

# EASTERN SHORE MPO

22070 STATE HWY 59  
ROBERTSDALE, AL 36567  
TELEPHONE: (251) 990-4640  
[WWW.EASTERNSHOREMPO.ORG](http://WWW.EASTERNSHOREMPO.ORG)

## COMBINED MEETING AGENDA

AS OF 10/11/2021

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<b>Policy Board Work Session:</b>	Wednesday, October 13, 2021; 10:00 AM Baldwin County Satellite Courthouse (Fairhope) 1100 Fairhope Avenue Fairhope, AL 36532 Join Zoom Meeting: <a href="https://zoom.us/j/2409429609">https://zoom.us/j/2409429609</a> Meeting ID: 240 942 9609
<b>Bike/Pedestrian Advisory Committee:</b>	Tuesday, October 19, 2021; 9:00 AM Join Zoom Meeting: <a href="https://zoom.us/j/2409429609">https://zoom.us/j/2409429609</a> Meeting ID: 240 942 9609
<b>Citizens Advisory Committee:</b>	Tuesday, October 19, 2021; 1:00 PM Join Zoom Meeting: <a href="https://zoom.us/j/2409429609">https://zoom.us/j/2409429609</a> Meeting ID: 240 942 9609
<b>Technical Advisory Committee:</b>	Wednesday, October 20, 2021; 10:00 AM Join Zoom Meeting: <a href="https://zoom.us/j/2409429609">https://zoom.us/j/2409429609</a> Meeting ID: 240 942 9609
<b>Policy Board:</b>	Wednesday, October 27, 2021; 10:00 AM Daphne City Hall 1705 Main Street Daphne, AL 36526 Join Zoom Meeting: <a href="https://zoom.us/j/2409429609">https://zoom.us/j/2409429609</a> Meeting ID: 240 942 9609

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CALL TO ORDER/INVOCATION/PLEDGE

ROLL CALL

ELECTION OF OFFICERS

APPROVAL OF MINUTES

NEW BUSINESS

1. **Action** – Adoption of Performance Management Agreement (**All**)
2. **Action** – Adding Projects to the Visionary List (**All**)
  - Parker Road sidewalk/path
  - County Road 1 sidewalk
  - Gabel St sidewalk
  - Turning Lanes on CR-13 at SR-104
  - Turning Lanes on US 98 at Johnson Road
3. **Action** – Corte Road Reclassification Resolution of Support (**All**)
4. **Action** – Appointing Advisory Committee Members (**Policy Board**)
5. **Discussion/Action** – MPO Logo Update (**All**)
6. **Informational** – MPO Coordinator’s Report (**All**)
  - ALDOT Project Update:
    - SR 181 Widening
    - US 31
    - SR 181 and I-10, Diverging Diamond
    - Intersection Alignment at US 90/SR 59
    - SR 181 and Corte Road Signal
    - Realign Intersection of US 31 and Old HWY 31
  - Project Update:
    - Gayfer Turning Lanes
    - US 98 Access Management Project
    - CR 64 Widening
    - CR 34 Signal
    - CR 13/44 Roundabout
    - Fairhope Transit Project
    - Loxley Transit Project
  - Alabama Transportation Infrastructure Bank
    - Letter to Director Cooper RE Mobile River Bridge and Bayway
  - County Connectivity Plan
  - Advisory Committee Vacancies
    - Bicycle and Pedestrian Advisory Committee
      - Baldwin County (2)
      - City of Daphne (1)
    - Citizens Advisory Committee
      - Baldwin County (1)
      - City of Daphne (1)
  - Planning and Development Update

#### NEXT MPO MEETINGS (**All**)

- **Policy Board Work Session:** Wednesday, January 12, 2022; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **BPAC Meeting:** Tuesday, January 18, 2022; 9:00 AM; TBD
- **CAC Meeting:** Tuesday, January 18, 2022; 1:00 PM; TBD

- **TAC Meeting:** Wednesday, January 19, 2022; 10:00 AM; TBD
- **Policy Board Meeting:** Wednesday, January 26, 2022; 10:00 AM; TBD

**PUBLIC FORUM (All)**

- **Members of the Public:**
- **Members of the Press:**
- **Board/Committee Members:**

**ADJOURNMENT (All)**



**APPROVAL OF MINUTES**  
**APPROVAL OF MEETING MINUTES FROM PREVIOUS MEETINGS**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021</p> <p>Bicycle and Pedestrian Advisory Committee – October 19, 2021</p> <p>Citizens Advisory Committee – October 19, 2021</p> <p>Technical Advisory Committee – October 20, 2021</p> <p>Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>Approval of Meeting Minutes:</p> <ul style="list-style-type: none"><li>• Bicycle and Pedestrian Advisory Committee (BPAC)</li><li>• Citizens Advisory Committee (CAC)</li><li>• Technical Advisory Committee (TAC)</li><li>• Policy Board</li></ul>
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1.) July 2021 BPAC Meeting Minutes</li><li>2.) April 2021 CAC Meeting Minutes</li><li>3.) July 2021 TAC Meeting Minutes</li><li>4.) July 2021 Policy Board Meeting Minutes</li></ol>

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION  
BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)  
FAIRHOPE, ALABAMA  
July 20, 2021  
9:00 AM

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CALL TO ORDER/PLEDGE/INVOCATION.

- Acting Chairperson Mr. Jeff Sheldon called the meeting to order at 9:16 A.M.
- Invocation was said by Mr. Raymond Lovell
- Pledge was led by Mr. Jeff Sheldon

ROLL CALL

Mrs. Sislak called the roll.

- **Members present:** Mr. Payton Rogers, City of Daphne; Mr. David Ringler (Virtual), City of Daphne; Ms. Gail Yongue (Virtual), Baldwin County; Mr. Jeff Sheldon, City of Spanish Fort; Mrs. Katie Bolton, City of Fairhope; Mr. Gary Gover, City of Fairhope; Mr. Raymond Lovell, Town of Loxley
- **Members absent:** Mr. Jeff Hudson, City of Fairhope; Mr. Mark Wetzel, City of Daphne; Mrs. Nancy Johnson, Baldwin County; Ms. Kathie LaRose, City of Spanish Fort; Ms. Brooke Flowers, Town of Loxley.
- **Others present:** Mrs. Sarah Sislak, MPO Coordinator; Mr. Vince Beebe, ALDOT

APPROVAL OF MINUTES

**MOTION:** By Mr. Raymond Lovell to approve the April 2021 minutes. The motion was seconded by Mr. Payton Rogers.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

NEW BUSINESS

**1. Action** – Adoption of Public Transit Performance Safety Measures and Targets (**All**)  
Mr. Sislak explained The Fixing Americas Surface Transportation Act (FAST Act) requires that MPO Transportation Plans, Long Range Transportation Plan (LRTP), and Transportation Improvement Program (TIP) include Performance Management Measures and Targets for urbanized areas.

She further explained that the Baldwin Regional Area Transit System (BRATS) is the designated transit provider of the Eastern Shore MPO and has adopted a Public Transportation Agency Safety Plan (PTASP) which includes Safety Performance Targets. MPO staff recommended adopting the measures and targets as presented in the PTASP and inclusion of the targets in the 2045 LRTP and FY2020-2023 TIP.

**PTASP Measures and Targets**

- Fatalities: 0
- Injuries: 0
- Safety Events: 0
- System Reliability: 185,235 revenue miles

**MOTION:** By Mr. Rogers to recommend the Policy Board adopt the Public Transit Performance Safety Measures and Targets as presented and amend the 2045 LRTP and TIP to include the measures and targets. The motion was seconded by Mr. Lovell.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**2. Action – Adoption of FY 2022 Unified Planning Work Program (All)**

Mrs. Sislak stated that MPO staff completed the Draft FY 2022 Unified Planning Work Program (UPWP). The UPWP is the administrative planning budget for the MPO and outlines tasks to be undertaken by the MPO in fiscal year 2022.

She explained that the Draft UPWP was published for Public Comment for 30 days from June 2, 2021 – July 2, 2021. One (1) comment was received. The Draft version will be adopted as the Final.

**MOTION:** By Mr. Lovell to recommend the Policy Board adopt the FY22 Unified Planning Work Program as presented. The motion was seconded by Mr. Rogers.

- Discussion: A committee member inquired about tasks relating to environmental planning and recommended the MPO consider investing in work as it relates to the environment.
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**3. Action – Adoption of FY 2022 Cost Allocation Plan (All)**

Mrs. Sislak stated that the Cost Allocation Plan (CAP) outlines administrative expenses incurred by the MPO and produces indirect cost ratios used for reimbursement by ALDOT. The CAP works alongside the UPWP in reimbursements to the County by ALDOT. She explained that the CAP had been submitted to ALDOT but had not been approved yet and asked to pull the item from the Agenda. No action taken.

**4. Action – Adoption of Continuity of Operations Plan (All)**

Mrs. Sislak stated that staff has prepared an updated Continuity of Operations Plan (COOP). This plan outlines policies and procedures MPO staff will take regarding staff and equipment in the event of an emergency or catastrophic event. The attached document, if adopted, will remain in place until a significant update is needed.

**MOTION:** By Mr. Rogers to recommend the Policy Board adopt the Continuity of Operations Plan (COOP). The motion was seconded by Mr. Lovell.

- Discussion: A committee member recommended exploring more modern backup procedures to protect against additional threats.
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**5. Action** – Amending the FY2020-2023 Transportation Improvement Program (**All**)  
Mrs. Sislak stated that the following project had been submitted for MPO funding and inclusion in the FY2020-2023 Transportation Improvement Program (TIP):

**Austin Road Extension - .5 mile of new road construction - from CR 13 to Friendship Rd**

She explained that the Baldwin County Commission was the sponsoring member government and would be responsible for the local match as outlined in the Resolution.

**MOTION:** By Mr. Rogers to recommend the Policy Board amend the FY20-23 TIP to include the Austin Road Extension project. The motion was seconded by Mr. Lovell.

- Discussion: Committee members requested a wide shoulder or pedestrian facility be included in the project.
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**6. Action** – Appointing Bicycle and Pedestrian Advisory Committee Member (BPAC) (**Policy Board**)

Mrs. Sislak stated that MPO staff had received an application from a citizen interested in representing the Town of Loxley on the Citizens Advisory Committee (CAC).

**MOTION:** No action required.

- Discussion: None
- Abstain: N/A
- In favor: N/A
- Opposed: N/A
- Result: N/A

**7. Informational** - MPO Coordinator's Report (**All**)

- ALDOT Project Update

Mr. Vince Beebe updated the Committee on the following projects:

- SR 181 Widening
- US 31
- SR 181 and I-10, Diverging Diamond
- Intersection Alignment at US 90/SR 59



- SR 181 and Corte Road Signal
- Project Update
  - Mrs. Sislak updated the Committee on the following projects:
    - CR34 Signal
    - Fairhope Transit Project
    - Loxley Transit Project
    - Realign Intersection of US 31 and Old HWY 31
- Open Contract for Travel Demand Model
- Alabama Transportation Infrastructure Bank
- Advisory Committee Vacancies
  - Citizens Advisory Committee
    - City of Fairhope
    - Baldwin County
    - Town of Loxley
- Planning and Development Update

#### NEXT MPO MEETINGS (All)

- **Policy Board Work Session:** Wednesday, October 13, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **BPAC Meeting:** Tuesday, October 19, 2021; 9:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **CAC Meeting:** Tuesday, October 19, 2021; 1:00 PM; Baldwin County Satellite Courthouse (Fairhope)
- **TAC Meeting:** Wednesday, October 20, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **Policy Board Meeting:** Wednesday, October 27, 2021; 10:00 AM; Daphne City Hall

#### PUBLIC FORUM (All)

- **Members of the Public:** No comments
- **Members of the Press:** No comments
- **Board/Committee Members:** No comments

#### ADJOURNMENT (All)

**MOTION:** By Mr. Lovell to adjourn the meeting. Seconded by all.  
Meeting adjourned at 10:00 AM.

\_\_\_\_\_ Date: \_\_\_\_\_  
Kathie LaRose, Chairperson

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION  
CITIZENS ADVISORY COMMITTEE (CAC)  
FAIRHOPE, ALABAMA  
APRIL 20, 2021  
1:00 PM

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CALL TO ORDER/PLEDGE/INVOCATION.

- Mrs. Sarah Sislak called the meeting to order at 1:01 PM.
- Invocation was said by Mr. Richard Ullo.
- Pledge was led by Mr. Richard Jaehne.

ROLL CALL

Mrs. Sislak called the roll.

- **Members present:** Mr. Rick Davis (virtual), Baldwin County; Ms. Marissa Rennaker, Baldwin County; Mr. Donald Ouellette, City of Daphne; Mr. Richard Jaehne, City of Daphne; Mr. Greg Walker, City of Daphne; Mr. Richard Ullo, City of Spanish Fort; Ms. Diane Burnett, Town of Loxley; Ms. Coley Boone, City of Fairhope.
- **Members absent:** Mr. Andrew James, Baldwin County; Mr. Stephen Pierce, City of Daphne; Mr. David Stejskal, City of Fairhope; Mr. Tom Granger, City of Fairhope; Mr. Kevin Morgan, City of Spanish Fort.
- **Others present:** Mrs. Sarah Sislak, MPO Coordinator; Mr. Vince Beebe, ALDOT

**MOTION:** By Mr. Greg Walker to nominate Mr. Richard Jaehne to serve at temporary Chairman of the CAC for the April 2021 meeting. The motion was seconded by Mr. Donald Ouellette.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

APPROVAL OF MINUTES

**MOTION:** By Mr. Ouellette to approve the January 2021 minutes. The motion was seconded by Mr. Ullo.

- Discussion: None
- Abstain: Ms. Diane Burnett
- In favor: All
- Opposed: None
- Result: Passed

## NEW BUSINESS

### 1. **Action** – Amending 2045 Long Range Transportation Plan (LRTP) (**All**)

Mrs. Sislak stated that the City of Spanish Fort has submitted the following project for inclusion on the Financially Constrained List of the 2045 LRTP:

- **Project Description:** Installation of traffic signal at the intersection of US HWY 31 and Eastern Shore Blvd; Engineers Estimate: \$153,924.05

**MOTION:** By Mr. Walker to recommend the Policy Board amend the 2045 Long Range Transportation Plan. The motion was seconded by Mr. Ouellette.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

Mrs. Sislak stated that MPO staff prepared a Draft Amendment to the 2045 LRTP regarding the Mobile River Bridge and Bayway Project. She explained the proposed Amendment includes a phased approach and a truck toll concept. Phase 1 of the concept would be included on the Financially Constrained List and Phase 3 on the Visionary List.

**MOTION:** By Mr. Ullo to recommend the Policy Board amend the 2045 Long Range Transportation Plan to include the Mobile River Bridge and Bayway Project contingent upon studies and attention to concerns regarding safety on the six lane Bayway and merging of vehicle and truck traffic. The motion was seconded by Mr. Ouellette.

- Discussion: Committee members had concerns regarding the proposal to restripe the existing Bayway to six lanes. They also shared safety and efficiency concerns regarding the merge point where truck traffic from the new Mobile River Bridge would meet the Bayway and merge with vehicle traffic exiting the Wallace Tunnel.
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

### 2. **Action** – Amending the FY20-23 Transportation Improvement Program (TIP) (**All**)

Mrs. Sislak stated that MPO staff received a request from the City of Spanish Fort to fund the project listed below and amend the FY20-23 TIP.

- **City of Spanish Fort:** Install traffic signal at the intersection of US HWY 31 and Eastern Shore Blvd

Total:	\$153,924.05
ALDOT:	\$101,589.87
MPO:	\$40,635.87
City:	\$10,158.97

**MOTION:** By Ms. Diane Burnett to recommend the Policy Board obligate funds to the City of Spanish Fort for a traffic signal at the intersection of US Hwy 31 and Eastern Shore Blvd and amend the FY20-23 Transportation Improvement Program. The motion was seconded by Mr. Walker.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

Mrs. Sislak stated that MPO staff received a request from the Baldwin County Commission to amend the FY20-23 TIP as follows:

- **Baldwin County:** CR 64 Widening Project (100069347 PE, 100070859 RW, 100070860 UT) - change the project scope description to CR 64 Widening/Resurfacing and Intersection Improvements from SR 181 to Montelucia Way
- **Baldwin County:** Remove the CR 68 Resurfacing project (100070867 PE, 100070868 CN) and transfer funds to the CR 44/CR 13 Roundabout project (100069294 PE, 100069297 CN)

**MOTION:** By Mr. Walker to recommend the Policy Board amend the FY20-23 Transportation Improvement Program. The motion was seconded by Mr. Ouellette.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**3. Action – State Amendments to the Transportation Improvement Program (TIP) (All)**

Mrs. Sislak stated the Alabama Department of Transportation (ALDOT) requested the following changes be made to the FY20-23 Transportation Improvement Program (TIP). She explained that no MPO dollars are involved in these projects but are required to be in our documents due to federal funding sources.

- Project: 100071218 (CN) County: Baldwin; Project Description: Resurfacing on 1st Street, 2nd Street, 3rd Street, 4th Street, 7th Street, 9th Street, and South Ave along SR-104; Target Start Date: 11/2/2021; Revision Date: 12/16/2020; Engineers Estimate: \$250,000.00
- Project: 100072755 (CN) Federal aid number: IAR-002-000-008; County: Baldwin; Project Description: Widening and Resurfacing on Industrial Park Drive from SR-59 to CR-49 and Intersection Improvements Including Turn Lanes at the Intersection of CR-49 and Industrial Park Drive; Target Start Date: 5/15/2021; Engineers Estimate: \$793,200.00
- Project 100072669 (CN) Federal aid number: TAPNU-TA21(99) County: Baldwin; Project Description: Sidewalks on Magnolia Street from just south of US-90 to West Relham Drive; Target Start Date: 12/15/2021; Engineers Estimate: \$284,900.00

**MOTION:** By Mr. Walker to recommend the Policy Board adopt the state requested amendments to the Transportation Improvement Program. The motion was seconded by Mr. Ouellette.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

Mrs. Sislak stated that the Alabama Department of Transportation (ALDOT) had an additional request to amend the FY 2022-2023 TIP to be handled as separate action and resolution:

- Project: 100048102 (CN) County: Baldwin; Project Description: Four Laning SR-983 (Baldwin Beach Express) from CR-32 (Dixie Road) to SR-16 (US-90); Target Start Date: 9/30/2018; Revision Date: 3/2/2018; Engineers Estimate: \$277,604.90

**MOTION:** By Mr. Ullo to recommend the Policy Board adopt the state amendments to the Transportation Improvement Program. The motion was seconded by Mr. Walker.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**4. Action – Appointing Bicycle and Pedestrian Advisory Committee Member (BPAC) (Policy Board)**

Mrs. Sislak stated that MPO staff had received two applications for the vacancies on the Bicycle and Pedestrian Advisory Committee (BPAC). Mr. Gary Gover to represent the City of Fairhope, and Ms. Brooke Flowers to represent the Town of Loxley.

**MOTION:** No action required.

- Discussion: None
- Abstain: N/A
- In favor: N/A
- Opposed: N/A
- Result: N/A

**5. Action – Resolution of Opposition Regarding Proposed Changes to Urban Area Designation Criteria (All)**

Mrs. Sislak stated that the U.S. Census Bureau defines urban areas based on certain criteria that is reviewed with each decennial Census. For the 2020 Census, the Bureau is proposing changes to the Urban Area Designation Criteria that could potentially impact the Eastern Shore MPO in a negative way. Ms. Sislak went through the proposed changes and how they would impact the Eastern Shore MPO planning area and/or funding. She explained that the proposed criteria is available for public comment until May 20, 2021.

MPO staff collected resolutions of opposition from all member governments.

**MOTION:** By Mr. Walker to recommend Policy Board adopt a resolution of opposition regarding proposed changes to urban area designation criteria. Motion seconded by Mr. Ouellette.

- Discussion: Committee members suggested staff reach out to federal representatives and to inquire which committees Congressman Jerry Carl currently sits on.
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

#### **6. Informational - MPO Coordinator's Report (All)**

- **ALDOT Project Update**

Mr. Vince Beebe updated the Committee on the following projects:

- SR 181 Widening
- US 31
- SR 181 and I-10, Diverging Diamond
- Intersection Alignment at US 90/SR 59
- SR 181 and Corte Road Signal

- **Project Update**

Mrs. Sislak updated the Committee on the following projects:

- CR34 Signal
- Fairhope Transit Project
- Loxley Transit Project
- Realign Intersection of US 31 and Old HWY 31

- **Open Contract for Travel Demand Model**
- **Alabama Transportation Infrastructure Bank**
- **Advisory Committee Vacancies**
  - Citizens Advisory Committee
    - City of Fairhope
    - Baldwin County
    - Town of Loxley
- **Planning and Development Update**

#### **NEXT MPO MEETINGS (All)**

- **Policy Board Work Session:** Wednesday, July 14, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **BPAC Meeting:** Tuesday, July 20, 2021; 9:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **CAC Meeting:** Tuesday, July 20, 2021; 1:00 PM; Baldwin County Satellite Courthouse (Fairhope)
- **TAC Meeting:** Wednesday, July 21, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **Policy Board Meeting:** Wednesday, July 28, 2021; 10:00 AM; Daphne City Hall

**PUBLIC FORUM (All)**

- **Members of the Public:** No comments
- **Members of the Press:** No comments
- **Board/Committee Members:** No comments

**ADJOURNMENT (All)**

**Motion:** By Mr. Ouellette to adjourn the meeting. Meeting adjourned at 2:41 PM.

\_\_\_\_\_  
Andrew James, Chairperson

Date: \_\_\_\_\_

DRAFT

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION  
TECHNICAL ADVISORY COMMITTEE (TAC)  
FAIRHOPE, ALABAMA  
July 21, 2021  
10:00 AM

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CALL TO ORDER/PLEDGE/INVOCATION.

- Mrs. Sarah Sislak called the meeting to order at 10:05 A.M.
- Invocation was said by Ms. Tiffany Givens.
- Pledge was led by Ms. Gail Quezada.

ROLL CALL

Mrs. Sislak called the roll.

- **Members present:** Mr. George Ladd (proxy for Mr. Richard Johnson), City of Fairhope; Mrs. Adrienne Jones (Virtual), City of Daphne; Mr. Hunter Simmons, City of Fairhope; Mr. Frank Lundy (as proxy for Mr. Joey Nunnally), Baldwin County Mr. Casey Raines, City of Spanish Fort; Mr. Bill Harbour, Baldwin County Board of Education; Ms. Ann Simpson (as proxy for Mr. Matthew Brown) Baldwin Regional Area Transit System; Mr. Edwin Perry, ALDOT Southwest Region; Mrs. Lian Li (Virtual), Federal Highway Administration; Mrs. Casey Gay Williams (Virtual), Eastern Shore Chamber of Commerce; Mr. Robert Davis, Town of Loxley; Ms. Gail Quezada, Central Baldwin Chamber of Commerce.
- **Members absent:** Mr. Don Lagarde, City of Fairhope Airport Authority; Mr. Greg Smith, City of Robertsedale; Mr. Scott Moseley (as proxy for Mr. Michael Hora), ALDOT Bureau; Tony Pollard, Baldwin County Board of Education.
- **Others present:** Mrs. Sarah Sislak, MPO Coordinator; Mr. Vince Beebe, ALDOT; Ms. Tiffany Givens, Baldwin Regional Area Transit System; Mr. Shane Bergin; Mr. Guy Busby, Gulf Coast Media.

**MOTION:** By Mr. Hunter Simmons to nominate Mr. Robert Davis to act as Chairman for the meeting. The motion was seconded by Mr. Bill Harbour.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

APPROVAL OF MINUTES

**MOTION:** By Mr. Bill Harbour to approve the April 2021 minutes. The motion was seconded by Mr. Hunter Simmons.

- Discussion: None
- Abstain: None
- In favor: All



- Opposed: None
- Result: Passed

## NEW BUSINESS

### **1. Action** – Adoption of Public Transit Performance Safety Measures and Targets **(All)**

Mr. Sislak explained The Fixing Americas Surface Transportation Act (FAST Act) requires that MPO Transportation Plans, Long Range Transportation Plan (LRTP), and Transportation Improvement Program (TIP) include Performance Management Measures and Targets for urbanized areas.

She further explained that the Baldwin Regional Area Transit System (BRATS) is the designated transit provider of the Eastern Shore MPO and has adopted a Public Transportation Agency Safety Plan (PTASP) which includes Safety Performance Targets. MPO staff recommended adopting the measures and targets as presented in the PTASP and inclusion of the targets in the 2045 LRTP and FY2020-2023 TIP.

#### **PTASP Measures and Targets**

- Fatalities: 0
- Injuries: 0
- Safety Events: 0
- System Reliability: 185,235 revenue miles

**MOTION:** By Ms. Ann Simpson to recommend the Policy Board adopt the Public Transit Performance Safety Measures and Targets as presented and amend the 2045 LRTP and TIP to include the measures and targets. The motion was seconded by Mr. George Ladd.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

### **2. Action** – Adoption of FY 2022 Unified Planning Work Program **(All)**

Mrs. Sislak stated that MPO staff completed the Draft FY 2022 Unified Planning Work Program (UPWP). The UPWP is the administrative planning budget for the MPO and outlines tasks to be undertaken by the MPO in fiscal year 2022.

She explained that the Draft UPWP was published for Public Comment for 30 days from June 2, 2021 – July 2, 2021. One (1) comment was received. The Draft version will be adopted as the Final.

**MOTION:** By Mr. Simmons to recommend the Policy Board adopt the FY22 Unified Planning Work Program as presented. The motion was seconded by Mr. Ladd.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**3. Action – Adoption of FY 2022 Cost Allocation Plan (All)**

Mrs. Sislak stated that the Cost Allocation Plan (CAP) outlines administrative expenses incurred by the MPO and produces indirect cost ratios used for reimbursement by ALDOT. The CAP works alongside the UPWP in reimbursements to the County by ALDOT. She explained that the CAP had been submitted to ALDOT but had not been approved yet and asked to pull the item from the Agenda. No action taken.

**4. Action – Adoption of Continuity of Operations Plan (All)**

Mrs. Sislak stated that staff has prepared an updated Continuity of Operations Plan (COOP). This plan outlines policies and procedures MPO staff will take regarding staff and equipment in the event of an emergency or catastrophic event. The attached document, if adopted, will remain in place until a significant update is needed.

**MOTION:** By Mr. Simmons to recommend the Policy Board adopt the Continuity of Operations Plan (COOP). The motion was seconded by Mr. Ladd.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**5. Action – Amending the FY2020-2023 Transportation Improvement Program (All)**

Mrs. Sislak stated that the following project had been submitted for MPO funding and inclusion in the FY2020-2023 Transportation Improvement Program (TIP):

**Austin Road Extension - .5 mile of new road construction - from CR 13 to Friendship Rd**

She explained that the Baldwin County Commission was the sponsoring member government and would be responsible for the local match as outlined in the Resolution.

**MOTION:** By Mr. Harbour to recommend the Policy Board amend the FY20-23 TIP to include the Austin Road Extension project. The motion was seconded by Mr. Frank Lundy.

- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**6. Action – Appointing Bicycle and Pedestrian Advisory Committee Member (Policy Board)**

Mrs. Sislak stated that MPO staff had received an application from a citizen interested in representing the Town of Loxley on the Citizens Advisory Committee (CAC).

**MOTION:** No action required.

- Discussion: None
- Abstain: N/A
- In favor: N/A
- Opposed: N/A
- Result: N/A

## 7. Informational - MPO Coordinator's Report (All)

- ALDOT Project Update  
Mr. Vince Beebe updated the Committee on the following projects:
  - SR 181 Widening
  - US 31
  - SR 181 and I-10, Diverging Diamond
  - Intersection Alignment at US 90/SR 59
  - SR 181 and Corte Road Signal
- Project Update  
Mrs. Sislak updated the Committee on the following projects:
  - CR34 Signal
  - Fairhope Transit Project
  - Loxley Transit Project
  - Realign Intersection of US 31 and Old HWY 31
- Open Contract for Travel Demand Model
- Alabama Transportation Infrastructure Bank
- Advisory Committee Vacancies
  - Citizens Advisory Committee
    - City of Fairhope
    - Baldwin County
    - Town of Loxley
- Planning and Development Update

## NEXT MPO MEETINGS (All)

- **Policy Board Work Session:** Wednesday, October 13, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **BPAC Meeting:** Tuesday, October 19, 2021; 9:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **CAC Meeting:** Tuesday, October 19, 2021; 1:00 PM; Baldwin County Satellite Courthouse (Fairhope)
- **TAC Meeting:** Wednesday, October 20, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **Policy Board Meeting:** Wednesday, October 27, 2021; 10:00 AM; Daphne City Hall

## PUBLIC FORUM (All)

- **Members of the Public:** No comments
- **Members of the Press:** No comments
- **Board/Committee Members:** No comments

## ADJOURNMENT (All)

**MOTION:** By Mr. Harbour to adjourn the meeting. Seconded by Mr. Simmons.  
Meeting adjourned at 10:50 AM.

\_\_\_\_\_  
Richard Johnson, Chairperson

Date: \_\_\_\_\_

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION  
POLICY BOARD MEETING  
DAPHNE, ALABAMA  
July 28, 2021  
10:00 AM

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CALL TO ORDER/PLEDGE/INVOCATION.

- Commissioner Billie Jo Underwood called the meeting to order at 10:06 A.M.
- Invocation was said by Mayor Mike McMillan.
- Pledge was led by Mayor Robin LeJeune.

ROLL CALL

Mrs. Sislak called the roll.

- **Members present:** Mayor Sherry Sullivan, City of Fairhope; Mr. Kevin Boon (proxy for Councilmember Jack Burrell), City of Fairhope; Mayor Robin LeJeune, City of Daphne; Mr. Troy Strunk (Proxy for Councilmember Ron Scott), City of Daphne; Mayor Mike McMillan, City of Spanish Fort; Commissioner Joe Davis, Baldwin County; Commissioner Billie Jo Underwood, Baldwin County; Mr. Matt Ericksen, ALDOT; Mr. Scott Mosley (proxy for Bradley Lindsey, ALDOT)
- **Members absent:** Mayor Richard Teal, Town of Loxley; Mr. Mark Bartlett, FHWA; Richard Johnson, TAC; Andy James, CAC.
- **Others present:** Mrs. Sarah Sislak, MPO Coordinator; Mr. Scott Mosley; Mr. Edwin Callicutt; Mr. Guy Busby, Gulf Coast Media; Mr. James Watkins; Mr. Steve McMillan.

APPROVAL OF MINUTES

**MOTION:** By Mayor Sherry Sullivan to approve the April 2021 minutes. The motion was seconded by Mayor Mike McMillan.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**MOTION:** By Mayor Sherry Sullivan to approve the Special Called Policy Board (June) 2021 minutes. The motion was seconded by Mayor Robin LeJeune.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

## NEW BUSINESS

**1. Action** – Adoption of Public Transit Performance Safety Measures and Targets **(All)**  
Mr. Sislak explained The Fixing Americas Surface Transportation Act (FAST Act) requires that MPO Transportation Plans, Long Range Transportation Plan (LRTP), and Transportation Improvement Program (TIP) include Performance Management Measures and Targets for urbanized areas.

She further explained that the Baldwin Regional Area Transit System (BRATS) is the designated transit provider of the Eastern Shore MPO and has adopted a Public Transportation Agency Safety Plan (PTASP) which includes Safety Performance Targets. MPO staff recommended adopting the measures and targets as presented in the PTASP and inclusion of the targets in the 2045 LRTP and FY2020-2023 TIP.

### PTASP Measures and Targets

- Fatalities: 0
- Injuries: 0
- Safety Events: 0
- System Reliability: 185,235 revenue miles

**MOTION:** By Mayor Sullivan to adopt the Public Transit Performance Safety Measures and Targets as presented and amend the 2045 LRTP and TIP to include the measures and targets. The motion was seconded by Mayor LeJeune.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**2. Action** – Adoption of FY 2022 Unified Planning Work Program **(All)**

Mrs. Sislak stated that MPO staff completed the Draft FY 2022 Unified Planning Work Program (UPWP). The UPWP is the administrative planning budget for the MPO and outlines tasks to be undertaken by the MPO in fiscal year 2022.

She explained that the Draft UPWP was published for Public Comment for 30 days from June 2, 2021 – July 2, 2021. One (1) comment was received. The Draft version will be adopted as the Final.

**MOTION:** By Mayor McMillan to adopt the FY22 Unified Planning Work Program as presented. The motion was seconded by Mayor LeJeune.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**3. Action** – Adoption of FY 2022 Cost Allocation Plan **(All)**

Mrs. Sislak stated that the Cost Allocation Plan (CAP) outlines administrative expenses incurred by the MPO and produces indirect cost ratios used for reimbursement by ALDOT.

The CAP works alongside the UPWP in reimbursements to the County by ALDOT.

**MOTION:** By Mayor Sullivan to adopt the Continuity of Operations Plan (COOP). The motion was seconded by Mayor McMillan.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**4. Action – Adoption of Continuity of Operations Plan (All)**

Mrs. Sislak stated that staff has prepared an updated Continuity of Operations Plan (COOP). This plan outlines policies and procedures MPO staff will take regarding staff and equipment in the event of an emergency or catastrophic event. The attached document, if adopted, will remain in place until a significant update is needed.

**MOTION:** By Mayor Sullivan to adopt the Continuity of Operations Plan (COOP). The motion was seconded by Mayor McMillan.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**5. Action – Amending the FY2020-2023 Transportation Improvement Program (All)**

Mrs. Sislak stated that the following project had been submitted for MPO funding and inclusion in the FY2020-2023 Transportation Improvement Program (TIP):

**Austin Road Extension - .5 mile of new road construction - from CR 13 to Friendship Rd**

She explained that the Baldwin County Commission was the sponsoring member government and would be responsible for the local match as outlined in the Resolution.

**MOTION:** By Mayor LeJeune to amend the FY20-23 TIP to include the Austin Road Extension project. The motion was seconded by Mayor McMillan.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

**6. Action – Appointing Bicycle and Pedestrian Advisory Committee Member (BPAC) (Policy Board)**

Mrs. Sislak stated that MPO staff had received an application from a citizen interested in representing the Town of Loxley on the Citizens Advisory Committee (CAC).

**MOTION:** By Mayor LeJeune to appoint Mr. Will Ervin to the Citizens Advisory Committee. The motion was seconded by Mayor Sullivan.

- Discussion: None
- Abstain: None
- In favor: All
- Opposed: None
- Result: Passed

## 7. Informational - MPO Coordinator's Report (All)

- ALDOT Project Update  
Mr. Vince Beebe updated the Committee on the following projects:
  - SR 181 Widening
  - US 31
  - SR 181 and I-10, Diverging Diamond
  - Intersection Alignment at US 90/SR 59
  - SR 181 and Corte Road Signal
- Project Update  
Mrs. Sislak updated the Committee on the following projects:
  - CR34 Signal
  - Fairhope Transit Project
  - Loxley Transit Project
  - Realign Intersection of US 31 and Old HWY 31
- Open Contract for Travel Demand Model
- Alabama Transportation Infrastructure Bank
- Advisory Committee Vacancies
  - Citizens Advisory Committee
    - City of Fairhope
    - Baldwin County
    - Town of Loxley
- Planning and Development Update

## NEXT MPO MEETINGS (All)

- **Policy Board Work Session:** Wednesday, October 13, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **BPAC Meeting:** Tuesday, October 19, 2021; 9:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **CAC Meeting:** Tuesday, October 19, 2021; 1:00 PM; Baldwin County Satellite Courthouse (Fairhope)
- **TAC Meeting:** Wednesday, October 20, 2021; 10:00 AM; Baldwin County Satellite Courthouse (Fairhope)
- **Policy Board Meeting:** Wednesday, October 27, 2021; 10:00 AM; Daphne City Hall

## PUBLIC FORUM (All)

- **Members of the Public:** No comments
- **Members of the Press:** No comments
- **Board/Committee Members:** No comments

**ADJOURNMENT (All)**

**MOTION:** By Mayor LeJeune to adjourn the meeting. Seconded by all.  
Meeting adjourned at 10:40 AM.

\_\_\_\_\_  
Jack Burrell, Chairperson

Date: \_\_\_\_\_

DRAFT



**AGENDA ITEM 1**

**ACTION – ADOPTION OF PERFORMANCE MANAGEMENT AGREEMENT**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021</p> <p>Bicycle and Pedestrian Advisory Committee – October 19, 2021</p> <p>Citizens Advisory Committee – October 19, 2021</p> <p>Technical Advisory Committee – October 20, 2021</p> <p>Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>The Fixing Americas Surface Transportation Act (FAST Act) requires that MPO Transportation Plans, Long Range Transportation Plan (LRTP), and Transportation Improvement Program (TIP) include Performance Management Measures and Targets for urbanized areas.</p> <p>23 CFR 450.314 states that all MPO responsibilities must be clearly defined in written agreements. In addition, ALDOT had developed an agreement for Performance Measures related activities.</p>
<b>RECOMMENDATION</b>
<ul style="list-style-type: none"><li>• BPAC recommends:</li><li>• CAC recommends:</li><li>• TAC recommends:</li></ul>
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1. Performance Management Agreement</li><li>2. Resolution</li></ol>

JOINT AGREEMENT

BETWEEN

THE EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION,

THE BALDWIN REGIONAL AREA TRANSIT SYSTEM,

AND THE

STATE OF ALABAMA

RELATIVE TO

ALABAMA PERFORMANCE MANAGEMENT  
23 CFR 450.314(h)

FOR

TRANSPORTATION PERFORMANCE DATA SHARING AND  
COORDINATION

# ALABAMA PERFORMANCE MANAGEMENT AGREEMENT

## 23 CFR 450.314(h)

THIS AGREEMENT is made and entered into by and between the State of Alabama, acting by and through the Alabama Department of Transportation, hereinafter referred to as STATE; and the Eastern Shore Metropolitan Planning Organization, hereinafter referred to as MPO, and the Baldwin Regional Area Transit System, hereinafter referred to as TRANSIT AGENCY;

**WHEREAS**, the United States Department of Transportation promulgated transportation planning regulations in 23 CFR 450.314, and

**WHEREAS**, the MPO, the STATE, and the TRANSIT AGENCY are required by 23 CFR 450.314 to cooperatively determine their mutual responsibilities in carrying out the performance-based planning and programming requirements established by federal law, and

**WHEREAS**, 23 CFR 450.314(h) requires that MPO, the STATE, and the TRANSIT AGENCY shall jointly agree upon and develop specific written procedures for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS).

**NOW, THEREFORE, BE IT RESOLVED**, that the parties do hereby agree to adhere to the following coordination mechanisms to meet performance-based planning and programming requirements for highways in accordance with 23 CFR 450.314(h) and established federal guidance.

1. Development of transportation performance data:
  - a. The STATE will collect data used in developing statewide targets to meet the federal performance management requirements for highways<sup>1</sup> to include the following:
    - i. Targets for assessing the **Highway Safety Improvement Program (PM1)** for the following measures<sup>2</sup>:
      1. Number of fatalities
      2. Rate of fatalities per 100 million Vehicle Miles Traveled (VMT)
      3. Number of serious injuries
      4. Rate of serious injuries per 100 million VMT
      5. Number of combined non-motorized fatalities and non-motorized serious injuries
    - ii. Targets for assessing **Pavement and Bridge Condition for the National Highway Performance Program (PM2)** for the following measures:
      1. Percentage of pavements on the Interstate System in Good condition
      2. Percentage of pavements on the Interstate System in Poor condition
      3. Percentage of pavements on the NHS (excluding the Interstate System) in Good condition
      4. Percentage of pavements on the NHS (excluding the Interstate System) in Poor condition
      5. Percentage of NHS bridge deck area classified in Good condition
      6. Percentage of NHS bridge deck area classified in Poor condition

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<sup>1</sup> 23 CFR Part 490, National Performance Management Measures

<sup>2</sup> PM1/Safety performance measures and targets are applicable to all public roads regardless of ownership or functional classification; 23 CFR Part 924

- iii. Targets for assessing performance of the **National Highway System, Freight Movement on the Interstate System and Congestion Mitigation and Air Quality Improvement Program (PM3)** for the following performance measures:
  1. Percent of Person-Miles traveled on the Interstate System that are Reliable
  2. Percent of Person-Miles traveled in the Non-Interstate System that are Reliable
  3. Percentage of the Interstate System Mileage providing Reliable Truck Travel Times
  4. Annual hours of Peak-Hour Excessive Delay Per Capita
  5. Percent of Non-Single-Occupant-Vehicle (SOV) Travel
  6. Total Emissions Reduction
- iv. Targets for assessing performance of **the Transit Asset Management (TAM) Plan** for the following performance measures<sup>3</sup>:
  1. Asset Category: Rolling Stock (All revenue vehicles)
    - a. Age- % of revenue vehicles within an asset class that have met or exceed their Useful Life Benchmark
  2. Asset Category: Equipment (Non-revenue vehicles)
    - a. Age- % of revenue vehicles within an asset class that have met or exceed their Useful Life Benchmark
  3. Asset Category: Facilities (the STATE will only rate FTA funded facilities)
    - a. Condition- % of facilities with a condition rating below 3.0 on a FTA Transit Economic Requirement Modal (TERM) Scale
  4. The TAM final rule requires that all TRANSIT AGENCIES that are recipients and sub recipients of 49 USC Charter 53 funds to develop a TAM Plan.
  5. TRANSIT AGENCIES that are a part of the Group (Statewide) TAM Plan will provide transit data by asset class (both revenue and non-revenue) and facilities conditions on an annual basis to the STATE.
  6. TRANSIT AGENCIES and MPOs developing their own TAM plan will provide their targets and the final report to the STATE.
  7. The STATE and the MPO are required to integrate the TRANSIT AGENCY performance targets into the planning documents including Statewide Transportation Improvement Plan (STIP) and Transportation Improvement Plan (TIP), respectively, and the Statewide Long Range Plan (LRP) and Metropolitan Transportation Plan (MTP).
- v. Targets for assessing performance of **the Public Transportation Agency Safety Plan (PTASP)** for the following performance measures (applicable to demand response/fixed route services)<sup>4</sup>:
  1. Fatality by Mode
    - a. Fatality Total
    - b. Rate of Fatalities (per vehicle revenue mile)
  2. Injuries by Mode
    - a. Injuries Total
    - b. Rate of Injuries (per vehicle revenue mile)
  3. Safety Events by Mode
    - a. Safety Event Total
    - b. Rate of Safety Events (per vehicle revenue mile)
  4. System Reliability by Mode
    - a. Miles between major mechanical failures
  5. The PTASP final rule requires that TRANSIT AGENCIES that are recipients and sub recipients of Urbanized Area Formula Grant Program under 49 USC 5307 develop safety performance targets within their Agency Safety Plan (ASP). Each TRANSIT AGENCY must provide the STATE and its respective MPOs its safety performance targets to assist the STATE and MPOs with capital program planning process.

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<sup>3</sup> 49 CFR 625 and 630

<sup>4</sup> 49 CFR Part 673

6. STATE and MPOs are required to integrate the TRANSIT AGENCY performance targets into the planning documents including Statewide Transportation Improvement Plan (STIP) and Transportation Improvement Plan (TIP), respectively, and the Statewide Long Range Plan (LRP) and Metropolitan Transportation Plan (MTP).
- b. Those MPOs that are currently designated as being in non-attainment or maintenance for air quality<sup>5</sup> will coordinate with the STATE on the collection and provision of data used in developing targets for the Congestion Mitigation and Air Quality (CMAQ) traffic congestion measures (Annual Hours of Peak-Hour Excessive Delay per capita and Percent Non-SOV Travel) and the Total Emission Reduction Measures.
  - c. The STATE will make available, by request, the transportation performance data used in developing statewide highway and transit targets to the MPO and the TRANSIT AGENCY.
    - i. The STATE will make available the transportation performance data to the MPO and the TRANSIT AGENCY, by request only, when a statewide target is established or revised, per Section 2 of this agreement.
    - ii. Where possible and practicable, the STATE will make available performance data for each MPO planning area for purposes of tracking progress towards attainment of performance outcomes for each MPO Region's required System Performance Reports, per Section 4 of this agreement.
    - iii. Notwithstanding any provision of this Agreement to the contrary, the parties agree that any safety data or information protected by 23 U.S.C. §§ 148 (h)(4) and 409 and State law shall be confidential. The parties agree that all crash and traffic data used by the parties for or in transportation improvement plans, highway safety improvement programs and strategic highway safety plans will not be disclosed to third parties without the express written permission of the STATE. The parties agree that the data shall not be referenced, disclosed, discussed or otherwise made public. The provision of the above data by the STATE shall not be considered a waiver of 23 U.S.C. §§ 148 (h)(4) and 409 or State precedent. Upon execution of this Agreement, the parties and their agents, servants, officers, officials and employees in both their official and individual capacities, agree that the data provided pursuant to the above referenced request shall not be discussed, disclosed, used, published or released without prior written consent of the STATE. If the data in any form should be disclosed, released or published in any manner without the consent of the STATE or should an attempt be made to use the data in an action for damages against the parties, their officials or employees, then access to the data shall terminate immediately. The STATE expressly reserves its right under 23 U.S.C. §§ 148 (h)(4) and 409 and State precedent to object to the use of the data and any opinions drawn from the data and to recover damages caused by the improper and unauthorized release of the data.
    - iv. The MPO and the TRANSIT AGENCY shall defend, indemnify and hold harmless the STATE of Alabama, the Alabama Department of Transportation, its officials and employees, both in their official and individual capacities, and their agents and servants from and against all claims, damages, losses or expenses thereof, including but not limited to reasonable attorneys' fees, arising out of or resulting from faults, errors, mistakes, omissions, misconduct or negligent acts or omissions of the MPO or the TRANSIT AGENCY, its subconsultants, agents, or employees caused as a result of or related to the service or work provided under this AGREEMENT. The MPO and the TRANSIT AGENCY shall ensure that its subconsultants, agents, or employees possess the experience, knowledge and character necessary to qualify them to perform the particular duties assigned by The MPO and the TRANSIT AGENCY. This indemnity is not limited by any insurance coverage required by this AGREEMENT.

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<sup>5</sup> As determined through annual Applicability Determination: CMAQ Traffic Congestion and CMAP On-Road Mobile Source Emissions Measures, 23 CFR Part 490

- v. By entering into this agreement, the MPO and the TRANSIT AGENCY are not an agent of the STATE, its officers, employees, agents or assigns. The MPO and TRANSIT AGENCY are independent entities from the STATE and nothing in this agreement creates an agency relationship between the parties.
- d. If the MPO and/or the TRANSIT AGENCY chooses to develop its own target for any highway and/or transit measure, it will collect and provide the STATE with the performance target(s) and any supplemental data used in association with the MPO or TRANSIT AGENCY target setting process.

## 2. Selection of transportation performance targets

- a. The STATE, the MPO and the TRANSIT AGENCY will establish or revise performance targets in coordination with each other.
  - i. Coordination may include the following opportunities, as deemed appropriate, for each performance measure and target: in-person, meeting, webinars, conference calls, and email/written communication. All parties agree that email communications shall be considered written notice for all portions of this agreement.
  - ii. The MPO and the TRANSIT AGENCY will be given an opportunity to provide comment on the STATE targets no less than 30-days prior to the STATE's establishment or revision of highway and/or transit targets.
  - iii. If an MPO and/or the TRANSIT AGENCY chooses to set its own target, the MPO and/or the TRANSIT AGENCY will develop the target(s) in coordination with the STATE. The MPO and/or the TRANSIT AGENCY will provide the STATE with the opportunity to comment on performance targets no less than 30-days prior to adoption of targets.
- b. The STATE will select statewide performance targets to meet the federal performance management requirements for highways and transit.
  - i. The STATE will provide written notice to the MPO and TRANSIT AGENCY when the STATE selects a target. This notice will provide the target and the date the STATE set the target, which will begin the 180-day time-period in which the MPO and /or the TRANSIT AGENCY (as applicable) must set a corresponding performance target.
  - ii. If the MPO and/or the TRANSIT AGENCY (as applicable) chooses to support the statewide target, the MPO and the TRANSIT AGENCY will provide written documentation to STATE that the MPO and the TRANSIT AGENCY agrees to plan and program projects that will contribute toward the achievement of the statewide highway performance target.
  - iii. If the MPO or the TRANSIT AGENCY chooses to set its own target, the MPO or TRANSIT AGENCY will provide the STATE written documentation that includes the target and the date the MPO or the TRANSIT AGENCY plans to adopt. Documentation will be provided no less than 30-days prior to the MPO or the TRANSIT AGENCY adoption of target (consistent with Section 2a).
- c. Those MPOs currently in non-attainment or maintenance for air quality<sup>4</sup> and the STATE will coordinate to select single, unified targets for the CMAQ traffic congestion measures (Annual Hours of Peak-Hour Excessive Delay Per Capita and Percent of Non-SOV Travel) and to select mobile source emission reduction targets for their respective non- attainment areas of ozone.

## 3. Reporting of performance targets

- a. The STATE will report all performance targets to the Federal Highway Administration (FHWA) as applicable and in accordance with 23 CFR Part 490 and Federal Transit Administration

(FTA) as applicable and in accordance with 49 CFR Part 625. Where possible and practicable, the STATE will provide information to the MPOs and TRANSIT AGENCY on the performance of targets.

- i. Through the Highway Safety Improvement Program Annual Report for PM1 measures.
  - ii. Through the required Baseline, Mid and Full Performance Reports and the Transportation Asset Management Plan (TAMP) for PM2 measures.
  - iii. Through the required Baseline, Mid and Full Performance Period Reports for PM3 measures, to include CMAQ Performance Plans where applicable.
  - iv. Through TRANSIT AGENCY's self-certification process, National Transit Database (NTD) annual submissions, and FTA's Review Process for the TAM and PTASP.
- b. The STATE will include a description of performance measures and performance targets, along with a System Performance Report, in accordance with 23 CFR 450.216(f) in any statewide transportation plan amended or adopted after May 27, 2018, and in accordance with 23 CFR 450.218(q) in any State Transportation Improvement Program adopted or amended after May 27, 2018.
4. Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO.
  - a. The MPO will include a description of performance measures and performance targets, along with a System Performance Report, in accordance with 23 CFR 450.324(f) (3-4) in any Metropolitan Transportation Plan amended or adopted after May 27, 2018, and in accordance with 23 CFR 450.326(d) in any Transportation Improvement Program amended or adopted after May 27, 2018, for PM1 measures.
  - b. The MPO will include a description of performance measures and performance targets, along with a System Performance Report, in accordance with 23 CFR 450.324(f)(3-4) in any Metropolitan Transportation Plan amended or adopted after May 20, 2019, and in accordance with 23 CFR 450.326(d) in any Transportation Improvement Program amended or adopted after May 20, 2019, for PM2 and PM3 measures.
  - c. The MPO will include a description of performance measures and performance targets, along with a System Performance Report, in accordance with 23 CFR 450.324(f)(3-4) in any Metropolitan Transportation Plan amended or adopted after , and in accordance with 23 CFR 450.326(d) in any Transportation Improvement Program amended or adopted after October 1, 2018, for TAM.
  - d. The MPO will include a description of performance measures and performance targets, along with a System Performance Report, in accordance with 23 CFR 450.324(f)(3-4) in any Metropolitan Transportation Plan amended or adopted after July 20, 2021, for PTASP.
5. A collection of data for the State Asset Management plans for the NHS:
  - a. The STATE will be responsible for collecting pavement condition data for the NHS. This includes NHS roads that are not on the State Highway System, but instead are under the ownership of local jurisdictions, if such roads exist.
6. This agreement will be periodically review and will be updated and/or terminate as to the applicable federal law.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by those officers and officials duly authorized to execute same, and to be effective on the date hereinafter stated as the date of its approval by the Governor of Alabama.

ATTEST: MPO: \_\_\_\_\_

By: \_\_\_\_\_ BY: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

ATTEST: TRANSIT AGENCY: \_\_\_\_\_

By: \_\_\_\_\_ BY: \_\_\_\_\_

Title: \_\_\_\_\_ Title: \_\_\_\_\_

This agreement has been legally reviewed and approved as to form and content.

By: \_\_\_\_\_  
William F. Patty  
Chief Counsel, Legal Bureau

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
Bradley B. Lindsey, P.E.  
State Local Transportation Engineer

\_\_\_\_\_  
Edward N. Austin, P.E.  
Chief Engineer

STATE OF ALABAMA, ACTING BY  
AND THROUGH THE ALABAMA  
DEPARTMENT OF TRANSPORTATION

The foregoing Agreement is hereby  
executed in the name of the  
State of Alabama and signed  
By the Governor on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
John R. Cooper  
Transportation Director

\_\_\_\_\_  
Kay Ivey  
Governor, State of Alabama



**EXHIBIT A**

**PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN FEDERAL-AID PROGRAM**

Policy. It is the policy of the U.S. Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this AGREEMENT. Consequently, the DBE requirements of 49 CFR Part 26 apply to this AGREEMENT.

DBE Obligation. The recipient of funds under the terms of this AGREEMENT agrees to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. The recipient shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to see that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts and shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of U.S. Department of Transportation assisted contracts.

Failure of the recipient of funds under the terms of this AGREEMENT, or failure of its subcontractor (if a subcontractor is authorized) to carry out the DBE requirements of this AGREEMENT shall constitute a breach of contract, and may result in termination of the contract by the STATE, or such other remedy may be undertaken by the STATE as it deems appropriate.

**EXHIBIT E**

**TERMINATION OR ABANDONMENT**

- a. The STATE has the right to abandon the work or to amend its project at any time, and such action on its part shall in no event be deemed a breach of contract.
- b. The STATE has the right to terminate this AGREEMENT at its sole discretion without cause and make settlement with the CITY upon an equitable basis. The value of the work performed by the CITY prior to the termination of this AGREEMENT shall be determined. In determining the value of the work performed, the STATE shall consider the following:
  1. The ratio of the amount of work performed by the CITY prior to the termination of the AGREEMENT to the total amount of work contemplated by this AGREEMENT less any payments previously made.
  2. The amount of the expense to which the CITY is put in performing the work to be terminated in proportion to the amount of expense to which the CITY would have been put had he been allowed to complete the total work contemplated by the AGREEMENT, less any payments previously made. In determining the value of the work performed by the CITY prior to the termination, no consideration will be given to profit, which the CITY might have made on the uncompleted portion of the work. If the termination is brought about as a result of unsatisfactory performance on the part of the CITY, the value of the work performed by the CITY prior to termination shall be fixed solely on the ratio of the amount of such work to the total amount of work contemplated by this AGREEMENT.

**CONTROVERSY**

In any controversy concerning contract terms, or on a question of fact in connection with the work covered by this project, including compensation for such work, the decision of the Transportation Director regarding the matter in issue or dispute shall be final and conclusive of all parties.

**CONTRACT BINDING ON SUCCESSORS AND ASSIGNS**

- a. This contract shall be binding upon the successors and assigns of the respective parties hereto.
- b. Should the AGREEMENT be terminated due to default by CITY, such termination shall be in accordance with applicable Federal Acquisition Regulations.

## EXHIBIT H

Page 1

**EQUAL RIGHTS PROVISIONS**

During the performance of this contract, the CITY for itself, its assignees and successors in interest agrees as follows:

a. **Compliance with Regulations**

The CITY will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally-assigned programs of the Department of Transportation (Title 49, Code of Federal Regulations, Part 21, as amended by 23 CFR 710-405(b), hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

**Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

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- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

b. **Nondiscrimination**

In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the CITY agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. The CITY will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices where the contract covers a program set forth in Appendix B of the Regulations.

The CITY will comply with all provisions of Executive Order 11246 of September 24, 1965 as amended by Executive Order 11375, and of the rules, regulations (41 CFR, Part 60) and relevant orders of the Secretary of Labor.

c. **Solicitations**

In all solicitations either by competitive bidding or negotiation made by the CITY for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor, supplier or lessor shall be notified by the CITY of the CITY'S obligation under this contract and the Regulations relative to nondiscrimination on the ground of race, color, religion, sex or national origin.

d. **Information and Reports**

The CITY will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books,

EXHIBIT H

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records, accounts, other sources of information and its facilities as may be determined by the STATE or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a CITY is in the exclusive possession of another who fails or refuses to furnish this information, the CITY shall so certify to the STATE, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

e. **Sanctions for Noncompliance**

In the event of the CITY'S noncompliance with the nondiscrimination provisions provided for herein, the STATE shall impose such contract sanctions as it may determine to be appropriate, including but not limited to,

1. withholding of payments to the CITY under contract until the CITY complies, and/or
2. cancellation, termination or suspension of the contract, in whole or in part.

f. **Incorporation of Provisions**

The CITY will include the foregoing provisions a. through f. in every subcontract, including procurements of materials and leases of equipment, unless excepted by the Regulations, orders or instructions issued pursuant thereto. The CITY will take such action with respect to any subcontract, procurement, or lease as the STATE may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event a CITY becomes involved in, or is threatened with, litigation with subcontractors, suppliers, or lessor as a result of such direction, the CITY may request the STATE to enter into such litigation to protect the interest of the STATE.

g. **Equal Employment Opportunity** – The following equal employment opportunity requirements apply to the underlying contract:

1. **Race, Color, Creed, National Origin, Sex** – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal Transit laws at 49 U.S.C. § 5332, the CITY agrees to comply with all applicable equal employment requirements of U.S. Department of Labor (U.S. DOL) regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project.

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The CITY agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the CITY agrees to comply with any implementing requirements FTA may issue.

2. Age – In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, the CITY agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the CITY agrees to comply with any implementing requirements FTA may issue.
3. Disabilities – In accordance with Section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the CITY agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

**COST PRINCIPLES**

The STATE'S cost principles for use in determining the allowability of any item of cost, both direct and indirect, in this AGREEMENT, shall be the applicable provisions of Volume I, Federal Acquisition Regulations, Parts 30 and 31. The CITY shall maintain costs and supporting documentation in accordance with the Federal Acquisition Regulations, Parts 30 and 31 and other Regulations referenced with these Parts where applicable. The CITY shall gain an understanding of these documents and regulations. The applicable provisions of the above referenced regulations documents are hereby incorporated by reference herein as if fully set forth.

**EXECUTORY CLAUSE AND NON-MERIT SYSTEM STATUS**

- a. The CITY specifically agrees that this AGREEMENT shall be deemed executory only to the extent of moneys available, and no liability shall be incurred by the STATE beyond the moneys available for this purpose.

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- b. The CITY, in accordance with the status of CITY as an independent contractor, covenants and agrees that the conduct of CITY will be consistent with such status, that CITY will neither hold CITY out as, or claim to be, an officer or employee of the STATE by reason hereof, and that CITY will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the STATE under the merit system or any other law of Alabama, including but not limited to workmen's compensation coverage, or retirement membership or credit or any Federal employment law. This paragraph also applies in like manner to the employees of CITY.

**CITYS' CERTIFICATIONS**

The CITY by acceptance of this contract certifies that the rates or composition of cost noted in Article IV - PAYMENTS are based on the current actual hourly rates paid to employees, estimated non- salary direct cost based on historical prices, the latest available audited indirect cost rate, and estimated cost of reimbursements to employees for travel (mileage, per diem, and meal allowance) based on the current policy of the CITY. The CITY agrees that mileage reimbursements for use of company vehicles is based on the lesser of the approved rate allowed by the General Services Administration of the United States Government or the reimbursement policies of the CITY at the time of execution of the AGREEMENT. The CITY agrees that no mileage reimbursement will be allowed for the purpose of commuting to and from work or for personal use of a vehicle. The CITY agrees that the per diem rate will be limited to the rate allowed by the STATE at the time of execution of the AGREEMENT. The CITY agrees that a meal allowance shall be limited to CITY employees while in travel status only and only when used in lieu of a per diem rate.

The CITY shall submit detailed certified labor rates as requested, and in a timely manner, to the External Audits Section of the Finance and Audits Bureau of The Alabama Department of Transportation. The CITY agrees that material differences between rates submitted with a proposal and rates provided as certified for the same proposal are subject to adjustment and reimbursement.

EXHIBIT M

**CERTIFICATION FOR FEDERAL-AID CONTRACTS: LOBBYING**

This certification is applicable to the instrument to which it is attached whether attached directly or indirectly with other attachments to such instrument.

The prospective participant/recipient, by causing the signing of and the submission of this Federal contract, grant, loan, cooperative AGREEMENT, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, and the person signing same for and on behalf of the prospective participant/recipient each respectively certify that to the best of the knowledge and belief of the prospective participant or recipient and of the person signing for and on behalf of the prospective participant/recipient, that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient or the person signing on behalf of the prospective participant/recipient as mentioned above, 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.
- 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 Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant/recipient also agrees by submitting this Federal contract, grant, loan, cooperative agreement or other instrument as might be applicable under Section 1352, Title 31, U.S. Code, that the prospective participant/recipient shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.



EXHIBIT N

**FUNDS SHALL NOT BE CONSTITUTED AS A DEBT**

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this AGREEMENT shall contravene any statute or Constitutional provision of amendment, either now in effect or which may, during the course of this AGREEMENT, be enacted, then the conflicting provision in the AGREEMENT shall be deemed null and void.

When considering settlement of controversies arising from or related to the work covered by this AGREEMENT, the parties may agree to use appropriate forms of non-binding alternative dispute resolution.

**TERMINATION DUE TO INSUFFICIENT FUNDS**

- a. If the agreement term is to exceed more than one fiscal year, then said agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the agreement in subsequent fiscal years.
- b. In the event of proration of the fund from which payment under this AGREEMENT is to be made, agreement will be subject to termination.

**NO GOVERNMENT OBLIGATION TO THIRD PARTY CONTRACTORS**

The STATE and CITY acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations of or liabilities to the STATE, CITY, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

The CITY agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided to FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

# EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION

## RESOLUTION NO. 2022-01

### Authorizing Policy Board Chairperson to Execute Performance Measures Agreement

**WHEREAS, the Eastern Shore Metropolitan Planning Organization (MPO)** is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by the FAST Act, Sections 1201 and 1202, December 2015); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS, Metropolitan Planning Organizations (MPO(s)), State(s), and providers of public transportation** are required by 23 CFR 450.314 to cooperatively determine their mutual responsibilities in carrying out the performance-based planning and programming requirements established by federal law; and

**WHEREAS, the 23 CFR 450.314(h)** requires that MPO(s), State(s), and providers of public transportation shall jointly agree upon and develop specific written procedures for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS); and

**WHEREAS, the Alabama Department of Transportation (ALDOT) and the Federal Highway Administration (FHWA)** have requested MPO's execute an agreement regarding Performance Measures related activities; now

**THEREFORE, BE IT RESOLVED** that the Eastern Shore Metropolitan Planning Organization hereby authorizes the Chairperson to sign and execute the Performance Measures Agreement on behalf of the ESMPO Policy Board.

The foregoing resolution was adopted and approved on the 27<sup>th</sup> day of October 2021, by the Eastern Shore Metropolitan Planning Organization Policy Board.

\_\_\_\_\_ Date: \_\_\_\_\_  
Jack Burrell, Chairperson

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_

**AGENDA ITEM 2**  
**ACTION – ADDING PROJECTS TO THE VISIONARY LIST**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p style="text-align: center;">Policy Board Work Session – October 13, 2021 Bicycle and Pedestrian Advisory Committee – October 19, 2021 Citizens Advisory Committee – October 19, 2021 Technical Advisory Committee – October 20, 2021 Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>The following projects have been submitted for inclusion on the Visionary List of the 2045 Long Range Transportation Plan. (LRTP)</p> <ul style="list-style-type: none"><li>• Parker Rd sidewalk /path</li><li>• CR-1 sidewalk</li><li>• Gabel St sidewalk</li><li>• Turn lane on CR-13 at SR-104</li><li>• Turning lanes on 98 at Johnson Rd</li></ul>
<b>RECOMMENDATION</b>
<ul style="list-style-type: none"><li>• BPAC recommends:</li><li>• CAC recommends:</li><li>• TAC recommends:</li></ul>
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1. Visionary List</li><li>2. Resolution</li></ol>

Vision Plan Projects

Project Type	Project No.	Project Name	Project Scope	Project Termini		Length (mi)
				Begin	End	
Road Widening Projects	W1.1	State Route 225	Widen to 4 lanes	US Highway 31	Blakely Way	1.06
	W1.2	State Route 225	Widen to 4 lanes	Blakely Way	Bay Minette Creek Bridge	1.21
	W1.3	State Route 225	Widen to 4 lanes	Bay Minette Creek Bridge	Bromley Road	3.44
	W2.1	Jimmy Faulkner Drive (CR 27)	Widen to 4 lanes	US Highway 31	Plaza de Toros Drive	0.49
	W2.2	Jimmy Faulkner Drive (CR 27)	Widen to 4 lanes	Plaza de Toros Drive	Sibley Creek	1.90
	W2.3	Jimmy Faulkner Drive (CR 27)	Widen to 4 lanes	Sibley Creek	Bromley Road	2.19
	W3	Bromley Road	Widen to 4 lanes	Jimmy Faulkner Drive (CR 27)	US Highway 31	2.46
	W4.1	US Highway 31	Widen to 4 lanes	Jimmy Faulkner Drive (CR 27)	Old Highway 31	1.32
	W4.2	US Highway 31	Widen to 4 lanes	Old Highway 31	Redmond Lane	2.60
	W4.3	US Highway 31	Widen to 4 lanes	Redmond Lane	State Route 59	1.96
	W5.1	US Highway 98	Widen to 6 lanes	Interstate 10	D'Olive Creek	0.34
	W5.2	US Highway 98	Widen to 6 lanes	D'Olive Creek	North Main Street (Daphne)	1.51
	W6.1	US Highway 90	Widen to 4 lanes	Bay View Drive	County Road 13	1.87
	W6.2	US Highway 90	Widen to 4 lanes	County Road 13	State Route 181	1.29
	W7.1	County Road 13	Widen to 4 lanes	Whispering Pines Road	Champions Way	1.52
	W7.2	County Road 13	Widen to 4 lanes	Champions Way	US Highway 90	1.07
	W8	Champions Way	Widen to 4 lanes	County Road 13	State Route 181	0.89
	W9	Daphne Ave (CR 64)	Widen to 4 lanes	US Highway 98	Pollard Road	0.74
	W10	County Road 64	Widen to 4 lanes	State Route 181	County Road 54	1.00
	W11.1	State Route 181	Widen to 4 lanes	Mosely Road	CR 32	4.52
	W11.2	State Route 181	Widen to 4 lanes	CR 32	US Highway 98	4.20
	W12	I-10 (not ESMPO funded )	Widen to 6 lanes	State Route 181	State Route 59	5.47
New Roads	N1	US 31 to SR 59 Connector	New Roadway	US Highway 31	State Route 59	3.40
	N2	Johnson Road to Glover Lane Connector	New 2 lane road	Johnson Road	Glover Lane	0.70
	N3	Pleasant Road Extension	New 2 lane road	SR 181	Rigsby Road	0.50
	N4	Lawrence Road Connector	New 2 lane road	State Route 104	Gayfer Road Ext.	1.00
	N5	Baldwin Beach Express II	New 4 lane divided road	North end of BBE	Study Area Boundary	24.00
Minor Improvements	M1	The Causeway (US 31-US 90-US 98)	Project scope to be determined	US Highway 98 Interchange	I-10 Interchange	3.40
	M2	State Route 59	Corridor Study and Implementation	US Highway 31	US Highway 90	7.70
	M3	US 90	Left turn lanes, paved shoulders	State Route 181	State Route 59	6.20
	M4.1	County Road 54	Left turn lanes, paved shoulders	County Road 64	County Road 49	5.77
	M4.2	County Road 54	Left turn lanes, paved shoulders	County Road 49	State Route 59	3.39
	M5	State Route 104	Left turn lanes, paved shoulders	State Route 181	County Road 55	6.00
	M6	Volanta Avenue (Not a Federal Aid Route )	Minor improvements and resurfacing	Greeno Road (US 98)	North Section Street	0.80
	M7	County Road 48	Left turn lanes, paved shoulders	State Route 181	County Road 9	3.80
	M8.1	County Road 32	Left turn lanes, paved shoulders	State Route 181	County Road 9	6.17
	M8.2	County Road 32	Left turn lanes, paved shoulders	County Road 9	Study Area Boundary	3.52
	M9	US Highway 98	Corridor Study and Implementation	North Main Street (Daphne)	Nichols Avenue	7.94
	M10	US Highway 31 at Eastern Shore Boulevard	Install Traffic Signal	US Highway 31	Eastern Shore Boulevard	N/A
Bike/Ped	M11	County Road 13	Right turn lanes	State Route 104	State Route 104	N/A
	M12	US Highway 98	Right turn lanes	Johnson Road	Johnson Road	N/A
	B1	Parker Rd	Sidewalk/Path	US 98	Scenic 98	0.39
	B2	CR-1	Sidewalk	Existing sidewalk	Pelican Point Park	3.44
	B3	Gabel St	Sidewalk	US 98	Scenic 98	0.36

# EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION

## RESOLUTION NO. 2022-02

### Adding Projects to Visionary List of 2045 LRTP

**WHEREAS**, the Eastern Shore Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by the FAST Act, Sections 1201 and 1202, December 2015); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS**, the U. S. Department of Transportation requires all urbanized areas, as established by the U. S. Bureau of the Census, doing area-wide urban transportation planning that involves more than one Department of Transportation operating administration, to submit a Long Range Transportation Plan (LRTP) as a condition for meeting the provisions of Title 23 USC 134; and,

**WHEREAS**, consistent with the declaration of these provisions, the Eastern Shore Metropolitan Planning Organization, in cooperation with the Alabama Department of Transportation (ALDOT), has prepared the Eastern Shore 2045 Long Range Transportation Plan; and

**WHEREAS**, the following projects have been submitted for inclusion on the Visionary List of the 2045 LRTP:

- Parker Rd sidewalk / path
- CR-1 sidewalk
- Gabel St sidewalk
- Turn lane on CR-13 at SR-104
- Turning lanes on 98 at Johnson Rd

**THEREFORE, BE IT RESOLVED** that the Eastern Shore Metropolitan Planning Organization does hereby add the listed projects to the Visionary List of the 2045 Long Range Transportation Plan.

The foregoing resolution was adopted and approved on the 27<sup>th</sup> day of October 2021, by the Eastern Shore Metropolitan Planning Organization Policy Board.

\_\_\_\_\_  
Jack Burrell, Chairperson

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_



**AGENDA ITEM 3**

**ACTION – CORTE RD RECLASSIFICATION RESOLUTION OF SUPPORT**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021</p> <p>Bicycle and Pedestrian Advisory Committee – October 19, 2021</p> <p>Citizens Advisory Committee – October 19, 2021</p> <p>Technical Advisory Committee – October 20, 2021</p> <p>Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>The Baldwin County Commission is requesting Corte Rd be functionally classified as a minor collector. A Resolution of Support from the MPO is required to be included with the request to ALDOT / FHWA.</p>
<b>RECOMMENDATION</b>
<ul style="list-style-type: none"><li>• BPAC recommends:</li><li>• CAC recommends:</li><li>• TAC recommends:</li></ul>
<b>ATTACHMENT(S)</b>
<p>1. Resolution</p>

# EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION

## RESOLUTION NO. 2022-03

### Support of Functional Classification of Corte Road

**WHEREAS**, the Eastern Shore Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by the FAST Act, Sections 1201 and 1202, December 2015); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS**, the Baldwin County Commission desires to reclassify Corte Rd from SR-181 to CR-13 from a local road to minor collector; and

**WHEREAS**, the Eastern Shore MPO supports the request and need; now

**THEREFORE, BE IT RESOLVED** that the Eastern Shore Metropolitan Planning Organization does hereby support the reclassification of Corte Rd.

The foregoing resolution was adopted and approved on the 27<sup>th</sup> day of October 2021, by the Eastern Shore Metropolitan Planning Organization Policy Board.

\_\_\_\_\_  
Jack Burrell, Chairperson

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_



**AGENDA ITEM 4**  
**ACTION – APPOINTING ADVISORY COMMITTEE MEMBERS**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021 Bicycle and Pedestrian Advisory Committee – October 19, 2021 Citizens Advisory Committee – October 19, 2021 Technical Advisory Committee – October 20, 2021 Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>The following individual submitted an application to serve on the Bicycle and Pedestrian Advisory Committee (BPAC):</p> <ul style="list-style-type: none"><li>• <b>City of Fairhope</b> – Paul Ammon</li></ul> <p>The following individuals submitted an application to serve on the Citizens Advisory Committee (CAC):</p> <ul style="list-style-type: none"><li>• <b>City of Fairhope</b> – Mark Stejskal</li><li>• <b>Baldwin County</b> – Shane Perry</li></ul>
<b>RECOMMENDATION</b>
N/A
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1. Applications (Redacted)</li><li>2. Resolution</li></ol>

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION (ESMPO)  
BICYCLE & PEDESTRIAN ADVISORY COMMITTEE (BPAC) APPLICATION

Application period will remain open until positions are filled.

Date: 7/21/21

Name: Paul Annon

Address: [REDACTED] 32

Phone: (251) 990-4643

U.S. or Naturalized Citizen: yes ☒ no ☐ 21 years of age or older: yes ☒ no ☐

Reside or work in the MPA\*: yes ☒ no ☐

\*You must be at least 21 years of age, a U.S. or naturalized citizen and either reside or work in the MPA (see map on MPO website; the pink, yellow and green regions make up the MPA) to serve on an MPO Advisory Committee.)

Interest in ESMPO:

Live/work within ESMPO Area ☒ Local Business Owner ☐ Other \_\_\_\_\_

Meetings are generally held on the third Tuesday (at 9:00 AM) of October, January, April, and July.

Please provide comments regarding why you should be selected as a member of the BPAC (please print):

I LIVE IN FAIRHOPE AND ENJOY WALKING AND RIDING  
MY ~~BE~~ BICYCLE IN THE LOCAL AREA. I WOULD  
LIKE TO BE A PART OF THE PROCESS THAT MAKES  
THE ACTIVITIES SAFER FOR ALL..

Please fill out and return to MPO staff.

Print Form

Eastern Shore MPO  
1100 Fairhope Ave Fairhope, AL 36532  
(P) (251) 990-4643  
(F) (251) 580-2590  
coordinator@easternshorempo.org

Submit via Email

Would you like to be notified of future MPO activity via email: Yes ☐ No ☐

How did you learn about the present opportunity?

Newspaper ☐ MPO Email List ☐ U.S. Mail ☐ MPO Website ☐ Other: \_\_\_\_\_



EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION (ESMPO)

CITIZENS ADVISORY COMMITTEE (CAC) APPLICATION

Application period will remain open until positions are filled.

Date: 8-12-2021

Name: Mark Stejskal

Address:

Phone:

U.S. or Naturalized Citizen: yes ☒ no ☐ 21 years of age or older: yes ☒ no ☐

Reside or work in the MPA\*: yes ☒ no ☐

\*You must be at least 21 years of age, a U.S. or naturalized citizen and either reside or work in the MPA (see map on MPO website; the pink, yellow and green regions make up the MPA) to serve on an MPO Advisory Committee.)

Interest in ESMPO:

Live/work within ESMPO Area ☒ Local Business Owner ☐ Other ☐

Meetings are generally held on the third Tuesday (at 1:00 PM) of October, January, April, July, and the fourth Wednesday of September.

Please provide comments regarding why you should be selected as a member of the CAC (please print):

I am a born and raised resident of Fairhope. I have a passion and heart for service. I am engaged in the community through service and religion. I have a desire to do more.

Please fill out and return to MPO staff.

Eastern Shore MPO  
1100 Fairhope Ave Fairhope, AL 36532  
(P) (251) 990-4643  
(F) (251) 580-2590  
coordinator@easternshorempo.org

Would you like to be notified of future MPO activity via email: Yes ☒ No ☐

How did you learn about the present opportunity?

Newspaper ☐ MPO Email List ☐ U.S. Mail ☐ MPO Website ☐ Other: Mayor Sullivan

EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION (ESMPO)  
CITIZENS ADVISORY COMMITTEE (CAC) APPLICATION

Application period will remain open until positions are filled.

Date: 09/22/2021

Name: Shane Perry

Address: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

U.S. or Naturalized Citizen: yes ☒ no ☐ 21 years of age or older: yes ☒ no ☐

Reside or work in the MPA\*: yes ☒ no ☐

\*You must be at least 21 years of age, a U.S. or naturalized citizen and either reside or work in the MPA (see map on MPO website; the pink, yellow and green regions make up the MPA) to serve on an MPO Advisory Committee.)

**Interest in ESMPO:**

Live/work within ESMPO Area ☒ Local Business Owner ☐ Other ☐

Meetings are generally held on the third Tuesday (at 1:00 PM) of October, January, April, July, and the fourth Wednesday of September.

Please provide comments regarding why you should be selected as a member of the CAC (please print):

Want to help improve our area and make it a better place to live. I have attended a few MPO meetings and I can see that it is very in  
important to our area and want to be a part of those changes. I have grown up in this area and often wondered how improvements  
were made and would love to be part of that process.

Please fill out and return to MPO staff.

Eastern Shore MPO  
1100 Fairhope Ave Fairhope, AL 36532  
(P) (251) 990-4643  
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coordinator@easternshorempo.org

Would you like to be notified of future MPO activity via email: Yes ☒ No ☐

How did you learn about the present opportunity?

Newspaper ☐ MPO Email List ☐ U.S. Mail ☒ MPO Website ☐ Other:

# EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION

## RESOLUTION NO. 2022-04

### Appointing Bicycle and Pedestrian Advisory Committee Member

**WHEREAS**, the Eastern Shore Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by the FAST Act, Sections 1201 and 1202, December 2015); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS**, in conformity with the federal codes cited above, the State of Alabama requires the Eastern Shore Metropolitan Planning Organization to have an advisory body composed of local Citizens; and

**WHEREAS**, the ESMPO Bylaws specify that the membership of the Bicycle and Pedestrian Advisory Committee (BPAC) shall include sixteen (16) representatives of the local member governments; and

**WHEREAS**, the ESMPO received an application from a citizen who lives within the Metropolitan Planning Area and wishes to represent the City of Fairhope; now

**THEREFORE, BE IT RESOLVED** that the Eastern Shore Metropolitan Planning Organization hereby appoints Mr. Paul Ammon to represent the City of Fairhope on the ESMPO Bicycle and Pedestrian Advisory Committee (BPAC).

The foregoing resolution was adopted and approved on the 27<sup>th</sup> day of October 2021, by the Eastern Shore Metropolitan Planning Organization Policy Board.

\_\_\_\_\_  
Jack Burrell, Chairperson

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_

# EASTERN SHORE METROPOLITAN PLANNING ORGANIZATION

## RESOLUTION NO. 2022-05

### Appointing Citizens Advisory Committee Member

**WHEREAS**, the Eastern Shore Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of 23 USC 134 and 135 (amended by the FAST Act, Sections 1201 and 1202, December 2015); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; 40 CFR 51 and 93; and

**WHEREAS**, in conformity with the federal codes cited above, the State of Alabama requires the Eastern Shore Metropolitan Planning Organization to have an advisory body composed of local Citizens; and

**WHEREAS**, the ESMPO Bylaws specify that the membership of the Citizens Advisory Committee (CAC) shall include sixteen (16) representatives of the local member governments; and

**WHEREAS**, the ESMPO received applications from the following citizens who live within the Metropolitan Planning Area;

- **City of Fairhope** – Mark Stejskal
- **Baldwin County** – Shane Perry

**THEREFORE, BE IT RESOLVED** that the Eastern Shore Metropolitan Planning Organization hereby appoints Mr. Mark Stejskal to represent the City of Fairhope and Mr. Shane Perry to represent the Baldwin County Commission on the ESMPO Citizens Advisory Committee (CAC).

The foregoing resolution was adopted and approved on the 27<sup>th</sup> day of October 2021, by the Eastern Shore Metropolitan Planning Organization Policy Board.

\_\_\_\_\_  
Jack Burrell, Chairperson

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_ Date: \_\_\_\_\_

**AGENDA ITEM 5**  
**DISCUSSION / ACTION – MPO LOGO UPDATE**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021</p> <p>Bicycle and Pedestrian Advisory Committee – October 19, 2021</p> <p>Citizens Advisory Committee – October 19, 2021</p> <p>Technical Advisory Committee – October 20, 2021</p> <p>Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<p>MPO Staff is requesting to update the MPO Logo and has compiled several options. Staff is seeking further direction.</p>
<b>RECOMMENDATION</b>
<ul style="list-style-type: none"><li>• BPAC recommends:</li><li>• CAC recommends:</li><li>• TAC recommends:</li></ul>
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1. Compiled list of options for Logo update.</li></ol>

## Eastern Shore MPO

### Logo Design

- Hiring a firm – estimated cost would determine the process for selecting a firm
  - JJPR or other
- Using a service like Design Crowd
  - Logo Design Contests start from **USD \$319**, and there are a number of cost packages to choose from to suit all budgets. The initial purchase is an all-inclusive cost providing the Logo Design Contest, revision requests, and the design files for your winning design. You will receive a variety of submissions from multiple designers and you select the best design.
  - Mini-Contest package pairs you with 3 designers who will submit design proposals to your project and you get to select your winning design from their submissions. This is available for **USD \$229**.
  - One-on-One format pairs you with an available designer suited to the task. This format is available for **USD \$109**. The assigned designer will submit to you between 1-3 proposals and you can request up to 3 revisions and choose 1 final design.
- Staff purchasing software and doing in-house
  - Adobe Illustrator - \$130.68 for one year, one user
  - Staff has no background or education in graphic design
- Hold a contest either open to the public or to local graphic design students at the colleges in our area
  - Have not received any responses from South Alabama professor
- Design Alabama
  - Recommended using Angela Stiff at Copperwing Design



**AGENDA ITEM 6**  
**INFORMATIONAL – MPO COORDINATOR’S REPORT**

<b>Eastern Shore MPO</b> <b>AGENDA ACTION FORM</b>
<p>Policy Board Work Session – October 13, 2021</p> <p>Bicycle and Pedestrian Advisory Committee – October 19, 2021</p> <p>Citizens Advisory Committee – October 19, 2021</p> <p>Technical Advisory Committee – October 20, 2021</p> <p>Policy Board – October 27, 2021</p>
<b>SUMMARY</b>
<ul style="list-style-type: none"><li>• ALDOT Project Update:<ul style="list-style-type: none"><li>○ SR 181 Widening</li><li>○ US 31 Widening</li><li>○ Intersection Alignment at US 90/SR 59</li><li>○ Realign Intersection of US 31 and Old HWY 31</li></ul></li><li>• Project Update:<ul style="list-style-type: none"><li>○ Gayfer Turning Lanes</li><li>○ US 98 Access Management Project</li><li>○ CR 64 Widening</li><li>○ CR 34 Signal</li><li>○ CR 13/44 Roundabout</li><li>○ Fairhope Transit Project</li><li>○ Loxley Transit Project</li></ul></li><li>• Advisory Committee Vacancies<ul style="list-style-type: none"><li>○ Bicycle and Pedestrian Advisory Committee<ul style="list-style-type: none"><li>○ Baldwin County (2)</li><li>○ City of Daphne (1)</li></ul></li><li>○ Citizens Advisory Committee<ul style="list-style-type: none"><li>○ Baldwin County (1)</li><li>○ City of Daphne (1)</li></ul></li></ul></li><li>• Alabama Transportation Infrastructure Bank</li><li>• Letter to Director Cooper RE Mobile River Bridge and Bayway</li><li>• County Connectivity Plan</li><li>• Planning and Development Update</li></ul>
<b>RECOMMENDATION</b>
N/A
<b>ATTACHMENT(S)</b>
<ol style="list-style-type: none"><li>1. Alabama Transportation Infrastructure Bank Info Sheet</li><li>2. Letter to Director Cooper</li></ol>

## **Alabama Transportation Infrastructure Bank**

### **Guarantee loan program**

Public Road and Bridge Fund pledged revenues:

- Statewide 6 cent and 13 cent diesel fuel tax
- Motor vehicle license taxes and registration fees
- Identification marker fees
- Statewide motor carrier fuel tax

### **Program Advantages**

- Eligible loan recipients consist of state and local governmental entities for the purpose of funding construction, reconstruction, maintenance, and improvement of roads, bridges, local streets, and other public ways including right of way acquisition, feasibility, and engineering costs.
- Possible streamline borrowing option for various local projects or joint local/state projects. Also, funding options for right of way acquisition costs and feasibility and engineering costs. Rural counties should find the infrastructure bank an attractive borrowing option.
- Infrastructure bank could also be a source for federal transportation grant match requirements for state and local governmental entities.

### **Local Program Borrowers Pledged Loan Revenues**

- 7 cent, 5 cent, 4 cent, and Rebuild gas tax pledge and other available revenues.
- Borrowers only responsible for individual loan repayments.

### **Program loan minimum \$5 million**

- Multiple projects can be included to meet the \$5 million minimum.
- State projects with local engineering (ALDOT assistance if needed).
- Flexible loan amortization up to 40 years subject to average life of project being financed.

### **Program Costs**

- ALDOT will upfront fund the rating fees, bond insurance fees, and trustee fees. There is an annual program 5 basis points administration fee. The guarantee program structure will enable the bond debt to be rated "AA".



September 1, 2021

Director John Cooper  
ALDOT  
P.O. Box 303050  
Montgomery, AL 36130-3050

**RE: I-10 Bridge Project**

Dear Director Cooper:

When the Mobile and Eastern Shore Metropolitan Planning Organization (MPO) voted in June to add Phase 1 of the I-10 Mobile River Bridge and Bayway Project to their Transportation Improvement Programs (TIPs), members of both organizations recognized the need for more communication and transparency with the Alabama Department of Transportation (ALDOT). We were very appreciative of the project update ALDOT provided to both MPO members and the public on July 27, 2021 and look forward to more meetings to share timely information.

In this spirit of open communication, we are writing jointly in our capacities as the respective Chairmen of the Mobile MPO and the Eastern Shore MPOs to convey further guidance and direction for ALDOT as it begins putting together the teams to conduct required traffic and financial studies.

As you know, MPO members from both Mobile and the Eastern Shore have expressed concern about the three-phase approach. The first concern is that restriping the Bayway may compromise safety as the lanes would be narrowed and the shoulders would be eliminated. Also of major concern is that it will likely take at least 12-15 years to complete the entire project. MPO members are hopeful a feasible way can be found to build the phases concurrently, which would eliminate these concerns.

Accordingly, both MPOs request that ALDOT broaden its study to enable it to report back to the MPOs as to what financial structure would be required to build all three phases simultaneously:

- Phase 1 – Eastbound span of the high-Level Approaches and Main Span Bridge, Broad Street interchange, Virginia Street Interchange, Restriping of the Bayway.
- Phase 2 – Westbound span of the High-Level Approaches and Main Span Bridge, West Tunnel Interchange

- Phase 3 – New Bayway, East Tunnel Interchange, Midbay Interchange, Daphne Interchange

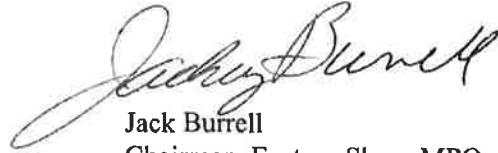
The study information would enable the MPOs to better understand if there are additional options. We are requesting the opportunity to be presented with all reasonable funding options to complete this project in a safe and more timely manner.

Again, thank you for ALDOT's ongoing efforts to keep the lines of communication flowing. Please let me know if you need additional information or want to discuss this matter further.

Sincerely,



William S. Stimpson  
Chairman, Mobile MPO  
Mayor of Mobile



Jack Burrell  
Chairman, Eastern Shore MPO  
Fairhope City Council President