

O4TP017



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

GROWTH MANAGEMENT DEPARTMENT

300 Sixth Street

Pat Beaudette, Transportation Planning Coordinator
Transportation Planning Division
City web: www.rcgov.org

Phone: 605-394-4120
Fax: 605-394-6636
e-mail: pat.beaudette@rcgov.org

MEMORANDUM

TO: Legal and Finance Committee Members

FROM: Pat Beaudette, Transportation Planning Coordinator

DATE: October 7, 2004

RE: **O4TP017** -- Agreement between the City of Rapid City and the City of Box Elder for accomplishing the Rapid City Area Transportation Planning Process

Attached for your approval is an agreement between the City of Rapid City and the City of Box Elder. This agreement allows the City of Box Elder the mechanism to utilize federal highway and federal transit transportation planning funds through the Rapid City Area Metropolitan Planning Organization as identified in the 2004 Unified Planning Work Program. The Executive Policy Committee of the Metropolitan Planning Commission approved the agreement on September 30, 2004.

If you have any questions, please feel free to contact Patsy Horton or me at 394-4120.

MPO Recommendation: The Executive Policy Committee of the Metropolitan Planning Organization recommends approval of the agreement between the City of Rapid City and the City of Box Elder as identified in the 2004 Unified Planning Work Program.

**AGREEMENT BETWEEN CITY OF RAPID CITY AND
CITY OF BOX ELDER
FOR ACCOMPLISHING THE
RAPID CITY AREA TRANSPORTATION PLANNING PROCESS**

THIS AGREEMENT entered into by the City of Rapid City, hereinafter **CITY**, and the City of Box Elder County, hereinafter **BOX ELDER**, is for the purpose of providing partial funding of the regional area transportation planning process study activities scheduled to be performed during calendar year 2004 as outlined in the CY 2004 Unified Planning Work Program attached to this agreement, using planning funds available from apportionments made under Subsection f, Section 104, Title 23, United States Code.

WHEREAS, the South Dakota Governor has designated Rapid City as being responsible for carrying out the provisions of Section 134 of Title 23 of the United States Code, and

WHEREAS, Federal Aid Highway Planning Funds have been apportioned to the South Dakota Department of Transportation for reimbursement of **CITY** activities, and

WHEREAS, **CITY** and **BOX ELDER** desire to cooperate to reach a formal agreement on the objectives, organization, work program preparation and Federal-Aid reimbursements for the transportation planning process, and

WHEREAS, **CITY** and **BOX ELDER** prepared a mutually acceptable CY 2004 Unified Planning Work Program which has been adopted by the Executive Policy Committee,

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

I.

SCOPE OF WORK

- A. The work to be performed under the terms of this Agreement for the Rapid **CITY** Transportation Planning Process will be conducted in accordance with the CY 2004 Unified Planning Work Program included as Exhibit A.

- B. Technical documents and manuals prepared for use in accomplishing work programs will be submitted to the Technical Coordinating Committee for their review and comments made available to the Executive Policy Committee of **CITY**.

- C. **CITY** Responsibility:
 - 1) Provide the necessary administration of committee and staff and consult, collaborate and coordinate with **BOX ELDER** to accomplish the tasks as contained in the CY 2004 Unified Planning Work Program.

 - 2) Assign qualified personnel as needed to execute the CY 2004 Unified Planning Work Program.

 - 3) Arrange for and conduct meetings and conferences to review work details and make presentation to the principal participants and other interested groups as will best effect cooperation and understanding in the program.

- D. **BOX ELDER** Responsibility:
 - 1) **BOX ELDER** shall provide to the **CITY** assistance as outlined in the CY 2004 Unified Planning Work Program.

 - 2) Any digital data **BOX ELDER** creates under this Agreement shall be created in the same format as existing Rapid City Area Transportation Planning Process data.

- 3) Any **BOX ELDER** computers purchased under this Agreement shall fall within the South Dakota Bureau of Information Technology purchasing procedural requirements.

II.

DURATION OF AGREEMENT

This agreement covers the period from January 1, 2004, and ending December 31, 2005. **BOX ELDER** can incur costs only on those work items of the CY 2004 Unified Planning Work Program that have been approved by the Federal Highway Administration.

III.

PAYMENT PROCEDURES

- A. The maximum limiting amount of this Agreement cannot be exceeded by the combined vouchering of the participating parties in the Rapid City Area Transportation Planning Process and shall not exceed nine hundred dollars (\$900).

- B. **CITY** agrees to provide compensation on a cost reimbursement basis for the Federal participating share of eligible costs incurred for work activities specified in the approved CY 2004 Unified Planning Work Program. Compensation will be on a cost reimbursement basis by payment of 81.95 percent of the total eligible costs incurred for work activities in the approved CY 2004 Unified Planning Work Program for Federal Highway Administration PL funds and 80 percent of the total eligible costs incurred for work activities in the approved CY 2004 Unified Planning Work Program for Federal Transit Administration.

- C. Payments will be made to **BOX ELDER** not more than once each thirty (30) days and shall only be for services performed under this Agreement. **BOX ELDER** shall submit monthly time records within seven (7) days following the end of each time period. The monthly time records shall be the basis of payment pursuant hereto and shall contain a statement of the **BOX ELDER** estimate of the percentage completed and narrative description of work performed and shall be signed by a responsible representative of **BOX ELDER** certifying that all the items are true and correct for the work performed under the provisions of the Agreement. Payment shall be made subject to audit by duly authorized representatives of the South Dakota Department of Transportation. **CITY**, upon receipt of payment from the South Dakota Department of Transportation, shall make every reasonable effort to provide prompt payment to **BOX ELDER**.

- D. It is agreed that employees of **BOX ELDER** whose time is directly assignable to the program shall keep and sign a monthly time record showing the element of the program, date and hours worked, pay rates and benefits, and title of position. **BOX ELDER** must provide quarterly progress reports to **CITY**.

- E. **CITY** and **BOX ELDER** will charge specific work items as contained in the CY 2004 Unified Planning Work Program adopted by the Executive Policy Committee and approved by the Federal Highway Administration.

- F. Expenses charged to this Agreement must not exceed the dollar amount of **BOX ELDER'S** estimated costs as described in the CY 2004 Unified Planning Work Program adopted by the Executive Policy Committee and approved by the Federal Highway Administration without an amendment to the CY 2004 Unified Planning Work Program.

IV.

AMENDMENTS TO THE CY 2004 UNIFIED PLANNING WORK PROGRAM

- A. An amendment to the CY 2004 Unified Planning Work Program is required whenever there are changes in the program affecting the composition, scope and duration of the work or any funds are to be reallocated among various line items in the CY 2004 Unified Planning Work Program.
- B. Amendments to the CY 2004 Unified Planning Work Program may be proposed only after consultation with the parties to this Agreement and the South Dakota Department of Transportation.
- C. All proposed amendments to the CY 2004 Unified Planning Work Program must be approved by the Executive Policy Committee, the South Dakota Department of Transportation and the Federal Highway Administration, and do not become effective until all approvals are secured.

**V.
REPORTS**

Reports shall be prepared as outlined in the CY 2004 Unified Planning Work Program and, upon final approval by the Executive Policy Committee and the Federal Highway Administration, copies will be distributed to the participating agencies.

**VI.
INSPECTION OF WORK**

The South Dakota Department of Transportation, CITY and authorized personnel of the Federal Highway Administration shall, at all times, be accorded proper facilities for review and inspection of the work outlined in the CY 2004 Unified Planning Work Program (Exhibit A).

VII.
RECORDS

BOX ELDER shall maintain an accurate accounting system as to all costs incurred in connection with the subject of this Agreement and shall produce for examination books of accounts, bills, invoices and other vouchers or certified copies thereunder if originals be lost at such reasonable time and place as may be designated by **CITY** and shall permit extracts and copies thereof to be made during the contract period and for three (3) years after the date of final payment by **CITY**.

VIII.
AUDITS

BOX ELDER shall, with reasonable notice, afford a representative of the South Dakota Department of Transportation and **CITY** reasonable facilities for examination and audits of the cost account records; shall make such returns and reports to a representative as such representative may require; shall produce and exhibit such books, accounts, documents and property as such representative may determine necessary to inspect and shall, in all things aid such representative in the performance of his duties. **BOX ELDER** shall incur all costs associated with any and all audits of **BOX ELDER** cost records if deemed necessary by the South Dakota Department of Transportation and/or **CITY**. Audit costs associated with this Agreement are not considered to be an eligible reimbursement expense under this Agreement.

IX.
OWNERSHIP OF DATA

Documents and all products, including digital data created under this Agreement, are to be the joint property of the political jurisdiction and governmental agencies participating in the transportation planning process.

X.

PUBLICATION OR RELEASE OF INFORMATION

- A. Product and/or compliance of material under this Agreement subject to copyright shall not be copyrighted without written approval of the South Dakota Department of Transportation and the **CITY**.
- B. Either party to this Agreement may initiate a request for publication of any report or portions thereof. In the event of failure of agreement between **CITY** and **BOX ELDER**, each party reserves the right to publish independently, in which event, nonconcurrence of the other party shall be set forth if requested.
- C. Publication by either party shall give credit to the other party.

XI.

CLAIMS

Each party agrees to indemnify, save and hold harmless the other party, and all its agents and employees, of and from any and all claims, demands, actions or causes of action of whatever nature or character arising out of or by reason of, the work to be performed by either party. It is further agreed that any and all employees of either party, while engaged in the performance of any work or services, shall not be considered employees of the other party, and that any and all claims that may or might arise under the Workmen's Compensation Act of the State of South Dakota on behalf of said employees, while so engaged, any and all claims made by any third parties as a consequence of any act or omission on the part of said employees, while so engaged on any of the work or services provided to be rendered herein, shall in no way be the obligation or responsibility of the other party. Each party agrees to defend at its own sole cost and expense any action or proceeding commenced for the purpose of asserting a claim of whatever character arising as a result of its actions.

XII.
SUBCONTRACTING

All agreements or contracts pertinent to the Work Program and subject to partial reimbursement under this Agreement shall be submitted to the South Dakota Department of Transportation and **CITY** for review prior to final execution and shall be approved by the Executive Policy Committee, South Dakota Department of Transportation and the Federal Highway Administration. All consultant and/or subcontracting selection procedures shall comply with 23 CFR 172.

XIII.
NONDISCRIMINATION

BOX ELDER agrees to comply with the requirements of the extract from Executive Order 11246 and Appendix A of Title VI of the Civil Rights Act of 1964, identified as Exhibit B attached hereto and hereby, by this reference, made a part of this Agreement. **BOX ELDER** agrees to submit quarterly Title VI (Civil Rights) Statement of Contractor Reports.

IVX.
TRAVEL

All travel by **BOX ELDER** which utilizes funds in accordance with this Agreement, shall be on the basis of the rules of the State Bureau of Finance and Management then in force and also subject to procedures established for Third Party Contracts pertaining to all South Dakota Department of Transportation Employees.

XV.
TERMINATION OF ABANDONMENT

BOX ELDER and **CITY** each reserve the right to terminate this Agreement by a thirty (30) day written notice by either party to the other party.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed by their authorized officers and representatives.

CITY OF RAPID CITY

CITY OF BOX ELDER

BY: _____
Jim Shaw, Mayor

BY: _____
Carolyn Haddenham, Mayor

Date: _____

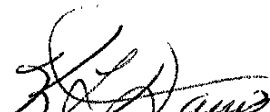
Date: _____

ATTEST:

ATTEST:

James F. Preston, City Finance Officer

City Finance Officer



Ken Davis, Chairman
Executive Policy Committee
Rapid City Area Metropolitan Planning
Organization

EXHIBIT A

Rapid City Area Metropolitan Planning Organization

2004 UNIFIED PLANNING WORK PROGRAM



Prepared by the
City of Rapid City, Pennington County,
Meade County, City of Box Elder
Black Hills Council of Local Governments
South Dakota Department of Transportation

In cooperation with the
U.S. Department of Transportation
Federal Highway Administration
Federal Transit Administration

December 2003

FINAL

Table of Contents

Acronyms iii

Introduction..... 1

Rapid City Area Transportation Study Organization..... 1

TEA-21 Planning Considerations..... 3

Funding 4

UPWP Section 1 – FHWA Activities..... 6

Personnel Services 6

Professional Services/Consultants..... 10

Capital Resources 11

UPWP Section 2 – FTA 12

Long Range Transportation Planning (41.13.01)..... 12

Transportation Improvement Program (41.15.00) 12

Process Operations (41.11.00) 13

Other Planning – Transit (41.17.00)..... 14

2004 UPWP Budget Spreadsheet..... 15

Acronyms

3-C	Continuing, Comprehensive and Cooperative Transportation Planning
ADA	Americans With Disabilities Act of 1990. Mandates changes in building codes, transportation, and hiring practices to prevent discrimination against persons with disabilities. This act affects all existing and new public places, conveyances, and employers. The significance of ADA in transportation will be most apparent in transit operations, capital improvements, and hiring practices.
BIT	South Dakota Bureau of Information and Telecommunications
BHCOG	Black Hills Council of Local Governments
CAC	Citizens' Advisory Committee of the Metropolitan Planning Organization
CFR	Code of Federal Regulations
DART	South Dakota Dept. of Transportation Office of Air, Rail and Transit
EPC	Executive Policy Committee of the Metropolitan Planning Organization
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GIS	Geographic Information Systems
CTPP	Census Transportation Planning Package
ITS	Intelligent Transportation Systems
MPO	Metropolitan Planning Organization
NTD	National Transit Database
PEA	Planning Emphasis Area
PL	Metropolitan Planning Funds that have been set aside for transportation planning activities in Urbanized Areas.
RCATSA	Rapid City Area Transportation Study Area
RTAB	Rapid Transit Advisory Board
RFP	Request for Proposals

Section 5303	Federal Transit Administration mass transportation planning funds.
Section 5307	Federal Transit Administration program that provides capital and operating assistance to urbanized areas.
Section 5310	Federal Transit Administration program that provides capital assistance to organizations that provide transportation services to elderly and disabled persons.
SDDOT	South Dakota Department of Transportation
STIP	State Transportation Improvements Program
TAZ	Traffic Analysis Zone
TCC	Technical Coordinating Committee of the Metropolitan Planning Organization
TDP	Transit Development Plan
TEA-21	The Transportation Equity Act for the 21st Century. This five-year highway bill was approved in June of 1998, and carries on the ISTEA emphasis towards a balanced transportation system, including public transit, bicycle and pedestrian modes, and environmental and social consequences.
TIP	Transportation Improvements Program
USC	United States Code
UPWP	Unified Planning Work Program
USDOT	United States Department of Transportation

Introduction

The 2004 Unified Planning Work Program (UPWP) is a description of the multimodal transportation planning programs to be conducted in the Rapid City Area Transportation Study Area (RCATSA). This annual document is a foundation for requesting federal planning funds as well as a control tool for scheduling, budgeting, and monitoring the transportation planning process. The City of Rapid City conducts this work program in accordance with the agreements between the City and the Black Hills Council of Local Governments, the City of Box Elder, Pennington County, Meade County and the South Dakota Department of Transportation. Ellsworth Air Force Base, the Federal Highway Administration, and the Federal Transit Administration also participate in the transportation planning process.

Input from involved agencies is required for the development of the UPWP, so that all issues concerning transportation within the study area are equally considered for inclusion. Agencies such as the South Dakota Department of Transportation, the Federal Highway Administration, the Federal Transit Administration, Pennington County, Meade County and Rapid Transit all provide input utilized in the formation of work program tasks.

Rapid City Area Transportation Study Organization

Effective transportation planning requires coordination and direction for all modes of travel as provided by a unified organization. This unified committee organizational structure consists of the Citizens' Advisory Committee (CAC), the Technical Coordinating Committee (TCC), and the Executive Policy Committee (EPC). This structure allows input from citizens, professionals, and those affected by transportation decisions.

The Citizens' Advisory Committee is comprised of private citizens whose input concerning transportation issues provides valuable assistance to the planning process. This committee ensures that public involvement in the transportation planning process remains a priority and that the public is informed of planning developments. Since the planning process is organized for the good of the community, it is imperative that this committee serves as a resource to both staff and the public. Membership of the Citizens' Advisory Committee consists of seven voting members representing various sections of the Rapid City Area Metropolitan Planning Organization. The current active membership of the CAC includes:

Tom Bodensteiner
Sandra Burns
Dorothy Davis
Bill Franklin
Adeline Kalmbach

Meredith Lawson
 Gary Reynolds
 Deb McPherson
 Walt Roetter (Chair)

The Technical Coordinating Committee provides technical review and guidance from planners, engineers, safety officials, airport officials, and representatives from federal and state agencies. This group makes recommendations to the Executive Policy Committee concerning the adoption and approval of all transportation plans and programs such as the Long Range Transportation Plan, the Transportation Improvements Program, and the various reports and plans. The current active membership of the TCC includes (*denotes a non-voting member of the TCC):

Patsy Horton (Chair)	Transportation Planning Process Administration
Dan Coon	Rapid City Engineering Division
Doug Adelman	Rapid City Traffic Engineer
Don Brumbaugh	Rapid City Street Division
Klare Schroeder	Rapid City Urban Systems Engineer
Vacant	Rapid City Community Development Department
Ken Simmons	Rapid City Regional Airport Administration
Sgt. Herb Kistler	Rapid City Police Department, Street Division
Vicki Fisher	Rapid City Planning Department, Urban Division
Scott Anderson	Pennington County Planning Department
Dale Tech	Pennington County Drainage Coordinator
Hiene Junge	Pennington County Highway Department
Cpt. Bill Armstrong	Pennington County Sheriff's Department, Traffic Division
Kirk Chafee	Meade County Director of Equalization
Jack Wilson	Meade County Representative
Ken McGirr	Meade County Highway Department
Lynn Derby	City of Box Elder
Bob Eben	Ellsworth Air Force Base
Rich Sagen	Black Hills Council of Governments/ Rapid Transit System
Todd Seaman	SD Department of Transportation, Region Engineer
Terry Keller	SD Department of Transportation, Division of Planning & Engineering
Laurel Selken	SD Department of Transportation, Office of Fiscal & Public Assistance-Air, Rail, and Transit Section
Mark Hoines*	Federal Highway Administration

The Executive Policy Committee is the authorized decision making group and is composed of locally elected officials, representatives from federal and state agencies, and other local agencies interested in transportation planning. The primary

function of this group is to provide guidance for the planning process, and to ensure coordination among various transportation modes, local governments, and planning efforts. The current active membership of the EPC includes (*denotes a non-voting member of the EPC):

Jim Shaw	Mayor of Rapid City
Vern Kienzle	Mayor of Box Elder
Lyle Hendrickson	Pennington County Commission Chair
Ken Davis (Chair)	Pennington County Commission Representative
Bob Mallow	Meade County Commission Chair
Curt Nupin	Meade County Commission Representative
Mike Kenton	Rapid City School District Representative
Bill Waugh	Rapid City Council Representative
Tory Richardson	Rapid City Regional Airport Representative
Jerry Shoener	SD Transportation Commission Representative
Terry Keller*	SD Dept. of Transportation, Division of Planning & Engineering
Mark Hoines*	Federal Highway Administration
Vacant*	Ellsworth Air Force Base Representative

The three committees operate under the Federal regulations established by the Transportation Equity Act for the 21st Century (TEA-21). These regulations define the process and organization that must be present.

TEA-21 Planning Considerations

As transportation plans are developed, whether it is a major street plan, a mass transit plan, or a bicycle/pedestrian plan, there are seven factors that should be considered in the planning process. The UPWP specifies the work tasks to accomplish the transportation planning process and is developed to comply with the seven broad-based requirements identified in the Transportation Equity Act for the 21st Century (TEA-21). The designated factors identified as key issues concerning the transportation field include:

1. Supporting the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increasing the safety and security of the transportation system for motorized and non-motorized users.
3. Increasing the accessibility and mobility options available to people and for freight.
4. Protecting and enhancing the environment, promoting energy conservation, and improving the quality of life.

5. Enhancing the integration and connectivity of the transportation system, across and between modes, for people and freight.
6. Promoting efficient system management and operation.
7. Emphasizing the preservation of the existing transportation system.

In addition to the seven factors addressed by TEA-21, the FTA Region 8 Office has developed five Planning Emphasis Areas (PEAs). The mission of these Planning Emphasis Areas is to ensure the highest quality of surface and public transportation and to promote the nation's economic and community vitality. The PEA's addressed in the 2004 Unified Planning Work Program include:

Intelligent Transportation Systems
 Livable Communities Initiative
 Integration of Planning and the Environment
 Railroad Grade Crossing Safety
 Freight and Goods Movement

Funding

The two funding sources utilized in this work program are Federal Highway Administration (FHWA) Planning Funds for transportation planning related activities and Federal Transit Administration (FTA) Section 5303 funds for mass transportation planning activities. The City of Rapid City, Meade County and the City of Box Elder provide the local match for both funding categories (as identified in the 2004 UPWP Budget Worksheet) at the following ratios:

FHWA PL	18.05% Local	81.95% Federal
FTA (49 U.S.C. 5303)	20.0% Local	80.0% Federal

The FHWA planning funds (PL) budgeted in this program are based on the estimated 2004 allocation and distribution formula as agreed upon by the local government entities and the SDDOT. An agreement between the SDDOT and local governmental agencies as part of a 49 U.S.C. Section 5303 grant for public transportation planning activities provides the avenue for FTA funds shown throughout this work program.

A comprehensive budget is contained at the back of this document. The budget sheet identifies funds for individual tasks and provides total programmed expenditures for each task and funding source. All UPWP line item activities may allow contracts with outside parties upon receipt of appropriate approval of the SDDOT and the EPC.

An annual report, prepared within 180 days after the end of each calendar year, will contain the financial statements of the Rapid City Area MPO UPWP. A summary of staff activities accomplished under the UPWP will also be included.

UPWP Section 1

Federal Highway Administration Activities

Personnel Services

These activities directly relate to public awareness and public involvement as well as the effective operation and management of the planning process. To promote and produce an efficient intermodal transportation system, the management emphasis is on activity coordination.

2004 Work Activities:

1. Staff will participate in the 2004 Rapid City Area MPO transportation planning Certification Process. The SDDOT will conduct a certification review with the MPO on an as-needed basis. The EPC will self-certify the local transportation planning process. Environmental justice compliance will be addressed as part of the certification review.
2. Staff will coordinate the execution of the annual PL and Transit planning agreements between the SDDOT, City of Rapid City, City of Box Elder, Meade County and Pennington County.
3. Staff will coordinate and jointly develop the 2005 Rapid City Area MPO UPWP. The cost of staff time, public notices, and any printing costs will be included in this activity.
4. Staff will coordinate with SDDOT to consolidate all consultant contracts into current UPWP.
5. Staff will coordinate with SDDOT to consolidate unobligated funding into current UPWP as needed.
6. Staff will prepare the update to the Long Range Transportation Plan.
7. Staff will prepare demographic profiles based on 2000 US Census Bureau and local building permit data to enhance the environmental justice requirements.
8. Staff will prepare the update to the Fugitive Dust Plan.

9. Staff will continue updating and revising MPO planning documents as needed including, but not limited to, the Public Participation Plan, the Operations Plan, the Bicycle/Pedestrian Plan, the Transit Development Plan, the Functional Classification map, etc.
10. Staff will maintain the MPO's accounting and vouchering system, whereby participants in the local transportation planning process are reimbursed for eligible transportation planning work activities through the MPO and the SDDOT with FHWA and FTA funds identified within the UPWP.
11. Staff will monitor work activities outlined in the 2004 UPWP and submit vouchers no more often than monthly and no less often than quarterly for reimbursement of eligible transportation planning work activities.
12. Staff will monitor the implementation of grant activities and present UPWP budget amendments, as necessary, to be acted upon by the transportation planning committees.
13. Staff will attend transportation planning committee meetings; other process-related meetings; and public meetings throughout the planning year. Staff will discuss and distribute information regarding the transportation planning process and transportation improvements.
14. Staff will continue to work with social service providers to assure representation of their needs in transportation planning.
15. Staff will undertake any activities that support the transportation planning committees and the planning process, including but not limited to the following: coordinating and staffing meetings and public hearings, drafting agendas and meeting minutes, assembling meeting packets and mailings, drafting and publishing public notices, developing reports and documents, maintaining committee membership, creating and maintaining Transportation Planning website, and providing information. The cost of document printing is included in this activity.
16. Staff will attend/participate in various training courses, conferences, seminars, workshops, etc. The cost of training, travel and lodging, and staff time for such training will be included in this activity. SDDOT approval shall be obtained in advance of the event, via e-mail, for in-state travel that is PL related. Out-of-state travel must be approved by SDDOT via written travel request and justification in advance of the event.
17. Staff will coordinate any FHWA, FTA, and/or SDDOT training opportunities and events throughout the year.

18. Staff, as requested, will assist cities and the county within the MPO boundary with their Comprehensive Plans. Assistance provided under the UPWP will be limited to land use assessments, street plan updates, and the preparation of GIS generated maps.
19. Staff will assist communities within the MPO in the preparation of GIS maps for land use data on an as needed basis.
20. Staff will assist in the preparation of the GIS/TAZ data for Pennington County and Meade County.
21. Staff will participate in agency professional memberships and subscriptions related to transportation planning.
22. Staff will review USDOT regulations, guidance, and circulars, and review best practices information, from other sources, to ensure compliance with regulations and consider cutting-edge ideas.
23. Staff will maintain inventories of transportation information required for transportation planning. Specific inventories include traffic counts and turning movement counts. New data will be gathered and existing inventories will be updated and shall be available for MPO functions.
24. Meade County and Box Elder staff may maintain inventories of transportation information required for transportation planning. Specific inventories may include traffic counts and turning movement counts. New data may be gathered and existing inventories will be updated and shall be available for MPO functions.
25. Traffic information, maintaining inventories and data gathering efforts will be coordinated through City and County staff and transportation specialists in the SDDOT.
26. Staff will cooperate with SDDOT efforts to expand the Global Positioning System (GPS) control for South Dakota. As GPS data becomes available, it will continue to be used to establish accurate GIS position data.
27. Staff will maintain and update geographic information system (GIS) created base inventory maps of the natural and man-made resources, features, and environmentally sensitive areas that could be adversely affected by changes in the region's transportation system. GIS staff will continue to expand the use of coordinate geometry to input plat information.
28. Staff will continue to add land use and socio-economic data to the GIS database.

29. Staff will obtain additional aerial photography for inclusion in the GIS.
30. Staff will select and conduct studies and associated public involvement activities identified in the LRTP and other studies as approved by the transportation planning committees.
31. City and County staff will review proposed land use changes and developmental proposals to determine their anticipated effects on the existing and future transportation system.
32. Staff will conduct air quality analysis and coordinate data among those entities involved in the process.
33. Staff will update socio-economic data, prepare socio-economic forecasts, and prepare the 2003 Residential Land Use Report.
34. Staff will maintain the travel demand forecasting model.
35. Staff will analyze impacts related to land use and transportation system coordination on a corridor/study area basis.
36. Staff will prepare the 2005-2009 TIP. The TIP will be developed, adopted, and distributed in compliance with all federal, state, and local requirements. The TIP shall include all transportation improvements planned by the participating agencies within the MPO area for the five-year period, including both federal and non-federally funded projects.
37. Staff will evaluate all transportation improvement projects for their impacts on intermodal facilities and routes within the urbanized area and the region.
38. Staff will account for life-cycle costs when comparing specific project cost estimates to estimates of available financial resources.
39. Staff will coordinate the 2004 bus tour of transportation improvement projects by the transportation planning committees and others.
40. Staff will develop the Transportation System Management Efficiency Report, which describes the short-range, low-cost improvements completed during the last calendar year.
41. Staff will study and begin the process of implementing a pavement management system.
42. Staff will continue to analyze the accident statistics city-wide. A critical rate analysis method to identify high collision locations and program safety improvements is employed in the Rapid City Engineering Division. This

process will be continued and the Safety Management System Report will be produced.

43. A year-end summary of work and financial activities will be provided to SDDOT.
44. Staff may participate in other activities associated with the transportation planning process that are not described in this UPWP as mutually agreed upon with the SDDOT. These activities fall under the overall comprehensive, cooperative, and continuing transportation planning process.

Professional Services/Consultants

These activities address both identified and unanticipated problems and needs that occur during the course of the work program year. Contractual services with consultants or other professionals to conduct studies and other work activities to support traffic needs and project development shall be identified by a corresponding program year.

2004 Work Activities:

1. Staff will complete preliminary work on RFPs and other necessary documentation.
2. RFPs will be distributed; consultant selection procedures will be followed; and, contracts will be prepared and executed. Staff will be responsible for contract preparation, contract execution, and project management.
3. Staff will recommend to the transportation committees, for their approval, the need for special studies and develop work plans for accomplishing these studies. Work under this item may include study coordination meetings, budget preparation, and analysis.
4. Staff will conduct a corridor study to determine a connection from Sheridan Lake Road to the west.
5. Staff will conduct transportation-related comprehensive planning, to include land use and major street plans, within the MPO's planning study area.

Estimated Cost: \$130,000

Capital Resources

These activities include the capital investments necessary to carry out the transportation planning process.

1. The following will be acquired, as needed, to support the transportation planning process: computer hardware, software (including software upgrades) and peripheral devices; printing and plotting devices; recording equipment; traffic counters; digital aerial photos; digital contour maps; public notices; reference materials; and commercial printing and printing supplies.*
2. All computers purchased with state funds must be in compliance with the Governor's moratorium.*

** Federal approval is required before purchased for any item that exceeds \$5,000.*

All capital purchases will be reviewed by the SDDOT prior to acquisition. A letter of justification for the requested purchase and the cost of the requested purchase must be submitted to the SDDOT. A minimum of three (3) quotes must be provided if the requested item is not going to be purchased in accordance with the State Purchasing Contract.

It is recommended that computer hardware and software be purchased in accordance with the State Purchasing Contract whenever possible. If the desired hardware or software is not available from the state bid list, it must be approved by the Bureau of Information and Telecommunications (BIT) prior to acquisition. A minimum of three (3) quotes must be provided with the justification for the requested hardware or software and the criteria for emergency purchase of computer hardware or software must be followed.

A letter explaining and justifying all emergency purchases must be signed by the head of the respective department. This process is being established in order to avoid confusion regarding authorization in an emergency.

Criteria for emergency purchase of computer hardware and software:

Application for exemption from moratorium may be made in writing to the South Dakota Department of Transportation Metropolitan Planning Coordinator. Each exemption should include the following information:

1. *A description of the item to be purchased and indication of its compatibility with state government information systems.*
2. *Cost of the item as well as an explanation of how the item is funded.*
3. *An explanation of how this piece of equipment or software will impact state government.*
4. *The name and phone number of a contact person in your department.*

UPWP Section 2

Federal Transit Administration Activities

Long Range Transportation Planning (41.13.01)

2004 Work Activities:

1. Staff will review proposed land use changes and development proposals to determine their anticipated effects on the existing and future transportation system.
2. Staff will continue to analyze long-term public transportation needs and funding requirements.
3. Staff will participate in the land use development process, special studies, transportation planning, project design and the review of implications on the public transportation system.
4. Socio-economic data will be integrated with the Public Transportation System and the City/County GIS.

Transportation Improvement Program (41.15.00)

2004 Work Activities:

1. Staff will prepare the public transportation portion of the CIP and the 2005-2009 TIP. The TIP will be developed, adopted, and distributed in compliance with all federal, state, and local requirements. The TIP shall include the five-year plan for proposed capital and operating expenditures for public transportation and will identify potential funding sources.
2. All transportation improvement projects that will be evaluated by staff will be reviewed for their impacts on intermodal facilities and routes within the urbanized area and the region.
3. Staff will account for life-cycle costs when comparing specific project cost estimates to estimates of available financial resources.

4. Staff will update the public transportation element of the Transportation Safety Management Safety Report, which describes the short-range, low-cost improvements completed during the last calendar year.
5. Staff will evaluate and monitor the transit system's operational characteristics in order to identify necessary changes.
6. Staff will identify short-range improvements to the public transportation system and will continue to analyze the feasibility of various transit and paratransit service options.

Process Operations (41.11.00)

2004 Work Activities:

1. Staff will participate in the 2004 Rapid City Area MPO transportation planning Certification Review. The SDDOT will conduct the review and the EPC will self-certify the local transportation planning process. Environmental Justice compliance will be assessed as part of the Certification review.
2. Staff will monitor work activities outlined in the 2004 UPWP and submit vouchers for reimbursement of eligible transportation planning work activities.
3. Staff will monitor the implementation of grant activities and present UPWP budget amendments, as necessary, to be acted upon by the transportation planning committees
4. Staff will attend transportation planning committee meetings; other process related meetings; and public meetings throughout the planning year. Staff will discuss and distribute information regarding the transportation planning process and transportation improvements.
5. Staff will review USDOT regulations, guidance, and circulars, and review best practices information, from other sources, to ensure compliance with regulations and consider cutting-edge ideas.
6. Staff will provide general administrative support for FTA 49 U.S.C. Section 5309, Section 5307, and Section 5303 grants, including facilitating capital purchases and administering capital improvement projects as well as submitting the Quarterly Milestone Reports and the Financial Status Reports via the FTA's Transportation Electronic Award and Management system (TEAM).

7. Staff will continue to participate in regular meetings with not-for-profit transportation providers to pursue opportunities to coordinate the provision of transportation services as well as address unmet needs.
8. Staff will monitor vehicle lease agreements with not-for-profit agencies.
9. Staff will monitor the transit system's safety and training program and participate in quarterly reviews.
10. Staff will verify that the public transportation implications of the Americans with Disabilities Act (ADA) are being met.
11. Staff will assist the Transit Advisory Board in its review of local applications for Section 5310 capital assistance. The review and ranking of applications will be conducted per the working agreement with the SDDOT.

Other Planning - Transit (41.17.00)

2004 Work Activities:

1. Staff will attend/participate in various training courses, conferences, seminars, workshops, etc. The cost of the training, travel and lodging, and staff time for such training will be included in this activity.
2. Staff will purchase agency subscriptions to transit-related literature.
3. Staff may complete other transit-related planning activities and special studies as approved by the transportation planning committees.

2004 UPWP BUDGET SPREADSHEET

FHWA Budget Sheet (81.95%)						
	Box Elder	Rapid City	Meade County	BHCOG/ Rapid City	SDDOT Air, Rail & Transit	Total
Personnel Services	\$900	\$310,938	\$42,034	\$13,900		\$367,772
Professional Services/Consultants		\$131,906				\$131,906
Capital Resources		\$10,000	\$30,466			\$40,466
Total Cost	\$900	\$452,844	\$72,500	\$13,900		\$540,144
FHWA Amount 81.95%	\$738	\$371,106	\$59,414	\$11,391		\$442,649
Local Match 18.05%	\$162	\$81,738	\$13,086	\$2,509		\$97,495

FTA Budget Sheet (80.00%)						
	Box Elder	Rapid City	Meade County	BHCOG/ Rapid City	SDDOT Air, Rail & Transit	Total
Long Range Transportation - 41.13.01		\$70,084	\$1,500			\$71,584
Transportation Improvement Program - 41.15.00		\$15,481	\$1,000	\$200	\$3,760	\$20,441
Process Operations - 41.11.00		\$2,076		\$3,900	\$4,240	\$10,216
Other Planning (Transit) - 41.17.00		\$500				\$500
Total Cost		\$88,141	\$2,500	\$4,100	\$8,000	\$102,741
FTA Amount 80%		\$70,513	\$2,000	\$3,280	\$6,400	\$82,193
Local Match 20%		\$17,628	\$500	\$820		\$18,948
Dart Match					\$1,600	\$1,600

Combined Totals	\$900	\$540,985	\$75,000	\$18,000	\$8,000	\$642,885
-----------------	-------	-----------	----------	----------	---------	-----------

EXHIBIT B
COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
FOR FEDERAL-AID CONTRACTS

During the performance of this contract, **BOX ELDER** and **CITY** agree as follows:

- 1) Compliance with Regulations: **BOX ELDER** and **CITY** shall each comply with the regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation (title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- 2) Nondiscrimination: **BOX ELDER** and **CITY**, with regard to the work to be performed by either of them after award and prior to completion of the contract work, will not discriminate on the grounds of race, color, creed, age, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. **BOX ELDER** and **CITY** will 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 Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by **BOX ELDER** or **CITY**, for work to be performed under a subcontract, including procurements of materials or equipment, each agree that each potential subcontractor or supplier shall be notified by either party of their obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, creed, age, sex or national origin.
- 4) Information and Reports: **BOX ELDER** and **CITY** shall each provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and shall permit access to each of their

books, records, accounts, other sources of information, and its facilities as may be determined by **CITY** or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of **BOX ELDER** or **CITY** is in the exclusive possession of another who fails or refuses to furnish this information, they shall so certify to **CITY**, the South Dakota Department of Transportation, or the Federal Highway 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 **BOX ELDER'S** or **CITY'S** noncompliance with the nondiscrimination provisions of this contract, **CITY** shall impose such contract sanctions as it, the south Dakota Department of Transportation, or the Federal Highway Administration, may determine to be appropriate including, but not limited to,
 - a. Withholding of payments to either party, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.
- 6) Incorporation of Provisions: **BOX ELDER** and **CITY** each agree to include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, order or instructions issued pursuant thereto. **BOX ELDER** and **CITY** will take such action with respect to any subcontract or procurement as **CITY**, the South Dakota Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event either party becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, either party may request **CITY** or **BOX ELDER** to enter into such litigation to protect the interests of **CITY** or **BOX ELDER**, and in addition, either party may request the United States to enter into such litigation to protect the interests of the United States.