the State of New Mexico will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department shall have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and vest in

and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such clause is necessary in order to Make clear the purposes of Title VI of the Civil Rights Act of 1964.)

## **Appendix D**

### **Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility, or Program**

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the State of New Mexico, pursuant to the provisions of Assurance 7(a):

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

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

## **Appendix E**

### **Clauses for Transfer of Real Property Acquired or Improved Under the Activity, Facility or Program**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the State of New Mexico pursuant to the provisions of Assurance 7(b):

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

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

## Appendix F

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

### **Pertinent Non-Discrimination Authorities:**

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

compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your program (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (U.S.C. 1681 *et seq.*)



## MPO/RTPO Work Program Amendment Request Form

This form is for MPO/RTPO Planners to submit a request for an amendment to either an approved Unified Planning Work Program (UPWP) or Regional Work Program (RWP). Please refer to the appropriate section in the Planning Procedures Manual (PPM) for information regarding Work Program amendments and the Month-by-Month Work Program Timeline (calendar) for due dates.

Please complete the following information and submit the completed form to your NMDOT Government to Government Planning Liaison via email. Include a copy of a complete, revised work program narrative and budget.

<b>Date:</b>			
<b>Entity:</b>			
<b>Contact Name:</b>			
<b>UPWP/RWP Amendment #:</b>		<b>FHWA funded, Control #:</b>	
		<b>FTA funded, Federal Award ID #:</b>	

Staff Hours or Budget Line Items being changed <i>(indicate Task # or Budget Category. Add rows as needed)</i>	Current Budgeted Amount	Revised Amount	Percent Change	Brief Description of Change

Please indicate if amendment is administrative or formal and provide detailed justification based upon requirements in the PPM.

Amendment Type (Administrative/Formal)	Justification

Approval by MPO/RTPO Boards:

Review Committee/Board	Date Approved
Technical Committee/Board:	
Policy Committee/Board:	

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**For NMDOT use only.**

<b>Received by Planning Liaison (name):</b>	
<b>Date:</b>	
<b>Recommendation of Planning Liaison:</b>	
<b>Transit Bureau Recommendation, if applicable:</b>	
<b>Received by SPB Chief on date:</b>	
<b>Action (Amend #):</b>	

<b>Quarter</b>	<b>Administrative</b> (check if appropriate)	<b>Formal</b> (check if appropriate)	<b>Amendments</b> (brief description including any changes to the budget. Include a separate copy of budgetary changes if necessary)	<b>FHWA/NMDOT approval date</b>	<b>Board approval date</b>
Q1					
Q2					
Q3					
Q4					