

County lawsuit. Recent judges' action has likely resulted in another Executive Board meeting called to address Transportation Department fiscal agent needs. The FIFA items are the most critical. We will know these results by our meeting date.

Performance Measure(s) Addressed: Administrative

1:20 – 1:30 4. **\$5 Million Emergency Funding Using Regional Transportation Council Local Funding: Regional Transportation Council Ratification**

Action Possible Action Information Minutes: 10

Presenters: Michael Morris, NCTCOG

Item Summary: The Regional Transportation Council (RTC) has delegated to the Transportation Director approval to request emergency funds. The funds would be for unforeseen needs resulting from recent legal action that has impacted the Metropolitan Planning Organization status and the fiscal agency. The Transportation Director has received approval from the Chair and endorsement from the RTC is required.

Background: [Electronic Item 4](#) contains a copy of the current Emergency Policy. "The purpose of this policy is to protect both North Central Texas Council of Governments staff and the RTC for any anticipated misunderstandings." There are no specific items of need at this time. All unused funds will be returned to the original RTC local funding program. Disbursements, if any, will be reported monthly to the RTC. These funds are not needed for legal matters.

Performance Measure(s) Addressed: Administrative

1:30 – 1:40 5. **Texas Department of Transportation Three-Party Agreement**

Action Possible Action Information Minutes: 10

Presenter: Michael Morris, NCTCOG

Item Summary: The Texas Department of Transportation (TxDOT) is communicating that the current TxDOT agreement does not comply with the code of federal regulations. TxDOT has requested to meet to begin developing the new agreement. The current agreement is between TxDOT, the Regional Transportation Council (RTC), and the North Central Texas Council of Governments Executive Board. The first meeting is scheduled for April 28, 2026.

Background: [Electronic Item 5.1](#) contains letters communicating the current status of government agency responsibilities. Recently approved Federal Certification Review presents findings that the RTC is the Metropolitan Planning Organization (MPO). Please see [Electronic Item 5.2](#). It is anticipated that TxDOT will suggest that [Electronic Item 5.3](#) contains TxDOT communications on a new agreement going back to March 7, 2025. The enclosed agreement proposes the RTC is the MPO. I would

assume this agreement is close to what we will see later this month. We will know these results by our meeting date.

Performance Measure(s) Addressed: Administrative

- 1:40 – 2:10** 6. **Executive Session**
 Action Possible Action Information Minutes: 30
Presenter: Rick Bailey, RTC Chair
Item Summary: Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Regional Transportation Council may convene in executive session to deliberate regarding the following matters:
Background: § 551.071. Consultation with Attorney. The Regional Transportation Council may convene in executive session to conduct a private consultation with the Council Attorney on any legally posted agenda item, when the Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items: County of Denton v. Johnson et. al., cause no. 26-3611-431.
- 2:10 – 2:20** 7. **Consideration of Items Discussed during Executive Session**
 Action Possible Action Information Minutes: 10
Presenter: Rick Bailey, RTC Chair
Item Summary: The Regional Transportation Council will consider whether to take any action related to items pursuant to Section 551.071 of the Open Meetings Act discussed during Executive Session.
8. **Next Meeting:** The next meeting of the Regional Transportation Council will be held at **1:00 pm, Thursday, May 14, 2026.**

Policy Position Establishing Guidelines for Ratification Actions

July 9, 2020

(P20-02)

The Transportation Improvement Program Modification Policy contains a provision for emergency changes that need approval quickly, but for which timing is not aligned with the Regional Transportation Council (RTC) meeting schedule. These changes would come to the RTC for ratification at the next scheduled meeting.

This policy does not change the existing Transportation Improvement Program Modification Policy. The purpose of this policy is to protect both North Central Texas Council of Governments (NCTCOG) staff and the RTC for any anticipated misunderstandings.

The goal of this policy is to develop a better understanding of this need by developing more guidelines protecting the speed for emergency actions, as well as the interest of the Regional Transportation Council. This policy proposes that staff can take action in emergency situations related to either time or consequence. It is anticipated that this provision would be used rarely, less than one time per year. The time-related emergencies are those transportation items that would have significant harm or opportunity if not advanced previous to the next Regional Transportation Council meeting. An emergency of consequence would be a situation where some safety-related event occurred that would bring harm to the citizens of the region or the traveling public without an immediate solution. The following items are guidelines and not specific requirements. It is difficult to anticipate every possible emergency event; however, the following is RTC direction for staff decision making.

The specific guidelines are:

- These projects or initiatives would be lower cost. It is anticipated these would mostly likely be less than \$5 million. Emergencies over this dollar amount could require the Chair to call a special meeting of the Regional Transportation Council.
- As stated previously, these would occur infrequently. They would require approval by the NCTCOG Transportation Director. The Transportation Director would be required to notify the Regional Transportation Council Chair.
- The item would need to be placed on the next scheduled meeting of the Regional Transportation Council for ratification. If an item is not ratified, staff would be required to outline the implications from the lack of action.
- To minimize complications related to federal funds, the Regional Transportation Council encourages staff to use RTC Local funds for emergency purposes. The benefit of such a policy is the sensitivity to federal regulations and is limited to relatively small balances of RTC Local funds. Although federal funds could be used, they are discouraged in this policy.

This policy permits the Regional Transportation Council to bring this policy back for reevaluation if members feel staff is misusing this policy for non-emergency purposes due to time or consequence.

Approved: July 9, 2020



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

March 12, 2026

Mr. Brian Barth
Deputy Executive Director for Program Delivery
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Dear Mr. Barth:

On behalf of the Regional Transportation Council (RTC), which serves as the independent transportation policymaking board of the Dallas-Fort Worth (DFW) Metropolitan Planning Organization (MPO), I am writing to request assistance from the Texas Department of Transportation (TxDOT) to clarify the relationship between an MPO's independent transportation policymaking board and its fiscal agent. While there is an ongoing discussion between the RTC and our fiscal agent, the North Central Texas Council of Governments (NCTCOG) Executive Board, to establish a closer partnership, it would benefit MPOs across the State if TxDOT would create consistency regarding this issue. In the next two years, multiple MPOs will undergo reviews of their bylaws and the MPO-TxDOT Agreements will be renewed in 2027, so now is a critical time for TxDOT to step in on this issue. You bring a unique perspective to this matter having previously served as District Engineer in both the Dallas and Fort Worth Districts and as a member of the RTC as well as your current position in the TxDOT Administration.

Members of the RTC and the NCTCOG Executive Board have begun discussions surrounding the roles and responsibilities of each body in moving forward policies determined for the MPO. Title 23 of the United States Code defines the MPO as the "policy board of an organization established as a result of the [MPO] designation process..." For the majority of the long history of the RTC serving as the MPO transportation policy board and NCTCOG serving as the MPO and fiscal agent, the NCTCOG Executive Board has served in that role by entering into agreements, providing accounting services, and providing benefits for the MPO staff as requested by the RTC. The State's interest in MPO policies, plans, programs, and projects is represented on the RTC as the independent transportation policymaking board, so there is a direct TxDOT interest in addressing this matter.

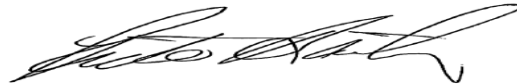
The specific request from the RTC is for TxDOT to help answer the following questions:

- Because of previous similar controversies in Austin and San Antonio as well as more recently in Houston and DFW, does TxDOT anticipate developing an updated standard agreement that attempts to clarify the State's interest?
- If so, when would MPOs anticipate new draft language for the standard MPO-TxDOT Agreements?

- Are there written interpretations of the resolution of similar concerns related to transportation policy direction and the MPO Transportation Planning Director in other regions of the state, including whether the resolution involved changing fiscal agents?
- In which MPOs across the State does the MPO Transportation Planning Director report directly to the transportation policy board and in which MPOs does the MPO Transportation Planning Director report to the fiscal agent?
- What is the recourse for the MPO transportation policy board if it believes the fiscal agent is substituting its own wishes as it relates to transportation policy? Are there written examples of this from other MPOs?
- Are there examples of the MPO transportation policy board withholding funds to the fiscal agent to ensure the MPO transportation policy board's transportation policy direction is implemented by the fiscal agent?
- Does an MPO transportation policy board have the ability to hire its own MPO Transportation Planning Director?

Thank you for your consideration of this request from the RTC. It is our goal to ensure a productive working relationship between the RTC and State, as provided in Title 23, in order to serve the mobility needs of our growing region. This is an outcome that would benefit TxDOT and we welcome your assistance to help resolve this matter.

Sincerely,



Rick Bailey, Chair
Regional Transportation Council
Johnson County Commissioner

MM:vpj

cc: Marc Williams, Executive Director, Texas Department of Transportation
Brandye Hendrickson, Deputy Executive Director, Texas Department of Transportation
Casey Wells, Advance Transportation Planning Section Director,
Texas Department of Transportation
Todd Little, Executive Director, North Central Texas Council of Governments



125 E 11th St | Austin, Texas 78701
512.463.8588
txdot.gov

March 31, 2026

Mr. Rick Bailey, Chair
Regional Transportation Council for the North Central Texas Council of Governments MPO
P.O. Box 5888
Arlington, TX 76005-5888
Via email: rickb@johnsoncountytexas.org

Dear Mr. Bailey,

The Texas Department of Transportation (TxDOT) is in receipt of your March 12, 2026 letter requesting TxDOT's position on the structure of Metropolitan Planning Organizations (MPO), including the role of MPO Policy Boards. Due to the legal nature of many of the questions presented, Mr. Barth referred the letter over to me for a response. Please note that I represent TxDOT and the information provided below is for informational purposes and should not be considered legal advice to the Regional Transportation Council for the North Central Texas Council of Governments MPO (RTC).

As you know, TxDOT's primary responsibility in the management of Federal funds is to ensure compliance with Federal law and regulation. TxDOT reviews each MPO designation and enters into a separate planning agreement with each individual MPO to ensure compliance with Federal law. As a voting member of the various policy boards, including the RTC, TxDOT does not provide legal guidance on MPO governance or operational matters, except to the extent necessary to ensure compliance with applicable federal law and regulation. Federal law and regulation do not mandate the creation, title, or management structure of a Transportation Planning Director position. As a result, there is no single, federally prescribed model for how MPOs structure or oversee such a position.

TxDOT is continuously trying to improve the efficiency and effectiveness of the use of federal transportation funds. As part of that effort, TxDOT is in the process of revising the standard MPO planning agreement template to ensure compliance with 23 CFR Part 450, Subparts A & C and §450.310 within Subpart C. We anticipate sharing the revised planning agreement later this year in preparation of the expiration of the current planning agreement in 2027.

Should you wish to review the individual planning agreements TxDOT has with the various MPOs across the state, you may reach out to Casey Wells, Advance Transportation Planning Section Director, at Casey.Wells@TxDOT.gov, and he can provide copies of the various planning agreements.

TxDOT looks forward to continuing to work with the MPO and RTC to address transportation needs in the region. If you have any further questions, feel free to reach out.

Sincerely,

DocuSigned by:
James Kirk

AADC3FA2650140D...
James Kirk

Senior General Counsel, General Counsel Division
Texas Department of Transportation
James.Kirk@TxDOT.gov

Cc:

Marc D. Williams, P.E., Executive Director, TxDOT

Brian Barth, P.E., Deputy Executive Director, Program Delivery, TxDOT

Brandye Hendrickson, Deputy Executive Director, Planning & Administration, TxDOT

Humberto "Tito" Gonzalez, Jr., P.E., Transportation Planning & Program Division Director, TxDOT

Casey Wells, Advance Transportation Planning Sec. Director, TPP Div., TxDOT

Michael Morris, Transportation Planning Director, NCTCOG MPO



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

April 6, 2026

Mr. James Kirk
Senior General Counsel
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Dear Mr. Kirk:

Thank you for your March 31, 2026, letter, which has been shared with the Regional Transportation Council (RTC), which serves as the independent policymaking board of the Dallas-Fort Worth (DFW) Metropolitan Planning Organization (MPO). The RTC appreciates information on the timeline for new MPO-TxDOT Planning Agreements and agrees with the approach to ensure compliance with 23 CFR Part 450, Subparts A & C and §450.310 within Subpart C.

The RTC stands ready to provide any necessary assistance to the Texas Department of Transportation during this process. We will await hearing from your organization on the next steps.

Thank you for your consideration of this request from the RTC. It is our goal to ensure a productive working relationship between the RTC and State, as provided in 23 CFR Part 450, in order to serve the mobility needs of our growing region. This is an outcome that would benefit TxDOT and we welcome your assistance to help resolve this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Bailey", is written over a light blue horizontal line.

Rick Bailey, Chair
Regional Transportation Council
Johnson County Commissioner

AW:kw

cc: Marc Williams, Executive Director, Texas Department of Transportation
Brian Barth, Deputy Executive Director, Texas Department of Transportation
Brandye Hendrickson, Deputy Executive Director, Texas Department of Transportation
Casey Wells, Advance Transportation Planning Section Director,
Texas Department of Transportation
Todd Little, Executive Director, North Central Texas Council of Governments



The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)

April 9, 2026

The Honorable Victoria Johnson
President
North Central Texas Council of Governments
616 Six Flags Drive
Arlington, Texas 76011

Dear President Johnson:

On behalf of the Regional Transportation Council (RTC), which serves as the independent policymaking board of the Dallas-Fort Worth (DFW) Metropolitan Planning Organization (MPO), I write to officially request that the North Central Texas Council of Governments (NCTCOG) Executive Board and NCTCOG Executive Director pause all search-related activities pertaining to the Transportation Director position. The RTC unanimously made this request at its April 9, 2026, meeting.

Thank you for your consideration of this request from the RTC. Please feel free to contact me if you have any questions or need further information about this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Bailey", is written over a light blue horizontal line. The signature is fluid and cursive.

Rick Bailey, Chair
Regional Transportation Council
Johnson County Commissioner

AW:va

cc: Todd Little, Executive Director, North Central Texas Council of Governments



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION FEDERAL HIGHWAY ADMINISTRATION
819 TAYLOR STREET, ROOM 8A36 300 E. 8TH STREET, ROOM 826
FORT WORTH, TEXAS 76102-9003 AUSTIN, TEXAS 78701

October 22, 2025

Refer to: HPP-TX

Dallas-Fort Worth-Arlington, Denton-Lewisville
and McKinney-Frisco Transportation Management Area
2025 FHWA/FTA Certification Action

Rick Bailey, RTC Chair
Commissioner, Johnson County
3400 FM 1434
Cleburne, Texas 76033

Dear Commissioner Bailey:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) worked with the Dallas-Fort Worth-Arlington, Denton-Lewisville and McKinney-Frisco Transportation Management Area (DFW TMA), Texas Department of Transportation (TxDOT) and staff to prepare for and conduct a 2025 planning certification review for the DFW TMA. This review was conducted in accordance with 23 United States Code (U.S.C.), Section 134(k)(5) and consisted of meetings (June 4-6) with DFW TMA, TxDOT and staff, public input and a public comment period. The Certification Review report that documents the various components of the 2025 review including, but not limited to notes, commendations, and recommendations, is enclosed.

Based upon our review, FHWA and FTA find that the planning process for the DFW TMA is in substantial compliance with the requirements of 23 U.S.C. 134 and 49 U.S.C. 1607. Accordingly, we hereby certify the DFW TMA planning process.

If you have any questions or desire a formal presentation to the Regional Transportation Council (RTC), regarding the Certification Review process and/or the Certification Review Summary Report, please contact FHWA Genevieve Bales (512) 536-5941 or Jose Campos (512) 536-5932, or FTA Michelle Bloomer (817) 978-0570 or Marc Oliphant at (817) 978-0554.

Sincerely yours,

ED KENNETH BURGOS GOMEZ Digitally signed by ED KENNETH BURGOS GOMEZ

Ed Burgos-Gomez
Acting Director, Program Development
Federal Highway Administration

DAVID EDMUND BARTELS Digitally signed by DAVID EDMUND BARTELS

David Bartels
Director, Planning and Program Development
Federal Transit Administration

Enclosure

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U.S. Department
of Transportation

Federal Highway
Administration

Federal Transit
Administration



Transportation Management Area Planning Certification Review

2025 North Central Texas Metropolitan Planning Organization

Federal Certification Review

Prepared by:

Federal Highway Administration Texas Division

and

Federal Transit Administration Region 6

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INTRODUCTION

The Federal Highway Administration – Texas Division (FHWA-TX) and the Federal Transit Administration – Region 6 (FTA-6) conducted the onsite portion of the Planning Certification Review of the transportation planning process for the North Central Texas Metropolitan Planning Organization (NCT MPO) on June 4-6, 2025. The FHWA and FTA are required to jointly review and evaluate the transportation planning process for each urbanized area over 200,000 in population at least every four years to determine, review, assess, and document NCT MPO compliance with applicable federal metropolitan transportation planning requirements and laws as stipulated in 23 CFR Part 450 and consistency with 23 United States Code 134.

PREVIOUS FINDINGS AND DISPOSITION

The 2021 review found that the metropolitan transportation planning process for the Dallas-Fort Worth-Arlington, Denton-Lewisville and McKinney TMA substantially met the Federal planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303. As such, FHWA and FTA certified the transportation planning process on September 23, 2021. The first enhanced planning review for the NCT MPO was conducted in 1996; subsequent planning certification reviews were conducted in 1999, 2002, 2005, 2009, 2013, 2017, and 2021. The 2021 Certification Review concluded in September 2021, and its detailed Summary Report was formally released on May 26, 2022, as is available upon request from FHWA-TX and FTA-6.

CURRENT FINDINGS

As a result of the 2025 review, FHWA-TX and FTA-6 certified the metropolitan transportation planning process (MTPP) conducted by the regional planning partners Texas Department of Transportation (TxDOT), NCT MPO, and public transit providers (See Table 2 Abbreviations / Acronyms). There are recommendations in this report that warrant attention and follow-up, as well as areas that the NCT MPO is performing well and merit commendation.

REVIEW SUMMARY

The TMA Certification Review was conducted by the Federal Review Team through a combination of MPO, document reviews, public input and engagement, and on-site and virtual public meetings with NCT MPO staff and regional stakeholders. The Federal Review Team focused on NCT MPO compliance with federal regulations under 23 CFR Part 450 and other relevant metropolitan planning-related requirements.

The review areas, observations, commendations, and recommendations are summarized subsequent tables. For ease, these are ordered by the Code of Federal Regulations (CFR) citation: 23 CFR 20.117; 23 CFR Parts 450 Subpart C; Appendix A to Part 450; as well as Part 490 Subparts B to H.

In advance of (and following) the June 4 to 6, 2025 on-site meeting at the NCT MPO, the Federal Review Team reviewed various topics as part of a Desk Audit. **Table 1** includes Requirements, Citations, and the Assessments; **Table 2** includes a list of Abbreviations/Acronyms; and **Table 3** is a list of Federal Certification Review participants. The NCT MPO Federal Certification Review co-leads included: Michelle Bloomer and Marc Oliphant from FTA-6; and Barbara Maley from FHWA-TX.

Table 1 – Requirements, Citations and Assessments

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
<p>METROPOLITAN TRANSPORTATION PLANNING PROCESS (MTPP)</p> <p>23 U.S.C.134 49 U.S.C.5304 23 CFR 450.306</p>	<p>The MTPP is designed to be continuous, cooperative, and comprehensive, ensuring compliance with Federal requirements while effectively addressing applicable planning factors. It employs a performance-based approach to decision-making and utilizes NCT MPO staff, consultants, and local partners for implementation. The MTPP is carried out in coordination with TxDOT’s statewide transportation planning process, with compliance ensured through NCT MPO’s Mobility 2045: 2022 Update (MTP). Additionally, the process demonstrates effective stakeholder coordination with TxDOT, public transit providers, local governments, and other partners to foster an integrated planning approach.</p>
<p>ASSESSMENT: Compliant</p>	<p>The MTPP and FYs 2024 and 2025 Unified Planning Work Programs (UPWP) addresses ten factors and are reflected, as appropriate in each. The MTPP provides for a performance-based approach to decision-making. The NCT MPO carries out the MTPP in coordination with TxDOT’s statewide transportation planning process. The MTPP is consistent with intelligent transportation system architecture.</p> <p>The NCT MPO prepared a coordinated public transportation plan entitled ‘2022 Access North Texas Plan’ and is dated October 2022 and was approved by the RTC and endorsed by the North Central Texas Council of Governments (NCTCOG) Executive Board in October 2022. There are plans for a 2026 update.</p> <p>The NCT MPO staff, public transit provider staff, consultant resources as well as other local partners are used to carry out the elements of the MTPP.</p> <p>The NCT MPO addresses various transportation safety and security requirements within various subchapters of the MTP:</p> <ul style="list-style-type: none"> • <u>MTP Freight links:</u> <ul style="list-style-type: none"> ○ Freight North Texas ○ Freight • MTP Safety • MTP Operational Safety <p>The NCT MPO is adequately considering the planning factors set forth in 23 U.S.C. 134(h) and 49 U.S.C. 5303(h) and in accordance with 23 CFR 450.306(b) and (c). The degree of consideration and analysis of the factors is based on the scale and complexity of the area including transportation systems development, land use, employment, economic development, and the human and natural environment.</p>

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
<p>UNIFIED PLANNING WORK PROGRAM (UPWP)</p> <p>Annual Performance and Expenditure Report</p> <p>23 CFR 420.117 23 CFR 450.308</p>	<p>The UPWP as approved by the RTC on July 13, 2023, and transmitted by TxDOT Transportation Planning and Programming Division (TPP) to the FHWA-TX and the FTA-6 on August 13, 2023, and subsequently approved by the FHWA-TX and FTA-6 on September 27, 2023, complies with all federal regulatory elements outlined in 23 CFR Part 450, providing a comprehensive framework for metropolitan transportation planning. It incorporates performance-based planning principles that align with federal mandates and facilitate data-driven decision-making.</p>
<p>ASSESSMENT: Compliant</p>	<p>The UPWP emphasizes full and transparent public participation, encouraging community involvement to ensure that planning decisions reflect public input. Amendment 4 was adopted by the RTC on April 11, 2025; transmitted to FHWA-TX / FTA-6 on June 11, 2025; and federally approved on August 28, 2025.</p> <p>TxDOT TPP provided the 2024 Annual Performance and Expenditure Report for NCT MPO to FHWA-TX and FTA-6 on February 6, 2025. It is also posted to the NCT MPO's website. After internal review, comments were provided to the NCT MPO on April 30, 2025, and the MPO responded on August 20, 2025. Federal partners advised that there were no further comments on August 21, 2025.</p> <p><u>UPWP link: Unified Planning Work Program</u></p> <p>The UPWP is developed cooperatively between the NCT MPO, TxDOT and the public transit providers.</p> <p>While the 2026-2027 UPWP was not yet available, the following four (4) forms were available at the time of the on-site review including: planning studies; air quality studies; technical studies; and public transit planning studies.</p> <p>As part of the jointly agreed upon template, various appendices are included in the UPWP:</p> <ul style="list-style-type: none"> • Appendix A. Policy and Technical Committee Membership, and NCTCOG Transportation Department Staff Roster (June 2023) • Appendix B. Metropolitan Area Boundary Map (October 2009) • Appendix C. Debarment Certification (June 2023) • Appendix D. Lobbying Certification (June 2023) • Appendix E. Certification of Compliance (2023) • Appendix F. Certification of internal Ethics and Compliance Program (June 2023) • Appendix G. Public Participation Plan (November 2022 Update) • Appendix H. Memorandum of Understanding Among the MPO, TxDOT and the Public Transit Providers (June 2018) • Appendix I. RTC Adopted Performance Targets

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<p>Recommendation. The Federal Review Team suggests posting a schedule for UPWP development including but not limited to possible amendments. The Federal Team will work with the State and NCT MPO on organizing the document for a more streamlined review by its FHWA-TX and FTA-6 partners.</p>
<p>MPO DESIGNATION & REDESIGNATION</p> <p>23 CFR 450.310</p>	<p>The NCT MPO, was established on April 12, 1974, and serves as the federally designated MPO for the Dallas-Fort Worth-Arlington, Denton-Lewisville, and McKinney-Frisco Urbanized Areas. The NCT MPO is responsible for coordinating regional transportation planning and managing the allocation of transportation funding in accordance with federal regulations. Its organizational structure consists of a governing Policy Board, a Technical Committee, and a professional staff led by a Departmental Transportation Director and Agency Executive Director.</p>
<p>ASSESSMENT: Compliant</p>	<p>Three Transportation Management Areas (TMA) are designated: Dallas-Fort Worth-Arlington, TX: 5,732,354 population; Denton-Lewisville, TX: 429,461 population; and McKinney-Frisco, TX: 504,803 population (new TMA). Source: 88 FR 36637; Effective June 5, 2023.</p> <p>The Bylaws most recently updated by the Policy Board aka Regional Transportation Council (RTC) on November 10, 2022.</p> <p>Information regarding the RTC, Surface Transportation Technical Committee (STTC), Air North Texas Coalition, Air Quality Technical Committee, Air Transportation Advisory Committee, Bicycle and Pedestrian Advisory Committee, Dallas-Fort Worth Clean Cities Technical Advisory Committee, North Texas Clean Air Steering Committee, Regional Coordination Committee, Regional Freight Advisory Committee, Regional Safety Advisory Committee, are posted to the NCT MPO website under Committees.</p> <p>The RTC consists of 45 members, including 28 city officials and 17 others (e.g., county (10), TxDOT (2), public transit providers (3), North Texas Tollway Authority (1) and Dallas Fort Worth International Airport (1)). The NCT MPO oversees several committees that support its regional transportation planning efforts.</p> <p>The RTC meets on the second Thursday of the month at 1:30 pm while the STTC meets on the fourth Friday of the month at 1:00 pm. A TxDOT/NCT MPO Coordination Group meets monthly.</p>

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<p>The NCT MPO follows its contracting procedures as modeled after the State of Texas Comptroller Purchasing requirements. The following are available on NCTCOGs website:</p> <ul style="list-style-type: none"> • Requests for Proposals, Qualifications, and Information • Purchasing • Instructions for Proposers (June 2023)
<p>METROPOLITAN PLANNING AREA (MPA) BOUNDARIES</p> <p>23 U.S.C. 134(e) 23 CFR 450.312(a)</p>	<p>The Metropolitan Planning Area (MPA) encompasses the urbanized area along with the areas anticipated to be urbanized within a 20-year forecast period, adhering to federal requirements for transportation planning. The Metropolitan Area Boundary Map is dated October 2009; a copy is conveniently located as Appendix B of Unified Planning Work Programs.</p>
<p>ASSESSMENT: Compliant</p>	
<p>MPO PLANNING AGREEMENTS</p> <p>23 U.S.C. 134(d) 23 CFR 450.314(a) Transit Planning 49 U.S.C. 5303 23 U.S.C. 134</p>	<p>The NCT MPO coordinates with TxDOT, local agencies, and public transit providers to establish performance targets. Formal agreements and coordination meetings are documented to support this collaborative process. The NCT MPO, TxDOT and the public transit providers cooperatively determine their mutual responsibilities in carrying out the MTPP as well as their sharing of information. The NCT MPO planning agreements and contracts (e.g., Planning Agreement and Transportation Performance Measure (TPM) Memorandum of Understanding (MOU)) are posted to the NCT MPO website.</p>
<p>ASSESSMENT: Compliant</p>	<p>The NCT MPO has adopted a MOU in conjunction with the public transit providers and TxDOT for cooperatively developing and sharing information related to: a) transportation performance data; b) the selection of performance targets; c) the reporting of performance targets; d) the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the NCT MPO and the collection of data for the State asset management plan for the National Highway System, per 23 CFR 450.314(h).</p> <p>Recommendation(s). The Federal Review Team suggests increased coordination between staff from the FTA-6, NCTCOG, and the public transit providers.</p> <p>The Federal Review Team also supports annual and quarterly meetings that:</p> <ul style="list-style-type: none"> • serve to inform subrecipients; • address Statewide Transportation Improvement Program (STIP) Administrative Modifications;

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<ul style="list-style-type: none"> foster an increased understanding of FTA’s Public Transportation Agency Safety Plan (PTASP) and Transit Asset Management (TAM) requirements e.g., in advance of the Triennial Review; and explain FTA grant administration.
<p>PUBLIC PARTICIPATION PLAN (PPP)</p> <p>Interested parties, participation, and consultation</p> <p>23 U.S.C. 134(i)(6) 23 U.S.C. 134(g) 23 CFR 450.316 and 23 CFR 450.324(g)</p>	<p>The NCT MPO has demonstrated full compliance with the public participation requirements outlined in 23 CFR 450.316, effectively establishing a clear framework for public involvement that includes targeted outreach to underserved populations. The organization has also embraced virtual engagement options introduced during the Coronavirus Disease 2019 pandemic, enhancing accessibility for all community members. Additionally, the NCT MPO evaluates the effectiveness of its public participation process reflecting a commitment to continuous improvement.</p> <p>The Public Participation Plan (PPP) as approved by the RTC (November 2018, November 2022, and 2025 Update) includes, as appropriate a) public ports; b) private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool/vanpool programs, public transit benefits program, parking cash-out programs, shuttle programs, or telework programs as applicable, per 23 CFR 450.316(a). Copies of the PPP are routinely provided to FHWA-TX and FTA-6 and posted on the NCT MPO website.</p> <p><u>Public involvement link: Get Involved</u></p> <p>The NCT MPO Title VI resources include: 1) Title VI Complaint Procedures; 2) Title VI Signed Statement dated May 26, 2022; and 3) the Title VI / Non-Discrimination Assurances dated May 26, 2022. Since, the date of the onsite review, the updated Title VI/Non-Discrimination Assurances were provided to the Federal Review Team.</p> <p>Appendix B of the PPP is the Language Assistance Plan that was updated 2025.</p> <p>Recommendation. The Federal Review Team supports the NCT MPOs ongoing efforts to update the PPP.</p>
<p>ASSESSMENT: Compliant</p>	
<p>CONGESTION MANAGEMENT PROCESS (CMP)</p> <p>23 U.S.C. 134(k)(3) 23 CFR 450.322</p>	<p>The 2021 NCT MPO Congestion Management Process (CMP) complies with Federal requirements under 23 CFR 450.322 by establishing a systematic approach to managing congestion through the identification of performance measures, evaluation of strategies, and involvement of stakeholders in the planning process.</p> <p>The NCT MPO CMP strategies for managing congestion include travel demand management; transportation system management and operations; public transit, bicycle and pedestrian; and performance measurement.</p>
<p>ASSESSMENT: Compliant</p>	

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<p>CMP link: Congestion Management Process</p> <p>The NCT MPO Congestion Management Process publication includes sections on:</p> <ul style="list-style-type: none"> • Overview of the Congestion Management Process • Transportation System Identification • Transportation System Performance Criteria and Asset Inventory • Corridor Analysis and Strategy Identification. <p>Recommendation. The Federal Review Team supports the on-going 2021 update from a static document to a document with annual updates.</p>
<p>REGIONAL / METROPOLITAN TRANSPORTATION PLAN (R/MTP) & AIR QUALITY CLEAN AIR ACT</p> <p>Metropolitan Transportation Plan 23 U.S.C. 134, 168 23 CFR 450.324 & Appendix A Air Quality Clean Air Act 42 U.S.C. 7401 40 CFR Part 93</p>	<p>Mobility 2045 Update was adopted on June 9, 2022. The Mobility 2045 Update served as the long-range, 20-years plus plan as updated every four years. The MTP establishes goals for safety, mobility, and economic development, incorporating federally required performance measures and targets. The NCT MPO, TxDOT, public transit providers and other local partners coordinated on the data used for the Mobility 2045 Update. Following adoption of the Mobility 2045 Update, copies were provided to the Governor, FHWA-TX and FTA-6.</p> <p>Mobility 2050 was adopted by the RTC on June 12, 2025. The Mobility 2050 covers 25 years (through 2050) with a total cost of \$217.3 billion, including \$29.8 billion for infrastructure maintenance, \$25.7 billion for management and operations, \$6.4 billion for growth, development, and land use strategies, \$57.9 billion for rail and bus, and \$97.5 billion for HOV/managed lanes, freeways/tollways, and arterials. Financial constraint is ensured by matching projected revenues with expenditures, and all costs are adjusted to year-of-expenditure dollars.</p>
<p>ASSESSMENT: Compliant</p>	<p>The Dallas-Fort Worth area is designated as nonattainment for ozone under the National Ambient Air Quality Standards. This designation requires NCT MPO demonstrate that transportation plans and programs conform to the State Implementation Plan for air quality. The MTP was found air quality compliant with title 23 United States Code and 23 CFR 450 by FTA-6 and FHWA-TX on November 21, 2024. Mobility 2050 is currently under review by the air quality consultative partners (e.g., Environmental Protection Agency, FHWA-TX, Texas Commission on Environmental Quality, and TxDOT) as part of Regional Transportation Conformity.</p> <p>There are 12 items found within 23 CFR 450.324(f) to be addressed in the Plan e.g., 1) current and projected transportation demand of persons and goods; 2) existing and proposed transportation facilities; 3) and 4) performance measures/targets; 5) operational and management strategies; 6) results of the congestion management process; 7) preservation of infrastructure; 8) transportation and transit enhancement</p>

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<p>activities; 9) design concept and design scope; 10) environmental mitigation; 11) financial plan; and 12) pedestrian walkway and bicycle transportation facilities. The MTP, as revised included the referenced items at the time of adoption.</p> <p>Interested parties are provided reasonable opportunity(ies) to comment on Plans. The NCT MPO publishes its Plan for public review.</p> <p><u>Air Quality link:</u> Federal Air Quality Requirements</p> <p>The NCT MPO staff were complimentary of TxDOT TPP-Traffic Analysis' (Janie Temple) efforts. The NCT MPO suggested that the State's map be updated more regularly.</p> <p>Recommendation. The Federal Review Team suggested that the State/NCT MPO efforts be continued.</p>
<p>TRANSPORTATION IMPROVEMENT PROGRAM (TIP)</p> <p>Annual Listing of Projects (ALOP)</p> <p>23 U.S.C. 134</p> <p>23 CFR 450.326</p> <p>23 CFR 450.334</p>	<p>The RTC adopted (June 2024), four-year 2025-2028 Transportation Improvement Program (TIP) is a fiscally constrained program of regionally significant projects aligned with the MTP. It is developed through a performance-driven, outcome-based process, and supports federal performance targets: Performance Measure Rule 1 -Safety (PM1); Performance Measure Rule 2 - Pavement and Bridge Condition (PM2); Performance Measure Rule 3 - System Performance, Freight, and Congestion Mitigation and Air Quality (CMAQ) Improvement Program (PM3); PTASP; and TAM and includes a required assessment of its impact on achieving those targets.</p>
<p>ASSESSMENT: Compliant</p>	<p>The NCT MPO cooperatively develops its TIPs in concert with TxDOT's two-year STIP schedule. The STIP is approved by the Governor, or his designee. Interested parties are provided with a reasonable opportunity to comment on the TIP. Public meetings are held as part of the TIP review process. Projects included in the FY 2025 -2028 TIP were found to be consistent with the MTP except as otherwise noted in the FY 2025-2028 STIP approval letters.</p> <p>The TIP includes a financial plan that includes funds expected to be reasonably available to carry out the TIP. The Surface Transportation Block Grant Program funds are not suballocated based on predetermined percentages or formulas. The NCT MPO uses procedures consistent with its PPP to prepare, adopt then revise the TIP. The State, in cooperation with the NCT MPO, selects projects to be implemented.</p> <p><u>TIP links:</u></p> <ul style="list-style-type: none"> • TIP Frequently Asked Questions (FAQ) • How Are Transportation Projects Funded? • 2025 - 2028 Transportation Improvement Program

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
	<ul style="list-style-type: none"> • Public Meeting Minutes, May 13, 2024 • Modifications to the TIP Program • Funding Initiatives <p>The annual listing of obligated projects (ALOP) poses a significant challenge for many metropolitan planning organizations, including the NCT MPO. One of the main statewide issues is that the published lists often fail to capture all project obligations, including modifications and grouped projects designated for the region. This incomplete capture of obligations can lead to discrepancies in reporting and hinder effective oversight and planning.</p> <p>The MPO, TxDOT and the public transit providers cooperatively develop the ALOP of federally funded projects. The ALOPs are made available in accordance with the NCT MPO PPP.</p> <p>ALOP link: Annual Project Listings</p> <p><u>Self-Certification links:</u></p> <ul style="list-style-type: none"> • 2025 – 2028 TIP Chapter VI Self-Certification (June 2024) • Unified Planning Work Program <p>Commendation: The Federal Review Team commends NCT MPO on its significant staff effort e.g., 1,000 active projects; 70 implementing agencies. This includes their coordinating > tracking > troubleshooting and development activities.</p>

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
<p>TRANSPORTATION PERFORMANCE MEASURES (TPM)</p> <p>Performance Based Planning</p> <p>PM1 – Safety 23 CFR 490.207</p> <p>PM2 – Pavement & Bridge Condition 23 CFR 490.307</p> <p>PM3 – System Performance, ... 23 CFR 490.507</p> <p>PTASP – Public Transportation Agency Safety Plan 49 CFR 673.11</p> <p>TAM – Transit Asset Management 49 CFR 625.45</p>	<p>The NCT MPO demonstrates compliance with Performance-Based Planning and Programming (PBPP) and TPM as required by metropolitan planning regulations (23 CFR Parts 450 and 490). The NCT MPO utilizes performance measures and targets related to PM1, PM2, PM3, PTASP; and TAM ensuring that these metrics guide planning processes.</p> <p>Collaboration with TxDOT and local transit agencies allows NCT MPO to set and support consistent regional performance targets in the metropolitan area.</p> <p>Performance measures and targets are fully incorporated into the MTP and the FY 2025-2028 TIP, guiding investment decisions and project prioritization.</p> <p>The NCT MPO integrates PBPP elements across documents, ensuring that performance measures related to safety, infrastructure, and transit assets are consistently applied. The relationships between the MTP; TIP and UPWP and CMP further enhance consistent planning practices. Included in the TIP is a description of the anticipated effect of the current TIP toward achieving performance targets adopted by the NCT MPO, per 23 CFR 450.326(d).</p> <p><u>TPM links:</u></p> <ul style="list-style-type: none"> • Performance Measures • Federal Performance Measures • Changing Mobility • 2025-2028 TIP Chapter V Regional Performance
<p>ASSESSMENT: Compliant</p>	

Requirements Citations & Assessment	Observations, Commendations, Recommendations and Corrective Actions
<p>STUDIES AND PROJECTS</p> <p>23 CFR 450.318</p>	<p>Development of planning studies are a joint effort between the NCT MPO, TxDOT and/or the public transit providers.</p> <p>Examples, since the last Federal review include:</p> <ul style="list-style-type: none"> • Access North Texas Update (2022) • Dallas CBD-Fair Park Links Study • Dallas-Fort Worth High-Speed Transportation Connections Study • Denton County Transit Study • East Dallas, Kaufman, and Rockwall Counties Regional Transit Study • Forest Hill Drive Study • Grand Avenue (Dallas) Study • Highway Corridor Studies • Intermodal Transportation Hubs for Colleges and Universities Study • Silver Line Corridor TOD Planning Study <p>Open RFP listings are posted to the NCT MPO website e.g.,</p> <ul style="list-style-type: none"> • Car Care Awareness Safety Integration • Digital Asset Management • Environmental Economics Services for Integrating Transportation & Stormwater Infrastructure - West Study Area • Flooded Roads Information System Project • Las Colinas Automated Transportation System • McKinney Avenue Transit Authority ADA Accessibility Study • NTX Airspace Awareness Pilot Program • Predictive Crash Analysis Software • RAISE FY21 EV Charging Stations • Request for Information for Food Desert Analysis
<p>ASSESSMENT: Compliant</p>	<p>At closeout, NCT MPO staff highlighted the following as commendable State-MPO and/or MPO efforts:</p> <ul style="list-style-type: none"> • Teen Driver Safety Program, NCTCOG • Southeast Connector, Fort Worth District • IH 345 Connects, Dallas District

LOCAL ELECTED OFFICIALS FEEDBACK

As part of the NCT MPO Federal Certification Review, a total of 18 RTC members volunteered to provide feedback concerning the performance of the MPO. The consensus of the feedback supported a conclusion that NCT MPO functions with a strong sense of regional unity and collaboration. Staff are exceedingly knowledgeable, well-prepared, and responsive to community needs. While RTC members are inundated with a massive amount of information, officials report that new member orientations, training, and reference material (binders) are very helpful with the transition. It was suggested, however, that NCT MPO staff provide more contextual information to aid decision-making, especially for newer members.

A clear concern of rapid growth and urban sprawl, especially on the fringes, was shared amongst the elected officials which may pose planning challenges for the region. Connectivity between transit operations was also an area of interest. The NCT MPO staff addresses these concerns through forward thinking technologies and studies designed to assess all modes of transportation. It was generally reported that there is a fair balance of representation amongst both large and small cities/counties across the region, however, several officials were concerned with ensuring the voting is accurately distributed given the rapid growth occurring.

PUBLIC LISTENING SESSION

The Federal Review Team conducted a Public Listening Session on June 5, 2025, in conjunction with the NCT MPO's regularly scheduled monthly public meeting held at their offices located at 616 Six Flags Drive, Arlington, Texas 76011. The NCT MPO Federal Certification Review was the first item on the agenda, where a member of the Federal Review Team provided an overview of the purpose of the Federal Certification Review and requested comments from the public related to the following three (3) topics:

- 1) What are your comments regarding the North Central Texas Council of Governments' (NCTCOG) Regional Transportation Council (RTC) performance in carrying out the responsibility of the region's Metropolitan Planning Organization (MPO)?
 - 2) Is NCTCOG doing an overall good job of providing the public with a reasonable opportunity to provide input and participate as part of the *Planning Process*?
 - 3) What specific areas do you feel NCTCOG could improve?
- Other comments.

Comments from the public were accepted from June 5, 2025, through July 18, 2025.

During the public involvement participation process, the following comments were received:

Comment. The commenter is in favor of NCTCOG's monthly public meetings.

Comment. The commenter feels engaged in the regional initiative.

Comment. In response to 2) the commenter responded 'yes'.

Comment. It is the commenter's opinion, there are two major issues for improvement:

- Pedestrian safety after leaving a bus/train.
Examples provided were Willow Bend Mall and Preston Rd (North Dallas).
Re. Willow Bend Mall – it's the conflict between pedestrians and vehicles.
Re. Preston Rd – it needs a pause/delay for pedestrians.
The present signal timing creates a peds/turning cars conflict.
- Wrong way drivers (and the resulting fatalities).
Efforts to address should be accelerated especially. at night e.g., increased

lighting, increased signage.

There was some discussion related to. the *'Friends of the TxDOT/MPO Safety Committee'*.

JOINT DETERMINATION BY FHWA TEXAS DIVISION AND FTA REGION 6

FTA-FHWA determination: **CERTIFIED**

Based on the results of the 2025 Transportation Management Area (TMA) Certification Review of the North Central Texas MPO (NCT MPO), the Federal Highway Administration Texas Division (FHWA-TX) and the Federal Transit Administration Region 6 (FTA-6) find that the NCT MPO metropolitan transportation planning process substantially meets the federal requirements of 23 CFR Part 450.

Table 2 – Abbreviations/Acronyms

ALOP	Annual Listing of Obligated Projects
CFR	Code of Federal Regulations
CMAQ	Congestion and Mitigation Air Quality Improvement Program
CMP	Congestion Management Plan
FHWA-TX	Federal Highway Administration-Texas Division
FTA-6	Federal Transit Administration-Region 6
MOU	Memorandum of Understanding
MPA	Metropolitan Planning Area
MTP	Metropolitan Transportation Plan* *Mobility 2045: 2022 Update versus Mobility 2050
MTPP	Metropolitan Transportation Planning Process
NCT MPO	North Central Texas Metropolitan Planning Organization
NCTCOG	North Central Texas Council of Governments
PBPP	Performance-Based Planning and Programming
PM1	Performance Measure Rule 1 (Safety)
PM2	Performance Measure Rule 2 (Pavement and Bridge Condition)
PM3	Performance Measure Rule 3 (System Performance, Freight, and CMAQ)
PPP	Public Participation Plan
PTASP	Public Transportation Agency Safety Plan
Public Transit Providers	City of Arlington (Handitran, RAPID, Via) Dallas Area Rapid Transit (DART) (member cities: Addison, Carrollton, Cockrell Hill, Dallas, Farmers Branch, Garland, Glenn Heights, Highland Park, Irving, Plano, Richardson, Rowlett, and University Park; contract city: McKinney) Denton County Transportation Authority (DCTA) (member cities: Denton, Highland Village and Lewisville; contract city: Frisco) Fort Worth Transportation Authority (Trinity Metro) (member cities: Forest Hill, Fort Worth, Grapevine, Mansfield, North Richland Hills, and River Oaks) City of Grand Prairie (Via, Grand Connection) Star Transit (Mesquite)
RTC	Regional Transportation Council
STIP	Statewide Transportation Improvement Program
STTC	Surface Transportation Technical Committee
TAM	Transit Asset Management
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TPM	Transportation Performance Measures
TxDOT	Texas Department of Transportation
TPP	Transportation Planning and Programming Division
UPWP	Unified Planning Work Program * *FYs 2024 and 2025 UPWP versus FYs 2025 and 2026 UPWP

Table 3 - Review Participants

Last Name	First Name	Organization	Email
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Wright	Jared	NCTCOG	JWright@nctcog.org

From: [Dan Kessler](#)
To: [Emily Beckham](#)
Subject: FW: TxDOT-MPO-FA Planning Agreement
Date: Wednesday, April 22, 2026 6:34:14 PM
Attachments: [image001.png](#)

From: Casey Wells <Casey.Wells@txdot.gov>
Sent: Wednesday, May 28, 2025 4:39 PM
To: Allie.isbell@h-gac.com; bmcbride@longviewtexas.gov; bdickinson@setrpc.org; mhowell@tylertexas.com; drudge@bcsmo.org; ECalvo@ELPASOMPO.ORG; cbarnett@huitt-zollars.com; Lin.Barnett@wichitafallstx.gov; 'jimenez' <jimenez@alamoareampo.org>; mmedina@rgvmpo.org; major.hofheins@cosatx.us; mbergeron@victoriatx.gov; Robert MacDonald <rmacdonald@cctxmpo.us>; placido.madera@eaglepasstx.gov; 'Juan Medive' <jmendive@ci.laredo.tx.us>; 'Cameron Walker' <walker@permanbasinmpo.com>; 'elisa.smetana@abilenetx.gov' <elisa.smetana@abilenetx.gov>; travis.muno@amarillo.gov; Michael Morris <MMorris@nctcog.org>; ReaDonna.Jones@txkusa.org; ashby.johnson@campotexas.org; 'Uryan Nelson' <uryan.nelson@ctcog.org>; 'David Jones' <djones@mylubbock.us>; Mukesh Kumar <MukeshK@wacotx.gov>; Dan Kessler <DKessler@nctcog.org>; Jamila Owens (H-GAC) <Jamila.Owens@h-gac.com>
Cc: TPP-MPO Team <TPP-MPOTeam@txdot.gov>
Subject: RE: TxDOT-MPO-FA Planning Agreement

BCC: TxDOT District Planning & Development; TPP Budget and Federal Programs

Good afternoon,

We are re-evaluating the draft TxDOT-MPO-FA Planning Agreement based on discussions from the May 16th Office Hour and with internal colleagues. The additional review will add time but will ensure we are putting together a document with the right terms. In the coming 2 weeks, TPP will be issuing an extension to the current (2018) agreement pursuant to Article 1 Section B, which will extend it through September 2026. A new estimate for finalizing the new agreement is late CY 2025. Once in place, it will supersede the current agreement.

We'll re-engage the MPOs when the next draft of the agreement is ready.

Thank you,

CASEY WELLS
Systems Planning Section Director
Texas Department of Transportation
Transportation Planning and Programming Division
casey.wells@txdot.gov | M: 512-423-8986 | M3B1.11

From: Casey Wells
Sent: Tuesday, May 13, 2025 4:09 PM
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Cc: TPP-MPO Team <TPP-MPOTeam@txdot.gov>
Subject: RE: TxDOT-MPO-FA Planning Agreement

BCC: TxDOT District Planning & Development; TPP Budget and Federal Programs

Good afternoon,

Please see attached updated Planning Agreement reflecting changes made following the last office hour and comments received from the MPOs and Fiscal Agents. Please share it with your Fiscal Agent.

For Friday's office hour, we'll summarize the updates and next steps. As noted previously, we will be processing this agreement in DocuSign, and we'll need the MPOs to provide the signatories' email address and information as per the signature page.

Thank you again to everyone that took the opportunity to share your feedback. See you Friday!

Regards,

CASEY WELLS
Systems Planning Section Director
Texas Department of Transportation
Transportation Planning and Programming Division
casey.wells@txdot.gov | M: 512-423-8986 | M3B1.11

From: Casey Wells
Sent: Thursday, May 8, 2025 2:16 PM
To: Allie.isbell@h-gac.com; bmcbride@longviewtexas.gov; bdickinson@setrpc.org; mhowell@tylertexas.com; drudge@bcsmo.org; ECalvo@ELPASOMPO.ORG; cbarnett@huitt-zollars.com; Lin.Barnett@wichitafallstx.gov; jimenez <jimenez@alamoareampo.org>; mmedina@rgvmpo.org; major.hofheins@cosatx.us; mbergeron@victoriatx.gov; Robert MacDonald <rmacdonald@cctxmpo.us>; placido.madera@eaglepasstx.gov; Juan Medive <jmendive@ci.laredo.tx.us>; Cameron Walker <cwalker@permanbasinmpo.com>;

elisa.smetana@abilenetx.gov; travis.muno@amarillo.gov; mmorris@nctcog.org; ReaDonna.Jones@txkusa.org; ashby.johnson@campotexas.org; Uryan Nelson <uryan.nelson@ctcog.org>; David Jones <djones@mylubbock.us>; Mukesh Kumar <MukeshK@wacotx.gov>; 'Dan Kessler' <dkessler@nctcog.org>; Jamila Owens (H-GAC) <Jamila.Owens@h-gac.com>

Cc: TPP-MPO Team <TPP-MPOTeam@txdot.gov>

Subject: RE: TxDOT-MPO-FA Planning Agreement

BCC: TxDOT District Planning & Development; TPP Budget and Federal Programs

Good afternoon, MPO Community,

As discussed over the past few months, our team has updated the Metropolitan Planning Agreement. The updated draft Agreement will be sent separately next week. Please share it with your Fiscal Agent.

Metropolitan Planning Agreement Office Hour

TPP will host a final optional attendance office hour to present the updates to the Metropolitan Planning Agreement since our last share-out. The optional office hour will be held on:

- Friday, May 16, from 1:00 to 2:00 pm

You will receive an appointment for this optional office hour as a follow-up to this email. Please forward this appointment to your Fiscal Agent and others that may need to attend.

Metropolitan Planning Agreement Timeline

Below is an **updated** Metropolitan Planning Agreement timeline.

- **March 7:** DRAFT Agreement sent to MPOs
- **March 26 & 28:** Office hours
- **March 31:** Comments on DRAFT due to TPP
- **May 13:** Final agreement sent to MPOs
- **May-August 15:** MPO Policy Board and Fiscal Agent consideration to approve the Agreement.
 - MPOs to provide email addresses for signatories
 - Policy Board Chair
 - Fiscal Agent
- **August 15:** TPP to send Agreement to Fiscal Agent and Policy Board Chair via DocuSign
- **Effective Date:** Agreement takes effect once all parties have signed
- **September 30:** Deadline for all Agreements to be fully executed
- **August 31, 2030:** End of new Agreement period

Thank you again for your continued partnership. If you have feedback, questions, or unique-to-your-MPO concerns about the DRAFT agreement, please feel free to contact your assigned TPP MPO Coordinator or me directly.

Sara Garza	Raymond Sanchez	Phillip Tindall	Mansour Shiraz	Shannon Hawkins
Permian Basin	RGV	Bryan-College Station	SETRPC	Abilene
Laredo	San Angelo	El Paso	Houston-Galveston	Amarillo
Corpus Christi	San Antonio	Grayson County	Longview	NCTCOG
Eagle Pass	Victoria	Wichita Falls	Tyler	Texarkana
CAMPO	KTMPO	Lubbock	Waco	

Regards,

CASEY WELLS

Systems Planning Section Director

Texas Department of Transportation

Transportation Planning and Programming Division

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From: Casey Wells

Sent: Friday, March 7, 2025 1:50 PM

To: Allie.isbell@h-gac.com; bmcbride@longviewtexas.gov; bdickinson@setrpc.org; mhowell@tylertexas.com; drudge@bcsmmpo.org; ECalvo@ELPASOMPO.ORG; cbarnett@huitt-zollars.com; Lin.Barnett@wichitafallstx.gov; jimenez@alamoareaampo.org; mmedina@rgvmpo.org; major.hofheins@cosatx.us; mbergeron@victoriatx.gov; Robert MacDonald <rmacdonald@cctxmpo.us>; placido.madera@eaglepasstx.gov; Juan Medive <jmendive@ci.laredo.tx.us>; Cameron Walker <cwalker@permianbasinmpo.com>; elisa.smetana@abilenetx.gov; travis.muno@amarillo.gov; mmorris@nctcog.org; ReaDonna.Jones@txkusa.org; ashby.johnson@campotexas.org; Uryan Nelson <uryan.nelson@ctcog.org>; David Jones <djones@mylubbock.us>; Mukesh Kumar <MukeshK@wacotx.gov>; 'Dan Kessler' <dkessler@nctcog.org>; Jamila Owens (H-GAC) <Jamila.Owens@h-gac.com>

Cc: TPP-MPO Team <TPP-MPOTeam@txdot.gov>

Subject: DRAFT TxDOT-MPO-FA Planning Agreement

BCC: TxDOT District Planning & Development; TPP Budget and Federal Programs

Good afternoon, MPO Community,

As discussed over the last few months, our team has updated the Metropolitan Planning Agreement template. The new template incorporates/refreshes current federal and state requirements and recommendations from recent audits. Please find the updated **DRAFT** Agreement template attached and share with your Fiscal Agent. We will also present an overview at the March TEMPO meeting next week.

Please share this DRAFT with your Fiscal Agent and review, return your comments and questions to TPP by **March 31**.

Metropolitan Planning Agreement Office Hours

TPP will host two optional office hours to discuss the changes to the Metropolitan Planning Agreement and approach to obtaining signatures. These sessions are designed to provide you with an opportunity to ask questions, share any concerns, and offer suggestions. Please note that the same information will be covered in both sessions, and a summary of the discussions will be shared with all MPOs afterward.

The optional office hours will be held as follows:

- Wednesday, March 26 from 2:00 to 3:00 pm
- Friday, March 28 from 2:00 to 3:00 pm

You will receive an appointment for these optional office hours as a follow-up to this email. Please forward this appointment to your Fiscal Agent and others that may need to attend.

Metropolitan Planning Agreement Timeline

The updated DRAFT Metropolitan Planning Agreement is attached to this email.

- **March 7:** DRAFT Agreement sent to MPOs
- **March 26 & 28:** Office hours
- **March 31:** Comments on DRAFT due to TPP
- **April 15:** Final template sent to MPOs
- **April-August 15:** MPO Policy Board consideration to approve the Agreement. MPOs to provide email addresses for signatories.
- **August 15:** TPP to send Agreement to Fiscal Agent and Policy Board Chair via DocuSign
- **Effective Date:** Agreement takes effect once all parties have signed
- **September 15:** Deadline for all Agreements to be fully executed
- **August 31, 2030:** End of Agreement period

Key Updates

Below is a summary of the key updates to the Metropolitan Planning Agreement. These changes aim to enhance clarity, compliance, and efficiency.

- Add definitions and reorganize articles for cohesive progression
- Ensure alignment with federal and state regulations, streamline references, and eliminate redundancies
- Clarify responsibilities, including references to essential work items (PMs, APL, etc.)
- Reduce the maximum number of TPF invoices submitted annually from 24 to 15
- Clarify process for notifying MPOs about invoice corrections
- Consolidate responsibilities of the MPO to include responsibilities of the MPO Policy Board and MPO Director
- Align the Fiscal Agent responsibilities to encompass subrecipient monitoring and risk assessment in compliance with federal requirements
- Require signature of the agreement by Policy Board Chair

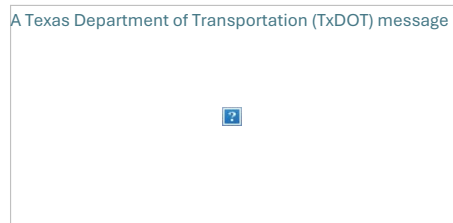
Thank you for your continued partnership. If you have feedback, questions, or unique-to-your-MPO concerns about the DRAFT agreement, please feel free to contact your assigned TPP MPO Coordinator or me directly.

Sara Garza	Raymond Sanchez	Todd Gibson	Phillip Tindall	Mansour Shiraz	Shannon Hawkins
Permian Basin	RGV	CAMPO	Bryan-College Station	SETRPC	Abilene
Laredo	San Angelo	Killeen Temple	El Paso	Houston-Galveston	Amarillo
Corpus Christi	San Antonio	Lubbock	Grayson County	Longview	NCTCOG
Eagle Pass	Victoria	Waco	Wichita Falls	Tyler	Texarkana

Thank you,

CASEY WELLS

Systems Planning Section Director
Texas Department of Transportation
Transportation Planning and Programming Division
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STATE OF TEXAS §

COUNTY OF TRAVIS §

METROPOLITAN PLANNING AGREEMENT

THIS AGREEMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the “Department,” the **{Enter Name of MPO}** Metropolitan Planning Organization (MPO) which is designated by the Governor of the State of Texas, and the **{Enter Name of Fiscal Agent}**, which serves as the Fiscal Agent for the MPO.

W I T N E S S E T H

WHEREAS, 23 United States Code (USC) §134 and 49 USC §5303 require that MPOs, in cooperation with the Department and transit agencies, develop transportation plans and programs for urban areas of the State; and contract

WHEREAS, 23 Code of Federal Regulations (CFR) 450.314 requires the MPO, State, and public transportation operators within each metropolitan planning area (MPA) to enter into a written agreement to clearly identify the responsibilities of the parties in carrying out the metropolitan planning process; and

WHEREAS, 23 USC §104(d) authorizes Metropolitan Planning funds and 49 USC §5305 authorizes funds to be made available to MPOs designated by the Governor to support the urban transportation planning process; and

WHEREAS, the Department participates in the Consolidated Planning Grant program in which federal transit planning funds authorized under 49 USC §5305 are transferred to the Federal Highway Administration (FHWA), combined with additional federal funds, and distributed to the state as a single distribution; and

WHEREAS, the federal share payable for authorized activities using the Consolidated Planning Grant funds, also known as Transportation Planning Funds (TPF), is eighty percent (80%) of allowable costs; and

WHEREAS, Texas Transportation Code §221.003 authorizes the Department to expend federal and state funds for improvements to the state highway system; and

WHEREAS, Texas Transportation Code §201.703 authorizes the Department to expend federal funds and to provide state matching funds for allowable costs necessary for the improvement of roads not in the state highway system; and

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WHEREAS, this agreement outlines the requirements and responsibilities of the parties for federal reimbursement using TPF and other federal transportation funds that may be used for planning (e.g., Surface Transportation Program, National Highway System, Congestion Mitigation and Air Quality, etc.); and

WHEREAS, an area equal to or larger than the above-mentioned urban area(s) has been delineated in accordance with federal and state guidelines where required metropolitan transportation planning activities may take place; and

WHEREAS, 23 CFR §420.117 requires that in accordance with 49 CFR §18.40, the Department shall monitor all activities performed by its staff or by Subrecipients with FHWA planning and research funds to assure that the work is being managed and performed satisfactorily and that time schedules are being met; and

NOW THEREFORE, it is agreed as follows:

A G R E E M E N T

Article 1. Definitions

- A. **Department** – Texas Department of Transportation acting on behalf of the State of Texas.
- B. **Federal Fiscal Year** – A twelve-month period commencing on October 1 of each calendar year and ending on September 30 of the following calendar year, inclusive of both dates.
- C. **Fiscal Agent** – The third-party entity that accepts and is responsible for providing various financial, grants, and administrative duties on behalf of the MPO.
- D. **Metropolitan Planning Area (MPA)** – The geographic area and boundaries cooperatively determined by agreement between the metropolitan planning organization for the area and the Governor designated under 23 CFR §450.312 as the subject area for conducting the metropolitan planning process as required by 23 USC §134 and 49 USC §§5303-5306.
- E. **Metropolitan Planning Organization (MPO)** – The policy-making body, often referred to as the policy board, policy committee, or regional transportation council designated under 23 USC §134, 49 USC §5303, and Texas Transportation Code 472.031, responsible for overseeing the metropolitan transportation planning process, establishing overall transportation policy for the MPO, and making necessary approvals. The MPO consists of governmental agencies identified in the original designation agreement and any additional agencies or organizations added later, as specified in the MPO’s bylaws, as amended.
- F. **Nonattainment Area** – A geographic area as defined in 42 USC §7501 under section 107 of the Clean Air Act that does not meet the national primary or secondary ambient air quality standard for the air pollutant for which a national ambient air quality standard exists.
- G. **MPO Director** – The MPO’s lead staff member responsible for overseeing the planning process and implementing the MPO's goals and policies. This role includes supporting and reporting to the MPO governing body, as well as interacting with local, state, and federal agencies. The MPO Director may also be referred to as the Executive Director or a similar title, as specified in the MPO bylaws, as amended.
- H. **Pass-Through Entity** – A non-federal entity that provides a Subaward to a Subrecipient to carry out part of a Federal program as defined in 2 CFR §200.1, as amended.

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- I. **State Fiscal Year** – A twelve-month period commencing on September 1 of each calendar year and ending on August 31 of the following calendar year, inclusive of both dates.
- J. **Subaward** – As defined in 2 CFR §200.1, as amended, an award provided by a pass-through entity to a Subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor, beneficiary, or participant. A Subaward may be provided through any form of legal agreement consistent with criteria in 2 CFR §200.331, including an agreement the pass-through entity considers a contract.
- K. **Subcontractor** – An entity that receives a subcontract.
- L. **Subrecipient** – As defined in 2 CFR §200.1, as amended, a non-federal entity that receives a Subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A Subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.
- M. **Transportation Management Area (TMA)** – An urban area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of the U.S. Department of Transportation (USDOT), or upon special request from the Governor and the MPO designated for the area as described in 49 USC 5303(k), as amended.
- N. **Transportation Planning Funds (TPF)** – In accordance with 23 CFR Part 420, FHWA Metropolitan Planning (PL-112) funds and Federal Transit Administration (FTA) Section 5303 (§5303) funds provided by the Department to MPOs to carry out metropolitan planning provisions under 23 USC §134. TPF are allocated through a distribution formula developed by the Department and approved by FHWA. At the federal level, TPF are referred to as Consolidated Planning Grants.

Article 2. Agreement Period

- A. This Agreement becomes effective when signed by all parties making the agreement fully executed. The Department shall not continue its obligation to the MPO under this agreement if: the Governor's designation of the MPO is withdrawn; federal funds cease to become available; or the agreement is superseded, terminated, or expired.
- B. This Agreement expires on **August 31, 2030**. No fewer than one hundred and twenty (120) days before the expiration date, the Department may, at its sole discretion, exercise in writing an option to extend the agreement by a period of no more than two years. The Department may exercise this option no more than two times. If all terms and conditions of this agreement remain viable and no amendment to the existing agreement or new agreement is required, a letter from the Department to the MPO shall constitute renewal of this agreement subject to all terms and conditions specified in this agreement. However, an amendment or a new agreement may be executed, if necessary.

Article 3. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.

Article 4. Responsibilities of the Department

The responsibilities of the Department are as follows:

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- A. Assist in the development of the Unified Planning Work Program (UPWP), approve the format of work programs submitted by the MPO, and, where required by federal law or regulation, monitor the MPO's performance of activities and expenditure of funds under a UPWP. Where monitoring is not required, the Department is responsible for reviewing the MPO's activities and expenditure of funds and will comment on and make suggestions relating to those activities and expenditures.
- B. Develop a timeline for development of the UPWP, Annual Performance and Expenditure Report (APER), and Transportation Improvement Program (TIP) by the MPO; and in consultation with the MPOs, develop a standard format for each to be used by all MPOs in accordance with Texas Administrative Code (TAC), Title 43, §§16.52 and 16.101, respectively.
- C. Make available to the MPO its share of all TPF and provide any non-federal match authorized by the Texas Transportation Commission. The Department will distribute TPF to the MPO based on a formula developed by the Department, in consultation with the MPOs, and approved by FHWA, FTA, and other applicable federal agencies.
- D. Provide to the MPO, as appropriate, technical assistance and guidance for the collection, processing, and forecasting of socio-economic data needed for the development of traffic forecasts, plans, programs, and planning proposals within the MPA, including collecting, processing, and forecasting vehicular travel volume data in cooperation with the MPO, as appropriate.
- E. Jointly promote with the MPO the development of the intermodal transportation system within the MPA by identifying points in the system where access, connectivity, and coordination between the modes and inter-urban facilities would benefit the entire system.
- F. Share with the MPO information, data, and sources to assist the MPO in carrying out required planning activities, including but not limited to the development of financial plans and future funding estimates.
- G. Cooperatively develop and share information with the MPO related to transportation performance data, the selection of performance targets, the reporting of performance targets, tracking progress toward attainment of critical regional outcomes, and the collection of data for the State asset management plan for the National Highway System (NHS).
- H. Provide the MPO with an updated organizational chart and contact information within 30 days of any changes to lead personnel that impact metropolitan planning.
- I. Provide oversight in cooperation with the MPO on the federal award, including monitoring the activities of the MPO under the federal award to ensure compliance with all requirements and in meeting performance expectations.
- J. Ensure sufficient processes are in place to monitor Subrecipients in accordance with 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. This includes:
 - 1. Evaluating Subrecipient's risk of non-compliance,
 - 2. Monitoring Subrecipient activities, and
 - 3. Verifying Subrecipients are audited as required by 2 CFR Part 200 and Article 12 (Single Audit Report) of this Agreement.
- K. Ensure that Subrecipients of federal funds comply with federal statutes, regulations, and the terms and conditions of the Subaward.

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- L. Evaluate each Subrecipient's fraud risk and risk of noncompliance with a Subaward to determine the appropriate Subrecipient monitoring described in 2 CFR Part 200.

Article 5. Responsibilities of the MPO

The MPO is the policy-making body, often referred to as the policy board, policy committee, or regional transportation council as defined above, and is the organization created to ensure that the comprehensive performance-based multimodal transportation planning process is based on a continuing, cooperative, and comprehensive (commonly referred to as the 3C) planning process.

The responsibilities of the MPO are as follows:

- A. Ensure that all state and federally required metropolitan planning and programming activities are carried out in accordance with applicable laws and regulations, as amended, including but not limited to those set forth in:
 1. 23 USC §134. Metropolitan transportation planning
 2. 23 USC §135. Statewide and nonmetropolitan transportation planning
 3. 49 USC §5303. Metropolitan transportation planning
 4. 49 USC §5326. Transit asset management (c) Performance Measures and Targets
 5. 49 USC §5329. Public transportation safety program (d) Public Transportation Agency Safety Plan
 6. 23 CFR Part 420 Planning and Research Program Administration
 7. 23 CFR Part 450 Planning Assistance and Standards
 8. 23 CFR Part 490 National Performance Management Measures
 9. 43 TAC Part 1 Chapter 16 Subchapter B Transportation Planning and Subchapter C Transportation Programs
 10. Transportation Code §201.9911 Planning Organization 10-Year Plan
- B. Use funds provided in accordance with this Agreement to develop and maintain a comprehensive regional transportation planning program, including but not limited to the development of financial plans, in accordance with federal and state laws and regulations, including the requirements of the Texas Comptroller of Public Accounts Uniform Grant Management Standards (UGMS).
- C. To prevent plan or program lapses and meet update frequencies or schedules, the MPO shall initiate development well in advance of lapse dates. Furthermore, the MPO shall coordinate with the Department, notify them and their stakeholders of any anticipated lapse dates, and implement corrective actions to mitigate or prevent impacts due to delays.
- D. Produce the following as applicable in coordination with the Department ensuring adherence to applicable requirements and regulations in a professional, orderly, and timely manner accurately reflecting high standards of work:
 1. Metropolitan Transportation Plan (MTP)
 2. 10-Year Transportation Plan
 3. Transportation Improvement Program (TIP)
 4. Unified Planning Work Program (UPWP)
 5. Performance Measures
 6. Public Participation Plan (PPP)

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7. Congestion Management Process (CMP), if the MPO is a Transportation Management Area (TMA)
 8. MPA boundary designation
 9. Other planning documents as may be required by the Department or state or federal laws or regulations.
- E. Produce the following reports, as applicable, in coordination with the Department in a professional, orderly, and timely manner accurately reflecting high standards of work:
1. Annual Listing of Obligated Projects (ALOP or APL)
 2. Annual Performance and Expenditures Report (APER)
 3. Congestion Management and Air Quality Improvement Program (CMAQ) Annual Report, if applicable
 4. Transportation Alternatives Annual Report, if applicable.
 5. Other reports as may be required by the Department or state or federal laws or regulations.
- F. Provide an explanation in the APER if task expenditures exceed or fall short of the budgeted task amount by twenty-five percent (25%) or more.
- G. Provide planning policy direction to the MPO director, as the lead MPO staff person, and ensure MPO duties are carried out in a cooperative manner.
- H. Assemble and maintain an adequate, competent staff, including an MPO director, with the knowledge, skills, abilities, and experience to perform all MPO activities required by law. The MPO shall provide the Department with an updated organizational chart and contact information following any lead personnel changes within 30 days of the change.
- I. Ensure accurate charging, including MPO staff hours, vacation, sick and other forms of paid leave.
- J. Exercise the authority to appoint, direct, evaluate, and relinquish duties of the MPO director in accordance with the MPO bylaws and this Agreement. If the MPO bylaws do not address this responsibility, this Agreement shall take precedence. If the MPO bylaws assign this responsibility to a different entity, the MPO bylaws shall prevail.
- K. Forecast, collect, and maintain appropriate socio-economic, roadway, and travel data on a timely basis, in cooperation with the Department.
- L. Share information and resources with the Department and appropriate stakeholders concerning transportation planning issues.
- M. Participate in other related planning efforts and studies with the Department and other regional partners.
- N. Ensure the settlement of all contractual and administrative issues arising out of procurement entered into in support of work under this Agreement.
- O. Monitor the activities of the MPO staff and Subcontractors under the federal award to ensure compliance with all requirements and performance expectations.

Article 6. Responsibilities of the Fiscal Agent

The responsibilities of the Fiscal Agent are as follows:

- A. Maintain required accounting records for state and federal funds consistent with federal and state record retention requirements.
- B. Make available funding approved in the UPWP to ensure the MPO can fulfill its obligations in this Agreement.

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- C. Provide human resource services to the MPO in a timely manner to ensure the MPO can fulfill its obligations in this agreement.
- D. Provide benefits for the MPO staff that shall be the same as the Fiscal Agent normally provides its own employees; or as determined through an agreement between the MPO and the Fiscal Agent. Costs incurred by the Fiscal Agent for these benefits may be reimbursed by the MPO, in accordance with federal and state laws, rules, and regulations.
- E. Establish procedures and policies for procurement and purchasing by or for the MPO, in cooperation with the MPO, and shared with the Department as updated.

Article 7. Unified Planning Work Program (UPWP)

- A. The MPO shall annually or biennially develop and submit an approved UPWP and any subsequent amendments to the Department that meets federal and state requirements in accordance with the Department’s established format and timeline.
- B. A UPWP submitted in a format other than the standard format developed by the Department will not be approved.
- C. Failure to adhere to the timeline developed by the Department may result in a delay in the authorization for the MPO to incur costs.
- D. The UPWP shall include:
 - 1. Goals, objectives, and tasks required by each of the agencies involved in the metropolitan transportation planning process.
 - 2. Transportation planning work tasks to be funded by federal, state, or local planning funds.
 - 3. A description of all planning work within the MPA and the resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds for a period of one (1) year or two (2) years unless otherwise agreed to by the Department and the MPO. The UPWP shall reflect only that work that can be accomplished during the time period of the UPWP.
- E. The MPO may engage with other agencies, non-profit organizations, or contractors for specific UPWP elements pursuant to 23 CFR Part 450.
- F. The use of MPO staff time in a UPWP product or task shall be clearly described in the UPWP, accounting for administrative tasks with details for staff roles and responsibilities.
- G. The MPO shall approve the UPWP and any subsequent revisions, and shall not delegate the approval authority, except for corrective actions. Corrective actions are those that do not change the scope of work, result in an increase or decrease in the amount of task funding, or affect the overall budget. Examples of corrective actions include typographical, grammatical, or syntax corrections.
- H. The effective date of each UPWP will be October 1st of each year or the date of approval from the appropriate oversight agency, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.
- I. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., adding new work tasks or changing the scope of existing work tasks) prior to receiving approval from the Department. Any costs incurred prior to receiving Department approval or not included in the approved UPWP are not eligible for reimbursement from TPF.

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- J. The use of TPF shall be limited to transportation planning activities affecting the transportation system within the boundaries of a designated MPA. Costs incurred for transportation planning activities outside the boundaries of a designated MPA are not eligible for reimbursement unless an MPO determines that data collection and analysis activities relating to land use, demographics, or traffic or travel information conducted outside its boundaries affects the transportation system within its boundaries and the activities are specifically identified in the MPO's approved UPWP.
- K. The use of TPF is limited to corridor/subarea level planning or multimodal or system-wide transit planning studies. Major investment studies and environmental studies are considered corridor level planning. Use of TPF by the MPO for engineering plans, specifications, and estimates (PS&E) and construction administration is not allowed unless otherwise authorized by federal law or regulation and in cooperative agreement with the Department.
- L. Costs incurred by the MPO shall not exceed the total budgeted amount of the UPWP without prior approval of the MPO and the Department. Costs incurred on individual work tasks shall not exceed that task budget by twenty-five percent (25%) without prior approval of the MPO and the Department. If the costs exceed 25% of the task budget, the UPWP shall be revised, approved by the MPO, and submitted to the Department for approval.
- M. Travel outside the State of Texas by MPO staff and other agencies participating in the MPO planning process must be approved by the Department if funded with TPF. The MPO must receive approval prior to incurring any costs associated with the actual travel (e.g., registration fee). This provision will not apply if the travel is at the request of the Department. Travel to the State of Arkansas by the Texarkana MPO staff and travel to the State of New Mexico by the El Paso MPO staff shall be treated as in-state travel if applicable.
- N. The cost of travel incurred by elected officials serving on the MPO is eligible for reimbursement with TPF.
- O. The Department closely monitors progress of the UPWP. If the Department finds that the MPO is not making adequate progress toward fulfilling the work program, it may request mitigating actions.
- P. Should any conflict be discovered between the terms of this agreement and the UPWP, the terms of this Agreement shall prevail.

Article 8. Compensation

The Department's reimbursement of any cost incurred under this Agreement is contingent upon all of the following:

- A. Federal funds are available to the Department in a sufficient amount for making payments.
- B. The incurred cost is authorized in the UPWP. The maximum amount payable under this Agreement shall not exceed the total budgeted amount.
- C. The cost has actually been incurred by the MPO and meets the following criteria:
 - 1. Is verifiable from MPO records;
 - 2. Is not included as match funds for any other federally assisted program;
 - 3. Is necessary and reasonable for the proper and efficient accomplishment of program objectives;
 - 4. Is allowable under 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and the state's UGMS; and

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5. Is not paid by the Department or federal government under another assistance program unless authorized to be used as match under the other federal or state agreement and the laws and regulations to which it is subject.
- D. After October 1st of each year, the Department will issue a work order to the MPO establishing the effective date of work and the total funds authorized. If the UPWP is subsequently revised, necessitating a revision to the original work order, or the Department deems a revision necessary, a revised work order may be issued at any time throughout the federal fiscal year. If the amount in the UPWP differs from the amount in the work order, the amount in the work order prevails.
- E. The MPO is authorized to submit requests for reimbursement (RFR) of authorized costs incurred under this Agreement on a semi-monthly basis, but no more than fifteen (15) times a year and no less than monthly as expenses occur. Each RFR shall be submitted in a manner and format specified to the Department. An RFR submitted in a format other than the standard format developed by the Department will not be accepted.
- F. The MPO shall submit the final bill from the previous federal fiscal year to the Department no later than ninety (90) days after the end of the federal fiscal year. Any bills submitted more than ninety (90) days after the end of the fiscal year in which the funds have been de-obligated will be processed against the current federal fiscal year's UPWP.
- G. Reimbursement of costs is contingent upon compliance with the terms of Article 5 (Responsibilities of the MPO) of this Agreement. Noncompliance may result in cancellation of authorized work and suspension of reimbursements after a thirty (30) day notification by the Department to the MPO.
- H. A compliant RFR shall be reimbursed by the Department to the MPO within fifteen (15) business days of submission.
- I. If corrections are needed to the RFR, including but not limited to mistakes or missing information, the Department will notify the MPO that the RFR has been rejected and provide an explanation within fifteen (15) business days of submission. The Department may coordinate with the MPO to resolve any discrepancies or inconsistencies.
- J. A corrected invoice for a RFR that was previously submitted, whether the original RFR was rejected or under review, will restart the fifteen (15) business day review period for the Department to reimburse an MPO.
- K. The MPO shall be responsible for any funds determined to be ineligible for federal reimbursement and shall reimburse the Department the amount of those funds previously provided to it by the Department.
- L. The Department's acceptance of an invoice does not constitute approval or acceptance of work performed nor work products.

Article 9. Procurement and Property Management Standards

- A. The parties to this Agreement shall adhere to the procurement standards in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The Department must pre-approve the MPO's procurement procedures for purchases to be eligible for state or federal funds.
- B. The MPO agrees to comply with applicable Build America, Buy America requirements set forth in the Infrastructure Investment and Jobs Act (Pub. Law 117-58), 23 USC §313, 23

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CFR §635.410, 49 CFR Part 661, and 2 CFR Part 184, Buy America Preferences for Infrastructure Projects.

- C. The Subrecipient shall pay invoices to vendors within thirty (30) days of receipt in accordance with Texas Government Code Sec. 2251.021.

Article 10. Subcontracts

- A. Any subcontract for services in implementing any tasks specified in the UPWP, rendered by individuals or organizations not a part of the MPO, shall not be executed without prior authorization and approval of the subcontract by the Department and, when federal funds are involved, the USDOT. All work in the subcontract is subject to the state’s UGMS. If the work for the subcontract is authorized in the current approved UPWP, and if the MPO’s procurement procedures for negotiated contracts have been approved by the Department either directly or through self-certification by the MPO, the subcontract shall be deemed to be authorized and approved, provided that the subcontract includes all provisions required by the Department and the USDOT.
- B. Subcontracts exceeding \$25,000 shall contain all required provisions of this Agreement.
- C. No subcontract will relieve the MPO of its responsibility under this Agreement.
- D. Subcontractors shall comply with the Fiscal Agent procurement policy and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Article 11. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, Reporting Subaward and Executive Compensation Information.
- B. The MPO or Fiscal Agent, as applicable, agrees that it shall annually obtain and provide to the Department a Unique Entity Identifier (UEI), or the Entity ID, a unique twelve-character alphanumeric ID that allows the federal government to track the distribution of federal money.

Article 12. Single Audit Report

- A. The parties shall comply with the single audit report requirements stipulated in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- B. If threshold expenditures of \$1,000,000 or more are met during the federal fiscal year, the MPO must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT’s Compliance Division by email at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during the federal fiscal year, the MPO must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the UPWP remains open for federal funding expenditures, the MPO will be responsible for filing a report or statement as described above. The required annual filing

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shall extend throughout the life of this Agreement, unless otherwise amended or the UPWP has been formally closed out and no charges have been incurred within the current federal fiscal year.

Article 13. Inspection of Work and Retention of Documents

- A. The Department, and USDOT when federal funds are involved, and their authorized representatives shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this Agreement and the premises on which it is being performed.
- B. If any inspection or evaluation is made on the premises of the MPO or a Subcontractor, the MPO shall provide or require its Subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.
- C. The MPO agrees to maintain all books, documents, papers, computer generated files, accounting records, and other evidence pertaining to costs incurred and work performed under this Agreement and shall make those materials available at its office during the time period covered and for seven (7) years from the date of final payment under the UPWP. Within fifteen (15) business days of receiving notice from the Department, these materials shall be made available for inspection by the Department, the USDOT, the Office of the Inspector General of the USDOT, and any of their authorized representatives for the purpose of making audits, examinations, excerpts, and transcriptions.
- D. The state auditor may conduct an audit or investigation of any entity receiving funds from the Department directly under this Agreement or indirectly through a subcontract under this Agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit under the state’s UGMS.

Article 14. Non-Collusion

The MPO shall warrant that it has not employed or retained any company or person, other than a bona fide employee working for the MPO, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working for the MPO, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the MPO breaches or violates this warranty, the Department shall have the right to annul this Agreement without liability or, in its discretion, to deduct from the Agreement price or consideration, or otherwise recover the full amount of the fee, commission, brokerage fee, gift, or contingent fee.

Article 15. Force Majeure

Except with respect to defaults of Subcontractors, the MPO shall not be in default by reason of failure in performance of this Agreement in accordance with its terms (including any failure by the MPO to progress in the performance of the work) if that failure arises out of causes beyond

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the control, and without the fault or negligence, of the MPO. Those causes may include, but are not limited, to acts of God or of the public enemy, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. In every case, however, the failure to perform must be beyond the control and without the fault or negligence of the MPO.

Article 16. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any dispute, but all remedies existing at law and in equity may be availed of by either party and shall be cumulative.

Article 17. Gratuities

- A. Employees of the Department or the MPO shall not accept any benefits, gifts, or favors from any person doing business with, or who may do business with the Department or the MPO under this Agreement.
- B. Any person doing business with, or who may do business with the Department or the MPO under this Agreement, may not make any offer of benefits, gifts, or favors to the Department or the MPO employees. Failure on the part of the Department or the MPO to adhere to this policy may result in termination of this Agreement.

Article 18. Compliance with Laws

The parties to this Agreement shall comply with all applicable federal and state laws, statutes, rules, and regulations, as well as the orders and decrees of any courts or administrative bodies or tribunals, as may be amended from time to time, in any matter affecting the performance of this Agreement. This includes, but is not limited to, compliance with: workers' compensation laws, minimum and maximum salary and wage statutes and regulations, licensing laws and regulations, civil rights compliance, nondiscrimination, and equal opportunity statutes and authorities. When required, the MPO shall furnish the Department with satisfactory proof of its compliance.

Article 19. Debarment Certifications

The MPO is prohibited from making any award or permitting any award at any tier to any party that is debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, Debarment and Suspension. By executing this Agreement, the MPO certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs. The MPO shall require any party to a subcontract or purchase order awarded under this agreement as specified in 49 CFR Part 29 (Debarment and Suspension) to certify its eligibility to receive federal funds and, when requested by the Department, to furnish a copy of the certification.

Article 20. Disadvantaged Business Enterprise (DBE) Program Requirements

If federal funds are used:

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- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The MPO shall incorporate into its contracts with Subcontractors a DBE goal consistent with the State’s DBE goal and in consideration of the local market, project size, and nature of the goods or services to be acquired. The MPO shall be responsible for documenting its DBE actions.
- C. The MPO shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any contract or in the administration of its DBE program, as required by 49 CFR Part 26. The MPO shall take all necessary and reasonable steps to ensure non-discrimination in award and administration of subcontracts. The State’s DBE program is incorporated by reference in this Agreement. Implementation of this program is a legal obligation. Failure to comply shall be treated as a violation of this Agreement. Upon notification to the MPO of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC §1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC §3801 et seq.).
- D. Each contract the MPO signs with a contractor (and each subcontract the prime contractor signs with a Subcontractor) must include the following assurance: *The contractor, Subrecipient, or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.*

Article 21. Environmental Protection and Energy Efficiency

- A. The MPO agrees to comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, 42 USC §7602; Section 508 of the Clean Water Act 33 USC §1368; Executive Order 11738 and Title 40 CFR, “Protection of Environment.” The MPO further agrees to report violations to the Department.
- B. The MPO agrees to recognize standards and policies relating to energy efficiency that are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).

Article 22. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory’s knowledge and belief, that:

- A. No federal appropriated funds have been paid, or will be paid, by or on behalf of the parties to any person for influencing, or attempting to influence, an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

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- B. If any funds other than federal appropriated funds have been paid, or will be paid to, any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the MPO shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all Subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all Subrecipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty.

Article 23. Distribution of Products

- A. The MPO shall provide a number of copies to be specified by the Department of all information, reports, proposals, brochures, summaries, written conclusions, graphic presentations, and similar materials developed by the MPO and financed, in whole or in part, as provided in this Agreement. All reports published by the MPO shall contain the following prominent credit reference to the Department, USDOT, FHWA, and FTA: *Prepared in cooperation with the Texas Department of Transportation and the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration. The preparation of this document was financed in part through grants from the U.S. Department of Transportation. The content of the document does not necessarily reflect the official views or policy of the U.S. Department of Transportation, Federal Highway Administration, Federal Transit Administration, or the Texas Department of Transportation. Acceptance of this document does not constitute a commitment on the part of any federal or state agency to participate in the development depicted therein nor does it indicate that any proposed development is environmentally acceptable in accordance with public laws.*
- B. Upon termination of this Agreement, all documents prepared by the MPO during the term of this Agreement, or furnished to the MPO by the Department, shall upon request be delivered to the Department. All documents, photographs, calculations, programs, and other data prepared or used under this Agreement may be used by the Department without restriction or limitation of further use.

Article 24. Copyrights

The Department and the USDOT shall, with regard to any reports or other products produced under this Agreement, reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for government purposes.

Article 25. Indemnification

- A. THE MPO AND ITS FISCAL AGENT SHALL INDEMNIFY AND HOLD HARMLESS THE DEPARTMENT AND ITS OFFICERS AND EMPLOYEES FROM ALL CLAIMS AND LIABILITY THAT ARE DUE TO ACTIVITIES OF THE MPO, FISCAL AGENT, ITS AGENTS, OR ITS EMPLOYEES PERFORMED UNDER THIS AGREEMENT AND THAT ARE

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CAUSED BY OR RESULT FROM ERROR, OMISSION, OR NEGLIGENT ACT OF THE MPO OR OF ANY PERSON EMPLOYED BY THE MPO.

- B. TO THE EXTENT PERMITTED BY STATE LAW, THE MPO AND ITS FISCAL AGENT SHALL INDEMNIFY AND HOLD HARMLESS THE DEPARTMENT FROM ANY AND ALL EXPENSE, INCLUDING BUT NOT LIMITED TO, ATTORNEY FEES THAT MAY BE INCURRED BY THE DEPARTMENT IN LITIGATION OR OTHERWISE RESISTING CLAIMS OR LIABILITIES THAT MAY BE IMPOSED ON THE DEPARTMENT AS A RESULT OF THE ACTIVITIES OF THE MPO, ITS AGENTS, OR ITS EMPLOYEES.
- C. THE DEPARTMENT SHALL INDEMNIFY AND HOLD HARMLESS THE MPO, ITS FISCAL AGENT, AGENTS, OFFICERS, AND EMPLOYEES FROM ALL CLAIMS AND LIABILITY THAT ARE DUE TO ACTIVITIES OF THE DEPARTMENT, ITS AGENTS, OR EMPLOYEES PERFORMED UNDER THIS AGREEMENT AND THAT ARE CAUSED BY OR RESULT FROM ERROR, OMISSION, OR NEGLIGENT ACT OF THE DEPARTMENT OR OF ANY PERSON EMPLOYED BY THE DEPARTMENT.
- D. TO THE EXTENT PERMITTED BY STATE LAW, THE DEPARTMENT SHALL INDEMNIFY AND HOLD HARMLESS THE MPO AND ITS FISCAL AGENT FROM ANY AND ALL EXPENSE, INCLUDING BUT NOT LIMITED TO, ATTORNEY FEES THAT MAY BE INCURRED BY THE MPO OR ITS FISCAL AGENT IN LITIGATION OR OTHERWISE RESISTING CLAIMS OR LIABILITIES THAT MAY BE IMPOSED ON THE MPO OR ITS FISCAL AGENT AS A RESULT OF THE ACTIVITIES OF THE DEPARTMENT, ITS AGENTS, OR EMPLOYEES.

Article 26. Legal Construction

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

Article 27. Termination

- A. The Department may terminate this Agreement at any time before the date of completion if the Governor withdraws his designation of the MPO.
- B. The Department or the MPO may terminate of this Agreement if either party fails to comply with the conditions of the Agreement. The Department, the MPO, or the Fiscal Agent shall give written notice to all parties at least ninety (90) days prior to the effective date of termination and specify the effective date of termination.
- C. The Department may terminate this Agreement for any reason upon ninety (90) days' notice to the MPO and Fiscal Agent.
- D. The parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the parties shall agree upon the termination conditions.
- E. Upon termination of this Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc., prepared by the MPO shall, at the request of the Department, be delivered to the Department within ninety (90) days.

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F. The Department shall reimburse the MPO for those eligible expenses incurred during the Agreement period that are directly attributable to the completed portion of the work covered by this Agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The MPO shall not incur new obligations for the terminated portion after the effective date of termination.

Article 28. Successors and Assigns

No party shall assign or transfer its interest in this Agreement without written consent of the other parties.

Article 29. Amendments

Any change to one or more of the terms and conditions of this Agreement shall not be valid unless made in writing and agreed to by all parties before the change is implemented.

Article 30. Notices

All notices to any party by the other parties required under this Agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to the party at the following addresses:

MPO:	{Enter Name of MPO Policy Board Chair} {Enter Name of MPO} {Enter Address of MPO}
Fiscal Agent:	{Enter Name of Fiscal Agent} {Enter Address of Fiscal Agent}
Department:	Director, Transportation Planning & Programming Division Texas Department of Transportation 125 E. 11 th Street Austin, Texas 78701

All notices shall be deemed given on the date delivered or deposited in the mail, unless otherwise provided in this Agreement. Any party may change the above address by sending written notice of the change to the other parties. Any party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be honored and carried out by the other parties.

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Article 31. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the Department, the MPO, and the Fiscal Agent in triplicate.

THE MPO

THE FISCAL AGENT

Signature

Signature

Typed or Printed Name

Typed or Printed Name

Title

Title

Date

Date

THE DEPARTMENT

Signature

Humberto Gonzalez, Jr., P.E., M.B.A.

Typed or Printed Name

Director, Transportation Planning and
Programming Division
Texas Department of Transportation

Title

Date



125 E 11th St | Austin, Texas 78701
512.463.8588
txdot.gov

June 18, 2025

Mr. Michael Morris,
Director of Transportation
North Central Texas Council of Governments
616 Six Flags Drive
Arlington, TX 76011

Dear Mr. Morris,

I am writing to inform you that the Texas Department of Transportation (TxDOT) intends to extend the existing Planning agreement with North Central Texas Council of Governments for two years.

This decision is in accordance with Article 1, Section B of the current agreement, which stipulates the option for an extension and the necessary procedures involved. Attached to this letter is the existing agreement for reference. Consequently, the updated expiration date for these agreements will now be September 30, 2027.

TxDOT has collaborated with Texas MPOs over the last year to revise the current agreements. This process revealed a need for additional review and evaluation to develop an agreement that will support administration of the TPF program and coordination with the MPOs. We will continue to coordinate this effort with the MPO community over the coming months. If you have any questions, please contact Casey Wells at casey.wells@txdot.gov.

Sincerely,

Humberto "Tito" Gonzalez, Jr., P.E., M.B.A.
Director, Transportation Planning and Programming Division

Attachments:

Current MPO Planning Agreement, effective September 28, 2018

CC: Mike Eastland, Executive Director, North Central Texas Council of Government
Casey Wells, Transportation Planning and Programming Division, Systems Planning Section Director
Travis Campbell, Director, Transportation Planning & Development, Dallas District
Ricardo Gonzalez, Director, Transportation Planning & Development, Fort Worth District
Dan Perry, Director, Transportation Planning & Development, Paris District
Shannon Hawkins, Planner, Transportation Planning and Programming Division
Karrie Boedeker, Transportation Planning and Programming Division, TPP Operations Section Director