Virtual Meeting of the MPO Board
Monday, August 31, 2020, 9:00 a.m.

The County Center and Plan Hillsborough offices are closed to the public in response to the COVID-19 pandemic. Technical support during the meeting may be obtained by contacting Lionel Fuentes at (813) 273-3774 ext. 326.

To view presentations & participate from your computer, tablet or smartphone, go to: https://attendee.gotowebinar.com/register/2362846498739669771.
Register in advance to receive a personalized link, which can be saved to your calendar.

The meeting may also be viewed on Hillsborough Television (HTV) by visiting Spectrum: 637, Frontier: 22 or live stream.

Dial-in participants may refer to the agenda packet, presentations, and supplemental materials posted on the MPO's online meeting calendar.

Agenda
I. Call to Order, Pledge of Allegiance & Invocation

II. Roll Call (Clerk)

III. Approval of Minutes – July 28, 2020

IV. Public Comment - 3 minutes per speaker, 30 minutes total; as needed, additional time may be provided later in the agenda.

Public comments are welcome, and may be given in person at this virtual meeting, by logging into the website above and clicking the “raise hand” button. Staff will unmute you when the chair recognizes you. Comments may also be phoned in during the meeting by dialing 813-273-3774 ext. 600.

Comments may also be provided up to 5pm the day before the meeting:
- by leaving a voice message at (813) 273-3774 ext. 369
- by e-mail to mpo@plancom.org
- by visiting the event posted on the MPO Facebook page

Advance comments will be provided in full to the board members and verbally summarized during the meeting by MPO staff.

V. Committee Reports & Advance Comments (Bill Roberts, CAC Chair and Wanda West, MPO Staff)

VI. Action Items – All actions will be by roll-call vote.

A. Committee Appointments (Cheryl Wilkening, MPO Staff)
B. Resolution on Racial Discrimination (Hoyt Prindle, CAC Subcommittee Chairman)

C. Transportation Improvement Program Roll-Forward Amendment (Vishaka Shiva Raman, MPO Staff)

D. General Planning Consultant Contracts (Meghan Betourney, MPO Staff)

VII. Status Reports

A. Update (Mark Sharpe, 1p Chief Potential Officer)

B. Tampa-Hillsborough Expressway Authority Projects (Anna Quinones, THEA Staff)

C. HART Service Changes for 2021 (Justin Willits, HART Staff)

VIII. Executive Director’s Report

- MPO Vision Zero Leadership Summit: Tuesday, September 22, 9am-Noon, Virtual (replaces Policy Committee)

- MPO Board Workshop on Managed Lanes: Wednesday, October 14, 9am-Noon, Virtual (replaces regular business meeting of the board)

- Save the date: educational workshop on value capture strategies for funding transportation: September 25, 9am, Virtual

- Independent Oversight Committee for the Transportation Sales Surtax annual public hearing rescheduled to: October 26, 6pm

IX. Old Business & New Business

- Board Information request: TIP projects with toll lanes

- Other Old or New Business

X. Adjournment

XI. Addendum

A. Announcements

- PlanHillsborough-sponsored ULI event: Race & Real Estate, Creating a Shared Vision for Equitable Places in Tampa Bay, Sept. 3, 8:30 am

- Vision Zero Leadership Summit flyer

- Plant City Transit Study Virtual Open House & Survey Flyer

- Planning Commission’s 38th Annual Planning & Design Awards
• 3rd Annual Gulf Coast Safe Streets Summit of the MPO Chairs Coordinating Committee of West Central Florida

B. Project Fact Sheets & Other Status Report

• Big Bend Rd PD&E Study Approval Notification
• Vision Zero Action Plan – 2 year Progress Report
• MPOAC Legislative Year End Summary

C. Correspondence

• To FHWA re: Support for Work Zone Data Exchange Demonstration
• From FHWA re: Certification Review, 2021

C. Articles Related to MPO Work

• Hurricane Phoenix is Tampa Bay’s devastating worst-case scenario | Tampa Bay Times | 08.14.20
• Loss of tourism in Tampa Bay hammers projected $280M from Hillsborough’s All for Transportation surtax | Tampa Bay Business Journal | 08.06.20
• City of Tampa is awarded a $75,000 grant to study the impact of sea level rise and resiliency planning | City of Tampa | 07.30.20
• New Tampa road projects still on the way | New Tampa and Wesley Chapel Neighborhood News | 07.28.20

The full agenda packet is available on the MPO’s website, www.planhillsborough.org, or by calling (813) 272-5940.

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Persons needing interpreter services or accommodations for a disability in order to participate in this meeting, free of charge, are encouraged to contact Joshua Barber, 813-273-3774 x313 or barberj@plancom.org, three business days in advance of the meeting. If you are only able to speak Spanish, please call the Spanish helpline at (813) 273-3774, ext. 211.

Si necesita servicios de traducción, el MPO ofrece por gratis. Para registrarse por estos servicios, por favor llame a Joshua Barber directamente al (813) 273-3774, ext. 313 con tres días antes, o barberj@plancom.org de cerro electronico. También, si sólo se puede hablar en español, por favor llame a la línea de ayuda en español al (813) 273-3774, ext. 211.

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Virtual Meeting of the MPO Board
Tuesday, July 28th, 2020

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE & INVOCATION

The MPO Chairman, Commissioner Les Miller, called the meeting to order at 9:00 a.m., led the Pledge of Allegiance, and gave the invocation. The regular monthly meeting was held as a Virtual Meeting of the MPO Board.

II. ROLL CALL

The following members were present:

Commissioner Les Miller, Jr., Commissioner Pat Kemp, Commissioner Ken Hagan, Commissioner Mariella Smith, Commissioner Kimberly Overman, Councilman Guido Maniscalco, Councilman Joseph Citro, Councilman John Dingfelder, Vice-Mayor Andrew Ross, Joe Lopano, Charles Klug, Joe Waggoner, Michael Maurino, Melanie Williams

Also present: Beth Alden, Bill Roberts, Wanda West, Paula Flores, Cheryl Wilkening, Gena Torres, Meghan Betourney, David Gwynn, Margaret Kubilins, Chris Vela, Debbie Guest

The following members were absent: Cindy Stuart, Mayor Rick Lott, City Commissioner Nate Kilton, Council Member Frank Chillura, Gina Evans, Adam Harden, Bob Frey, Theodore Trent Green, Steve Cona

A quorum was met.

III. APPROVAL OF MINUTES – June 30th, 2020

Chairman Miller requested a motion to approve the June 30th, 2020 minutes. Councilman Kimberly Overman so moved; it was seconded by Councilman Dingfelder. A roll-call vote was held, and it was unanimously adopted.

IV. PUBLIC COMMENT

Chris Vela thanked the Board for listening and making pointed questions to the DOT at the last meeting and proceeded to quickly go through the history of the Tampa interstate systems from 1955 forward, pointing out that 63 years ago the 14th and 15th Street proposed exits were on the downtown interchange FDOT plan, which is when the redlining occurred. Chris Vela briefly reviewed the Transportation of America Study and pointed out that Tampa is No. 2 with the most roads in the entire United States.

V. COMMITTEE REPORTS & ADVANCE COMMENTS

Bill Roberts, CAC Chair, reported that the CAC held a workshop on
July 15th to delve into the fiscal impact analysis by a CAC representative from Plant City who went over his analysis and heard from several invited guests who offered their comments and who are thinking about development decisions for Plant City, as well as the east county area.

Secondly, the CAC held an ad hoc subcommittee meeting on June 23rd. The purpose of this subcommittee meeting was to craft a proposed resolution taking a stand against discrimination and promoting racial equity in transportation. They expect the Citizens Advisory Committee to consider this resolution at their August meeting.

Thirdly, Bill Roberts thanked the MPO Board for their timely consideration of the recommendations from the Citizens Advisory Committee at their MPO TIP hearing on June 30th and relayed that the CAC continues to advance and explore opportunities for transportation and recommendations that the CAC brings before the MPO. The CAC is made up of 23 devoted citizens who volunteer their time to come to the meetings, sometimes lengthy, and they appreciate the MPO’s consideration of their recommendations.

Wanda West, MPO staff, announced the Bicycle Pedestrian Advisory Committee took a summer recess from its monthly meeting. Instead, the committee held a virtual workshop to discuss items for future consideration. Requests were made for presentations from the City of Tampa and Hillsborough County staff, focusing on planned and recently completed pedestrian and bicycle projects. The committee members also supported additional speed studies, including areas around USF, and the need for more consistent maintenance of existing bicycle and pedestrian facilities throughout the County. Intelligent Transportation Systems Committee held its quarterly meeting and heard status reports on the performance evaluation of the east scooter deployment in the City of Tampa, and Ms. West continued to provide a rundown of the various held committee meetings.

Staff received e-mails thanking them for coordinating the Chairs Coordinating Committee Board meeting held in a virtual meeting group. Eric Holt inquired about trails in the Citrus Park area, and staff provided a response. No Facebook comments or voicemail messages were received prior to the meeting. This concluded Ms. West’s report, and there were no questions of Wanda West by staff.

VI. ACTION ITEMS – All actions will be by Roll Call Vote

A. Committee Appointments

Cheryl Wilkening, MPO staff, announced that the Transportation Disadvantaged Coordinating Board nominated Councilmember Gil Schisler for HART. The Intelligent Transportation Systems Committee nominated Daniel Buidens, FDOT advisor, and Judith Villegas, alternate for THEA. The Citizens Advisory Committee nominated Don Skeleton, Jr., for the
Tampa Port Authority. The recommended action is that the MPO confirm these appointments.

Chairman Miller sought a motion to approve the MPO appointments; Commissioner Overman so moved; it was seconded by Melanie Williams. A roll-call vote was held, and it was unanimously adopted.

B. Vision Zero Speed Management Action Plan

Gena Torres, MPO staff, started off by introducing an item, Vision Zero's "The Future Will Not Be Like the Past" action tracks that may focus on combating infrastructural design flaws and reminded the Board that almost three years ago the Board took the leadership to bring the national movement of Vision Zero to our community.

Paula Flores, MPO Consultant, gave a summary on the issue of managing speed on Hillsborough’s high-injury network, the volume of work that has been accomplished over the last year, and the full report covers a lot of the background and takes an in-depth look at the elements that were covered. This is an important step to take in the furtherance of the Hillsborough MPO Vision Zero policy and in furtherance of the Hillsborough Complete Streets policy because the management of speed and high injuries affects quality of life, it affects how you get around, and it affects public health and safety and economic development in our communities. It is important also because Florida is the most dangerous state for pedestrians and bicyclists in recent history. On average, a person is dying on Hillsborough streets every other day, but we have become complacent because we see it on the news so often.

The action plan has one single goal, and that is to improve public health and safety by reducing road fatalities and serious injuries. The desired outcomes are many, such as improved safety experience, increased awareness of the dangers of speeding, to institutionalize good practices in road designs, et cetera, identify supportive policies, programs, and infrastructure, and of course they couldn’t be successful without obtaining the cooperation and support of all the stakeholders.

So, the scope for the Hillsborough County Plan includes five tasks: Task 1, Stakeholder Improvement; Task 2, Speed Management Practices; Task 3, Corridor Prioritization; Task 4, Next30 High Injury Corridors; Task 5, Speed Management Action Plan. Ms. Flores reviewed each task using a PowerPoint presentation, emphasizing that speed takes a back seat with pedestrian fatality and serious injury risk, plus cone of vision. Cone of vision is reduced at higher speeds, so speed matters most. The speed management plan is data-driven. Most people travel five miles above the posted speed limit. If speed is not managed, you will not reach Vision Zero goals. Task 4 and Task 5 utilized a priority matrix for the next top 30 high-injury corridors.
The Safe Systems Approach to the application of safety countermeasures is a must to prevent fatal crashes from happening, which says they have to be proactive, not reactive. So, they must take a holistic view of the road system: the features, the contacts, the users, and connectivity needs of the system. Ms. Flores went over the "tool kit" in aggressive driving crash countermeasures.

As to the Actions and Implementation Strategy, Ms. Flores referred the Board to the in-depth report, giving a brief PowerPoint overview of the strategy: Speed setting, engineering and operations, education, policy and legislation, and plan evaluation calling for routine updates.

The recommendation is to approve the Speed Management Action Plan so that all of our partners can continue to address safety in Hillsborough County, thereby having a significant impact on saving lives.

Commissioner Overman thanked Ms. Flores for her presentation and proclaimed the reason she's sitting in the position she is in, as Ms. Torres actually suggested that our lives have been changed forever, is because she has been dealing with the impact of 19 years of trauma as a consequence of a speed event in Tampa. So the importance of this piece is so important, asking the question of how do we interface with the State legislatures when they tend to bring legislation to kill, for example, our beacons on Fletcher Avenue that help address this. There is a conflict here that they need to proactively address and asked if they have on the MPO agenda to meet with the legislatures regarding MPO priorities, and Vision Zero specifically, because this is a very important part of the work that they do locally.

Gena Torres responded that yesterday she was at the quarterly State Bike/Ped Coalition Safety Meeting and these topics legislatively are talked about there, recommendations are coming out of these groups, and they are trying to move some of the things forward, like the red light running cameras and automated speed enforcement, and thinks there was a request from the legislative delegation to give them some things to put on their platform. Beth Alden confirmed the MPO fall meeting of the Tampa Bay TMA Leadership Group is going to focus on legislative issues, and the MPO has invited a couple of their legislative delegation members, so they are working to confirm that.

Chairman Miller commented that, having served up there for a while, first and foremost, you don't need to talk to part of the legislative delegation, you need to talk to all of it. The difficult part is when they get into session and the session moves very, very quickly; it's 60 days, and some way, somehow you must contain it to reemphasize how important the information that you gave them is during that particular session. Now, that is the difficult part, because they are not going to be able to talk to every legislator or senator or representative;
they have to talk to their staff and emphasize to those staff members how important it is getting this information to them.

Melanie Williams also thanked Ms. Torres and Ms. Flores for their presentation of Vision Zero and commented and asked about safe people first and about the tactics for education and awareness in the plan, what they have in mind to educate people on that crosswalk on Fletcher Avenue or some others in that area. Ms. Williams agrees with the plan but opined that something must happen. She is just not sure how they get the attention as a fire engine would. Ms. Torres responded that Fletcher Avenue is a county road and that the county, working with DOT and the surrounding communities, has done a lot of education and explained the different things that were done in terms of education, stating the numbers are showing it is working, that fatalities and serious injuries have dropped.

Commissioner Kemp also thanked Ms. Flores for her work and emphasized one point, that when Ms. Flores did the list at the beginning of seven out of ten Florida cities have the highest crash and fatality rates, it's seven Florida cities out of ten cities in the nation. It is important for the MPO to recognize that. And after seeing her presentations, they know they're dangerous by design and probably a lot of that is speed, and that this is important and transformative work for them to do here. In terms of the State, she inquired, dealing with the strategic intermodal system, which is basically Tampa's interstates, by law are they designated 70 percent of the funding through the State of Florida each year. And Beth Alden responded there is a target investment. Secretary Gwynn stated they obviously have different pots of money. And with the strategic intermodal system money right now, the goal is 75 percent of that money is for capacity projects, and they're revisiting that right now.

Commissioner Kemp stated when they talk about the legislature, it's one of the things we have to ask and draw awareness for because as long as all this funding is directed at capacity, we're talking about lane expansion and making those roads bigger, rather than all of the arterial roads that we have that are so dangerous and so in need of our resources and believes that this priority is not well placed, especially in urban areas where the needs are so great, as seen on the map.

The third point Commissioner Kemp made is about the design manual, that there are the national design manuals but, also, they have a local Hillsborough County design manual that is being worked on at this time. It is extremely important, as there are a lot of design exceptions in there that have allowed the MPO, dictated by this manual, to continue down the path of poor design, poor roads, poor standards by the design exceptions, but also some of the dictates in that manual have continually led the MPO, specifically in Hillsborough County, under MPO control, to the kind of poor designs that cause fatalities and accidents. So as they are looking at this now and as
she’s been trying to get a handle on that, and mentioned Ms. Flores brought up land use, it is the land use people that deal with that in Hillsborough County, along with the traffic, and thinks it’s very important to somehow infuse all of this with their local design manual. Gena Torres responded there's some good news about Hillsborough County’s staff and their interest in this study, including Paula Flores’s input on the design manuals.

Councilman Dingfelder thanked Ms. Torres and Ms. Flores and had a question on the Next30 map as to at what point will the MPO be using the resources to address the city streets. Not just the City of Tampa but if they have issues in Temple Terrace or Plant City, they should be addressing those as well. Gena Torres responded that the City staff, for instance, has asked them to fund different studies, and that is what they will continue to do so they can identify recommendations. Councilman Dingfelder stated he wants to make sure that the cities are included in next opportunity in this type of detailed comprehensive look by the MPO. In the next opportunity from a funding perspective and the kind of in-depth look, he would like to see more city streets included.

Commissioner Smith commented on the slide that shows that 83 percent of crashes are at non-peak hours and that points to the conclusion that additional capacity does not make our roads safer, extra lanes do not make our streets safer. They might create other benefits but do not prima facia make our streets safer. The question she had was on "high crash is not necessarily our highest need" and asked Ms. Flores to explain.

Paula Flores stated Vision Zero is about reducing fatalities and serious injuries. When she went through the priority matrix process, simply just looking at the severity crash rates shouldn’t be the end-all; they have to consider how many schools they have around some of these major arterials; they have to consider the communities of concern. A lot of these major arterials go through very poor neighborhoods where many people do not have vehicles and rely on transit or have to walk or ride their bike. One of the factors that she has in there is transit routes, because if you have a transit route on some of these corridors, most likely you're going to have a significant amount of more pedestrian users within the corridor. So, you’re not just looking at crash rates but looking at all of these other community factors that also impact safety and exposure rates.

Joe Waggoner commented that back to the slide of people not obeying the rules, 60 percent of the incidents are happening at non-crossing locations on the roadway and 71 percent are due to aggressive driving-speeding, people not paying attention, and stated he didn't hear much about the enforcement side of the plan, which is a major component. Maybe in the future they can hear more about what they can do for enforcement.
Chairman Miller sought a motion to approve Vision Zero Speed Management Action Plan; Commissioner Smith so moved; it was seconded by Councilman Dingfelder. A roll-call vote was held, and it was unanimously adopted.

C. USF Fellowship Agreement Renewal

Meghan Betourney, MPO staff, announced this year the MPO is looking to sponsor a Graduate Student Fellowship from the University of South Florida. This year's selected student is Petina Elkott. She has a BS in Environmental Biology and a Minor in Anthropology from USF. We ask the Board to authorize the Executive Director to sign the agreement with USF for placement of this student fellow.

Chairman Miller sought a motion to approve the USF Fellowship Agreement Renewal; Commissioner Overman so moved; it was seconded by Commissioner Kemp. A roll-call vote was held, and it was unanimously adopted.

D. General Planning Consultant Contracts

Meghan Betourney, MPO staff, reminded the MPO they came there in April to ask for approval to go for negotiations with the following nine firms. The MPO Board authorized staff to negotiate contracts with the following nine top-ranked teams, which include prime and subconsultants. The following five firms are the ones that are in bold. Atkins, Fehr & Peers, HDR, Kittelson, and VHB are the ones they have completed the contract negotiations with. The contract scope follows the MPO Work Program, and consultant tasks are to be negotiated by work order, each with their own scope and products. They do ask for lump sum fees negotiated by task, with the maximum $300,000 per task. The contract duration is two base years, the maximum fees per consultant can be $2 million over the life of the contract, and the planning dollars available are $600,000 to $900,000 per year.

The recommended action is to approve the General Planning Consultant contracts with the following five firms and the sub -- Atkins, Fehr & Peers, HDR, Kittelson & Associates, and VHB -- and the contracts for the remaining four of the top-ranked teams be brought forward for the Board's consideration at the first available regular board meeting after agreements are reached.

Councilman Dingfelder brought up the issue that they are pushing really hard, especially on the pipes program, which is a multiple billion dollar program, to get minority and disadvantaged business numbers up out of the single digits and get them into the teens. As everybody knows in the City of Tampa, minorities represent anywhere from 15 to 30 percent of the population, so they're very motivated in the City to get those numbers up and get those numbers, at a minimum, up into the teens. Beth Alden explained their MPO, like all MPOs in the State of Florida, participate in a statewide program that promotes
disadvantaged enterprises, and they monitor expenditures every year. The last two years, their DBE utilization has been nine percent, eight percent respectfully, and stated they’d be very happy to push that and see if they can achieve double digits in their next year. Councilman Dingfelder followed up asking about consultants, that Beth Alden mentioned $600,000 total is the budget, but inquired about the engineering budget, asking, “How big is that? Does MPO have an engineering budget as well?” Beth Alden relayed that’s it, that’s the sum total of all the funds that they have available for professional consultants of any kind -- engineers, planners, public engagement professionals, mapping, the whole nine years.

Commissioner Kemp asked Ms. Alden if it also includes women, and Beth Alden responded the state designation of disadvantaged enterprises includes minority women-owned businesses.

Chairman Miller explained that minority-owned and disadvantaged businesses in the State of Florida are women, African-Americans, Hispanics, native Americans, Asian Americans, and relayed for the Board’s edification that in Hillsborough County minority groups are growing and that conversation needed to be had with them. They have guaranteed to Chairman Miller these numbers will change on how they are looking at utilizing minorities or aspects of the agency, so they have had that conversation and that is how minorities are broken down within State statute.

Chairman Miller sought a motion for approval of the General Planning Consultant Contracts; Commissioner Overman so moved; it was seconded by Commissioner Kemp. A roll-call vote was held, and it was unanimously adopted.

VII. STATUS REPORTS

A. Tampa Bay Next Update

Secretary Gwynn, FDOT Representative, stated they share the MPO commitment to reduce speeds and road hazards and listed some of their projects, including receiving $4 million from the central office to convert another eight corridors to all LED lighting. Two to three months ahead of schedule, later this week the third lane on I-275 through the State Road 60 interchange should be open in the southbound direction. Over the next two to three weeks, mid-August, they’re hoping to have the third lane open from Pinellas into Hillsborough. Secretary Gwynn announced Governor Ron DeSantis recently announced $1.4 billion in funding for the Westshore interchange project, but one of biggest the challenges they will face is building this with live traffic.

Margaret Kubilins, SafeTRIP, went over the value of having a SafeTRIP and stated the Transportation Management Plan needs to be comprehensive. SafeTRIP includes four elements -- traffic management, regional demand, innovation, and public engagement -- and went into
depth with a PowerPoint presentation on each element. Ms. Kubilins went over the Taskforce Members and why they want to have their perspectives, because without them, they won’t be able to develop a comprehensive plan. But then beyond that, they have smaller groups. They have met with two organizations, the I-4 Ultimate Team, to get their lessons learned in Orlando, and with Missouri DOT, and have already made adjustments from their lessons learned. They have meetings scheduled with I-66 up in Virginia and also are working on establishing a lessons learned with Wisconsin DOT.

She went over the Schedule and Next Steps. They started in 2020 and are moving forward to 2024.

Commissioner Overman asked in line with balancing safety with Vision Zero efforts, as well as projects they approved for the TIP over the next five years, that she'd like to get a report that on any projects on the TIP list that are utilizing either a toll process or an expressway type of process in its plan. They are going to have a managed lane workshop in October. If they have some perspective on how they balance safety and capacity, maybe more towards safety rather than capacity, they may be able to achieve the managed lane tolls. Commissioner Overman said she'd like to ask FDOT to come back to the next meeting to identify any projects currently in the cue on the TIP to identify any of those that are possibly going to use a toll feature for managing speed and the safety and additional capacity needs on those projects.

Margaret Kubilins replied she made a note of that and would get feedback from her partners in DOT. As far as the TIP goes, Ms. Kubilins expressed appreciation that they have three projects already started and in regard to instrumentation on the corridors that are adjacent to I-275 in order to manage any kind of crashes that are on the corridors as well as while they're under construction. So that is all about instrumentation, and it's adding the ability for them to help manage traffic and run it more efficiently.

Councilman Dingfelder agrees with Commissioner Overman about the toll issue but brought up, as it relates to the Traffic Management Plan Task Force, that he saw a lot of corporate government entities there but did not see neighborhood entities mentioned in their task force and asked what their plan is to reach out to the neighborhoods. Margaret Kubilins replied in the history that they have relayed in multiple conversations where they have identified specific champions within specific neighborhoods and have found the venue or the organization of the meetings is vitally important in order to hear the voices most accurately. As to the CAT, that he's exactly right, it is corporate, it is very strong in the organizations and very formalized in those organizations, and that is the right place for them to have those voices heard. They have a plan because they do have those networks established, and they'll reach out to them in the next six months.
Councilman Dingfelder followed up asking that maybe they should identify at least one or two people within each one of those organizations to disseminate that information to their organization so they know who is in their organization, and it's already set up so that when you have announcements, and that sort of thing, you can spread it out effectively.

Commissioner Smith supports everything Commissioner Overman and Councilman Dingfelder were saying but added that she'd like to make sure there is a public process as they determine how the managed lanes are going to be managed, adhering to the MPO mission of ensuring that disadvantaged communities are not negatively impacted by highway projects and mentioned she'd like to hear more on zipper merge in the future. Margaret Kubilins stated that the Board will hear more on the zipper merge.

Commissioner Kemp mentioned the Sun Rail done in Orlando, where CSX converted rail to a commuter system there, was done as a mitigation for the ultimate I-4 that they were doing parallel to it as is true here, going straight from USF to downtown, and was just wondering if somehow that could make its way into the scope of being looked at for this project. Secretary Gwynn stated that is actually part of it. In this case, they'd have to show that it would improve it through the corridor where they're wanting to keep traffic down. But most of that will probably be bus type of service as it is scheduled now. There were a few more questions of concern on traffic management by Commissioner Kemp and Councilman Dingfelder.

VIII. EXECUTIVE DIRECTOR’S REPORT

Beth Alden, MPO staff, let the Board know they're coming into a time of some uncertainty about meeting logistics. If the Governor does not extend the Executive Order which allows the Board to meet virtually, then their next board meeting on September 1st needs to have at least a quorum of their board members physically present in their room. So she'll be looking in that case to have nine board members who are willing to be physically present, even if the rest are participating virtually, and she'll be back in touch with the Board over the next month as this situation continues to evolve.

A. Independent Oversight Committee for the Transportation Sales Surtax, annual public hearing

They had scheduled on August 11th the Independent Oversight Committee for the Transportation Sales Surtax, but the oversight committee would prefer to meet virtually, so they have postponed the meeting and have not set a new date.

B. MPO Vision Zero Leadership Summit: Tuesday, September 22, 9:00 a.m. – noon, Julian B. Lane Riverfront Center & Virtual (replaces Policy Committee)
MPO Vision Zero Leadership Summit does not require an action, so the Board can do that entirely virtually, if they care to. If it is reasonable and safe for the Board to meet in person by the 22nd of September, the City of Tampa has provided the Julian B. Lane Riverfront Center, and again the Board can also consider it a hybrid approach. Beth Alden asked the Board to watch the MPO website for daily updates.

IX. OLD & NEW BUSINESS

There was no old business or new business.

IX. ADJOURNMENT

The MPO meeting was adjourned at 11:10 a.m.
Committee Reports

Meeting of the Citizens Advisory Committee (CAC) on August 12

Under Action items, the CAC approved and forwarded to the MPO Board:

- Resolution on Racial Discrimination, which was approved unanimously
- Transportation Improvement Program Roll-Forward Amendments (by a vote of 12 – 4)

The Tampa-Hillsborough Expressway Authority briefed the CAC on the Selmon Expressway Extension construction project as well as THEA’s safety improvement project and PD&E studies for the South Selmon Expressway and Whiting Street. Individual members had concerns about decorative lighting, traffic circulation, and the Selmon Greenway.

FDOT reported on the Tampa Bay Next - Westshore SafeTRIP initiative.

The CAC also discussed and passed a motion in support of HART’s feasibility study for the use of CSX corridors.

Meeting of the Bicycle/Pedestrian Advisory Committee (BPAC) on August 12

The BPAC heard status reports on TBNext Transition - Section 4 Aesthetics, Regional Trail Update: Westshore SafeTRIP

The committee also heard public comment from Mike Lamarca, who was involved in a bicycle crash on East Fletcher Ave.

Committee members also asked about future plans for Floribraska, and a new crosswalk on Rome Ave.

Meeting of the Technical Advisory Committee (TAC) on August 17

Under Action items, the TAC approved and forwarded to the MPO Board:

- Transportation Improvement Program Roll-Forward Amendments

The TAC heard status reports on HART Service Changes for 2021, ClearGuide Overview and TB Next Update: Westshore SafeTRIP program.

Meeting of the Livable Roadways Committee (LRC) on August 19

The LRC heard status reports on HART Service Changes for 2021, ClearGuide Overview, TBNext Transition-Section 7 Aesthetics and TB Next Update: Westshore SafeTRIP.

Meeting of the Transportation Disadvantaged Coordination Board (TDCB) on August 21

The TDCB selected a member and alternate to represent the Hillsborough TDCB at tri-county meetings. The TDCB also heard status reports on a Performance Evaluation of E-Scooter
Sharing in the City of Tampa, the Healthy Buddy Program administered through USF, and updates from the Sunshine Line.
Hillsborough MPO
Metropolitan Planning for Transportation

Board & Committee Agenda Item

Agenda Item
Committee Appointments

Presenter
Cheryl Wilkening, MPO Staff

Summary
The Citizens Advisory Committee (CAC) shall be responsible for providing information and overall community values and needs into the transportation planning program of the MPO; evaluating and proposing solutions from a citizen’s perspective concerning alternative transportation proposals and critical issues; providing knowledge gained through the CAC into local citizen group discussions and meetings; and establishing comprehension and promoting credibility for the MPO Program. CAC members serve two-year terms. The following has been nominated:

- Letecia Walker, by the City of Temple Terrace.

The Technical Advisory Committee (TAC) shall be responsible for considering safe access to schools in the review of transportation project priorities, long-range transportation plans and transportation improvement programs and shall advise the MPO on such matters. In addition, the TAC shall be responsible for assisting in the development of transportation planning work programs; coordinating transportation planning and programming; review of all transportation studies, reports, plans and/or programs, and making recommendations to the MPO that are pertinent to the subject documents based upon the technical sufficiency, accuracy, and completeness of and the needs as determined by the studies, plans and/or programs. The following has been nominated:

- Matthew Pleasant, alternate member, by the Hillsborough County Schools’ Growth Management & Planning Department.

Recommended Action
That the MPO confirm the above appointments

Prepared By
Cheryl Wilkening

Attachments
None
Board & Committee Agenda Item

**Agenda Item**
Resolution on Racial Discrimination

**Presenter**
Hoyt L. Prindle, III, CAC Subcommittee Chair

**Summary**
At the June 10, 2020 meeting of the Citizens Advisory Committee (CAC), Mr. Prindle offered a resolution opposing systemic racism and discrimination in transportation.

CAC Chair Bill Roberts appointed an ad hoc subcommittee to draft a resolution considering his original draft and proposed revisions from the CAC members.

The subcommittee met on June 23rd and developed a draft resolution that the CAC discussed and voted to recommend to the MPO board on August 12th.

**Recommended Action**
Approve the draft resolution

**Prepared By**
Rich Clarendon, AICP

**Attachments**
Draft Resolution
RESOLUTION NUMBER 2020 - 3
(DRAFT)

Whereas, the purpose of the Citizen’s Advisory Committee to the Metropolitan Planning Organization is to ensure that all voices in the community are represented during transportation planning decisions; and

Whereas, the extreme acts of racist violence and excessive force that led to the deaths of George Floyd, Breonna Taylor, Ahmaud Arbery, and far too many other African Americans must be a call to action to all bodies of government that systemic changes are needed; and

Whereas, throughout the course of history, racial discrimination has been evident in transportation planning, transportation planning is one of those systems that must change. Governing bodies that plan transportation must recognize how the system has created and perpetuated racial inequities. Whether it be requiring African Americans to sit in the back of a bus, purposefully using freeways as a neighborhood-clearing tool to bulldoze, divide and box-in African American communities, or refusing to have transit come into certain parts of the city for fear that it would allow African Americans and other minorities to easily reach those communities, our country has time and again used transportation as a tool of freedom for some, but destruction for others; and

Whereas, locally, neighborhood clearing was manifested in the construction of I-275 and I-4 which were used to divide African American communities and eliminate the Central Avenue Business District; and

Whereas, on August 12, 2020, the CAC voted unanimously to recommend this resolution to the MPO;

NOW THEREFORE BE IT RESOLVED BY the Hillsborough Metropolitan Planning Organization that:

1. We stand with those who peacefully protest for racial justice and we support ending racial discrimination in transportation planning, which includes ensuring more robust access to all modes of transportation with a more intentional focus on the needs of African American and other historically disenfranchised communities in Hillsborough County;

2. Staff is directed to develop action items in support of this resolution.

ADOPTED on this 31st day of August 2020

Hillsborough Metropolitan Planning Organization

______________________________
Commissioner Lesley “Les” Miller, Jr.
Chairman

Attest:

______________________________
Cheryl Wilkening
MPO Secretary
Board & Committee Agenda Item

**Agenda Item**
Transportation Improvement Program (TIP) Roll-Forward Amendments

**Presenter**
Vishaka Shiva Raman, MPO Staff

**Summary**
The Transportation Improvement Program (TIP) identifies, prioritizes and allocates anticipated state and federal funding to transportation projects over the next five years.

The annual roll-forward amendment to the adopted TIP reconciles differences between the TIP adopted in June 2020 and the fiscal year-end close-out of the Florida Department of Transportation’s Work Program.

The recently adopted FY 2020/21 through 2024/25 TIP will take effect on October 1, 2020. Until then, the FY 2019/20 through 2023/24 TIP is used by FHWA and FTA for authorization of funds. This amendment is a routine, annual process to fully utilize funds that were not spent as anticipated in the previous fiscal year and that should now be added to the first fiscal year of the new TIP.

The attached reports show the projects which were in the previous fiscal year and the funding for which was not authorized before the State’s June 30th fiscal year end. They were part of the last TIP and thus are not new projects, but now must be incorporated into the new TIP.

This amendment ensures that year one of the TIP, adopted by the Board on June 30, 2020, matches year one of the FDOT Work Program, with no funds left on the table.

**Recommended Action**
Adoption of the roll-forward amendment to the Transportation Improvement Program for FY 2020/21 through FY 2024/25.

**Prepared By**
Vishaka Shiva Raman, MPO Staff

**Attachments**
Roll-Forward Funding Summary FY 2020/21
Comparative Report
Presentation Slides
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**Roll-Forward Funding Summary**

- **Total Change**: $59,472,589
- **Percent Change**: 1.002%
- **Adopted Work Program**: $5,935,620,011
- **Total Funding Amended Work Program**: $59,472,589
- **Roll-Forward Amendment**: $5,995,092,600
Annual Roll Forward Amendments

Comparative Report

Transportation Improvement Program (TIP) FY2020/2021 through 2024/2025
FDOT
5 Year TIP
Hillsborough County, District 7

HIGHWAYS

**Item Number:** 412531 2  **Description:** I-275 (SR 93)/SR 60 INTERCHANGE  **LRTP:** S-1

**Related Project:**  **Extra Description:** ROW FOR INTERSTATE MODIFICATION SECTION 4

**Project Length:** 0.263  
**Type of Work:** INTERCHANGE - ADD LANES

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**PRELIMINARY ENGINEERING - MANAGED BY FDOT**

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**Type of Work:** INTERCHANGE - ADD LANES

**Status:** Amended  
**Amendment Date:** 08/31/2020  
**Amendment Number:** 2

### FDOT 5 Year TIP  
**Hillsborough County, District 7**

#### HIGHWAYS

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### FDOT 5 Year TIP
Hillsborough County, District 7

**HIGHWAYS**

**Status:** Adopted  
**Adopted Date:** 06/30/2020

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## Project Information

**Status:** Amended  
**Amendment Date:** 08/31/2020  
**Amendment Number:** 3

### Item Number: 4407491

**Description:** US 41/SR 45/S 50TH ST @ CSX GRADE SEPARATION SOUTH OF CAUSEWAY BLVD  
**LRTP:** S-23  
**Extra Description:** CSX GRADE SEPARATION SOUTH OF CAUSEWAY BLVD

### Related Project:

**Type of Work:** NEW BRIDGE CONSTRUCTION

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### Amended FY 2020/21 - 2024/25 TIP

#### Hillsborough County, District 7

**FDOT**

**HIGHWAYS**

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**Status:** Adopted  
**Adopted Date:** 06/30/2020

**Item Number:** 445651 1  
**Description:** US 41/SR 599/50TH ST/56TH ST FROM SR 60/ADAMO DR TO FLETCHER AVE  
**LRTP:** Smart Cities, p. 39

**Related Project:**  
**Extra Description:** VISION ZERO STUDY-OPERATION AND SAFETY IMPROVEMENTS

**Project Length:** 5.518

**Type of Work:** TRAFFIC ENGINEERING STUDY

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**Amendment Number:** 5

**Item Number:** 445651 1  
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**LRTP:** Smart Cities, p. 39

**Related Project:**  
**Extra Description:** VISION ZERO STUDY-OPERATION AND SAFETY IMPROVEMENTS

**Project Length:** 5.518

**Type of Work:** TRAFFIC ENGINEERING STUDY

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### Project Overview

**FDOT 5 Year TIP**  
**Hillsborough County, District 7**

#### HIGHWAYS

**Status:** Amended  
**Amendment Date:** 08/31/2020  
**Amendment Number:** 6  
**Item Number:** 447155 1  
**LRTP:** Smart Cities, p. 39

#### Description

- **Type of Work:** INTERSECTION IMPROVEMENT  
- **Project Length:** 0.751  
- **Extra Description:** INTERSECTION IMPROVEMENT

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**FDOT**

**5 Year TIP**

**Hillsborough County, District 7**

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**Extra Description:** INTERSECTION IMPROVEMENT

**Type of Work:** INTERSECTION IMPROVEMENT

**Related Project:** PRELIMINARY ENGINEERING - MANAGED BY FDOT

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### 5 Year TIP
Hillsborough County, District 7

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**FDOT 5 Year TIP**  
Hillsborough County, District 7

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**FDOT**

**5 Year TIP**
**Hillsborough County, District 7**

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**5 Year TIP**

**Hillsborough County, District 7**

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### FDOT 5 Year TIP
#### Hillsborough County, District 7

**FLP: SEAPORT**

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**Type of Work:** SEAPORT CAPACITY PROJECT

**LRTP:** Who are our Partners, p. 6

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**Description:** SOUTH COAST COUNTY GREENWAY-PH 1A FROM E SHELL POINT RD TO 19TH AVE NE

**Extra Description:** CONSTRUCT 12’ PAVED TRAIL

**Type of Work:** BIKE PATH/TRAIL

**Project Length:** 0

**Related Project:**

**Status:** Adopted

**Adopted Date:** 06/30/2020

**LRTP:** Choices When Not Driving, p. 43

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Board & Committee Agenda Item

**Agenda Item**
2020 General Planning Consultant Contracts

**Presenter**
Meghan Betourney, Plan Hillsborough Staff

**Summary**

The MPO has contracts with general planning consultants (GPCs) to conduct plans and planning studies. GPCs are an important resource for the MPO, furnishing technical expertise and augmenting staff capabilities. Because the current GPC contracts expire in early October, last January staff began the process to procure a new set of GPCs.

In April, the board authorized staff to negotiate contracts with nine top-ranked teams. Last month, the board approved contracts with five of the teams. Staff has now reached agreement with the remaining four consultants on the terms of the contracts:

- Cambridge Systematics (with Florida Transportation Engineering, Inc., Iteris, Inc., Quest Corporation of America, Inc., and Resilient Analytics, Inc.)
- Toole Design Group (with Wide Open Office)

Consultant labor rates for planners, engineers, GIS and other professions were negotiated based on recent statewide data for consultant job classifications maintained by FDOT. In cases where a proposed labor rate was found to exceed the 75th percentile, the consultant was asked to lower that rate or provide justification as to the reason for a higher rate. In addition, for all but the smallest firms, multipliers for overhead rates were based on audited information accepted by FDOT for professional services contracts, and proposed operating margins also had to be justified.

Once approved as part of the contract, these rates will then be used in computing the lump sum fee for task assignments that may be negotiated with consultants.
**Recommended Action**
Approve the remaining four 2020 General Planning Consultant Contracts

**Prepared By**
Meghan Betourney, SPHR

**Attachments**
- Presentation slides
- Professional Services Agreement for General Transportation Planning Consultant Services – Standard Contract Form
- 2020 General Planning Consultant Rates by Job Classification

Complete copies of the contracts are available online at [http://www.planhillsborough.org/hillsborough-mpo-wants-to-work-with-you/](http://www.planhillsborough.org/hillsborough-mpo-wants-to-work-with-you/)
HILLSBOROUGH COUNTY
METROPOLITAN PLANNING
ORGANIZATION

PROFESSIONAL SERVICES
AGREEMENT

General Transportation Planning
Consultant Services

[Date] 2020
Hillsborough County Metropolitan Planning Organization
PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is entered into this ___ day of ______, 2020, by and between the Hillsborough County Metropolitan Planning Organization, hereinafter referred to as the “MPO”, and CONSULTANT NAME, hereinafter referred to as “CONSULTANT”.

W I T N E S S E T H:

For and in consideration of the mutual agreements hereinafter contained, the MPO hereby retains CONSULTANT, and CONSULTANT hereby covenants to provide the professional services described herein in connection with the Hillsborough County Metropolitan Planning Organization’s General Transportation Planning Consultant Services.

SECTION I - MPO OBLIGATIONS
The MPO agrees that it shall furnish to CONSULTANT any data and other work products readily available in the MPO files pertaining to the services to be performed under this Agreement.

The Executive Director of the Metropolitan Planning Organization, hereinafter referred to as the “DIRECTOR”, shall issue written authorization to proceed, hereinafter referred to as “Notice to Proceed”, to CONSULTANT for the individual task assignment to be performed hereunder which Notice to Proceed shall specify a completion time for the work. In case of emergency, the DIRECTOR reserves the right to issue an oral Notice to Proceed to CONSULTANT with the understanding that a written Notice to Proceed shall follow immediately thereafter.

DIRECTOR shall not be obligated to assign any minimum amount of individual task assignments to CONSULTANT during the life of this Agreement and CONSULTANT agrees that it will not make any claim for damages or loss of profits due to the amount of individual task assignments assigned pursuant to this Agreement.

The MPO will furnish, without charge, the following information to the CONSULTANT for the performance of Services:

A. All criteria and full information as to the MPO’s requirements for CONSULTANT’s performance pursuant to this Agreement including objectives, constraints, budgetary limitations, and time frames.
B. Drawings, specifications, schedules, reports, socio-economic, traffic, and planning data and other information prepared by and/or for the MPO by others which are available to the MPO and which the MPO considers pertinent to the CONSULTANT’s responsibilities, pursuant to this Agreement and CONSULTANT shall have the right to rely upon the accuracy and completeness of any such materials and/or information.
SECTION II - PROFESSIONAL SERVICES
Upon delivery of a Notice to Proceed for individual task assignments from the DIRECTOR, CONSULTANT agrees to perform professional services described in Exhibit “A” hereto, hereinafter referred to as “Services”. Individual task assignments made to CONSULTANT shall be in writing on forms acceptable to the DIRECTOR which shall be included as part of the Notice to Proceed required by Section I of this Agreement, and may include data and other work product and progress requirements to be met at designated stages of completion.

In connection with Services to be rendered pursuant to this Agreement, CONSULTANT further agrees to:

A. Comply with any federal, state and local laws or ordinances applicable to the work.
B. Cooperate fully with the DIRECTOR in the scheduling and coordination of all phases of the work.
C. Report the status of the work to the DIRECTOR upon request and hold all pertinent data and other work products open for inspection by the DIRECTOR or his authorized agent at any time.
D. Submit for review, data and other work products representative of the work’s progress at the designated stages of completion, if stipulated in the Notice to Proceed. Submit for DIRECTOR’s approval the final work products upon incorporation of any modifications requested by the Director during any previous review.
E. Confer with the DIRECTOR at any time during the term of this Agreement concerning the further development and utilization of data and other work products generated by CONSULTANT pursuant to this Agreement as to interpretation and corrections of errors and omissions. CONSULTANT shall not be compensated for the correction of CONSULTANT’S errors and/or omissions.

The CONSULTANT shall ensure that all work products, contractual services documents and support forms have been prepared on PC compatible hardware, and software approved by the Director.

The CONSULTANT shall have proven familiarity with Geographic Information Systems (GIS) applications for transportation planning tasks. All GIS products shall be compatible with the Hillsborough County City-County Planning Commission’s, hereinafter referred to as the “Planning Commission”, GIS hardware and software. All GIS deliverables shall include:

- A Map Package (.mpk) for each map produced utilizing ESRI products and all data layers necessary to recreate the completed map; and
- A brief summary of methodology for each map produced, including the original name and source of data, and any data queries or selection parameters used to create or depict pertinent topic data layers within the map.

All final graphics and documents delivered to the MPO shall be in a photo ready reproducible format. In addition, all documents shall be supplied to the MPO in their original, editable,
SECTION III - TIME FOR COMPLETION
The individual task assignment to be rendered by CONSULTANT under Section II of this Agreement shall commence upon delivery of a written Notice to Proceed from the DIRECTOR subsequent to the execution of this Agreement, and shall be completed within the time specified in the Notice to Proceed. CONSULTANT shall not be responsible for failure to perform or for delays in the services arising out of factors beyond the reasonable control or without the fault or negligence of CONSULTANT.

Nothing in this Agreement shall preclude the DIRECTOR from granting a reasonable extension of the time specified in the Notice to Proceed where appropriate to ensure full and proper completion of an individual task assignment. CONSULTANT and the MPO hereby agree that any decision by the DIRECTOR to grant or not grant an extension of time for completion of an individual task assignment shall not be a cause for claim by CONSULTANT. Any extension of time granted by the DIRECTOR shall be in writing and shall be incorporated as an addendum to the previously issued Notice to Proceed.

SECTION IV - PERSONNEL
A. CONSULTANT shall designate a qualified individual acceptable to the DIRECTOR to serve as CONSULTANT’s project manager for each individual task assignment. This individual shall be fully responsible for the day-to-day activities required for performance of the individual task assignment pursuant to a Notice to Proceed and shall serve as the primary contact for the DIRECTOR or designated MPO Project Manager.

B. The DIRECTOR shall designate a qualified member of the MPO staff to serve as the MPO’s project manager for each individual task assignment. This individual shall be fully responsible for the day-to-day activities required for performance of the individual task assignment pursuant to a Notice to Proceed and shall be the primary contact for CONSULTANT.

C. CONSULTANT shall immediately notify the DIRECTOR in the event that CONSULTANT is no longer able to perform Services under this Agreement with any of the personnel listed in CONSULTANT’s written technical proposal, and identify such personnel and his or her qualifications.

D. CONSULTANT shall notify the DIRECTOR of any proposed replacement of personnel, listed in CONSULTANT’s written technical proposal, to perform Services under this Agreement at least thirty (30) days prior to such replacement advising of the personnel to be replaced and the proposed replacement personnel.

E. If requested by the MPO or the DIRECTOR, CONSULTANT shall submit to the DIRECTOR within five (5) days of such request the qualifications of personnel proposed as replacements to personnel to perform Services under this Agreement.
F. The MPO and the DIRECTOR reserve the right to reject any proposed replacement personnel to perform Services under this Agreement. In such an event, CONSULTANT shall propose alternate replacement personnel and shall submit to the DIRECTOR the qualifications of such personnel at least thirty (30) days prior to the proposed replacement.

G. In the event that CONSULTANT is no longer able to perform Services under this Agreement with any of the personnel listed in CONSULTANT’s written technical proposal, deemed by the DIRECTOR to be necessary for the performance of an individual task assignment or the Services, and is unable to provide replacement personnel acceptable to the MPO or the DIRECTOR, this shall be a cause for cancellation of a Notice to Proceed or termination of this Agreement.

H. The MPO and the DIRECTOR reserve the right to direct CONSULTANT to remove any of its personnel from the performance of any of the Services under this Agreement. If such removal is for cause, the costs of such removal shall be borne by CONSULTANT. However, if such removal is not for cause, the cost of such removal shall be borne by the MPO.

I. CONSULTANT agrees not to contact any members of the MPO Board regarding MPO matters without first contacting the DIRECTOR.

SECTION V - COMPENSATION
The MPO agrees to pay, and CONSULTANT agrees to accept, for individual task assignment for Services rendered pursuant to this Agreement, including all or a portion of the Services described in Exhibit “A” hereto, as assigned by the DIRECTOR, and all incidental work thereto, the Lump Sum Fee negotiated by the DIRECTOR and CONSULTANT for any individual task assignments to CONSULTANT pursuant to a Notice to Proceed. Such Lump Sum Fee shall be based on the method of compensation outlined in Exhibit “B” hereto. The hourly rates for each job classification and factors for overhead, fringe benefits, and operating margin approved by the MPO Board for CONSULTANT are shown in Exhibit “C” hereto. The Lump Sum Fee shall constitute full compensation for all CONSULTANT costs associated with performance of the Services hereunder, including but not limited to, labor, overhead, computer time, and fringe benefits costs; out-of-pocket expenses such as communications, postage, printing, reproduction, etc.; and travel expenses such as airfare, car rental, lodging, meals, etc. and shall also include CONSULTANT’s profit margin in connection with the Services to be rendered pursuant to this Agreement.

SECTION VI - RETAINAGE
There will be retainage on this Agreement amounting to ten percent (10%) of all submitted invoices. This amount will be released by the Director upon satisfactory completion and delivery of all Services and deliverable products for each individual task assignment as provided in Section XXIV of this Agreement.

SECTION VII - CHANGES TO SERVICES IDENTIFIED BY A NOTICE TO PROCEED
In the event of a need to change the scope of the Services identified by a Notice to Proceed, the scope, time for completion and compensation for such work shall be described in a written negotiated change order which shall be incorporated as an addendum to the previously issued Notice to Proceed. Such written change order shall be effective and CONSULTANT shall modify its work under a Notice to Proceed to conform with the written change order upon delivery of such written change order to CONSULTANT. In the event that the DIRECTOR determines that there is a need to change the Services identified by a Notice to Proceed and a written change order cannot be negotiated to the satisfaction of the DIRECTOR and CONSULTANT, the DIRECTOR may cancel the previously issued Notice to Proceed.

SECTION VIII - RIGHT OF DECISIONS
All Services shall be performed by CONSULTANT to the reasonable satisfaction of the DIRECTOR, who shall decide all questions, difficulties, and disputes of whatever nature, including reuse of documents pursuant to Section X of this Agreement, which may arise under or by reason of this Agreement, the prosecution and fulfillment of the Services hereunder, and the character, quality, and amount of value therein. The DIRECTOR’s decisions upon all claims, questions and disputes shall be final, conclusive and binding upon the parties hereto unless such determination is clearly arbitrary or unreasonable. Adjustments of compensation and time for completion of an individual task assignment pursuant to a Notice to Proceed, due to any major changes in the Services, which might become necessary or be deemed desirable as the work progresses, shall be as provided in Section VII of this Agreement. In the event CONSULTANT does not concur with the decisions of the DIRECTOR, CONSULTANT may present any such objections in writing to the MPO in a manner consistent with Section IV of this Agreement. The DIRECTOR and CONSULTANT shall abide by the decisions of the MPO. This paragraph does not constitute a waiver of either party’s right to proceed in a court of competent jurisdiction.

SECTION IX - OWNERSHIP OF DOCUMENTS
Upon payment in accordance with the terms of this Agreement, all data and other work products developed by CONSULTANT pursuant to this Agreement shall become the property of the MPO without restrictions or limitations upon their use and shall be made available by CONSULTANT at any time upon request by the MPO; provided, however, that notwithstanding anything to the contrary in this Agreement, any preexisting proprietary rights including any application files owned by or licensed to CONSULTANT or source files owned by third party vendors to CONSULTANT shall remain the sole and exclusive property of CONSULTANT and/or such third party vendors. Reuse of such data by the MPO for any purpose other than that for which prepared shall be at the MPO’s sole risk. When all Services or any individual task assignment contemplated under this Agreement and identified in a Notice to Proceed are complete, all of the above data shall be delivered to the DIRECTOR within the time for completion specified in the Notice to Proceed.

SECTION X - REUSE OF DOCUMENTS
CONSULTANT may not reuse data or products developed under this Agreement without the written permission of the DIRECTOR; provided, however, CONSULTANT may reuse, without the
permission of the DIRECTOR, data or products included within the work product which were
previously developed by CONSULTANT and which are of general applicability in its industry or
proprietary to CONSULTANT.

SECTION XI - COURT APPEARANCES AND CONFERENCES
Nothing in this Agreement shall obligate CONSULTANT to prepare for or appear in litigation on
behalf of the MPO except in consideration of additional compensation. The amount of such
compensation shall be mutually agreed upon and described in a Supplemental Agreement
subject to approval by the MPO Board. Except as otherwise provided by law, only upon said
approval of a Supplemental Agreement and subsequent delivery of written authorization from
the DIRECTOR shall CONSULTANT be obliged to make Court appearances on behalf of the MPO.

SECTION XII - NOTICES
Any notices, reports or other written communication from CONSULTANT shall be considered
delivered when posted by certified mail or delivered in person to the DIRECTOR. Any notices,
reports or other communications from the MPO to CONSULTANT shall be considered delivered
when posted by certified mail to CONSULTANT at the last address left on file with the MPO or
delivered in person to said CONSULTANT or CONSULTANT’s authorized representative.

SECTION XIII – CANCELLATION OR SUSPENSION OF A NOTICE TO PROCEED
The DIRECTOR shall have the authority to cancel or suspend a Notice to Proceed at the sole
discretion of the DIRECTOR. In the event the DIRECTOR cancels or suspends a Notice to Proceed,
CONSULTANT shall be compensated for all Services rendered consistent with the terms of this
Agreement and the Notice to Proceed up to the time delivery of written notification of such
cancellation or suspension except in the case of a cancellation or suspension of a Notice to
Proceed based on a notification of noncompliance which is not cured or declaration of default as
provided in Section XIX of this Agreement. This compensation shall be determined on the basis
of the percentage of the total Services, which have been performed at the time of delivery to
CONSULTANT of such notice. In the event partial payment has been made for professional
Services not performed, CONSULTANT shall return such sums to the MPO within ten (10) days
after delivery of written notice that such sums are due.

SECTION XIV - AUDIT AND INSPECTION OF RECORDS; PUBLIC RECORDS
A. Maintenance of Records
   CONSULTANT shall maintain appropriate records with respect to wages and salaries and
   other reimbursable costs hereunder during the course of the Services and for three (3) years
   after final payment under this Agreement. Such records supported by payrolls, invoices, and
   other documents pertaining in whole or in part to the Services shall be clearly identified,
   readily accessible and, to the extent feasible, kept separate and apart from all other
documents related to the Services. The system of accounting shall be in accordance with
generally accepted accounting principles and practices, consistently applied. These records
are maintained for information only.

B. Accessibility of Records; Public Records
CONSULTANT shall permit the authorized representatives of the MPO and the MPO’s funding agencies to inspect all data and records relating to its performance under this Agreement. These rights of inspection shall extend for a period of three (3) years following final payment under this Agreement.

IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (813) 273-3774 ext.371; WilkeningC@plancom.org; 601 E. Kennedy Blvd., 18th Floor, Tampa FL 33602).

While providing services to the MPO under this Agreement, CONSULTANT will comply with Florida’s public records law, Chapter 119, Florida Statutes, and further agrees to: 1. Keep and maintain public records required by the MPO to perform the service; and 2. Upon request from the MPO’s custodian of public records, provide the MPO with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law; and

C. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the CONSULTANT does not transfer the records to the MPO; and

D. Upon completion of the contract, transfer, at no cost, to the MPO all public records in possession of the CONSULTANT or keep and maintain public records required by the MPO to perform the service. If the CONSULTANT transfers all public records to the MPO upon completion of the contract, the CONSULTANT shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONSULTANT keeps and maintains public records upon completion of the contract, the CONSULTANT shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the MPO, upon request from the MPO’s custodian of public records, in a format that is compatible with the information technology systems of the MPO.

SECTION XV - SUBCONTRACTING
CONSULTANT shall not subcontract, assign, or transfer any work under this Agreement without the prior written consent of the DIRECTOR. Work shall be performed by personnel listed in CONSULTANT’s written technical proposals or replacement personnel as provided in this Agreement. When applicable and upon receipt of such consent in writing, CONSULTANT shall cause the names of the firms responsible for the major portions of each separate specialty of the work to be inserted in the pertinent documents or data.
CONSULTANT will require in any subcontracts pertaining to the Services described herein that the subconsultant will permit the MPO all the rights and privileges of this Agreement, including, but not limited to, the MPO’s right to secure materials or services from the subconsultant which might be a part of the subconsultant’s work product.

It is the policy of the Hillsborough County MPO that disadvantaged businesses, as defined in 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. Pursuant to 49 CFR 26.21(a)(1) the Hillsborough County MPO has adopted the Florida Department of Transportation Disadvantaged Business Enterprise (DBE) Program for use on US DOT-assisted contracts. FDOT triennially establishes a statewide aspirational goal that a percentage of US DOT-assisted projects be awarded to DBEs. A copy of the Hillsborough County MPO’s DBE Policy Statement and the FDOT’s DBE Policy Program can be viewed in the Planning Commission library or online at www.hillsboroughmpo.org. CONSULTANT shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. CONSULTANT shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to: withholding of payments to CONSULTANT under this Agreement; Assessing sanctions; Assessing liquidated damages; and/or cancellation, termination or suspension of the Agreement in whole or in part; and/or suspension or debarment of CONSULTANT from eligibility to contract with the MPO in the future or to receive bid packages or request for proposal packages. The Florida Department of Transportation maintains a directory identifying all firms eligible to participate as DBEs as well as supportive services to assist with identification and use of DBEs. For more information, contact the FDOT Equal Opportunity Office at http://www.fdot.gov/equalopportunity/dbesbeprograms.shtm.

SECTION XVI - REPRESENTATIONS
CONSULTANT represents that no companies or persons, other than bona fide employees working solely for CONSULTANT have been retained or employed to solicit or secure this Agreement or have been paid or guaranteed payment of any fees, commissions, percentage fees, gifts or any other considerations contingent upon or resulting from the award or making of this Agreement. CONSULTANT also represents and agrees that no Planning Commission or MPO personnel, whether a full-time or part-time employee, has or shall be retained or employed in any capacity, as long as they are in the Planning Commission’s or MPO’s employment and for two (2) years thereafter, by CONSULTANT to accomplish the work contemplated under the terms of this Agreement. For breach or violation of this section, the MPO shall have the right to terminate this Agreement without liability.

SECTION XVII - TERMINATION OF AGREEMENT
It is expressly understood and agreed that in addition to other provisions of this Agreement providing for termination by the MPO, the MPO may terminate this Agreement, in total or in part, without cause or penalty, by thirty (30) days’ prior notification in writing to CONSULTANT,
by certified mail, return receipt requested. In the event of a termination of this Agreement pursuant to this Section or Section IV of this Agreement, the MPO’s sole obligation to CONSULTANT shall be payment in accordance with Section V of this Agreement, for those units or sections of the work previously authorized by a Notice to Proceed. Such payment shall be determined on the basis of the hours or the percentage of the total work performed by CONSULTANT up to the time of termination. In the event partial payment has been made for professional Services not performed, CONSULTANT shall return such sums to the MPO within ten (10) days after delivery of written notice by certified mail, return receipt requested, that said sums are due. Upon termination, the MPO may, without penalty or other obligations to CONSULTANT, elect to employ other persons to perform the same or similar Services.

**SECTION XVIII - DURATION OF AGREEMENT**

This Agreement shall remain in full force and effect for a period of two years after its date of execution or until completion of all Services, whichever occurs last, unless terminated by mutual consent of the parties hereto or as otherwise provided, in this Agreement. The MPO reserves the right to renew this Agreement in one-year extensions for up to three additional years, with mutual written agreement of the parties as provided in Section XXV of this Agreement. The DIRECTOR is hereby authorized to execute said extensions on behalf of the MPO, provided that, with the exception of the expiration date, the terms of this Agreement are unchanged by any such extensions.

If CONSULTANT ceases to exist as a corporation, the MPO has the right to re-negotiate or terminate this Agreement.

**SECTION XIX - DEFAULT**

In the event CONSULTANT fails to comply with the provisions of this Agreement, the DIRECTOR may declare CONSULTANT in default if CONSULTANT fails to cure such noncompliance within thirty (30) days of delivery of written notification, by certified mail, return receipt requested. In such an event, CONSULTANT shall only be compensated for those Services specified in Exhibit “A” that are identified in a Notice to Proceed, which has been fully completed as of the date of default. In the event partial payment has been made for such professional Services identified in a Notice to Proceed that have not been fully completed, CONSULTANT shall return such sums to the MPO within ten (10) days after delivery of written notice, by certified mail, return receipt requested, that said sums are due. In the event of litigation to enforce this requirement, the prevailing party shall be entitled to reasonable attorney’s fees and court costs.

A declaration of default under this Agreement shall constitute a basis for termination of this Agreement by the MPO.

Failure by the MPO at any time to enforce any of the provisions of this Agreement or to take any course of action allowed by this Agreement shall not be construed as a waiver of any right the MPO may have pursuant to this Agreement. Such a failure to enforce or take any course of action allowed by this Agreement shall not affect the validity of this Agreement or any rights the MPO may have pursuant to this Agreement.
SECTION XX - INDEMNIFICATION AND INSURANCE
CONSULTANT shall indemnify and hold harmless the MPO, and its officers and employees from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorneys’ fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of CONSULTANT and other persons employed or utilized by CONSULTANT in the performance of the contract.

CONSULTANT shall maintain the following insurance during the term of this Agreement:

A. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work in an amount not less than $500,000 combined single limit per occurrence for bodily injury and property damage.
B. Professional Liability Insurance in the amount of $1,000,000 providing for all sums, which CONSULTANT shall become legally obligated to pay as damages for claims arising out of the Services, performed by CONSULTANT or any person employed by CONSULTANT in connection with this Agreement.
C. General Liability Insurance, on a commercial basis, in an amount not less than $1,000,000 combined single limit per occurrence for bodily injury and property damage. The policy must be endorsed to show the MPO as additional insured.
D. Worker’s Compensation Insurance in compliance with Florida’s statutory requirements, as presently written or hereafter amended.

All insurance policies must be issued by companies with A.M. Best ratings of A- or better, Class III and authorized to do business under the laws of the State of Florida.

CONSULTANT shall furnish certificates of insurance to the MPO as Exhibit “G” to this Agreement, which certificates shall clearly indicate that CONSULTANT has obtained insurance in the type, amount, and classification as required for strict compliance with this Agreement and that no material change or cancellation of this insurance shall be effective without thirty days (30) prior written notice to the MPO.

The certificate must contain an additional clause as follows: The MPO and its members, officers and employees, the Planning Commission and its members, officers and employees have been named as additional insured as respects general and auto liability coverage.

Compliance with the foregoing requirements shall not relieve CONSULTANT of the liabilities and obligations under this Section or under any other portion of this Agreement, and the MPO shall have the right to inspect the original insurance policies in the event that submitted certificates of insurance are inadequate to ascertain compliance with required coverages.

SECTION XXI - CERTIFICATION OF WAGE RATES
In accordance with Florida Statute 287.055, CONSULTANT hereby certifies that wage rates and other factual unit costs, as submitted in support of the compensation provided in Section V and Exhibits “B” & “C”, are accurate, complete and current as of the date of this Agreement.

SECTION XXII - PUBLICITY, NEWS RELEASES AND CONFIDENTIAL INFORMATION
CONSULTANT will not, during or after performance of this Agreement, disseminate any information outside its organization regarding the Services without prior written approval from the DIRECTOR. CONSULTANT shall not divulge any confidential information communicated to it or used by it in connection with this Agreement, except as required by law.

SECTION XXIII - CONFLICT OF INTEREST
CONSULTANT covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of Services. CONSULTANT further covenants that in the performance of this Agreement, no person having any such interest shall knowingly be employed by CONSULTANT.

During the term of this Agreement, CONSULTANT shall not act as an agent for others in any proceeding, application or matter before the MPO Board.

No member, officer or employee, of the Planning Commission or the MPO during his tenure or for two years thereafter, shall have any interest, direct or indirect in this Agreement or the proceeds thereof.

CONSULTANT agrees that it and its employees shall be bound by applicable local, state and federal laws regarding this subject of Conflict of Interest.

SECTION XXIV – FINAL ACCEPTANCE
When CONSULTANT completes an individual task assignment pursuant to a Notice to Proceed, CONSULTANT shall so advise the DIRECTOR in writing and request the release of retainage pursuant to Section VI of this Agreement. Within thirty (30) days of delivery of such notice, the Director shall release retainage or give CONSULTANT notice in writing of any individual task assignment, which, in the DIRECTOR’s sole judgment, have yet to be completed. Upon completion of such Services, CONSULTANT shall notify the DIRECTOR, and within the above specified time period the DIRECTOR shall release retainage, which shall constitute final acceptance of the specified individual task assignment. Final acceptance shall not constitute a waiver or abandonment of any rights or remedies available to the MPO under any other section of this Agreement.

SECTION XXV - ENTIRETY OF AGREEMENT
This Agreement embodies the entire agreement and understanding between the parties hereto, and there are no other agreements and understandings, oral or written with reference to the subject matter herein that are not incorporated herein and superseded hereby.
No alteration, change, or modification of the terms of this Agreement shall be valid unless made in writing, signed by both the MPO and CONSULTANT.

This Agreement, regardless of where executed, shall be governed by and constructed according to the laws of the State of Florida, and venue shall be in Hillsborough County, Florida.
SECTION XXVI - EXHIBITS

The following Exhibits are attached hereto and incorporated herein as integral parts of this Agreement, and CONSULTANT agrees to comply with all terms contained therein:

“A” Scope of Services
“B” Method of Compensation
“C” Approved Hourly Rates per Classification and Additive Percentages
“D” Hillsborough County EEO Requirements
“E” Federal Transit Administration Civil Rights Assurances
“F” CONSULTANT Certifications and Affidavits
“G” CONSULTANT Certificates of Insurance

IN WITNESS WHEREIN the parties hereto have executed this Agreement this ______ day of __________________, ______.

ATTEST:

Hillsborough County Metropolitan Planning Organization Reviewed as to Form and Legal Sufficiency
By: By:

________________________________________ _____________________________
MPO Chairman MPO Attorney

ATTEST:

CONSULTANT
By: ____________________________ By: ____________________________
________________________________________ _____________________________
(title) (witness)
(ACKNOWLEDGMENT OF CONSULTANT, IF A CORPORATION)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

On this ___ day of ___________________, _____, before me, the undersigned authority, personally appeared _______________________________, to me known to be the individual described in and who executed the foregoing instrument as _________________________, of ____ ________________________________, a ______________ corporation, and who severally and duly acknowledged the execution of such instrument as such an officer aforesaid, for and on behalf of and as the act and deed of said corporation, pursuant to the powers conferred upon said officer by the corporation’s Board of Director’s or other appropriate authority of said corporation, and who, having knowledge of the several matters stated in said foregoing instrument, certified the same to be true in all respects. He/she is personally known to me or has produced _________________________ as identification and did (did not) take an oath.

WITNESS my hand and official seal the date aforesaid.

______________________________
(Signature of Person Taking Acknowledgment)

______________________________
(Name of Acknowledger Typed, Printed or Stamped)

______________________________ (Title or Rank)

______________________________ (Serial Number, if any) (NOTARY’S SEAL)
EXHIBIT “A”

SCOPE OF SERVICES
EXHIBIT “A”

SCOPE OF SERVICES
FOR
GENERAL PLANNING CONSULTANT

HILLSBOROUGH COUNTY
METROPOLITAN PLANNING ORGANIZATION
I. PURPOSE

The Hillsborough Metropolitan Planning Organization (MPO) in cooperation with the Florida Department of Transportation (“the Department”) requires the services of a consultant(s) to provide support for staff to accomplish various transportation planning functions approved by the MPO and relating to its Unified Planning Work Program (UPWP). Many of these tasks are required by the Moving America for Progress (MAP-21) and subsequent regulations. The work involves providing assistance to staff on a work assignment basis in a variety of planning, technical, graphical, public involvement, and product review activities. The consultant shall assist the staff by providing additional resources and expertise to accomplish negotiated individual task assignments authorized by the DIRECTOR. This scope outlines the general tasks that may be assigned to consultants under a general planning consultant contract, but should not be considered exhaustive.

II. SERVICES

A. Multimodal System and Corridor Planning (UPWP Task 2)

Crash Mitigation/Congestion Management Planning – The Consultant may assist in updating the Crash Mitigation/Congestion Management Process for Hillsborough County, to be coordinated with the rest of the region and the state. This may include developing, prioritizing, and recommending safety and transportation systems management and operations (TSMO) strategies to increase mobility within corridors and sub-areas. Work also may include developing the process and metrics for monitoring crashes and congestion causes and trends countywide, identifying strategies to target key recurring issues, developing implementation plans in collaboration with other agencies and evaluating the effectiveness of implemented strategies.

May include shorter-range operational modeling and data collection using software such as VISSIM, Synchro or AIMSUM.

Smart Cities Planning - The MPO may require assistance in planning an integrated and inter-operable Intelligent Transportation System (ITS) within Hillsborough County. This may include prioritizing and recommending User Services and Market Packages identified within the Tampa Bay Regional ITS Architecture, reviewing operations, architecture, and communications to ensure that jurisdictions’ ITS operate as an integrated system, and evaluating and assessing the performance of ITS investments. The task may require the consultant to investigate historical traffic and planning data for resources to determine appropriate measures applicable to the selection and application of User Services and Market Packages appropriate for the area and consistency with National or Regional ITS Architecture. Additional tasks may involve updating the Hillsborough County ITS
Master Plan and planning for emerging autonomous, connected, electric, shared-ride vehicle technology.

**Security, Resilience and Emergency Management Planning** – the consultant may conduct vulnerability assessments and analyze mitigation strategies, including planning-level cost estimation, economic impact and return on investments.

**Complete Streets & Non-Motorized Planning** – The consultant may develop plans and projects that increase and improve cycling and walking facilities, improve safety and the perception of safety, and create universal access. This may include analysis of bicycle and pedestrian crashes, analysis of multi-modal level of service or level of traffic stress, and latent demand analysis; trail and side path feasibility studies; evaluating the feasibility and preparing context-sensitive design plans and conceptual engineering for inclusion of bicycle, pedestrian, micro-mobility, landscaping, ADA and other treatments in roadway facilities; and developing maps that creatively display corridors for safe and efficient non-motorized travel. Also, provide assistance in preparing special analyses requested by the Bicycle and Pedestrian Advisory Committee, Livable Roadways Committee, and/or MPO.

**Intermodal / Freight Planning** – Assist the MPO with incorporating freight and goods movement needs in the transportation planning process and identifying best practices in freight and goods movement planning. Includes coordination with freight activity centers, logistics zones, seaport, airport, freight rail and intermodal facilities.

**Transit and Transportation Demand Management Planning** - Evaluate the need for transit and travel demand management (TDM) strategies in Hillsborough County. Prepare analyses such as: transit level of service; transit supportive areas and TOD; access to jobs and activity centers; supportive pedestrian and ADA compliant infrastructure; transit quality of service evaluation; long-term fixed guideway, bus rapid transit, and water transit concepts, ridership forecasts and cost estimation; bus service, facilities and other transit assets, flexible on-demand transit, paratransit, TDM concepts and strategies such as telecommuting, parking polies, carpools, vanpools, shared ride and mobility as a service, cost estimation and transit oriented development. Establish on-going monitoring systems to implement multi-modal level-of-service analysis.

**Transportation Disadvantaged Planning** - Short-range coordinated transportation disadvantaged planning pursuant to Chapter 427, Florida Statutes and Rule Chapter 41-2, FAC. Assist in preparing an updated Hillsborough County Transportation Disadvantaged Service Plan. This may include updating the document’s demographics, population forecasts, operational elements, quality assurance measures, need assessment and identifying barriers to coordination.

A-2
In addition, assist in the annual evaluation of the Transportation Disadvantaged Program Community Transportation Coordinator (CTC). In particular, collect data for performance measures including, but not limited to, reliability, service (effectiveness, efficiency, availability), and safety. Further, provide support in completing the CTC evaluation workbook. Also, provide assistance in preparing special transportation disadvantaged reports or products requested by the Transportation Disadvantaged Coordinating Board and/or MPO.

Also, may include health impact analysis and screening of proposed projects.

**Corridor, Sub-Area and Environmental Studies** - Identify policies and physical improvements that effectively support multi-modal transportation systems within major corridors and sub-areas. Analyze problems and opportunities that relate to creating a balanced and efficient transportation system in transit station areas, downtowns, business districts, schools and mixed-use activity centers. Issues include planning for major investments, policy development, multi-modal transportation systems, congestion relief, safety, aesthetics, access management, adverse impacts, lane use and urban design that supports the efficient provision and maintenance of the transportation system and other related issues. Identify potential impacts to protected populations under EJ, Title VI and related requirements. Ensure this planning process addresses the equitable distribution of mobility benefits and possible adverse environmental and health impacts. Assist in early screening of NEPA alternatives, developing purpose and needs statements and reviewing projects in for the ETDM process. Analyze mitigation strategies to reduce negative impacts to the natural and built environment, including impacts to human health.

May include air quality analysis and forecasting at the regional or corridor level.

**D. Long Range Transportation Planning and Data Monitoring (UPWP Task 3)**

In order to maintain its consistency with local government comprehensive plans and keep the plan current, cost affordable, and conforming to federal laws, it will be necessary to periodically amend or update the Long Range Transportation Plan (LRTP). Assistance may be required to analyze revenue, cost, freight, environmental impacts, air quality, conformity determination, alternative highway and transit networks, socioeconomic, community, social, security, safety and other impacts of proposed amendments to, or updates of, the LRTP. The consultant should be experienced in running, summarizing, and analyzing the results of the most current version of the Tampa Bay Regional Planning Model.

Assist in tracking the physical characteristics and operation of the transportation system, measure performance against established targets and formulate strategies to maintain the system in good repair, improve safety, preserve
capacity, and maximize choices for personal mobility. This includes data collection activities for facilities on or off the state highway system and/or compilation of existing data including, but not limited to, manual and/or automated traffic counts, vehicle classification counts, crash reports, transportation surveys, questionnaires, roadway characteristics, pavement, bridge and transit asset condition, transit operation and performance, delay, vehicle speed and travel time reliability studies, etc. Compile data on passenger and freight movements through the county’s seaports, airports, and rail systems and their impact on the highway and transit systems. Identify, validate and incorporate new or emerging data sources and means of collection. Prepare data for GIS maps, MPO website, and MPO traffic count website.

Also, the consultant may be required to analyze transportation data to determine need and priority of transportation improvements including, but not limited to, roadway, transit, and/or bicycle/pedestrian projects. The consultant may need to analyze transportation data to calculate level of service (roadway, transit, multimodal), transit ridership, accident rates, or hazard indexes, and/or latent demand for bicycle/pedestrian facilities.

Other work may include developing or reviewing socioeconomic data forecasts and/or preparation of scenario based socioeconomic datasets; preparation of associated reports, graphics, and presentation materials.

E. Public Engagement (UPWP Task 5)

Prepare creative, engaging and user-friendly public information materials, including newsletters and plan summary brochures. Draft articles appropriate for eighth-grade reading level. Prepare creative graphics. Create enhancements to MPO website. Develop feedback mechanisms such as public opinion research, online surveys, interactive displays, participatory charrettes, social media, and communications strategies and messaging. Prepare materials in a variety of formats, including foreign language translation and ADA-compliant materials. Assist in scheduling, content, media and feedback on MPO speaking engagements, public workshops and special events in a variety of venues and formats.

F. Regional Plans and Programs (UPWP Task 6)

Assist in coordinating and the development of regional plans and programs consistent with federal and state requirements. This may include work related to the:

- West Central Florida MPO Chairs Coordinating Committees
- Tampa Bay TMA Leadership Group
- Regional LRTP;
• Regional Congestion Management Process;
• Regional Multi-Use Trails;
• Regional Fixed Guideways;
• Regional Analysis of Special Use Lanes and Toll Feasibility;
• Regional Goods Movement Studies, and;
• Regional Corridor Studies and Action Plans.

G. Other Transportation Planning Assistance

The consultant may be required to perform specific technical analyses assigned by the DIRECTOR to respond to directives from the MPO Board, new federal and state requirements, the need to coordinate with other agencies, and requests from the public. The consultant may be requested to assist with the development or maintenance of transportation improvement prioritization and programming, air quality reports, land use and socio-economic databases, environmental justice related analysis, scopes of services, revenue and cost estimation, financial analysis, customized database programming, GIS data and mapping, shared data platforms, web applications or other special transportation surveys or studies as approved by the Director. The consultant may also be requested to assist with logistical support in setting up and participating in public hearings, meetings, and workshops.
EXHIBIT “B”

METHOD OF COMPENSATION
EXHIBIT “B”

METHOD OF COMPENSATION

I. PURPOSE

This Exhibit describes and defines the limits of compensation to be made to CONSULTANT for individual task assignment for Services outlined in Exhibit “A” and the method by which payments will be made.

II. COMPENSATION

For the satisfactory completion and delivery of individual task assignment for Services detailed in Exhibit “A” CONSULTANT shall receive compensation as follows:

The MPO agrees to pay CONSULTANT for the performance of authorized Services described in Exhibit “A”, the amount of compensation stated in the Notice to Proceed (Lump Sum Fee), but not to exceed $300,000 per individual task assignment and $2,000,000 for the life of this Agreement. For any major type of work performed by CONSULTANT that CONSULTANT is not prequalified for by FDOT compensation will not exceed $250,000 for the life of this Agreement.

III. FEE DETERMINATION

The Director and CONSULTANT shall negotiate a Lump Sum Fee. The fees shall be determined in accordance with the following procedures:

A. The amount of the Lump Sum Fee shall be the agreed staff-hour effort required for performance of an individual task assignment Services at the approved hourly rates multiplied by the factor shown in Exhibit “C” (to cover the cost of labor, overhead, fringe benefits and operating margin); plus the cost of negotiated expenses.

B. The approved hourly rates per job classification for CONSULTANT to be applied to this Agreement are specified in Exhibit “C”, attached hereto and made a part hereof.

C. Negotiated expenses may include approved miscellaneous and out-of-pocket expenses of CONSULTANT.

1. Out-of-pocket expenses, to be negotiated for this Agreement, or for any individual task assignment covered by this Agreement, including any incidental costs of printing, materials, incidental services, expendable equipment, out of town travel greater than 100 miles from Tampa and within the limits of Florida Statute 112.061, use or rental of equipment, long distance calls, and tolls anticipated by CONSULTANT shall be agreed to by the DIRECTOR as part of the Lump Sum Fee.

2. All negotiated expenses must be agreed to by the DIRECTOR as part of the Lump Sum Fee and included in any Notice to Proceed.
IV.   PROVISIONS FOR PAYMENT

Payments shall generally be tied to delivery of interim and final work products pursuant to the provisions of a Notice to Proceed. Progress payments may be made in proportion to the percentages of work accepted by the DIRECTOR pursuant to a Notice to Proceed. Such progress payments may be made prior to completion of an individual task assignment, however invoices for such payments may not be submitted by CONSULTANT on a less than monthly basis. Final payment shall be due and payable upon satisfactory completion of any individual task assignments as approved and accepted by the DIRECTOR, as provided in Section XXIV of this Agreement.

Invoices submitted by CONSULTANT for work performed pursuant to a Notice to Proceed shall contain a progress report in sufficient detail for a proper pre-audit and post-audit to demonstrate performance by CONSULTANT of sufficient work to support the invoice.

Each individual task assignment shall be invoiced individually.

The MPO shall pay CONSULTANT within 30 days of its receipt of the CONSULTANT’S proper invoice, as defined by Section 218.72 Florida Statutes, and accompanied by a progress report.

V.   RETAINAGE

As stated in this Agreement, Section VI.

VI.   FINAL CLOSE-OUT

Final Audit: The MPO or its funding agencies may perform or have performed, a final audit of the records of CONSULTANT to support the compensation paid to CONSULTANT for any individual task assignment for Services. Any such audit should be performed as soon as practical after completion and acceptance of any individual task assignment pursuant to this Agreement. The final payment to CONSULTANT may be adjusted for audit results.
EXHIBIT “C”

CONSULTANT (AND SUBCONSULTANT)
APPROVED HOURLY RATES PER CLASSIFICATION
AND ADDITIVE PERCENTAGES
(Name of Consultant/Subconsultant)

<table>
<thead>
<tr>
<th>PERSONNEL CLASSIFICATION</th>
<th>HOURLY RATES¹</th>
<th>YEAR 1²</th>
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(1) Unburdened, does not include overhead, fringe benefits, facility capital cost of money, operating margin or out-of-pocket expenses

(2) Future year rates will become effective February 1ˢᵗ of each year and will be escalated based on the annual percent increase of the CPI-W, all items, as published by the Bureau of Labor Statistics mid-January each year.

Additive Percentages:

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<td>Salary</td>
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<tr>
<td>Overhead</td>
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<td>FCCM</td>
<td>+  %</td>
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<tr>
<td>Operating Margin</td>
<td>+  %</td>
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<tr>
<td>Burdened Salary³</td>
<td>=  %</td>
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</table>

(3) Burdened Salary not to exceed: ________________
EXHIBIT “D”

Hillsborough County Equal Employment Opportunity Requirements
HILLSBOROUGH COUNTY EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

STATEMENT OF COMPLIANCE

THE PROPOSER/BIDDER REPRESENTS THAT THE INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT. THE PROPOSER/BIDDER ASSURES HILLSBOROUGH COUNTY OF ITS COMPLIANCE WITH FEDERAL, STATE AND COUNTY AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS. THE PROPOSER/BIDDER FURTHER ASSURES THAT IT AND ITS SUBCONTRACTOR’S/SUBRECIPIENT’S FACILITIES ARE ACCESSIBLE TO THE HANDICAPPED (IF APPLICABLE).

INSTRUCTIONS

As a proposer/contractor with the County, you are urged to carefully review the Equal Employment Opportunity Affirmative Action Questionnaire and respond to it as it relates to your own employment practices.

Please note particularly that:

1. Where federally-assisted contracts are involved, the proposer/contractor is bound by Revised Order No. 4 (41 CFR Part 60-2) and Executive Order 11246 of September 24, 1965 as amended, by Executive Orders 11375 and 12086; or Title VI of the Civil Rights Act of 1964 and Federal contract Compliance “bid conditions” in the proposal package.

2. The proposer/contractor must complete ALL forms of this Equal Employment Opportunity Affirmative Action Questionnaire if the total amount of the contract is equal to or exceeds $10,000.

If at any time there arises a question, problem or need for assistance in meeting the equal opportunity requirements on County contracts, please contact Hillsborough County’s Economic Development Department, DM/DWBE & SBE Programs Section, P.O. Box 1110, Tampa, Florida 33601, (813) 272-5969.
EQUAL EMPLOYMENT OPPORTUNITY
AFFIRMATIVE ACTION QUESTIONNAIRE

PROJECT: Hillsborough County Metropolitan Planning Organization General Transportation Planning Consultant Services

FIRM’S CIVIL RIGHTS STATUS

All responding firms are requested to carefully review the following questions and provide responses as it relates to the firm’s own affirmative action and equal opportunity practices.

Please respond to the following:

1. Provide a copy of your organization’s Affirmative Action Plan or Program. (If not submitted within the past twelve (12) months.) *
2. Workforce Analysis by race/sex and EEO Category.
3. If organization receives federal/state/local funding, please list source and dollar amount.
4. Name of person designated as EEO representative.
5. Is the organization receptive to on-site reviews?
6. Does the organization have a procedure for resolving discrimination complaints?
7. Has your firm been charged with discrimination within the past eighteen (18) months? If yes, how many charges, nature of charge; when; and where?
8. Do you anticipate hiring additional staff to perform this contract? If yes, please provide the number of positions and type of positions.
9. Please provide a copy of the company’s Affirmative Action/Equal Employment Opportunity Policy Statement, signed and dated by the Chief Executive Officer. (If not submitted within the past twelve (12) months).

* A written Affirmative Action Plan or Program is required if the firm has fifteen (15) or more employees. If the firm has fewer than fifteen (15) employees, then an Affirmative Action Policy Statement is required.
SANCTIONS AND PENALTIES

1. Failure to comply with the Equal Opportunity and Affirmative Action requirements adopted by the Board of County Commissioners of Hillsborough County may result in suspension or debarment of the firms or individuals involved. Debarment of firms by Hillsborough County for activity contrary to this program will be carried out according to the debarment procedures contained in the Hillsborough County Purchasing Manual. Said firm or individual will be notified by registered mail of said suspension or debarment and may appeal suspension or debarment through the procedure set forth in the Purchasing Manual.

2. The Board of County Commissioners encourages each proposer/bidder to submit EEO documentation with the bid.

3. The Board of County Commissioners also reserves the right to reject any proposals from firms who have previously failed to perform properly and who have done so by commission or omission of an act of such serious or compelling nature that the act indicates a serious lack of business integrity or honesty or willingness to comply.
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<tr>
<th>JOB CATEGORY</th>
<th>TOTAL EMPLOYEES</th>
<th>MALES</th>
<th>FEMALES</th>
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<td>Officials &amp; Managers</td>
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<td>Professionals</td>
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<td>Operatives (Semi-Skilled)</td>
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<td>Laborers (Unskilled)</td>
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<td>Service Workers</td>
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HISP: Hispanic  
API: Asian/Pacific Islander  
AI: American Indian

Job categories as provided herein are those categories identified and used in EEO (1-6) reporting requirements, required from employers by the Federal government.

(DO NOT LEAVE THIS PAGE BLANK)
EXHIBIT “E”

FEDERAL TRANSIT ADMINISTRATION
CIVIL RIGHTS ASSURANCE
USDOT TITLE VI ASSURANCE

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, “USDOT”) 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 Agreement.

2. **Nondiscrimination**: The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment**: In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

4. **Information and Reports**: The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration to be pertinent to ascertain compliance with such Regulations, orders 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 Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance**: In the event of the Contractor’s noncompliance with the nondiscrimination provisions of this contract, the Florida Department of
Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
b. cancellation, termination or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

CONSULTANT CERTIFICATIONS AND AFFIDAVITS
CONSULTANT AFFIDAVIT

STATE OF __________________________

COUNTY OF _______________________

Before me, the undersigned authority, personally appeared _____________________ who was sworn and says:

1. He is (Title) ___________________________ of (Firm) ____________________________ with office in (City and State) ________________________________________________.

2. [If applicable] The named firm is submitting the attached proposal for FDOT Work Program Item Number ____________, Project Number ______________, in District VII, Hillsborough County, Florida.

3. The affiant has made diligent inquiry and answers this affidavit based upon his own knowledge.

4. Only one proposal for the above-referenced project will be submitted, under the name or different name, and the proposer has no financial interest in the firm of another proposer for the same work.

5. Neither the affiant nor the firm has directly or indirectly entered in any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive pricing in connection with the firm’s proposal on the above project. This statement shall restrict the discussion of pricing data until the completion of the execution of the Consultant Agreement for this project.

6. Neither the firm nor its affiliates, nor anyone associated with them is presently debarred, suspended or otherwise ineligible from participating in contract lettings by any state agency in any state or the FHWA.

7. Neither the firm, nor any officer, DIRECTOR, employee of the firm or any of its affiliates has been criminally or civilly charged with antitrust violations, or had convictions or judgments resulting from such charges. There have been no charges or subsequent convictions or any criminal act under state or federal law which involved fraud, bribery, conspiracy, antitrust violations or material misrepresentation with respect to a public contract, except for matters previously disclosed to the Department and filed in Case No.(s) ________________ with the Clerk of Agency Proceedings. [If inapplicable, enter N/A].

8. This affidavit includes disclosure of employees who were charged or convicted of contract crimes while in the employ of another company.

________________________________________

Signature

Sworn to and subscribed before me this ______ day of ________________, 20____.

________________________________________

Notary

My Commission Expires: ________________

NOTICE

Any evidence of collusion among participating proposers will preclude their recognition as proposers of such job and subjects them to penalties and restraints under applicable State and Federal Law.
SWORN STATEMENT PURSUANT TO SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR
OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the Hillsborough County Metropolitan Planning
Organization
by ________________________________________________________________
(Print individual’s name and title)

for ________________________________________________________________
(Print name of entity submitting sworn statement)

whose business address is _____________________________________________
________________________

and (if applicable) its Federal Employer Identification Number (FEIN) is _________________. (If
the entity has no FEIN, include the Social Security Number of the individual signing this sworn
statement: ______-____-______.)

2. I understand that a “public entity crime” as defined in Paragraph 287.133(1)(g), Florida
Statutes, means a violation of any state or federal law by a person with respect to and directly
related to the transaction of business with any public entity or with an agency or political
subdivision of any other state or with the United States, including, but not limited to, any bid
or contract for goods or services any lease for real property, or any contract for the
construction or repair of a public building or public or public work, involving antitrust, fraud,
theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that “convicted” or “conviction” as defined in paragraph 287.133(1)(b), Florida
Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an
adjudication of guilt, in any federal or state trial court of record relating to charges brought
by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or
entry of a plea of guilty or nolo contendere.

4. I understand that an “affiliate” as defined in 287.133(1)(a), Florida Statutes means:

1. A predecessor or successor of a person convicted of a public entity crime; or

2. An entity under the control of any natural person who is active in the management of the
entity and who has been convicted of a public entity crime. The term “affiliate” includes
those officers, directors, executives, partners, shareholders, employees, members and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm’s length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a “person” as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term “person” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)

___Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

___The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with an convicted of a public entity crime subsequent to July 1, 1989.

___The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings, and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (Attach a copy of the final order.)

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION
287.017, **Florida Statutes** for Category Two of any change in the information contained in this form.

__________________________
(Signature)

__________________________
(Date)

State of _______________________

County of _____________________

Personally appeared before me, the undersigned authority,

______________________________ who, after first being sworn by me,
(Name of individual signing)

affixed his/her signature in the space provided above on this _____ day of ________________, 20___.

______________________________
NOTARY PUBLIC

My commission expires: ________________
CONSULTANT hereby certifies, covenants and warrants that wage rates and other factual unit costs supporting the compensation for this contract are accurate, complete, and current at the time of contracting.

CONSULTANT further agrees that the original contract price and any additions thereto shall be adjusted to exclude any significant sums by which the MPO determines the contract price was increased due to inaccurate, incomplete or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one (1) year following the end of the contract. For purposes of this Certificate, the end of the contract shall be deemed to be the date of the final billing or acceptance of the work by the MPO, whichever is later.

Name of CONSULTANT

By: ________________________________

Authorized Signature

Title: ________________________________

Attest: ________________________________

Secretary or Notary

If individual, furnish two witnesses:

Witness (1) ________________________________  Witness (2) ________________________________
CERTIFICATION REGARDING DEBARMENT
SUSPENSION, AND OTHER RESPONSIBILITY MATTERS
-PRIMARY COVERED TRANSACTIONS-
(Compliance with 49 CFR. Section 29.510, Federal Aid Contracts)

Instructions for Certification:

1. By signing and submitting this certification with the proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency’s determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.

4. The prospective primary participant shall provide immediate written notice to the Department if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” “ and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage section of the rules implementing Executive Order 12549 You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled “Appendix B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under Paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Department may terminate this transaction for cause of default.

Certification in Compliance with 49 CFR Section 29.510

State of ___________________________ County of ___________________________

I, ___________________________, hereby attest and swear that I am ___________________________ of ___________________________ and the named firm ___________________________ (City and County) is submitting the attached proposal for the projects identified as follows:

FDOT Work Program Item Number(s) [if applicable] ___________________________

State Project Number(s) ___________________________

Federal Air Project Number(s) ___________________________

in ___________________________ County(ies), Florida.

I further hereby certify that:

(1) I am either an officer, director, partner, key employee, or other person within the prospective primary participant with primary management or supervisory responsibilities;

(2) To the best of my knowledge and belief, the prospective primary participant and its principals;
(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not, within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State, or local) terminated for cause of default.

(3) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall note the exception below and attach an application to this proposal.

Exceptions:

Any exception listed above will not necessarily result in denial of participation in this covered transaction. For any exception noted, indicate to whom it applied, initiating agency, and dates of agency action. The explanation will be considered in connection with the department or agency’s determination whether to enter into this transaction.

__________________________________________

Affiant

Sworn to and subscribed before me this ______ day of ______, 20________

__________________________________________

Notary

My commission expires: ______________________
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
DBE PREFERENCE CERTIFICATION

RE: General Transportation Planning Consultant Services

I, ________________________________, _______________________________________
(Name) (Title)
of________________________________________

(Name of Firm)

hereby certify that our firm (____ is) (_____ is not) a Department of Transportation (Department)
certified Disadvantaged Business Enterprise (DBE). I also certify that our firm intends to assist
the MPO in achieving its annual DBE goal regarding subletting work on the above referenced
project(s) to certified Disadvantaged Business Enterprises.

I understand that each solicitation for which a contract goal has been established may require
CONSULTANT to submit the following information, at the discretion of the MPO, at least 24 hours
before commitment of the performance of the contract.

1. The names and addresses of the DBE firms that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The percent or dollar amount of participation of each DBE firm;
4. Written and signed documentation of commitment to use a DBE subconsultant whose
   participation it submits to meet a contract goal;
5. Written and signed confirmation from the DBE that it is participating in the contract as
   provided in CONSULTANT’s commitment; and
6. If the contract is not met, evidence of good faith efforts, as defined by the MPO, must be
demonstrated.

(Check one)  ________ Intends to subcontract work to DBE(s)
              ________ Does not intend to subcontract work to DBE(s)

Since I have indicated above that a portion of the work will be sublet to certified DBE(s), the
firms considered as proposed DBE subconsultants/vendors and the types of work to be
subcontracted are as follows:

<table>
<thead>
<tr>
<th>DBE SUBCONSULTANTS/VENDORS</th>
<th>TYPE OF WORK/COMMODITIES</th>
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Signed: ____________________________________
Title: ____________________________________
Date: ____________________________________
[Attach applicable DBE Certification letters for consultant and subconsultants]
EXHIBIT G

CONSULTANT
CERTIFICATES OF INSURANCE
<table>
<thead>
<tr>
<th>FDOT Job Classification</th>
<th>AECOM</th>
<th>Gresham Smith</th>
<th>Patel Green &amp; Assoc</th>
<th>RS &amp; H Inc</th>
<th>Vrina Consulting</th>
<th>Cambridge Systematics</th>
<th>Florida Department of Transportation Engineering</th>
<th>Iteris</th>
<th>Quest Corp</th>
<th>Resilient Analytics</th>
<th>Tool</th>
<th>Tindale-Oliver</th>
<th>Element Engineering</th>
<th>Greenman-Pedersen</th>
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Board & Committee Agenda Item

**Agenda Item**

Up tp

**Presenter**

Mark Sharpe, Chief Potential Officer

**Summary**

Mr. Sharpe will provide an update on the Uptown Strategic Action Plan that the organization is crafting with Hillsborough County and the City of Tampa. The plan seeks to marry the success of the area’s innovative anchor institutions with the needs and potential of its residents and community groups, unleashing the potential of the area as an inclusive, world-class Innovation District.

In May, the MPO adopted a Unified Planning Work Program & budget for FY 21 and FY 22, with funding for a feasibility study of a multi-use trail connecting Temple Terrace and USF. The Innovation Partnership supports the study and has asked that it include a look at connecting the trail through the University Square Mall property to the lake near the Veteran’s Hospital. The trail feasibility study will begin this fall.

**Recommended Action**

None; for information only

**Prepared By**

Beth Alden, AICP

**Attachments**

Draft – Uptown Strategic Action Plan

Letter to MPO regarding upcoming trail feasibility study
July 20, 2020

Beth Alden  
Executive Director  
Hillsborough Metropolitan Planning Organization  
601 E. Kennedy Blvd. #18  
Tampa, FL 33602

Dear Ms. Alden,

We are delighted that the MPO is planning a feasibility study for a trail connecting Temple Terrace to USF seeking to use the ROW of the CSX corridor. Connectivity and pedestrian safety are an important factor in the successful transformation of University Mall into the job creating, community-accessible innovation hub that will be RITHM At Uptown.

We are requesting that the Veterans’ Tech Trail concept be included in this feasibility study. The Veterans’ Tech Trail is conceived as a multi-purpose trail connecting the James A. Haley Veterans Hospital and Medical Research campus to the 100-acre, RITHM At Uptown development (University Mall property) with a spur running east from the mall trailhead to Bruce B. Downs. This trail is conceived as a bike/pedestrian amenity as well as a separated motorized vehicle trail for shuttles between the two properties decreasing VA-related bus and other vehicle traffic on area streets where they currently shuttle riders between the VA, Rithm and USF campuses.

This trail is envisioned as part of a broader trail network that will connect the key locations in the Uptown District, such as the USF campus, VA Hospital, AdventHealth Tampa, Moffitt Cancer Center, the City of Temple Terrace, and community hubs such as the UACDC, the new Yuengling development, and Busch Gardens.

In December of 2019, Tampa |p, Hillsborough County, and the City of Tampa agreed to an MOU to develop a Strategic Action Plan to create a Development Authority and master plan for the Uptown Innovation District. The current draft of that plan includes proposed action steps calling for constructing the Veterans’ Tech Trail and expanding it to a wider network; enhanced crossings of Fowler Avenue and Bruce B. Downs; and building out the gaps identified in the 2019 UACDC Sidewalk Plan. The connection to Temple Terrace and the Veterans’ Tech Trail are key to connecting the Uptown District and are essential to the safety, connectivity, and development of the a nationally-recognized, Innovation District.

Sincerely,

Christopher M. Bowen
Chief Development Strategist
Board & Committee Agenda Item

**Agenda Item**
Tampa-Hillsborough Expressway Authority (THEA) Project Update

**Presenter**
Anna Quinones, THEA Project Manager

**Summary**
The Tampa Hillsborough Expressway Authority (THEA) will discuss how it is spending a half billion dollars over the next 5 years on transportation and community projects. Additional information can be found at [https://www.tampa-xway.com/](https://www.tampa-xway.com/)

**Recommended Action**
None; for information only.

**Prepared By**
Allison Yeh, MPO Executive Planner

**Attachments**
THEA Project Update Presentation
Hillsborough MPO
Metropolitan Planning for Transportation

Board & Committee Agenda Item

**Agenda Item**

HART Service Changes for 2021

**Presenter**

HART Representative

**Summary**

In November of 2018, the citizens of Hillsborough County approved a $.01 sales tax, in which HART is to receive 45% of that funding for transit projects. Since that time, HART has been unable to use any of this additional funding due to a pending lawsuit related to this funding. For this reason, HART must continue to plan its operations under the assumptions of no new funding. Without new revenue, HART has begun to plan for service changes aimed at meeting additional constraints in an already strained budget. Service Development staff looked at the best way to address the need for service changes to meet the FY21 budget while maintaining as much service as possible for HART customers. This presentation will provide Committee and Board members with an overview of the proposed changes and the need for public outreach as required by HART’s Title VI policy.

**Recommended Action**

No action, information only

**Prepared By**

Sarah McKinley, MPO Staff

**Attachments**

Presentation slides and virtual town hall website [https://hartserviceinput.com](https://hartserviceinput.com)
Tampa Bay Next Projects in Hillsborough County that include Managed (Toll) Lanes

Howard Frankland Bridge  FPID 4229042 Pinellas; 4229044 Hillsborough
Tampa’s Westshore Interchange  FPID 4335357; 4340452
I-4 Corridor  FPID 4317463
Do we need bus service in Plant City? Tell us what YOU think!

- Comment 08.24.20 - 09.13.20 at: planhillsborough.org/plant-city-transit-master-plan-study
- Live Presentation 08.26.20 | 5PM at the Virtual Public Open House via GoToWebinar. Register: https://tinyurl.com/PCTransitSurvey
- Questions, please call Vishaka Shiva Raman at 813.273.3774 x350
- También, si sólo se puede hablar en español, por favor llame a la línea de ayuda en español al 813.273.3774 x211
STUDY APPROVAL NOTIFICATION

On April 1, 2020, the Florida Department of Transportation (FDOT), pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT, granted Location and Design Concept Acceptance for the Big Bend Road (CR 672) and re-alignment of Old Big Bend Road Project Development and Environment (PD&E) study from west of Covington Garden Drive to east of Simmons Loop in Hillsborough County (Figure 1). The proposed improvements consist of reconstructing and widening Big Bend Road from four to six lanes with buffered bike lanes and sidewalks on both sides of the roadway. In addition, the Build Alternative includes reconstructing Old Big Bend Road with curb and gutter, and sidewalks on both sides. As part of the proposed improvements, both the Big Bend Road and Old Big Bend Road over Bullfrog Creek bridges will be replaced.

This project is now eligible to move to the next phase of development, where construction plans will be prepared through Design-Build procurement.

Right of Way Acquisition Procedure
We understand that when a transportation project proposes the acquisition of private property, you may have questions and concerns. To better inform you about the right of way acquisition process and your rights, the FDOT has created real estate acquisition and relocation brochures. Copies of the brochures may be found on our website: https://www.fdot.gov/rightofway/documents.shtm

Non-discrimination Laws and Regulations
Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Alex Henry, Title VI Coordinator, by phone: (813) 975-6405; relay: 1-800-955-8781; voice: 1-800-955-8770; or email: alex.henry@dot.state.fl.us.
The Florida Department of Transportation and Hillsborough County have completed the PD&E study for improvements to Big Bend Road and Old Big Bend Road from west of Covington Garden Drive to east of Simmons Loop in Hillsborough County.

Based on the engineering and environmental effects evaluated, as well as on public input gathered throughout the study, the Department and Hillsborough County were able to select and approve a “Build Alternative” recommendation, also known as Location and Design Concept Acceptance (LDCA). This acceptance is required in order to advance to subsequent design and construction phases.

Public Involvement
A public hearing was held on November 12, 2019. The hearing provided an opportunity for residents, business owners, tenants and other interested parties to review the study’s finding and submit comments concerning the project to Hillsborough County for review. A total of 166 people attended the public hearing and a total of 53 comments were submitted of which 27 were in writing, 18 during the formal oral presentation and 8 were received via email in the days immediately following the hearing.

Planned Improvements
The proposed project includes reconstructing and widening Big Bend Road from four to six lanes. The proposed typical section includes three 12-foot travel lanes, Type F curb and gutter, a minimum of an 18-foot median, and a 7-foot buffered bike lane in each direction. In addition, a minimum of 6-foot to a maximum of 10-foot sidewalks running parallel to the north and south side of the roadway are included (See Figure 2). Along Old Big Bend Road from the Bullfrog Creek Bridge to Simmons Loop, the proposed typical section will consist of one 14-foot travel lane in each direction with Type F curb and gutter, and a minimum of 6-foot to a maximum of 10-foot sidewalks running parallel to the north and south side of the roadway (See Figure 3). As part of the improvements, both the Big Bend Road and Old Big Bend Road over Bullfrog Creek bridges will be replaced. These changes would improve drainage, increase safety, accommodate the future capacity needs and address the mobility needs of users including bicyclists and pedestrians. All the proposed improvements would be accomplished within the existing right of way. The drainage for the project will be accommodated with a proposed pond at the northwest corner of the I-75 and Big Bend Road interchange. Currently, the Hillsborough County Public Works Maintenance facility occupies this location, and will be relocated to another site.

Si usted tiene preguntas o comentarios o si simplemente desea mas informacion sobre este proyecto, favor de ponerse en contacto con el señor Manuel Santos, (813) 307-1921 o correo electronico SantosM@HillsboroughCounty.org.
Overview

Friends, welcome back! We are pleased to share with you a newsletter summarizing the bills passed during the 2020 legislative session. In place of the usual list of all transportation related bills filed, is a list of bills that passed both chambers and were then sent to the Governor for approval. This will allow you have a one-stop summary of bills passed so you are kept aware of what has happened and what has changed in our transportation world. Many bills had not been sent to the Governor right away for his action so reporting anything to you earlier would not have been informative. At the time of publication, two bills are still pending action by the Governor. The delay in sending bills to the Governor is presumed to be because of the Coronavirus problems that have taken the Governor’s attention. In fact, speaking of Coronavirus……

The last newsletter of the legislative session talked about Coronavirus. It opened with this Coronavirus question: “Should we say anything more or just end the newsletter there? That would be the one-word summary of the last week and a word your retirement account hates right now. There is more to Florida than this though.” Funny how those words seem appropriate still today. OK, I am hearing that most retirement accounts are actually doing pretty well, mine included, thankfully. And there is more to Florida, but Coronavirus seems to be that annoying house guest that we just can’t get to leave. We will all remember 2020 and may describe it with words that we would not want our grandmother or children to hear come from our mouths. Hopefully 2021 will be much gentler with us.

The Governor signed a budget and the transportation side of it did well. We avoided cuts to our funding. Frankly, given how revenues were declining at the end of session, avoiding cuts is a big win. Recent reports stated that for the state fiscal year ended June 30th, revenues came in $1.9B lower than projected. That is a huge hit to revenues and the impact to the budget is going to hurt, hurt like falling off a bike on concrete at considerable speed. Looking back to the budget for the current fiscal year, I cannot say that earmarks did well, but given the hit to revenues due to coronavirus, we should not be surprised. The hit to local budgets, especially those areas that used to enjoy a lot of tourism, well that is not a pretty thought either – I am thinking of concrete and scraped elbows again. Happily, reports that some of the housing markets are holding on is good to hear, there may be some bright spots in our economy and hopefully they will lead the way when we get back to something resembling normal.
So you have an idea of what was included in the approved budget for transportation, here is a high level summary of the transportation budget:

- $9.8 Billion overall, $9.2 for the state transportation work program.
- $2.5B for highway construction which includes 101 new lane miles.
- $840M for resurfacing, 2,073 lane miles.
- $125M for seaport infrastructure improvements.
- $401M for aviation improvements, includes $85M for spaceports.
- $436M for bridges, replacement of 17 and repairs to 90 bridges.
- $886M investment in rail/transit projects.
- $236M for safety initiatives.

The 2020 regular session began on January 14th, was scheduled to end on March 13th and the final vote was taken on the 20th.

Grab a cup of coffee and enjoy this summary edition of the MPOAC Legislative Update.

**Legislation signed into law**

This is a summary of all transportation related bills that were signed into law (or are pending signature) by the Governor following the 2020 session of the Florida Legislature. The bills are listed in numerical order for your convenience. Each entry includes a summary of the key points of the law, the date signed by the Governor, and the effective date.

**HB 37: School Bus Safety**

The bill increases the minimum civil penalty for failure to stop for a school bus to $200 and the period of time that the Department of Highway Safety and Motor Vehicles (DHSMV) must suspend the driver license of the driver for any subsequent offenses committed within five years to not less than 180 days and not more than one year.

The bill also increases the minimum civil penalty for passing a school bus on the side that children enter and exit to $400. For a subsequent offense within five years, the DHSMV must suspend the driver license of the driver for not less than 360 days and not more than two years.

*Date signed by Governor:* June 20, 2020  
*Effective date:* January 1, 2021

**HB 133: Towing and Immobilizing Vehicles and Vessels**

The bill makes the following changes to current law relating to the towing of vehicles and vessels:

- Incorporates vessels into the regulatory scheme for the towing of vehicles;
- Prohibits a county or municipality from enacting an ordinance or rule that imposes a fee or charge on authorized wrecker operators or towing businesses for performing towing services;
- Defines the term "towing business" to mean a business that provides towing services for monetary gain;
- Authorizes a county or municipality to impose an administrative fee on the registered owner or lienholder of a vehicle or vessel removed and impounded by an authorized wrecker operator or towing business, as long as the fee does not exceed 25 percent of the
local jurisdiction’s maximum towing rate. An authorized wrecker operator or towing operator may impose the fee on behalf of the county or municipality, but such fee must only be remitted to the county or municipality after it has been collected;

- Provides that a wrecker operator or towing business who recovers, removes, or stores a vehicle or vessel must have a lien on the vehicle or vessel that includes the value of the administrative fee imposed by a county or municipality; and
- Requires tow-away zone notices to be placed within 10 feet from the "road" instead of within 5 feet from the "public right-of-way line."

The bill exempts Broward, Palm Beach, and Miami-Dade counties from the prohibition on imposing a fee or charge on an authorized wrecker operator or a towing business.

**Date signed by Governor:** Pending
**Effective date:** October 1, 2020

**SB 178: Public Financing of Construction Projects**

The bill requires a public entity that commissions or manages a construction project within the coastal building zone, using funds appropriated from the state, to conduct a sea level impact projection (SLIP) study prior to commencing construction. The Department of Environmental Protection (DEP) must establish, by rule, standards for the SLIP studies. The standards must:

- Use a systematic, interdisciplinary, and scientifically accepted approach in the natural sciences and construction design in conducting the study;
- Assess the flooding, inundation, and wave action damage risks relating to the coastal structure over its expected life or 50 years, whichever is less; and
- Provide alternatives for the coastal structure’s design and siting, and how such alternatives would impact the risks identified in the SLIP, as well as the risk and cost associated with maintaining, repairing, and constructing the coastal structure.

The requirement to conduct a SLIP study prior to commencing construction is effective one year after DEP’s rule is finalized and only applies to projects that commence after the rule is finalized.

SLIP studies must be conducted, submitted to DEP, and published on DEP’s website for 30 days before construction can commence. DEP must publish and maintain a copy of all SLIP studies on its website for 10 years after receipt. The bill requires DEP to adopt rules as necessary to administer and enforce these requirements.

The bill authorizes DEP to bring a civil action to seek injunctive relief to cease construction, enforce the rules, or seek recovery of state funds expended on a coastal structure, if construction commences without compliance to the rules. The requirements of the bill may not be construed to create a cause of action for damages or otherwise authorize the imposition of penalties by a public entity for failure to implement what is contained in a SLIP study.

- **Date signed by Governor:** June 29, 2020
- **Effective date:** July 1, 2020

**HB 279: Local Government Public Construction Works**

The bill reforms how local governments must estimate the projected costs of a public building construction project. Local governments must use a cost estimation formula when deciding whether to use a contractor to complete the project or if it is in the local government’s best
interest to perform the project using its own services, employees, and equipment. The project cost estimation formula must include employee compensation and benefits, the cost of direct materials to be used in the construction of the project (including materials purchased by the local government), other direct costs, and an additional factor of 20 percent for management, overhead, and other indirect costs. Local governments must consider the same formula when determining the estimated cost of road and bridge construction and reconstruction projects performed with proceeds from the constitutional gas tax.

A local government constructing a public building using its own services, employees, and equipment must create a report summarizing the project constructed by the local government, which must be publicly reviewed each year by the local government. The Auditor General must also examine the project reports as part of his or her audits of local governments.

The bill also requires local governments issuing bidding documents or other requests for proposals to provide a list of all other governmental entities that may have additional permits or fees generated by a project.

- Date signed by Governor: June 30, 2020
- Effective date: July 1, 2020

**HB 717: Space Florida Financing**

Space Florida has the authority to issue revenue bonds and raise revenue through the acquisition of debt, including securing bank loans. The bill revises that authority in a variety of ways, including making several conforming changes to relevant sections of Florida statute.

The bill relieves Space Florida of the requirement to notify the presiding officers and appropriations chairs of both houses of the Legislature before presenting a bond proposal to the Governor and Cabinet and the requirement for the Governor and Cabinet to approve the bond’s issuance.

The bill clarifies that Space Florida is subject to the minimum credit-worthiness requirements in Florida statute (s. 189.051, F.S.). It also authorizes Space Florida to validate its bonds pursuant to ch. 75, F.S., which provides generally for government-issued bond validation. Additionally, the bill reduces the term for which Space Florida may issue a bond to 30 years.

- Date signed by Governor: June 29, 2020
- Effective date: July 1, 2020

**HB 915: Commercial Service Airports**

The bill requires:

- The Auditor General to conduct an operational and financial audit of each large-hub commercial service airport at least once every seven years (defined as a publicly owned airport that has at least one percent of the annual passenger boardings in the United States as reported by the Federal Aviation Administration);
- Each member of the governing body of such airports to comply with financial disclosure requirements (as defined in state statute or constitution);
- The governing body of each commercial service airport to establish and maintain a website to post information relating to the operation of the airport;
- Commercial service airports to comply with statutorily defined procurement requirements for purchases exceeding $65,000;
Contracts must use a competitive sealed bid, proposal, or reply process (with exceptions) and must be posted (with redactions) on the airport website; After an opportunity for public comment, a governing body must approve, award, or ratify as a separate line item on its agenda each contract exceeding $325,000; Members of a governing body and employees of a commercial service airport be subjected to Florida Code of Ethics for Public Officers and Employees related requirements. Does not prohibit a county or municipal charter, ordinance, or resolution of the governing body from applying more stringent ethical standards; Imposes on each member of a governing body annual ethics training requirements; Each commercial service airport, starting November 1, 2021, to annually submit approved budgets, federal financial reports, website links, and statutory compliance statements to the Florida Department of Transportation (FDOT); The FDOT must annually review the information for accuracy and, starting January 15, 2022, submit a report summarizing commercial service airport compliance the provisions of law to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and The FDOT is prohibited from expending any funds allocated to the airport (unless the funds are pledged for debt service) until a commercial service airport demonstrates compliance.

Date signed by Governor: Pending Effective date: October 1, 2020

HB 969: Broadband Internet Service

The bill transfers the state’s broadband program from the Department of Management Services (DMS) to the Department of Economic Opportunity (DEO), creating the Florida Office of Broadband within DEOs Division of Community Development. Specifically, the Florida Office of Broadband is directed to:

Create a strategic plan to increase the use of broadband Internet service in Florida. The plan must include a process to review and verify public input on broadband Internet transmission speeds and availability; Build and facilitate local technology planning teams, especially with community members from the areas of education, healthcare, business, tourism, agriculture, economic development, and local government; Encourage public use of Internet service through broadband grant programs; and Monitor, participate in, and provide input on Federal Communications Commission proceedings that are related to the geographic availability and deployment of broadband Internet in Florida.

The bill also provides that the Department of Transportation may, beginning in Fiscal Year 2022-2023, use up to $5 million annually from the funds transferred to Florida’s Turnpike Enterprise to the Multi-use Corridors of Regional Economic Significance (M-CORES) program for projects that assist in the development of broadband infrastructure within or adjacent to a multiuse corridor.

Date signed by Governor: June 9, 2020 Effective date: July 1, 2020
HB 971: Electric Bicycles

The bill creates a definition for electric bicycles (e-bikes) within a three-tiered classification system and revises several related definitions. E-bike or e-bike operators are endowed with all the rights, privileges, and responsibilities of a bicycle or bicycle operator.

E-bikes are authorized to operate where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths. That said, the bill specifically states that nothing prevents local governments from regulating the operation of e-bikes on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction or that a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an e-bike on such facilities;

Under the law, an e-bike or an e-bike operator is not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.

The bill also makes technical and conforming changes throughout related statutory provisions.

- Date signed by Governor: June 20, 2020
- Effective date: July 1, 2020

SB 7018: Essential State Infrastructure

The bill contains various provisions relating to essential state infrastructure, including provisions relating to emergency staging areas, utility permit application processing for use of county or municipal rights-of-way, development of a recommended plan for electric vehicle charging stations along the State Highway System, and use of agricultural land subject to a conservation easement for construction of a public or private linear facility and right of access.

Specifically, the bill:

- Provides that a permit application by a county or municipality to use the right-of-way on any public road for a utility must be processed and acted upon within the expedited time frames of the “Advanced Wireless Infrastructure Deployment Act,” s. 337.401(7)(d)7.,8., and 9., F.S.;

- Authorizes the Florida Department of Transportation (FDOT) to plan, design, and construct staging areas for emergency response on the turnpike system. These areas are for the staging of emergency supplies, equipment, and personnel to facilitate the prompt provision of emergency assistance to the public in response to a declared state of emergency;
  o Directs the FDOT, in consultation with the Division of Emergency Management, to consider the extent to which a proposed site:
    ▪ Is located in a geographic area that best facilitates the wide dissemination of emergency-related supplies and equipment;
    ▪ Provides ease of access to major highways and other transportation facilities;
    ▪ Is sufficiently large to accommodate the staging of a significant amount of emergency-related supplies and equipment;
    ▪ Provides space in support of emergency preparedness and evacuation activities, such as fuel reserve capacity;
- Could be used during non-emergency periods for commercial motor vehicle parking and for other uses; and
- Is consistent with other state and local emergency management considerations;
  - Authorizes the FDOT to acquire property necessary for such staging areas and requires the FDOT to give priority consideration to placement of such staging areas in counties with a population of 200,000 or less in which a multi-use corridor of regional significance is located;
  - Grants the FDOT power to authorize other uses of a staging area and requires that staging-area projects be included in the FDOT’s work program;

- Requires the FDOT, in coordination with the Public Service Commission (PSC) and the Office of Energy within the Department of Agriculture and Consumer Services, and any other public or private entities as necessary or appropriate, to develop and recommend a master plan for the development of electric vehicle charging station infrastructure along the State Highway System;
  - The bill sets out a number of legislative findings and sets up a division of the workload between the FDOT and the PSC of goals and objectives of the recommended plan based on area of expertise. In this arrangement, the FDOT is responsible for the following goals and objectives:
    - Identifying the types or characteristics of possible locations for electric vehicle charging station infrastructure along the State Highway System to support a supply of electric vehicle charging stations that will accomplish the goals and objectives of this section, support both short-range and long-range electric vehicle travel, encourage the expansion of electric vehicle use in this state, and adequately serve evacuation routes in this state;
    - Identifying any barriers to the use of electric vehicles and electric vehicle charging station infrastructure both for short-range and long-range electric vehicle travel along the State Highway System;
    - Identifying an implementation strategy for expanding electric vehicle and charging station infrastructure use in this state;
    - Quantifying the loss of revenue to the State Transportation Trust Fund due to the current and projected future use of electric vehicles in this state and summarizing efforts of other states to address such revenue loss.
  - Authorizes the FDOT, the PSC, and the Office of Energy to agree to explore other issues deemed necessary or appropriate for purposes of the required report
  - Requires that the master plan be developed and submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2021. The plan must include recommendations for legislation and may include other recommendations as determined by the FDOT. The bill also requires that the FDOT file a status report containing any preliminary recommendations, including recommendations for legislation to the Governor, the President of the Senate, and the Speaker of the House by December 1, 2020.

- Date signed by Governor: June 9, 2020
- Effective date: July 1, 2020
July 31, 2020

The Honorable Secretary Elaine L. Chao
U.S. Department of Transportation (USDOT)
Federal Highway Administration (FHWA)
1200 New Jersey Avenue, SE
Mail Drop: E62-204
Washington, DC 20590

Re: Work Zone Data Exchange (WZDx) Demonstration, Hillsborough County, Florida

Dear Secretary Chao,

We would like to express our support, as a partner with Hillsborough County, for advancing the deployment of a regional work zone data exchange (WZDx) initiative through the USDOT WZDx demonstration opportunity.

The Hillsborough MPO is committed to smart mobility solutions which promote efficient systems management & operations, improve transportation safety, relieve congestion, and enhance integration of systems. Based on the goals set forth in our Unified Planning Work Program, the MPO enthusiastically endorses the County’s goals and objectives regarding the WZDx initiative.

The Hillsborough MPO shares the vision of both the USDOT and Hillsborough County to improve safety, mobility, and efficiency through Automated Driving Systems (ADS) technology. We believe that this grant can provide the foundation to create regional partnerships among the Hillsborough MPO, Hillsborough County, the City of Tampa and the Florida Department of Transportation to pursue ADS deployments and enhance interlocal communication and safety throughout work zones. The Hillsborough MPO is prepared to devote its resources in pursuit of this vision by integrating the forthcoming Work Zone data feed into the MPO’s Shared Data & Analytics platform.

The Hillsborough MPO fully supports this project, which will yield positive safety, congestion, and efficiency benefits in work zones throughout Hillsborough County.

Sincerely,

Beth Alden
Executive Director

Cc: Bob Campbell, Transportation Engineering Manager, Hillsborough County
    Brian Gentry, Traffic Management Engineer, Hillsborough County
Dear Commissioner Miller:

Federal law requires the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to jointly certify each Transportation Management Area’s (TMA) planning process at least every four years. TMAs are urbanized areas with 200,000 or more in population. Plans are underway to schedule and conduct a site visit for the TMA Certification Review for the Tampa Bay Transportation Management Area, which includes the Hillsborough Metropolitan Planning Organization (MPO).

As agreed upon through recent conversations with staff from Hillsborough MPO, the Florida Department of Transportation (FDOT), and members of the Federal Review Team, the site visit portion of the FHWA/FTA Certification Review will be conducted on January 20-21, 2021. This site review will include meetings with MPO staff, MPO Board members and transportation partners of the Hillsborough MPO, as well as an opportunity for the public to provide comments on the transportation planning process. In general, the upcoming review will further focus on the TMA’s various approaches, activities and issues associated with conducting the “3-C” (coordinated, continuing and comprehensive) metropolitan transportation planning process. As part of the TMA Certification Review, the site visit will also consist of a follow-up of any “corrective actions” and/or “recommendations” from prior certification reviews.

In addition to assessing the MPO’s current level of effort in addressing statutory and regulatory requirements, the review is intended to offer input and examples from other States and MPOs in improving the overall quality of the area’s metropolitan transportation planning process. Three primary activities will comprise the site visit: (a) staff-level discussions with representatives from the MPO, FDOT, and other planning agencies within the TMA; (b) discussions with local elected and/or appointed officials; and (c) discussions with the general public. To maximize participation by local elected officials and the general public, we will rely upon the MPO planning staff in defining the specific mechanisms for providing comment opportunities. This should be done in a manner consistent with the MPO’s adopted public participation process, as well as our statewide public involvement guidelines for certification reviews.
At the conclusion of the upcoming site visit, an informal closeout session will be held with the Hillsborough MPO staff and planning partners to discuss preliminary review findings. A TMA Certification Review Report that summarizes the site visit provides specific review findings, and issues the FHWA/FTA certification action will be prepared after the site visit. Subsequently, a formal presentation of the review findings will be made by our office at the next Hillsborough MPO Policy Board Meeting following the transmittal of the TMA Certification Review Report (to the extent practicable).

Over the next several weeks, our office will be coordinating with staff to finalize the site visit agenda. If you have any questions regarding the upcoming certification review, please do not hesitate to contact Ms. Teresa Parker at (407) 867-6415 or Teresa.parker@dot.gov.

Sincerely,

FOR: Jamie Christian, P. E.
Division Administrator

cc: Ms. Beth Alden, Hillsborough MPO
Ms. Brittany Lavender, FTA, Region 4
Mr. Carey Shepherd, FHWA
Mr. Jim Martin, FHWA
Ms. Stacie Blizzard, FHWA
Mr. Justin Hall, FDOT, District 7
Mr. Roger Roscoe, FDOT, District 7
Mr. Carl Mikyska, MPOAC
Ms. Erica Thompson, FDOT
Mr. Mark Reichert, FDOT