METROPOLITAN PLANNING ORGANIZATION BOARD

9:00 a.m., Friday, March 17, 2023 Lee County Administration East Building 2201 Second Street, Room 118 Fort Myers, FL 33901 239-244-2220



AGENDA

Call to Order Pledge of Allegiance Roll Call

- 1. Public Comments on Consent Agenda Items
- 2. *Consent Agenda
 - A. Approval of the January 20, 2023 Meeting Minutes
 - B. Approval of the February 17, 2023 Joint Meeting Minutes
 - C. Approval of the Transportation Disadvantaged Local Coordinating Board Certification
 - D. Approval of the 2022 FDOT and MPO Joint Certification Statement
- 3. Public Comments will be taken on each New Business Item

New Business

- 4. *Presentation and Acceptance of the Bonita-Estero Rail Trail Feasibility Study (Volkert)
- 5. Information on the US 41 Pedestrian Hybrid Beacons (Don Scott)
- 6. Review of the Proposed Transportation Legislation and Member Projects (Don Scott)

Other Business

- 7. Public Comments on Items not on the Agenda
- 8. LeeTran/TD Report
- 9. FDOT Report
- 10. Announcements
- 11. Information and Distribution Items

Adjournment

^Roll Call Vote *Action Items *May Require Action

Public participation is solicited without regard to race, color, national origin, sex, age, disability, religion, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Calandra Barraco with the Lee County MPO at 239-330-2243 or by email at cbarraco@leempo.com at least seven (7) days prior to the meeting. If you are hearing or speech impaired call (800) 955-8770 Voice / (800) 955-8771 TDD. The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. Any person or beneficiary who believes they have been discriminated against because of race, color, national origin, sex, age, disability, religion, or familial status may file a complaint with the Lee County MPO Title VI Coordinator, Calandra Barraco, at 239-330-2243, or in writing at P.O. Box 150045, Cape Coral, Florida 33915-0045.

METROPOLITAN PLANNING ORGANIZATION BOARD 9:00 a.m., Friday, January 20, 2023 Lee County Administration East Building 2201 Second Street, Room 118 Fort Myers, FL 33901 239-244-2220



Meeting Minutes

The meeting was called to order at 9:01 a.m. by MPO Board Chair/City of Fort Myers Councilmember Teresa Watkins Brown. The Pledge of Allegiance was recited.

The roll was called by MPO staff. A quorum was present. Lee County MPO Board Members in attendance included Lee County Commissioners Mike Greenwell (9:05 a.m.) and Brian Hamman; City of Fort Myers Councilmembers Johnny Streets Jr. and Teresa Watkins Brown; City of Cape Coral Mayor John Gunter; City of Cape Coral Councilmembers Tom Hayden, Keith Long, Patty Cummings, and Jessica Cosden; Town of Fort Myers Beach Councilmember John R. King; City of Sanibel Councilmember Michael Miller; City of Bonita Springs Councilmember Laura Carr; City of Bonita Springs Deputy Mayor Fred Forbes; and Village of Estero Vice-Mayor Jon McLain (9:12 a.m.).

Others in attendance included the following – Carlos Gonzalez with FHWA; L. K. Nandam, Wayne Gaither, Victoria Peters, Josh Jester, and Keith Robbins with FDOT; Lee County MPO staff Don Scott, Ron Gogoi, and Calandra Barraco; Derek Rooney with Gray Robinson; Robert Codie with LeeTran; Lee County IT staff; LCSO deputy; Bill Howell with Lochner; Nicole Harris with Stantec; Dave Loveland, Rob Price, and Randy Cerchie with Lee County; Andy Getch with McCormick Taylor; and members of the public Marsha Ellis, Patty Whitehead, Tom Rubbelke, Holly Schwartz, Quinn Stahl, Kevin Wyman, Kim Wallen, Tara Cooley, Charles Morris, Kendelle Harder, Tonia Harder, Darla McIntosh, Beth Anne Algie, Jodi Walborn, Teresa Lewis, Dirk Kruzan, Tony Cameratta, Deb Orton, Emily Porter, and John Majka.

Agenda Item #1 - Public Comments on Consent Agenda Items

Chair Watkins Brown asked if there were public comments on consent agenda items. There were no public comments on Consent Agenda Items.

Agenda Item #2 - *Consent Agenda

- A. Approval of the November 18, 2022 Meeting Minutes
- B. Adoption of FDOT's New Bridge, Pavement and System Performance Targets
- C. Approval of the Executive Director Contract Extension
- D. Approval of the Transportation Disadvantaged Local Coordinating Board Certification

Mayor John Gunter made the motion to approve the Consent Agenda Items. Commissioner Brian Hamman seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #3 - Public Comments will be taken on Each New Business Item

Chair Watkins Brown noted public comments would be taken at each new business item. Mr. Scott noted that the public comments received via email prior to the meeting were printed and provided to the MPO Board members present at the meeting. The emails, public comment cards from the meeting, and presentation provided by Ms. Marsha Ellis at the meeting can be found at the following link: Public Comments

Agenda Item #4 - ^Review and Approve Amendments to the 2045 Long Range Transportation Plan to add in the widening of Corkscrew Road projects, the Kingston Development roadway connection, the Sunshine Boulevard Extension and to make changes to match programmed and planned projects

Mr. Don Scott presented this public hearing item for the review and approval of the Amendments to the 2045 Long Range Transportation Plan (LRTP). He provided a Power Point presentation that included slides with information on a map of the Corkscrew area, traffic volumes, updated needs plan, updated language, updated project tables, review of projects, funding and revenues, and a map of the Hickey Creek area with respect to the Sunshine Boulevard extension project. His presentation can be found here: <u>LRTP Amendments</u> Mr. Scott mentioned the public comments regarding the Kingston development and the Sunshine Extension project that were emailed prior to the meeting that were printed and handed out to the MPO Board members present at the meeting and can be found at the following link – <u>public comments</u>. The MPO Board members discussed carbon reduction funding, amount, and carbon reduction projects. Chair Watkins Brown asked if there were any public comments item: Ms. Marsha Ellis (provided a Power Point presentation that can be found in the public comments link above), Ms. Beth Anne Algie, Ms. Patty Whitehead, Ms. Holly Schwartz, Ms. Quinn Stahl, Mr. Charles Morris, Mr. Kevin Wyman, and Mr. Tony Cameratta.

Commissioner Brian Hamman made the motion to approve the LRTP Amendments. Councilmember Mike Miller seconded the motion. A roll call vote was taken with two objections, and twelve in favor. The motion passed with a majority vote.

There were brief additional discussions regarding the Sunshine Extension project, design process, traffic, configuration of the roadway, working with the community, and facilitating growth with properly placed infrastructure.

New Business

Agenda Item #5 - *Election Of Officers for 2023

Mr. Scott presented this agenda item to call for nominations for MPO Board Chair, Vice-Chair, and Treasurer and to hold elections for those offices. He explained that based on the current rotation of the Chair and Vice-Chair from the municipalities/county, and if the Board agrees, Commissioner Cecil Pendergrass will become the MPO Chair and a representative from the City of Cape Coral will be the Vice-Chair. He added, the Board also needs to nominate and hold an election for the Treasurer position, and Commissioner Ruane is the current Treasurer.

Councilmember Laura Carr made the motion to elect Commissioner Cecil Pendergrass as MPO Board Chair. Mayor John Gunter seconded the motion. There were no objections, and the motion passed unanimously.

Councilmember Laura Carr made the motion to elect Mayor John Gunter as Vice-Chair. Councilmember Jessica Cosden seconded the motion. There were no objections, and the motion passed unanimously.

Mr. Scott asked if there were changes to MPO Board Treasurer.

Commissioner Brian Hamman made the motion to retain Commissioner Kevin Ruane as MPO Board Treasurer. Mayor John Gunter seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #6 - Federal Certification Review Close Out Presentation

Mr. Scott introduced Mr. Carlos Gonzalez with FHWA to present this agenda item on the Federal Highways (FHWA) Federal Certification Review Close Out. Mr. Gonzalez then provided a Power Point presentation that included slides with information on the Federal Review Team members, purpose of the certification review, overview of the certification process, summary of the risk assessment, overview of the certification report, noteworthy practices, recommendations, and review findings. The presentation can be found here: <u>FHWA Certification</u> Mr. Gonzalez also provided his contact information to those present. The Board discussed bicycle pedestrian impact from Hurricane Ian, cost effectiveness of mobility on demand service in Bonita Springs, LeeTran partnerships with local jurisdictions, increased trips, adding fourth vehicle, and expanding footprint. Members of the public, Ms. Marsha Ellis and Ms. Patty Whitehead, provided public comments. Mr. Gonzalez noted public comments could also be sent to himself and FDOT staff.

Agenda Item #7 - I-75 Master Plan Update for the South Corridor

Mr. Josh Jester with FDOT presented this agenda item on the status of the I-75 South Corridor Master Plan. He provided a Power Point presentation that included slides with information on an introduction to the Mater Plan, 2045 No-Build Year of Need, preliminary list of proposed projects, proposed typical sections, weave section, public outreach, and next steps. The presentation was also attached to the agenda packet and posted to the MPO website. The Board discussed the limits of the study, Del Prado North extension, the North and Central I-75 corridor plans and limits, setting up future meeting with Charlotte/Lee/Cape staff, adding interchange, development, Cape Coral Master Plan development, secondary evacuation route, Urban Land Institute study, growth patterns, area between Bayshore and Tuckers Grade, Corkscrew interchange, improving adjacent intersections, landscaping, potential impacts, evaluating alternatives in PD&E study, future widening plan for Corkscrew, timing of project, SIS Cost Feasible Plan, example of SR 31 right-of-way, funding constraints, lane configurations, existing right-of-way, drainage, speed concerns, design for interstate speeds, service level, and corridor limits. Members of the public, Ms. Marsha Ellis and Ms. Teresa Lewis, provided public comments. Mr. Jester mentioned 2045 development and buildout maximum. Mr. Scott commented on the additional development in the area. Mr. L. K. Nandam commented on the Master Plan and SIS Cost Feasible update.

Agenda Item #8 - Review of the FDOT Draft Tentative Work Program for FY 2024-2028

Ms. Victoria Peters with FDOT presented this agenda item on the FDOT Draft Tentative Work Program for FY 2024-2028. She showed a video from FDOT on the District One Draft Tentative Work Program. The video can be found here: <u>FDOT Work Program Video</u> She then reviewed the highlights of the work program. Commissioner Hamman asked about an update on Pine Island Road. Mr. Nandam mentioned a conversation with Cape Coral on the project development, local funding, systems management, operations management, improvements, and coordination with Cape Coral staff. Commissioner Hamman commented on inspections, system restorations, and traffic. Mr. Nandam said he would speak with Lee County and FDOT staff. Members of the public, Ms. Beth Anne Algie and Mr. John Majka, provided public comments.

Agenda Item #9 - FDOT District One Safety Office Presentation

Mr. Keith Robbins with the FDOT Safety Office provided a Power Point presentation that included slides with information on an introduction to District One Safety Administrator Mr. Robbins, changing the culture, heat map of District One crashes, District One crashes by emphasis area, community engagement, our path forward, vision zero public service announcement, and contact information. The presentation can be viewed here: <u>Safety Office</u> The Board discussed crash dashboard, road design, enforcement, percent increase over the past few years, Estero concerns, increased fatalities with decreased crashes, working with law enforcement, speed management workshop, too many

warnings and not enough tickets from law enforcement, running red lights, speeding, and assistance available. Members of the public, Mr. John Majka and Ms. Marsha Ellis provided public comments.

Other Business

Agenda Item #10 - Public Comments on Items not on the Agenda

Members of the public, Mr. Tom Rubbelke, Ms. Deb Orton, Ms. Emily Porter, Mr. John Majka, Ms. Patty Whitehead, Ms. Beth Anne Algie, and Ms. Marsha Ellis provided public comments on items not on the agenda.

Agenda Item #11 - LeeTran/TD Report

Mr. Robert Codie with LeeTran provided the LeeTran/TD report that included information on the mobility-on-demand project in Bonita Springs, Ultra project beginning in Lehigh, and the South Area Transfer Center.

Agenda Item #12 - FDOT Report

Ms. Peters with FDOT provided the FDOT report that included information on the upcoming SR 31 public meeting, the upcoming I-75 corridor workshop, and the recent regional grant/SIS Plan update workshops.

Agenda Item #13 - Announcements

Mr. Scott mentioned the next MPO Board meeting would be a joint meeting with Charlotte County on February 17.

Agenda Item #14 - Information and Distribution Items

Mr. Scott mentioned the SR 31 public meeting notice that was included in the Information and Distribution section of the agenda packet and <u>posted to the MPO website</u>.

The meeting was adjourned at 11:17 a.m.

An audio recording of the meeting can be accessed here: MPO Board January 20, 2023

^Roll Call Vote *Action Items *May Require Action

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JOINT MEETING OF THE CHARLOTTE COUNTY-PUNTA GORDA METROPOLITAN PLANNING ORGANIZATION BOARD AND LEE COUNTY METROPOLITAN PLANNING ORGANIZATION BOARD

Burnt Store Road Presbyterian Church, Stewart Hall, 11330 Burnt Store Road, Punta Gorda, Florida Friday, February 17, 2023 at 9:30 a.m.

MEETING MINUTES

Agenda Item #1 - Call to Order/Roll Call/Invocation

The meeting was called to order at 9:30 a.m. by Charlotte County Commissioner Christopher Constance.

The Lee County MPO Board roll was called by Lee County MPO staff. A quorum was present. Lee County MPO Board Members in attendance included Lee County Commissioners Cecil Pendergrass, Kevin Ruane, Raymond Sandelli, and Brian Hamman; City of Fort Myers Councilmembers Johnny Streets Jr. and Teresa Watkins Brown; Town of Fort Myers Beach Councilmember John R. King; City of Sanibel Councilmember Michael Miller; Village of Estero Mayor Katy Errington (9:42 a.m.); and City of Bonita Springs Councilmember Fred Forbes.

The Charlotte County – Punta Gorda MPO Board roll was called by Charlotte County – Punta Gorda MPO staff. A quorum was present. Charlotte County – Punta Gorda MPO Board members in attendance included Charlotte County Commissioners Christopher G. Constance, Stephen R. Deutsch, and Joseph Tiseo; Charlotte County Airport Authority Commissioner James Herston; and City of Punta Gorda Mayor Lynne Matthews.

Others in attendance included the following – John Kubler and Victoria Peters with FDOT; Charlotte County – Punta Gorda MPO staff D'Juan Harris, Lakshmi Gurram, Wendy Scott, Bekie Leslie, and Betty-Ann Sherer; Lee County MPO staff Don Scott, Ron Gogoi, and Calandra Barraco; Derek Rooney with Gray Robinson; members of the public Jerry Newmin, Silvio Estes, Dawn Caniff, John Fleming, Neil Jay Dodrill, Bob Hancik, Pastor Syl Estevez, Suzanne Fleming, Ed Morris, Linda Dosse, Eileen Dameanos, Debra Beyer, Dave Roeser, Bill and Elaine Kimber, Mary Ann Jurek, Douglas Burton, Marv Bergman, Rick Kirckhoff, John and Diane Ardolino, Chuck and Terry Mattioni, Dick Welter, Pat O'Neill, Mike Stroheck, Rob Bar, Anne Tien, Jeff Young, Christine Pfeffule, Walter Schroeder, Robert Eppich, Joseph Milano, Derek Felder, Dave Evans, Joyce Evans, Robert Fehr, Dennis McCarthy, Sam Miller, Drew Myers, Ron Mills, Patrick and Cathy Hurd, Miles Moorehake, Bob Turk, Joe Blais, William Wall, Linda and Tony Lombardi, Bob Reichert, Jay Day, Stephen Miller, Marv Kelso, Jim Jablonski, Steve Riddle. Bud Herzberg, Rick Marhis, Liz Kelly, John Gruca, Craig Williams, Manuel Soares, Sharon Mundhenke, Clarke Phyendlenke, Maggie Jones, Barbara Whelan, Jinnifer Calinda, Steven Pletz, Jay and Donna Ableidinges, Kathleen and Kevin Tyndall, Maria Metge, Stefan Pilip, David and Elizabeth Merkowitz and Barry Freedman; Charles Counsil with the Charlotte County – Punta Gorda MPO Citizens' Advisory Committee; Jana Curry with the Southwest Florida Regional Planning Council; Andy Getch with McCormick Taylor: Mitchell Austin with the City of Punta Gorda: Persides Zambrano with the City of Cape Coral; Kristin Caruso with Scalar; Charlotte County Economic Development Director Dave Gammon; Carmen Monroy with Stantec; and Rob Cursey with Benesch.

Pastor Syl Estevez with the First Presbyterian Church in Port Charlotte gave the invocation.

Agenda Item #2 - Pledge of Allegiance

The Pledge of Allegiance was recited.

Agenda Item #3 - Chairs' Comments

Chair Constance and Chair Pendergrass provided comments.

Agenda Item #4 - Public Comments on Agenda Items

Chair Constance noted the public speaking time limit was three minutes per speaker. Mr. Don Scott introduced Mr. John Kubler, the acting FDOT District One Secretary. The following members of the public provided public comments on agenda items: John Fleming, Jerry Newmin, Robert Hancik, Ed Morris, Dave Roeser, Mary Ann Jurek, Joe Blais, John Gruca, Barbara Whelan, Jennifer Calinda, Kevin Tyndall, Joyce Evans, Craig Williams, and Manuel Soares. Mr. Harris noted that additional public comments were emailed to staff prior to the meeting and will be attached to the end of the minutes.

Agenda Item #5 - Approval of Agenda

Commissioner Joseph Tiseo made the motion to approve the agenda as presented. Commissioner Stephen Deutsch seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #6 - Review and Comment on the Joint Transportation Regional Incentive Program (TRIP) Project Priority List

Mr. Scott and Mr. D'Juan Harris provided a Power Point presentation on the Joint Transportation Regional Incentive Program (TRIP) Project Priority List. The presentation can be accessed at the following link (pages 2-3): <u>TRIP Project Priorities</u> Chair Constance commented on the sales tax advance for right-of-way purchase, appreciation for FDOT support and the RAISE Grant. He asked if there were any comments. There were none.

Agenda Item #7 - Charlotte County Economic Development Overview

Mr. Harris introduced Mr. Dave Gammon, Charlotte County Economic Development Director, who then provided a Power Point presentation as on overview of Charlotte County Economic Development. The presentation can be accessed at the following link (pages 4-26): <u>Charlotte County Economic Development</u> Chair Constance asked if there were any questions. There were none. Chair Constance thanked Mr. Gammon for the presentation. Commissioner Herston commented on the Airport Authority.

Agenda Item #8 - Burnt Store Road Corridor Improvements - Status Update

Mr. Scott and Mr. Harris provided a Power Point presentation as a status update on the Burnt Store Road Corridor Improvements. The presentation can be found at the following link (pages 27-29): <u>Burnt Store</u> <u>Corridor</u> Commissioner Deutsch commented on the coordination between Lee and Charlotte Counties with regard to the completion of the Burnt Store Road project. Mayor Matthews mentioned speeding issues along the Burnt Store corridor and the need for traffic calming. Commissioner Hamman commented on Burnt Store as an evacuation route, addition of traffic light, and public comments. Chair Constance mentioned public comments, traffic light, and zero fatalities. Commissioner Tiseo commented on narrow medians on Veterans, growth, example of Marathon signal, and possible signal for safety on Burnt Store. Chair Constance asked if there were additional comments. There were none. He asked the MPO Executive Directors to bring the item back to their respective MPO Boards for additional discussion. Mr. Scott and Mr. Harris agreed.

Agenda Item #9 - Green Gulf Boulevard Extension

Mr. Harris provided a Power Point presentation on the Green Gulf Boulevard Extension. The presentation can be accessed at the following link (pages 30-31): <u>Green Gulf Boulevard Extension</u> Mr. Harris noted questions could be directed to Charlotte County Public Works. Chair Constance asked if there were any questions. There were none. He thanked Mr. Harris for the presentation.

Agenda Item #10- Status of the SR 31 Projects and Staff Coordination on Future Improvements

Mr. Scott and Mr. Harris provided a Power Point presentation on the status of the SR 31 projects. The presentation can be found at the following link (pages 32-41): <u>SR 31 Projects</u> Chair Constance asked about the dedicated right for each direction related to volume, right-of-way to construct, and providing additional information at March meeting. Mr. Harris said he would. Mr. Scott continued the presentation. He asked if there were any questions. Commissioner Deutsch commented on the lack of shoulders, reduction of speed limit, increased traffic due to development, crashes during daylight hours, head-on collisions, and the need to address the lack of shoulders. Mr. Scott asked if there were any additional comments. There were none.

Agenda Item #11 – Update on the I-75 Connect Studies and the Recent Transportation Budget Proposal Announcements

Mr. Scott provided a Power Point presentation as an update on the I-75 Connect Studies for the North, Central, And South Corridors and Recent Transportation Budget Proposal Announcements. The presentation can be viewed at the following link (pages 42-64): <u>I-75 Connect Studies</u> Mr. Scott noted I-75 project staff will present additional information in the future, noise wall comments, FDOT offering virtual meeting for all MPOs to discuss questions and comments on all three I-75 Master Plans, SIS Plan updates, and Moving Florida Forward. Chair Constance asked if there were any questions. There were none.

Agenda Item #12 - Information on the MPO Activities and Schedule Related to the 2020 Census

Mr. Scott and Mr. Harris provided a Power Point presentation on the MPO Activities and Schedule Related to the 2020 Census. The presentation can be found at the following link (pages 65-71): <u>MPO Activities and 2020</u> <u>Census</u> Commissioner Deutsch commented on the current Charlotte County population of over 200,000, benefits of being over and under 200,000, and census updates. Chair Constance commented on regulatory, reporting, and additional funding issues. He asked if there were additional comments. There were none.

Agenda Item #13 - Next Meeting Date

Chair Constance noted the joint meetings were held yearly and asked if the next meeting needed to be sooner. Ms. Bekie Leslie noted the 2024 date would be February 16. Commissioner Ruane suggested another meeting before the end of the calendar year. Chair Constance advised staff to re-evaluate in September or October if a meeting was needed sooner than February 16, 2024.

Agenda Item #14 - Staff Comments

Mr. Harris thanked the staff at Burnt Store Presbyterian Church for their assistance. He also thanked the residents of the Burnt Store area for their input. Mr. Scott thanked Charlotte County – Punta Gorda MPO and Burnt Store Presbyterian Church for hosting the meeting.

Agenda Item #15 - Member Comments

Councilmember Forbes commented on the Purple Heart Highway and monument being placed at the rest area in Lee County. Commissioner Deutsch added he would be at the Purple Heart meeting the following day. Mayor Matthews commented on the buildout of Punta Gorda Isles, possible future expansion of Punta Gorda city limits, and extension of left bound turn lane at Aqui Esta. Chair Constance commented on a resurfacing project that didn't include the lane extension, example of Murdock project safety issue, and need for better

response from FDOT. Commissioner Pendergrass asked if there were any closing comments from Lee County MPO Board members. There were none. Commissioner Pendergrass asked that staff follow up with additional information on a potential joint meeting at the end of the year. Commissioner Deutsch commented on progress made, slow movement of government, and appreciation for public input. Chair Constance expressed his appreciation for members of the public attending.

Agenda Item #16 - Public Comments

The following members of the public provided public comments on non-agenda items: Barry Freedman, Derek Felder, and Tom Mills. Additional public comments were emailed to staff prior to the meeting and are attached to the end of these minutes. Chair Constance asked if there were additional public comments. There were none. He then provided a brief overview of MPO process and structure, FDOT involvement, funding constraints, and safety. He thanked everyone for attending.

Agenda Item #17 - Adjournment

The meeting was adjourned at 11:06 a.m.

An audio recording of the meeting can be accessed at the following link: Joint Lee Charlotte MPO 02/17/2023

All interested parties are invited to appear and be heard on each of the above items. Written comments filed with the MPO will be considered. Copies of all of the above proposed documents are available by calling the Lee MPO Office at 239-244-2220 or the Charlotte County-Punta Gorda MPO Office at 941-883-3535.

THIS NOTICE is published pursuant to the requirements of the Federal Laws, Florida Statutes and MPO Policy. NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THIS MEETING. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL ANY DECISIONS INVOLVING THE MATTER NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THE TESTIMONY AND EVIDENCE AT THIS MEETING UPON WHICH ANY APPEAR IS TO BE BASED.

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THE MPO'S PLANNING PROCESS IS CONDUCTED IN ACCORDANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND RELATED STATUTES. ANY PERSON OR BENEFICIARY WHO BELIEVES HE/SHE HAS BEEN DISCRIMINATED AGAINST BECAUSE OF RACE, COLOR, RELIGION, SEX, AGE, NATIONAL ORIGIN, DISABILITY OR FAMILY STATUS MAY FILE A COMPLAINT WITH THE LEE MPO TITLE VI COORDINATOR CALANDRA BARRACO AT (239) 244-2220 OR BY WRITING HER AT P. O. Box 150045, CAPE CORAL, FLORIDA 33915 OR THE CHARLOTTE COUNTY-PUNTA GORDA MPO TITLE VI COORDINATOR WENDY W. SCOTT AT (941) 883-3535 OR BY WRITING HER AT 18500 MURDOCK CIRCLE, BUILDING B, SUITE 200, PORT CHARLOTTE, FL 33948.

LOCAL COORDINATING BOARD APPOINTMENTS AND THE BOARD MEMBERSHIP CERTIFICATION

RECOMMENDED ACTIONS: Approve Richard Purdue as an alternate for the Lee County School District and authorize the MPO Chair or Designee to sign the updated LCB certification.

If you are interested in filling upcoming vacancies, please contact Mr. Brian Raimondo at 239-330-2240 or by email at <u>braimondo@leempo.com</u> for more information.

Pursuant to Chapter 427, Florida Statutes, and Rule 41-2, Florida Administrative Code, the Lee County Metropolitan Planning Organization is the designated official planning agency for the Lee County Transportation Disadvantaged program. The MPO is, therefore, responsible for appointing the Local Coordinating Board (LCB).

Nominations and Applications

Staff recommends that people be appointed to the LCB to serve as indicated above. There are no other nominations to fill the remaining vacancies at this time. Staff will continue its efforts to locate people who are interested in serving on the LCB. MPO members are encouraged to seek and nominate volunteers to fill the remaining vacancies on the LCB.

Certification of LCB membership

Whenever there are changes in LCB membership, the MPO must certify the LCB membership form that is attached.

About the Local Coordinating Board

The Local Coordinating Board is established to assist the Community Transportation Coordinator (CTC) in its role of coordinating the provision of transportation service for the transportation disadvantaged. Some of the basic duties of the Board include:

- 1) Reviewing and approving the annual Transportation Disadvantaged Service Plan, including the Memorandum of Agreement, prior to its submittal to the Commission for the Transportation Disadvantaged;
- 2) In cooperation with the CTC, reviewing and providing recommendations to the Commission for the Transportation Disadvantaged on funding applications affecting the transportation disadvantaged;
- 3) Reviewing strategies for coordinating service to the transportation disadvantaged in the designated service area;
- 4) Conducting an annual evaluation of the Community Transportation Coordinator.

The Lee County Local Coordinating Board typically meets quarterly to guide the functions of the CTC.

LEE COUNTY LOCAL COORDINATING BOARD MEMBERSHIP CERTIFICATION

MPO Name: Lee County Metropolitan Planning Organization; 815 Nicholas Parkway East, Cape Coral, Florida 33990

The Lee County Metropolitan Planning Organization named above hereby certifies to the following:

- 1. The membership of the Lee County Local Coordinating Board, established pursuant to Rule 41-2.012(3), *FAC*, does in fact represent the appropriate parties as identified in the following list; and
- 2. The membership represents, to the maximum extent feasible, a cross section of the local community.

Signature:

Date:

	Signature: Date: Date:					
	The Lee LCB has a Representative of: Voting Member Term Expires Alternate's Name Term					
1	The MPO or DOPA shall appoint one elected official to serve as the official Chairperson for all Coordinating Board meetings.	Jessica Cosden	December 2023	No alternate by law.		
2	A. A local representative of the Florida Department of Transportation (FDOT)	Candice Monroy	Agency	Dale Hanson	Agency	
3	B. A local representative of the Florida Department of Children and Families	Tabitha Larrauri	Agency	Vacant	Agency	
4	C. A local representative of the Public Education Community which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office, or Headstart Program in areas where the School District is responsible	Roger Lloyd	Agency	David Rivera Richard Purdue	Agency	
5	D. In areas where they exist, a local representative of the Division of Vocational Rehabilitation Services or the Division of Blind Services, representing the Department of Education	Adam Long	Agency	Shantel Chapman	Agency	
6	E. A person recommended by the local Veterans Service Office, representing Veterans of the county	Sgt. James Lear	September 2023	Vacant		
7	F. A person recognized by the Florida Association for Community Action representing the economically disadvantaged	Mariel Orengo	Agency	Kellie-Ann Torres	Agency	
8	G. A person over age 60 representing the Elderly in the county	Steve Henry	July 2025	Vacant		

	The Lee LCB has a Representative of:	Voting Member	Term Expires	Alternate's Name	Term Expires
9	H. A person with a disability representing the disabled in the county	Paul Lewis	September 2023	Vacant	
10	I1.[One of Two] Citizen Advocates in the County	Derek Felder	January 2023	Vacant	
	I2. [One of two] Citizen Advocates this one must be a person who uses the transportation service(s) of the system as their primary means of 11 transportation.		May 2024	Vacant	
12	J. A local representative for children at risk.	Vacant		Vacant	
13	K. In areas where they exist, the Chairperson or designee of the local Mass Transit or Public Transit System's Board, except in cases where they are also the Community Transportation Coordinator.	LeeTran is CTC.	Agency	Vacant	Agency
14	L. A local representative of the Florida Department of Elder Affairs	Vacant	Agency	Vacant	Agency
15	M. An experienced representative of the local private for profit transportation industry. In areas where such representative is not available, a local private non-profit representative will be appointed, except where said representative is also the Community Transportation Coordinator.	Michael Griffin Vice-Chair	December 2023 (2)	Ryan Williams	November 2024 (2)
16	N. A local representative of the Florida Agency for Health Care Administration	Mike Stahler	Agency	Vacant	Agency
17	O. A representative of the Regional Workforce Development Board established in Chapter 445, <i>Florida Statutes</i>	Carmen Henry	Agency	Vacant	Agency
18	P. A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, hospitals, local health department or other home and community based services, etc.	Heidi Shoriak	Agency	Jenn Souvannasinh	Agency
19	Q. A representative of the Agency for Persons with Disabilities.	Leah Watson	Agency	Donna Fain	Agency

APPROVE THE 2022 FDOT AND LEE MPO JOINT CERTIFICATION STATEMENT

RECOMMENDED ACTION: Approve the joint certification statement and authorize the Chair to sing and submit to FDOT for processing

The FDOT conducts an annual review of the MPO each year, and we jointly meet to discuss the review and compile the required documentation. The two parts of the review are **attached** along with the certification statement to be signed by the Chair.



Lee County MPO Joint Certification 2022 2/28/2023

Part 1 – Metropolitan Planning Organization

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Purpose

Each year, the District and the Metropolitan Planning Organization (MPO) must jointly certify the metropolitan transportation planning process as described in <u>23 C.F.R. §450.336</u>. The joint certification begins in January. This allows time to incorporate recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions.

The certification package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than June 1.



Certification Process

Please read and answer each question using the checkboxes to provide a "yes" or "no." Below each set of checkboxes is a box where an explanation for each answer is to be inserted. The explanation given must be in adequate detail to explain the question.

FDOT's <u>MPO Joint Certification Statement</u> document must accompany the completed Certification report. Please use the electronic form fields to fill out the document. Once all the appropriate parties sign the MPO Joint Certification Statement, scan it and email it with this completed Certification Document to your District MPO Liaison.

Please note that the District shall report the identification of, and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board.



Part 1

Part 1 of the Joint Certification is to be completed by the MPO.



Part 1 Section 1: MPO Overview

 Does the MPO have up-to-date agreements such as the interlocal agreement that creates the MPO, the intergovernmental coordination and review (ICAR) agreement; and any other applicable agreements? Please list all agreements and dates that they need to be readopted. The ICAR Agreement should be reviewed every five years and updated as necessary. Please note that the ICAR Agreement template was updated in 2020.

Please Check: Yes \boxtimes No \square

The MPO has up-to-date agreements. The interlocal agreement for creation of the Lee MPO was last modified in March 2016 following the reapportionment of the MPO in April 2015 to add the newly incorporated Village of Estero and an additional member for the City of Cape Coral. Following the 2020 Census, we will be reviewing the current apportionment plan based on the new census population numbers for each of our member jurisdictions, and the new urban area census map within the Cape Coral urbanized area before taking any decision to modify the interlocal agreement. The five year ICAR agreement, approved on April 29. 2013, was automatically renewed for another 5 years and will expire on April 29, 2023 before the automatic renewal kicks in again. The MPO continues to wait for a new updated ICAR template that also covers the transportation performance measures before we go through a lengthy update process. Listed below are other agreements in place: Lee/Čollier Regional Čoordination Agreement - Adopted March 20, 2009, and has a five year term with automatic renewals. A revised agreement has not been finalized as we are currently vetting an alternate regional coordination process for the two MPO Boards before finalizing the recent changes; Lee/Charlotte-Punta Gorda Regional Coordination Agreement - Adopted on December 13, 2013 automatically renewed on December 13, 2018 for an additional five years (same issue for update based on the results of the regional Board coordination process): Lee County Transit and Lee MPO Interlocal Agreement - The interlocal agreement expired but we have been waiting on an FDOT meeting to determine how we are going to address questions that we have about incorporating their billing into our invoices (and then update the agreement).

2. Does the MPO coordinate the planning of projects that cross MPO boundaries with the other MPO(s)?

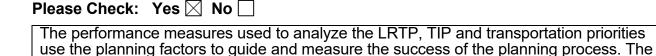
Please Check: Yes 🖂 No 🗌

The MPO coordinates planning of projects across MPO boundaries through regular attendance at each other's TAC meetings (Charlotte and Collier), CMS/TMOC meetings (Collier) and periodic Joint BPCC, TAC, CAC and Policy Board meetings with Collier and Charlotte-Punta Gorda MPOs. Also, regional coordination occurs through our regular staff meetings with regional partners including CUTS (all of the MPOs in District One), MPOAC, CFASSP (Airports and MPOs in Southwest Florida) and District 1 Modeling Coordination. In addition we have program specific coordination meetings such as the Florida Gulf Coast Forum, the MPOAC Freight and Passenger Rail Priority Program, and project specific meetings such as the SR 31, Old US 41 and Burnt Store Road PD&E meetings/correspondence. So far this year our regional coordination efforts have included a joint MPO Board meeting with Charlotte County - Punta Gorda MPO and



attendance at each other's TAC meetings, and CMS/TMOC meetings involving the Lee and Collier MPOs, the Gulf Coast Trail Summit in Venice, and MPOAC meetings.

3. How does the MPOs planning process consider the 10 Federal Planning Factors (<u>23 CFR §</u> 450.306)?



performance measures and targets are included within our major documents.

4. How are the transportation plans and programs of the MPO based on a continuing, comprehensive, and cooperative process?

Please Check: Yes 🖂 No 🗌

The Lee MPO maintains comprehensive plans and programs. Transportation plans are updated while the various MPO programs are undertaken on a continuing basis, all following federal requirements and guidelines. The cooperative side involves a review of MPO documents by the public, committees, and the MPO Board in addition to following the review process outlined in the MPO's Public Involvement Plan. The review of documents include physically placing copies in the libraries or ensuring availability virtually on the library website, having public meetings, posting information on the website, advertising in the News Press, providing e-mail notifications, and reaching out to advocates that have shown interest in the plan, program, or projects in the past. There are meeting notifications sent out to newspapers and newsletters ahead of the CAC meetings and we use social media from our partners to provide meeting notifications as well. The cooperative side also includes committees (particularly the CAC and BPCC) reaching out to discuss issues and projects with their constituents that often lead to other outreach activities as well. Also, staff attends public meeting and hearings to provide the public information on the MPO's plans and programs. Finally, MPO staff provides materials and staff time to conduct interviews with the local media that helps to inform the public of existing and upcoming plans and programs.

5. When was the MPOs Congestion Management Process last updated?



Please Check: Yes \boxtimes No \square N/A \square

Some components of MPO's Congestion Management Process (CMP) such as CMP strategies and projects were updated during the development and approval of the Lee MPO Transportation Systems Management and Operations (TSM&O) Master Plan. The TSMO Master Plan was subsequently incorporated into the MPO's Transportation Plan during the adoption of the 2045 LRTP. The proposed projects in the TSMO Plan are either being brought forward as safety and congestion project priorities (such as the US 41 and SR 78 displaced intersection) or are being used to identify corridor improvements that will be studied further to better define those priorities (like the SR 78 corridor in Cape Coral). Transportation Performance which also features in a CMP is currently covered in the 2045 LRTP as an appendix. The MPO is now looking ahead to do a wholesale update of the standalone CMP late this year, or early next year, and will be soon working on a scope of work.

6. Has the MPO recently reviewed and/or updated its Public Participation Plan (PPPs)? If so, when? For guidance on PPPs, see the Federal Highway Administration (FHWA) checklist in the <u>Partner Library</u> on the MPO Partner Site.

Please Check: Yes 🖂 No 🗌

The Public Involvement Plan (PIP) was last updated in October of 2020 to reflect changes in outreach during emergency events and the revision and addition of additional outreach activities. We are currently in the process of another revision to address suggestions received during our recent FHWA Certification as well as update any processes that have changed.

7. Was the Public Participation Plan made available for public review for at least 45 days before adoption?

Please Check: Yes 🖂 No 🗌

Yes, the Public Involvement Plan was made available for public review for more than 45 days prior to adoption as the public review time for this last update was over several months since the CAC requested that the staff investigate and include free media outreach for the CAC meetings in the revised document before the final was brought to the Board. The draft document is dispersed through the Lee County library system as well as on our website. We are currently in the process of updating the PIP to address recommendations that were made during our Federal Certification.



Part 1 Section 2: Finances and Invoicing

1. How does the MPO ensure that Federal-aid funds are expended in conformity with applicable Federal and State laws, the regulations in 23 C.F.R. and 49 C.F.R., and policies and procedures prescribed by FDOT and the Division Administrator of FHWA?

The federal funds are expended in conformity with federal and state laws consistent with the grant requirements included in the various grant agreements and many of those requirements are covered by the current MPO policies and procedures. These requirements have also been adjusted over time based on input from our auditors and accountants from their recommendations and audits that have been conducted and reviewed over the years. These requirements include meeting the reporting, invoicing, and development of performance measures required by the different agreements.

2. How often does the MPO submit invoices to the District for review and reimbursement?

The MPO submits PL invoices on a monthly basis by e-mail, Rail Trail invoices on a monthly basis by e-mail, and the 5305 invoices (the final 5305 contract is nearing its completion) are submitted on a quarterly basis by e-mail. Additional backup materials are submitted on request and are periodically reviewed by the District and by the liaison as well.

3. Is the MPO, as a standalone entity, a direct recipient of federal funds and in turn, subject to an annual single audit?

Yes, the MPO is an independent entity and is audited each year. The results of the audits are presented to the Executive Committee or the MPO Board. Over the last few years, the only funding that the MPO was a direct recipient for was the TIGER funding and that project is now complete.

4. How does the MPO ensure their financial management system complies with the requirements set forth in <u>2 C.F.R. §200.302?</u>



The MPO accounting system and reporting is consistent with the federal and state requirements, and the MPO auditor makes recommendations on items that need to be revised during their reviews. In addition, the MPO accountant provides input as well on compliance issues.

5. How does the MPO ensure records of costs incurred under the terms of the MPO Agreement maintained and readily available upon request by FDOT at all times during the period of the MPO Agreement, and for five years after final payment is made?

The MPO keeps both paper and electronic copies of the current year files readily available for review by FDOT, and we keep previous year's files electronically and in paper format since we separated from the RPC (over eleven years ago now).

6. Is supporting documentation submitted, when required, by the MPO to FDOT in detail sufficient for proper monitoring?

Yes, the MPO submits the required backup documentation to FDOT and provides the opportunity for a review of the files for monitoring, on a periodic basis and as requested.

7. How does the MPO comply with, and require its consultants and contractors to comply with applicable Federal law pertaining to the use of Federal-aid funds and applicable State laws?

The MPO follows the policies and procedures that have been developed to help keep the MPO in compliance with federal law as well as following the requirements that are defined in various grant agreements. In addition, if there is a question, the MPO staff reaches out to FDOT, FHWA and FTA to help determine compliance. The MPO also includes the required federal forms and language in the consultant and contractor RFPs and contracts to lay out what they will need to follow to keep in compliance, and



the project manager ensures that these requirements are met. Again, where a question arises on compliance, the project manager reaches out to FDOT, FHWA and/or FTA for assistance.

8. Does the MPO have an existing negotiated indirect cost rate from the Federal government or use the de minimis rate (currently set at 10% of modified total direct costs which may be used indefinitely (2 C.F.R. 200.414(f))?

In general, only those MPOs that are hosted by agencies that receive direct Federal funding in some form (not necessarily transportation) will have available a Federally approved indirect cost rate. If the MPO has a staffing services agreement or the host agency requires the MPO to pay a monthly fee, the MPO may be reimbursed for indirect costs.

Please Check: Indirect Rate 🗌 De Minimis Rate 🗌 N/A 🔀

a. If the MPO has an existing negotiated indirect cost rate, did the MPO submit a cost allocation plan?

N/A - The MPO does not have an indirect rate and only has direct charges



Part 1 Section 3: Title VI and ADA

1. Has the MPO signed an FDOT Title VI/Nondiscrimination Assurance, identified a person responsible for the Title VI/ADA Program, and posted for public view a nondiscrimination policy and complaint filing procedure?"

Please Check: Yes 🖂 No 🗌

The MPO has a signed copy of the Title VI Policy statement as an Appendix to the
UPWP and on the website, https://leempo.com/wp-content/uploads/Lee-MPO-FY-23-
24-UPWP-updated.pdf The MPO has designated Calandra Barraco as its Title VI
Coordinator. The Title VI information, including complaint filing procedure and forms,
is posted on its own section of the MPO website, http://leempo.com/public-
involvement/title-vicivil-rights/. Additionally, a copy of the nondiscrimination policy is
posted in our office and in the lobby of the Annex Building our office is located in.

2. Do the MPO's contracts and bids include the appropriate language, as shown in the appendices of the Nondiscrimination Agreement with the State?

Please Check:	Yes 🖂 No 🗌
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The MPO has standard language that includes these requirments that go into each of the RFPs and contracts used by the MPO.

3. Does the MPO have a procedure in place for the prompt processing and disposition of Title VI and Title VIII complaints, and does this procedure comply with FDOT's procedure?

Please Check: Yes 🖂 No 🗌

The MPO procedure mirrors the FDOT procedures and includes the time frames required for the processing complaints. It is posted on our website, https://leempo.com/wp-content/uploads/LeeCountyMetropolitanPlanningOrganizationTiltleVIpolicy2014_000-Update.pdf



4. Does the MPO collect demographic data to document nondiscrimination and equity in its plans, programs, services, and activities?

Please	Check:	Yes	No	
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The MPO collects and analyzes demographic data using several sources (ACS, GIS, US Census, BEBR, and local data from municipalities) for various studies that we conduct and to determine targeted solutions. The MPO also collects demographic data for general use, including informing the committees, the Board, and the public on recent trends and changes that impact the MPO, local plans and projects, and sometimes in the development of grant applications for transportation projects. In addition, the LRTP includes an equity analysis of the proposed projects that are included in the Cost Feasible Plan. Recently, based on a suggestion from the FHWA Certification Report, the MPO added a link on the website to Community Characteristics Inventory data for Lee County. The MPO has also used data from the Environmental Justice screening and mapping tool to evaluate and rank candidate projects submitted for TA and SU multimodal box fund priorities.

5. Has the MPO participated in any recent Title VI training, either offered by the State, organized by the MPO, or some other form of training, in the past three years?

Please Check: Yes \boxtimes No \square

Yes, Calandra Barraco attended the FMPP Title VI training that was held via webinar on January 6, 2022 as well as an FDOT sponsored Title VI virtual training course on November 10, 2022.

6. Does the MPO keep on file for five years all complaints of ADA noncompliance received, and for five years a record of all complaints in summary form?

Please Check: Yes \boxtimes No \square

Yes, although the MPO has not received a recent complaint regarding ADA noncompliance. We did receive a suggestion from a CAC member to update our website accessibility, and the MPO contracted and completed that project previously.



Part 1 Section 4: MPO Procurement and Contract Review and Disadvantaged Business Enterprises

 Is the MPO using a qualifications based selection process that is consistent with <u>2 C.F.R.</u> <u>200.320 (a-c)</u>, <u>Appendix II to Part 200 - Contract Provision</u>, and <u>23 C.F.R. 172</u>, and Florida statute as applicable?

Please Check: Yes 🛛 No 🗌

Yes, the MPO selection process is consistent with all required provisions and statutes.

2. Does the MPO maintain sufficient records to detail the history of procurement, management, and administration of the contract? These records will include but are not limited to: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price, contract, progress reports, and invoices.

Note: this documentation is required by <u>2 C.F.R. 200.325</u> to be available upon request by the Federal awarding agency, or pass-through entity when deemed necessary.

Please Check: Yes \boxtimes No \square

Yes, the MPO keeps both paper and electronic files of all relevant documents and information related to the procurement, management, and administration of contracts.

3. Does the MPO have any intergovernmental or inter-agency agreements in place for procurement or use of goods or services?

Please Check: Yes 🛛 No 🗌

Yes, the MPO has an agreement with Cape Coral Police Department for the use of the MPO/FDOT lidar scanner.

4. What methods or systems does the MPO have in place to maintain oversight to ensure that consultants or contractors are performing work in accordance with the terms, conditions and specifications of their contracts or work orders?

Please Check: Yes \boxtimes No \square



MPO staff reviews progress reports and invoices submitted by consultants and contractors prior to submittal for reimbursement to ensure completeness and accuracy for each phase of projects from initiation to completion. MPO staff also reviews level of completion of projects with respect to contract amounts.

5. Does the MPO's contracts include all required federal and state language from the MPO Agreement?

Please Check: Yes 🖂 No 🗌

Yes, MPO contracts include all required federal and state language from the MPO agreement.

Does the MPO follow the FDOT-approved Disadvantaged Business Enterprise (DBE) plan?

Please Check: Yes 🖂 No 🗌

Yes, the MPO's DBE plan follows the FDOT approved DBE plan and this document is available on the MPO website as an Appendix to the UPWP, https://leempo.com/wpcontent/uploads/Lee-MPO-FY-23-24-UPWP-updated.pdf and a link to FDOT's Plan is also included on our website, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-

source/equalopporunity/dbeprogram/dbe-program-

plan0208008ad2b948889d591795932ab4a6.pdf?sfvrsn=c7b148a4 0

7. Are the MPOs tracking all commitments and payments for DBE compliance?

Please Check: Yes 🖂 No 🗌

The MPO keeps track of the DBE commitments and payments using the bidder's opportunity list and reporting. On the transit side, we do regularly report DBE use as part of the FTA 5305 reporting requirements.

8. The MPO must be prepared to use the Grant Application Process (GAP) to record their professional services contract information starting on July 1, 2022. Has the MPO staff been trained on the GAP system? If yes, please provide the date of training. If no, please provide the date by when training will be complete (Recordings are available on the FDOT Local Programs <u>webpage</u>).

Please Che	ck: Yes	\boxtimes	No	
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Yes, Ron Gogoi participated in GAP training on June 6, 2021 and Calandra attended on January 25, 2022 yet there are still more questions than answers with regard to reporting and the GAP system.

9. Does the MPO include the DBE policy statement in its contract language for consultants and subconsultants?

Please Check:	Yes	\square	No	
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The MPO includes the DBE policy statement as standard language in all of its contracts for consultants and subconsultants.

10. Are the MPO procurement packages (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contracts free from geographical preferences or bidding restrictions based on the physical location of the bidding firm or where it is domiciled?

Please Check: Yes 🔀 No 🗌 N/A 🗌

11. Are the MPO procurement packages (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contracts free of points or award preferences for using DBEs, MBEs, WBEs, SBEs, VBEs or any other business program not approved for use by FHWA or FDOT?

Please Check: Yes 🔀 No 🗌 N/A 🗌

- 12. Please identify all locally required preference programs applied to contract awards by local ordinance or rule that will need to be removed from Federal-Aid solicitations and contract.

 - b)
 Local business
 - c) Disadvantaged business
 - d) Small business
 - e) □Location (physical location in proximity to the jurisdiction)

 - g) □Locally adopted wage rates
 - h) □Other: _____



13. Do the MPO contracts only permit the use of the approved FDOT race-neutral program?

Please Check: Yes 🖂 No 🗌 N/A 🗌

14. Do the MPO contracts specify the race neutral or 'aspirational' goal of 10.65%?

Please Check:	Yes 🖂	No 🗌] N/A []
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15. Are the MPO contracts free of sanctions or other compliance remedies for failing to achieve the race-neutral DBE goal?

Please Check: Yes 🛛 No 🗌 N/A 🗌

- 16. Do the MPO contracts contain required civil rights clauses, including:
 - a. Nondiscrimination in contracting statement (49 CFR 26.13)
 - b. Title VI nondiscrimination clauses Appendices A and E (DBE Nondiscrimination Assurance & 49 CFR 21)
 - c. FDOT DBE specifications

Please Check:	Yes 🖂	No 🗌	N/A 🗌
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Part 1 Section 5: Noteworthy Practices & Achievements

One purpose of the certification process is to identify improvements in the metropolitan transportation planning process through recognition and sharing of noteworthy practices. Please provide a list of the MPOs noteworthy practices and achievements below.

- Lee MPO submitted and was awarded \$300,000 in Safe Street and Roads for All (SS4A) Grant this year to develop an Action Plan. The MPO's local match is \$75,000.
- Participated in safety outreach activities including the Injury Prevention Coalition, CTST and coordination with Lee Health to help lower fatalities and injuries. The MPO worked with LeeHealth to develop and air safety PSA's.
- The MPO Continues to undertake regional coordination activities with the Collier and Charlotte-Punta Gorda MPOs on regional planning activities, projects and programs.
- The MPO continues to work with local jurisdictions in Lee County to have projects funded during the development of FDOT's Draft Tentative Work Program, and also continues to assist in the development of local plans and projects such as the Pine Island Shared Use Path PD&E Study and the SR 78 Corridor Study
- The MPO completed the Bonita Estero Rail Trail Feasibility Study and developed a Feasibility Report.
- The MPO successfully led the outreach efforts to obtain FDOT LAP certification for previously uncertified municipalities in Lee County. Through these efforts, the Town of Fort Myers Beach is now LAP certified while the City of Bonita Springs is very close to LAP certification. This has made it possible for both the City of Bonita Springs and the Town of Fort Myers Beach to tap into Lee MPO allocated federal funds. Projects submitted by these two entities through the MPO Priority Process are now funded in FDOT's Work Program. The MPO's efforts to have the Village of Estero LAP certified and get their projects funded with federal dollars in the Work Program have resulted with a 'LAP Exemption' status for the Village. This is a great result for the Village as their MPO funded projects can be managed by FDOT considering they are short staffed. The MPO is currently coordinating with the City of Sanibel on their questions regarding becoming LAP certified as well.
- The MPO conducted 'After' studies to measure the effectiveness and performance of implemented projects. This includes analyzing the effectiveness of the Left Turn Bike Boxes at the Daniels and Treeline intersection, and the bicycle pedestrian data collection and reporting as part of the TIGER funded Lee County Complete Street Initiative project.



Part 1 Section 6: MPO Comments

The MPO may use this space to make any additional comments or ask any questions, if they desire. This section is not mandatory, and its use is at the discretion of the MPO.

Insert Comments





Lee County MPO Joint Certification 2022 3/7/2023

Part 2 – FDOT District

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Purpose

Each year, the District and the Metropolitan Planning Organization (MPO) must jointly certify the metropolitan transportation planning process as described in <u>23 C.F.R. §450.336</u>. The joint certification begins in January. This allows time to incorporate recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions.

The Certification Package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than June 1.



Certification Process

Please read and answer each question within this document.

Since all of Florida's MPOs adopt a new Transportation Improvement Program (TIP) annually, many of the questions related to the TIP adoption process have been removed from this certification, as these questions have been addressed during review of the draft TIP and after adoption of the final TIP.

As with the TIP, many of the questions related to the Unified Planning Work Program (UPWP) and Long-Range Transportation Plan (LRTP) have been removed from this certification document, as these questions are included in the process of reviewing and adopting the UPWP and LRTP.

Note: This certification has been designed as an entirely electronic document and includes interactive form fields. Part 2 Section 10: Attachments allows you to embed any attachments to the certification, including the <u>MPO Joint Certification Statement</u> document that must accompany the completed certification report. Once all the appropriate parties sign the MPO Joint Certification Statement, scan it and attach it to the completed certification in Part 2 Section 10: Attachments.

Please note that the District shall report the identification of and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board.

The final Certification Package should include Part 1, Part 2, and any required attachments and be transmitted to Central Office no later than June 1 of each year.



Risk Assessment Process

Part 2 Section 1: Risk Assessment evaluates the requirements described in <u>2 CFR §200.332 (b)-(e)</u>, also expressed below. It is important to note that FDOT is the recipient and the MPOs are the subrecipient, meaning that FDOT, as the recipient of Federal-aid funds for the State, is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations.

(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:

(1) The subrecipient's prior experience with the same or similar subawards;

(2) The results of previous audits including whether the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;

(3) Whether the subrecipient has new personnel or new or substantially changed systems; and

(4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).

(c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.208.

(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

(1) Reviewing financial and performance reports required by the passthrough entity.



(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.

(3) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521.

(4) The pass-through entity is responsible for resolving audit findings specifically related to the subaward and not responsible for resolving crosscutting findings. If a subrecipient has a current Single Audit report posted in the Federal Audit Clearinghouse and has not otherwise been excluded from receipt of Federal funding (e.g., has been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant audit agency or cognizant oversight agency to perform audit follow-up and make management decisions related to cross-cutting findings in accordance with section §200.513(a)(3)(vii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.

(e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

(1) Providing subrecipients with training and technical assistance on program-related matters; and

(2) Performing on-site reviews of the subrecipient's program operations;

(3) Arranging for agreed-upon-procedures engagements as described in §200.425.



FDOT Joint Certification Part 2 – FDOT District

If an MPO receives a Management Decision as a result of the Single Audit, the MPO may be assigned the high-risk level.

After coordination with the Office of Policy Planning, any of the considerations in 2 CFR §200.331 (b) may result in an MPO being assigned the high-risk level.

The questions in Part 2 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO's supporting documentation for their invoices is reviewed by FDOT MPO Liaisons for the upcoming year. The Risk Assessment Scoring Sheet is available <u>here</u> on the MPO Partner Library. The frequency of review is based on the level of risk in **Table 1**.

Table 1. Risk Assessment Scoring

Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

The Risk Assessment that is part of this joint certification has two main components – the Certification phase and the Monitoring phase – and involves regular reviewing, checking, and surveillance.

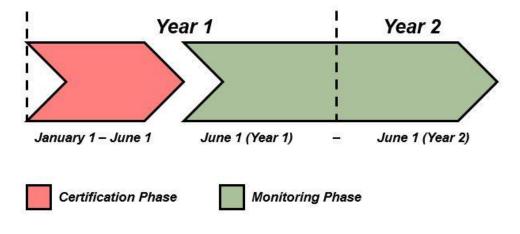
- 1. Certification phase: the first step is to complete this Risk Assessment during the joint certification review, which runs from January 1 to June 1 (*The red arrow in Figure 1*). During this 6-month period, a Risk Assessment is performed assessing the previous calendar year.
- Monitoring phase: After the joint certification review has been completed, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for a 12-month period starting on June 1 (*The green arrow, Year 1 in Figure 1*) and ending on June 1 of the following year (*The green arrow, Year 2 in Figure 1*).

This process takes 18 months in total. On January 1 of each year, the new Certification phase will begin, which will overlap with the previous year's Monitoring phase. **Figure 1** shows the timeline of Risk Assessment phases.



FDOT Joint Certification Part 2 – FDOT District







Part 2

Part 2 of the Joint Certification is to be completed by the District MPO Liaison.



Part 2 Section 1: Risk Assessment

MPO Invoice Submittal

List all invoices and the dates that the invoices were submitted for reimbursement during the certification period in **Table 2** below.

Table 2. MPO Invoice Submittal Summary

Invoice #	Invoice Period	Date the Invoice was Forwarded to FDOT for Payment	Was the Invoice Submitted More than 90 days After the End of the Invoice Period? (Yes or No)
G1M85-19	01/01/2022 – 01/31/2022	03/31/2022	No
G1M85-20	02/01/2022 – 02/28/2022	04/13/2022	No
G1M85-21	03/01/2022 – 03/31/2022	05/12/2022	No
G1M85-22	04/01/2022 – 04/30/2022	06/09/2022	No
G1M85-23	05/01/2022 – 05/31/2022	06/27/2022	No
G1M85-24	06/01/2022 – 06/30/2022	09/14/2022	No
G2815-1	07/01/2022 - 07/31/2022	10/12/2022	No
G2815-2	08/01/2022 – 08/31/2022	11/02/2022	No



G2815-3	09/01/2022 – 09/30/2022	12/01/2022	No
G2815-4	10/01/2022 – 10/31/2022	01/13/2023	No
G2815-5	11/01/2022- 11/30/2022	2/24/2023	No
G2815-6	12/01/2022- 12/31/2022	3/7/2023	No
MPO Invoice	Submittal Total		
Total Number of Invoices that were Submitted on Time			12
	Total	12	

MPO Invoice Review Checklist

List all MPO Invoice Review Checklists that were completed in the certification period in **Table 3** and attach the checklists to this risk assessment. Identify the total number of materially significant finding questions that were correct on each MPO Invoice Review Checklist (i.e. checked yes). The MPO Invoice Review Checklist identifies questions that are considered materially significant with a red asterisk. Examples of materially significant findings include:

- Submitting unallowable, unreasonable or unnecessary expenses or corrections that affect the total amounts for paying out.
- Exceeding allocation or task budget.
- Submitting an invoice that is not reflected in the UPWP.
- Submitting an invoice that is out of the project scope.
- Submitting an invoice that is outside of the agreement period.
- Documenting budget status incorrectly.

Corrections or findings that are not considered materially significant do not warrant elevation of MPO risk. Examples of corrections or findings that are not considered materially significant include:

• Typos.



FDOT Joint Certification Part 2 – FDOT District

- Incorrect UPWP revision number.
- Incorrect invoice number.

Table 3. MPO Invoice Review Checklist Summary

	MPO Invoice Review Checklist	Number of Correct Materially Significant Finding Questions
G1M85-19	Date of review 03/31/2022	7
G1M85-20	Date of review 04/13/2022	7
G1M85-21	Date of review 05/12/2022	7
G1M85-22	Date of review 06/09/2022	7
G1M85-23	Date of review 06/27/2022	7
G1M85-24	Date of review 09/14/2022	7
G2815-1	Date of review 10/12/2022	7
G2815-2	Date of review 11/02/2022	7
G2815-3	Date of review 12/01/2022	7
G2815-4	Date of review 01/13/2023	7
G2815-5	Date of review 2/24/2023	7
G2815-6	Date of review 3/7/2023	7
MPO Invoice R	Review Checklist Total	
Total Number	of Materially Significant Finding Questions that were Correct	84

*Note: There are 7 materially significant questions per MPO Invoice Review Checklist.



FDOT Joint Certification Part 2 – FDOT District

MPO Supporting Documentation Review Checklist

List all MPO Supporting Documentation Review Checklists that were completed in the certification period in **Table 4** and attach the checklists and supporting documentation to this risk assessment. Identify the total number of materially significant finding questions that were correct on each MPO Supporting Documentation Review Checklist (i.e. checked yes). The MPO Supporting Documentation Review Checklist identifies questions that are considered materially significant with a red asterisk. Examples of materially significant findings include:

- Submitting an invoice with charges that are not on the Itemized Expenditure Detail Report.
- Submitting an invoice with an expense that is not allowable.
- Failing to submit supporting documentation, such as documentation that shows the invoice was paid.
- Submitting travel charges that do not comply with the MPO's travel policy.

Table 4. MPO Supporting Documentation Review Checklist Summary

MPO Supporting Documentation Review Checklist	Number of Correct Materially Significant Finding Questions
Invoice: FHWA – G1M85 # 22; Invoice Period: 04/01/2022 – 04/30/2022.	
Date of Review: 12/09/2022	21
MPO Supporting Documentation Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	21
* <u>Please Note:</u> The number of "Materially Significant Findings" has been changed to 21 from the pre-populated 25 – which is the total number of possible Material Significant Findings for this Doc Review. Several sections received "N/A" due to not being applicable in this Review (the Lee MPO does not use Indirect Rate and there was no Travel Reimbursement occurred during the invoice period).	

*Note: There are 25 materially significant questions per MPO Supporting Documentation Review Checklist.



Technical Memorandum 19-04: Incurred Cost and Invoicing Practices

Were incurred costs billed appropriately at the end of the contract period?

Please Check: Yes 🛛 No 🗌 N/A 🗌

Risk Assessment Score

Please use the Risk Assessment worksheet to calculate the MPO's risk score. Use **Table 5** as a guide for the selecting the MPO's risk level.

Table 5. Risk Assessment Scoring

Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

Risk Assessment Percentage: 100

Level of Risk: Low



Part 2 Section 2: Long-Range Transportation Plan (LRTP)

Did the MPO adopt a new LRTP in the year that this certification is addressing?

Please Check: Yes \Box No \boxtimes

If yes, please ensure any correspondence or comments related to the draft and final LRTP and the LRTP checklist used by Central Office and the District are in the <u>MPO Document</u> <u>Portal</u> or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal



Part 2 Section 3: Transportation Improvement Program (TIP)

Did the MPO update their TIP in the year that this certification is addressing?

Please Check: Yes \boxtimes No \square

If yes, please ensure any correspondence or comments related to the draft and final TIP and the TIP checklist used by Central Office and the District are in the <u>MPO Document</u> <u>Portal</u> or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

Uploaded to the Portal on 6/14/2022 Lee 2022 TIP Review Checklist.docx



Part 2 Section 4: Unified Planning Work Program (UPWP)

Did the MPO adopt a new UPWP in the year that this certification is addressing? **Please Check: Yes** \boxtimes **No** \square

If yes, please ensure any correspondence or comments related to the draft and final UPWP and the UPWP checklist used by Central Office and the District are in the <u>MPO Document</u> <u>Portal</u> or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

Uploaded to the Portal on 4/14/2022 Lee UPWP Checklist FY22 FY23.docx



Part 2 Section 5: Clean Air Act

The requirements of <u>Sections 174</u> and <u>176 (c) and (d)</u> of the Clean Air Act.

The Clean Air Act requirements affecting transportation only applies to areas designated nonattainment and maintenance for the National Ambient Air Quality Standards (NAAQS). Florida currently is attaining all NAAQS. No certification questions are required at this time. In the event the Environmental Protection Agency issues revised NAAQS, this section may require revision.

Title(s) of Attachment(s)

N/A



Part 2 Section 6: Technical Memorandum 19-03REV: Documentation of FHWA PL and Non-PL Funding

Did the MPO identify all FHWA Planning Funds (PL and non-PL) in the TIP?

Please Check: Yes \boxtimes No \square N/A \square



Part 2 Section 7: MPO Procurement and Contract Review

To evaluate existing DBE reporting requirements, choose one professional services procurement package and contract between the MPO and a third party to answer the following questions. If the answer to any of the questions is no, there is no penalty to the MPO. FDOT is using this information to determine technical support and training for the MPOs. Any new procurements after July 1, 2022 must be complaint with the existing DBE reporting requirements.

1. Are the procurement package (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contract free from geographical preferences or bidding restrictions based on the physical location of the bidding firm or where it is domiciled?

Please Check: Yes 🖂 No 🗌 N/A 🗌

 Are the procurement package (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contract free of points or award preferences for using DBEs, MBEs, WBEs, SBEs, VBEs or any other business program not approved for use by FHWA or FDOT?

Please Check: Yes 🖂 No 🗌 N/A 🗌

3. Does the contract only permit the use of the approved FDOT race-neutral program?

Please Check: Yes 🛛 No 🗌 N/A 🗌

4. Does the contract specify the race neutral or 'aspirational' goal of 10.65%?

Please Check:	Yes 🖂	No 🗌] N/A 🗌
----------------------	-------	------	---------

5. Is the contract free of sanctions or other compliance remedies for failing to achieve the race-neutral DBE goal?

Please Check: Yes 🛛 No 🗌 N/A 🗌



- 6. Does the contract contain required civil rights clauses, including:
 - a. Nondiscrimination in contracting statement (49 CFR 26.13)
 - b. Title VI nondiscrimination clauses Appendices A and E (DBE Nondiscrimination Assurance & 49 CFR 21)
 - c. FDOT DBE specifications

Please Check: Yes 🖂 No 🗌 N/A 🗌



Part 2 Section 8: District Questions

The District may ask up to five questions at their own discretion based on experience interacting with the MPO that were not included in the sections above. Please fill in the question(s), and the response in the blanks below. This section is optional and may cover any topic area of which the District would like more information.

1. Question

2. Question

3. Question

4. Question

5. Question



Part 2 Section 9: Recommendations and Corrective Actions

Please note that the District shall report the identification of and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board. The District may identify recommendations and corrective actions based on the information in this review, any critical comments, or to ensure compliance with federal regulation. The corrective action should include a date by which the problem must be corrected by the MPO.

Status of Recommendations and/or Corrective Actions from Prior Certifications

According to the 2022 Joint Certification, Lee MPO did not have any recommendations or corrections. The MPO staff demonstrated an outstanding collaboration and submitted all required documents in a timely manner throughout the year.

Recommendations

PLEASE EXPLAIN

Corrective Actions

PLEASE EXPLAIN



Part 2 Section 10: Attachments

Please attach any documents required from the sections above or other certification related documents here or through the <u>MPO Document Portal</u>. Please also sign and attached the <u>MPO Joint Certification Statement</u>.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

TIP Review Checklist uploaded to the Portal on 6/14/2022 UPWP Review Checklist uploaded to the Portal on 4/14/2022



Florida Department of Transportation Metropolitan Planning Program Annual Joint Certification Risk Assessment Calculation Sheet



The Risk Assessment evaluates the requirements described in 2 CFR §200.331 (b)-(e). As the recipient of Federal-aid funds for the State, FDOT is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations. This worksheet accompanies the Risk Assessment and calculates the MPO's risk score. The risk score determines the minimum frequency by which the MPO's supporting documentation for their invoices is reviewed by the District MPO Liaisons for the upcoming year. Use the directions below to complete this worksheet and calculate the MPO's risk score. Enter information into GREEN cells only. Print and attach this worksheet to the Risk Assessment.

			Table 1. Risk Assessment Score				
Question Category	Question	Example Response	Directions	Number Correct	Subtotal	Weight Percentage	Total Score
MPO Invoice Submittal	Was invoice submitted within 90 days from the end of the invoice period?	All invoices were submitted within 90 days from the end of the invoice period.	Number Correct Column: Enter the number of invoices that were submitted on time. Subtotal Column: Enter the total number of invoices that were submitted.	12	12	30%	30%
MPO Invoice Review Checklist	How many materially significant findings questions are correct?	materially significant findings, 18 of the materially significant finding questions were answered correctly	Number Correct Column: Enter the number of correct materially significant questions. Subtotal Column: Enter the total number of materially significant questions.	84	84	30%	30%
MPO Supporting Documentation Review Checklist	How many materially significant findings questions are correct?	of the materially significant findings, 72 finding questions were answered	Number Correct Column: Enter the number of correct materially significant questions. Subtotal Column: Enter the total number of materially significant questions.	21	21	35%	35%
Technical Memorandum 19- 04: Incurred Cost and Invoicing Practices	Were incurred costs billed appropriately at the end of the contract period?	The MPO billed incurred costs appropriately at the end of the invoice period.	Number Correct Column: Enter a 1 if incurred costs were billed appropriately at the end of the contract period, or if this question is not applicable. Enter a 0 if incurred costs were not billed appropriately at the end of the contract period.	1	1	5%	5%
	1	1			Risk Assessmen	nt Score	100%



MPO FHWA Funds Invoice Supporting Documentation Review Checklist

The Invoice Review Checklist should be completed for every MPO Invoice. The MPO's Supporting Documentation Review Checklist is to be completed at the frequency required by the MPO's **Risk Assessment** that is a part of the Annual MPO Joint Certification Process. The checklist should be completed and saved with invoice documentation, uploaded to the SharePoint Site for tracking by Central Office, and forwarded to MPO for their records.

Please note: Below you will be required to identify any comments, recommendations, or findings. Comments and recommendations are at the discretion of the District, but findings must be supported by documentation, and identify corrections that must be made for the MPO to be reimbursed. Materially significant findings factor into the MPOs level of risk, determined by the **Risk Assessment** in the Annual MPO Joint Certification.

MPO:	Lee MPO		
Contract:	G1M85	Date of 12/9/2022 Review:	Review #: 1
Invoice No.:	22	Invoice Period: 4/1/2022-4/30/2022	Reviewed By: Dasha Kosheleva

* Indicates a Materially Significant Finding

Personnel Service (MPO staff salary & fringe)

Review the payroll register and compare to expenses being reimbursed. Select one staff member and confirm details below.

Were personnel service expenses incurred within the Invoice Period?	Yes 🛛	No 🗆
Employee's time sheet selected for review? Donald Scott, Executive Director		
Does the payroll register fall within the dates match Invoice Period ?	Yes 🖂	No 🗆
*Do the hours shown on the payroll register match hours match hours requested?	Yes 🛛	No 🗆
*Does the employee's timesheet match the expenses being requested for reimbursement?	Yes 🛛	No 🗆
*Are amounts shown on payroll register and task charges accurately recorded on Itemized Expenditure Detail Report?	Yes 🛛	No 🗆
Are fringe charges equitably distributed to all grants?	Yes 🗵	No 🗆
Is the timesheet signed by an authorized MPO official?	Yes 🗵	No 🗆
Technical Memorandum 19-05Rev: Director's Timesheets and Expenses		
Were the Director's timesheets and expenses reviewed at least quarterly by the MPO Board, Executive Committee, Board Chair, or Board Treasurer?	Yes 🖂	No 🗆
Comments and Recommendations on Personnel Services Expenses		
Click to enter details		

Findings on Personnel Services Expenses

Click to enter details

Consultant Services

Select one consultant invoice and confirm details below.

Were consultant service expenses incurred within the Invoice Period?		Yes 🛛	No 🗆
Consultant invoice selected for review?	RK&K. Invoice # 202103		
*Are charges shown on invoice accu	rately recorded on Itemized Expenditure Detail Report?	Yes 🖂	No 🗆
Are the consultant services invoice dates of service within the Invoice Period?		Yes 🛛	No 🗆
*Are the task services documented in the progress report?		Yes 🖂	No 🗆
*Is there documentation to show that	invoice was paid?	Yes 🛛	No 🗆

Comments and Recommendations on Consultant Services Expenses

Click to enter details

Findings on Consultant Services Expenses

Click to enter details

Travel Reimbursement

If travel reimbursement was requested on this invoice, select one travel reimbursement. Refer to the MPO's travel policies and regulations to answer questions below.

Were travel expenses incurred within the Invoice Period?	Yes 🗆	No 🖂
Employee's travel reimbursement selected for review?		
*Are charges shown on the travel form accurately recorded on the task's Itemized Expenditure Detail Report ? N/A	Yes 🗆	No 🗆
Has the MPO established its own travel policy? N/A	Yes 🗆	No 🗆
Does the travel reimbursement comply with MPO or State travel policies and regulations? N/A	Yes 🗆	No 🗆
Are charges recorded on FDOT Contractor Travel Form (300-000-06)? N/A	Yes 🗆	No 🗆
Is travel request signed by an MPO authorized official? N/A	Yes 🗆	No 🗆
*Are travel charges supported by documentation as required by travel policy? N/A	Yes 🗆	No 🗆
Technical Memorandum 19-02: Car Allowance or Mileage Reimbursements		
Was car allowance or mileage recorded appropriately based on the number of business-related miles an employee drives and the cost associated with operating a personal vehicle? N/A	Yes □	No 🗆
Comments and Recommendations on Travel Reimbursement Expenses		
Click to enter details		

Findings on Travel Reimbursement Expenses

Click to enter details

Direct Expenses

Were direct expenses incurred with	Yes 🖂	No 🗆	
#1 Direct expense selected for review	FedEx Invoices # 7-692-03439, 7-692-45544		
Was the cost incurred within the In	Yes 🛛	No 🗆	
Is the expense for purchase of equ in findings/recommendation below)	Yes 🛛	No 🗆	
*Is the expense allowable?		Yes 🖂	No 🗆
*Is there documentation to show th	Yes 🛛	No 🗆	
*Are charges shown on the invoice Report ?	Yes 🛛	No 🗆	
#2 Direct expense selected for review	De Lage Landen Invoice # 75641592		
Was the cost incurred within the In	Yes 🖂	No 🗆	
Is the expense for purchase of equ approval in findings/recommendation	Yes 🛛	No 🗆	
*Is the expense allowable?	Yes 🖂	No 🗆	
*Is there documentation to show th	Yes 🖂	No 🗆	
*Are charges shown on the invoice Report ?	Yes 🛛	No 🗆	
#3 Direct expense selected for review	Guardian Invoice # 03.23.22		
Was the cost incurred within the In	voice Period?	Yes 🛛	No 🗆
Is the expense for purchase of equ in findings/recommendation below)	Yes 🖂	No 🗆	
*Is the expense allowable?		Yes 🖂	No 🗆
*Is there documentation to show th	Yes 🛛	No 🗆	
*Are charges shown on the invoice Report ?	Yes 🖂	No 🗆	
#4 Direct expense selected for review	DEX Imaging Invoice # AR7445441		
Was the cost incurred within the In	Yes 🖂	No 🗆	
Is the expense for purchase of equ in findings/recommendation below)	Yes 🛛	No 🗆	
*Is the expense allowable?		Yes 🛛	No 🗆
*Is there documentation to show th	Yes 🖂	No 🗆	
*Are charges shown on the invoice Report?	accurately recorded on the Itemized Expenditure Detail	Yes 🖂	No 🗆
#5 Direct expense selected for review	BOCC Charlotte County Invoice 1054343		
Was the cost incurred within the In	voice Period?	Yes 🖂	No 🗆

Is the expense for purchase of equipment under \$5,000? (If over \$5,000, indicate prior approval in findings/recommendation below)	Yes 🛛	No 🗆
*Is the expense allowable?	Yes 🖂	No 🗆
*Is there documentation to show that invoice was paid?	Yes 🛛	No 🗆
*Are charges shown on the invoice accurately recorded on the Itemized Expenditure Detail Report?	Yes 🖂	No 🗆
Does the MPO direct bill for indirect costs?	Yes 🗆	No 🖂
\ast If yes, does the MPO provide documentation that supports the indirect costs charged? N/A	Yes 🗆	No 🗆
Comments and Recommendations on Direct Expenses		
Click to enter details		
Findings on Direct Expenses		
Click to enter details		
Indirect Rate If applicable, review MPO's APPROVED Indirect Rate.		
Does the MPO have an FDOT APPROVED indirect rate?	Yes 🗆	No 🖂
*If yes, does the indirect rate that is charged on the invoice agree with the approved indirect cost allocation plan documented in the MPO's UPWP? N/A	Yes 🗆	No 🗆
Comments and Recommendations on Indirect Rate Charges		
Click to enter details		
Findings on Indirect Rate Charges		
Click to enter details		
General Comments, Recommendations, and Findings		
Was the invoice's supporting documentation found to be in good order?	Yes 🛛	No 🗆
Was there evidence that a quality control process or procedure is in place?	Yes 🛛	No 🗆
General Comments and Recommendations		
Click to enter details		
General Findings		
Click to enter details		

Please provide the total number of *materially significant findings that were correct in **Table 1**. **Table 1** will be used in the **Risk Assessment** that is part of the annual Joint Certification to evaluate the MPO's risk level.

Table 1. Invoice Supporting Documentation Review Checklist Summary

Please Note: The number of "Materially Significant Findings" in the below Total box has been changed to 21 from the pre-populated 25 – which is the total number of possible Material Significant Findings for *this* Doc Review. Several sections above received an "N/A" due to not being applicable in this Review (the Lee MPO does not use Indirect Rate and there was no Travel Reimbursement occurred during the invoice period).

Description	Yes	Total
*Materially Significant Findings	21	21

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Lee County MPO with respect to the requirements of:

- 1. 23 U.S.C. 134 and 49 U.S.C. 5303;
- 2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21
- 3. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- 4. Section 1101(b) of the FAST Act and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- 5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in 49 C.F.R. Parts 27, 37, and 38;
- 7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and
- 9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on March 1, 2023.

Based on a joint review and evaluation, the Florida Department of Transportation and the Lee County MPO recommend that the Metropolitan Planning Process for the Lee County MPO be certified.

Name: John M. Kubler Title: Interim District One Secretary <u>03.17.2023</u> Date

Name: Title: MPO Chairman (or designee) 03.17.2023 Date



PRESENTATION AND ACCEPTANCE OF THE BONITA ESTERO RAIL TRAIL FEASIBILITY STUDY REPORT

RECOMMENDED ACTION:

Review presentation and accept the Bonita Estero Rail Trail Feasibility Study Report.

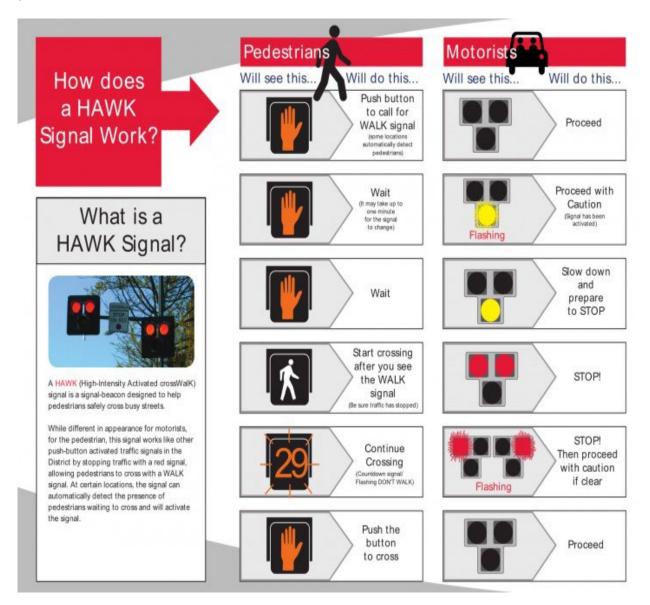
The Lee MPO recently completed the Bonita Estero Rail Trail Feasibility Study which resulted in the development of a Feasibility Report. The report can be viewed here: <u>https://leempo.com/wp-content/uploads/Lee-County-Master-Plan_030723.pdf</u>. The study and findings were presented to the Estero Village Council on December 7th and February 1st, to the Bonita Springs City Council on January 18th and to the MPO committees over the last month to gather input and public comments. The MPO's consultant will provide a presentation on the study and answer questions and staff will provide information on the comments that we have received and continue to receive. In addition, a staff representative from the Trust for Public Land has been invited to attend and participate as well, as they are separately working with Seminole Gulf on the potential purchase of a section of the rail corridor right-of-way.

The study report and presentation was reviewed by the Bicycle Pedestrian Coordinating Committee on February 21st, the Technical Advisory Committee on March 2nd and the Citizens Advisory Committee on March 2nd and each committee unanimously recommended MPO Board acceptance of the study.

INFORMATION ON THE US41 PEDESTRIAN HYBRID BEACONS

DISCUSSION ITEM:

The US 41 from Winkler Road to Victoria construction project includes pedestrian signals called High-Intensity CrossWalk Beacons, or Pedestrian Hybrid Beacon (PHB) signals that will be installed at five locations along the corridor. The first two will be put into operation soon and staff will provide information on the locations and how these signals work to help inform the travelling public. A flyer on how the signals work is provided below:



REVIEW OF THE CURRENT PROPOSED TRANSPORTATION LEGISLATION AND MEMBER PROJECTS

DISCUSSION ITEM:

The bill tracking sheet that provides information on existing legislation that may impact FDOT and their transportation partners can be downloaded at the following link: <u>https://leempo.com/wp-content/uploads/M06a.Copy-of-Policy_Planning_Tracking_2023-03-03.xlsx</u> Also, the list of the appropriations projects request list can be downloaded at the following link: <u>https://leempo.com/wp-content/uploads/M06b.Copy-of-Member-Project-Tracking-Tool_as-of-3.3.2023.xlsx</u> Staff will provide a summary of the proposed bills and member projects in our area.

INFORMATION AND DISTRIBUTION

- a. MPOAC Weekend Institute 2023 Information.
- b. SR 865 Linda Loma to Kelly Road Public Meeting March 30, 2023c. US 41 at Bonita Beach Road PD&E Study Public Workshop April 4, 2023

MPOAC Weekend Institute 2023

The Institute will enhance MPO Board Members understanding of the transportation planning and decision-making process.

The Institute will cover the following topics:

- MPO Board Responsibilities and Authority
- MPO Products and Processes
- Overview of Funding for MPOs

Please coordinate with your colleagues and staff director to determine which MPO board members will attend each MPOAC Institute. Space is limited. Florida MPOs may send up to two board members, one to each event.

The Weekend Institute will be offered twice in the Spring 2023:

PICK A PLACE AND SAVE THE DATE



April 14 & 15, 2023 in Orlando



May 5 & 6, 2023

A third session will be offered in the Panhandle in the Fall of 2023. Additional details are forthcoming.

To reserve your seat for the Spring sessions, please fill out the form available at the following link and QR Code: https://tinyurl.com/2p8ru2w2

The Florida Hotel & Conference Center

The Tampa Airport Marriott

Additional details, including hotel reservations, will be provided in early March to those that are RSVP'd.



SR 865 from Linda Loma Drive to Kelly Road

Financial Project ID No.: 447880-1

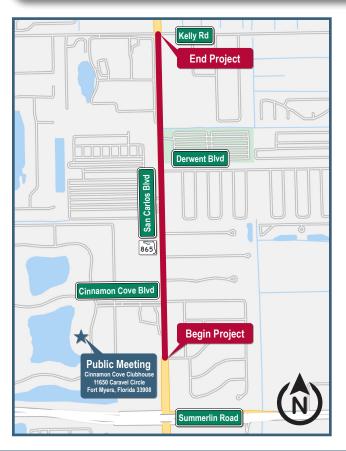


PUBLIC MEETING

The Florida Department of Transportation (FDOT), District One, invites you to the State Road (SR) 865 from Linda Loma Drive to Kelly Road Public Meeting on Thursday, March 30, 2023. The in-person public meeting (open house format) will begin at 5:00 p.m. The virtual meeting will begin at 6:00 p.m. For your convenience, FDOT is providing three ways to participate:

- Virtual Option: Attend virtually from 6:00 p.m. to 7:00 p.m. from a computer, tablet, or mobile device. You can
 register in advance at fdot.cc/SR865-LindaLoma-to-Kelly. Once registered, attendees will receive a confirmation
 email containing information about joining the meeting online. Please note, Internet Explorer cannot be used to
 register or attend this webinar.
- In-Person Option: Attend in-person from 5:00 p.m. to 7:00 p.m. at the Cinnamon Cove Clubhouse, 11650 Caravel Circle, Fort Myers, Florida. Attendees who are not feeling well should not attend the in-person meeting.
- 3. Website: View the materials online at swflroads.com/project/447880-1.

All meeting materials will be available online by March 23, 2023. You do not have to attend a live event in order to submit a comment. Comments can be submitted at the live meeting, through the website, or through the contact information provided on the other side of this notification. While comments about the project are accepted at any time, please send your comments by April 10, 2023, to be included in the formal public meeting record.



PROJECT OVERVIEW

FDOT, District One, is proposing improvements on SR 865 in Fort Myers, Lee County. The project limits are from Linda Loma Drive to Kelly Road. The purpose of this project is to provide improvements along SR 865 with the intent of enhancing safety along the corridor.

The project includes constructing chicanes, or concrete traffic islands, which will narrow the roadway to discourage speeding. The chicanes will be constructed in each direction on SR 865. Two additional traffic islands are proposed within the existing two-way left-turn lane for additional traffic calming. Additional improvements include installation of new signage and pavement markings. The Department is also exploring additional safety improvements as the design project progresses.

Register to Attend Virtually

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Scan the QR Code shown here to register, and you will receive a confirmation email containing information about how to join the public meeting online.





Florida Department of Transportation Southwest Area Office Attention: Chris Speese 10041 Daniels Parkway Fort Myers, FL 33913

CONTACT US

We encourage you to participate in the SR 865 from Linda Loma Drive to Kelly Road Public Meeting. If you have questions or comments regarding the project, please contact FDOT Project Manager, Chris Speese.



Chris Speese

Florida Department of Transportation Southwest Area Office 10041 Daniels Parkway, Fort Myers, FL, 33913



Direct: (239) 225-1973

Email: Christopher.Speese@dot.state.fl.us



FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Cynthia Sykes, District One Title VI Coordinator, at (863) 519-2287, or email at Cynthia.Sykes@dot.state.fl.us at least seven days prior to the public meeting.

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@myFDOT_SWFL



US 41 at the Intersection of Bonita Beach Road (CR 865) Project Development and Environment (PD&E) Study Bonita Springs, Florida FPID: 444321-1 Newsletter #2 - March 2023

PD&E STUDY STARTED

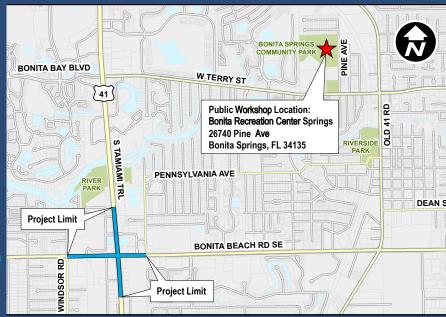
The Florida Department of Transportation (FDOT) is conducting a Project Development and Environment (PD&E) study to evaluate improvements to the intersection at US 41 and Bonita Beach Road in the City of Bonita Springs, FL in southern Lee County. The study's purpose is to address congestion and projected travel demand with the ultimate goals being to enhance mobility, improve safety conditions, and provide for multi-modal features.

FDOT has developed "build" alternatives and is providing opportunities for your input. Alternatives under consideration include a variety of intersection-related improvements. We are evaluating each alternative to determine community impacts, additional right-of-way needs, safety, mobility for all users, and traffic performance. The study will make a recommendation to advance into the design phase. Throughout this process, FDOT will consider the no-build or "do-nothing" option.

HOW TO GET INVOLVED

The Alternatives Public Workshop is being held to present information about the preliminary alternatives and provides the opportunity for the public to offer feedback. You can participate in the Alternatives Public Workshop live online or in-person. The same materials will be displayed at both the online and in-person events, and will also be posted by **March 27, 2023** on the project website.

LIVE ONLINE OPTION: Attend virtually on Monday, April 3, 2023 starting at 6 p.m. This event will include a viewing of the project video and a live question-and-answer component with the project team. Register in advance by visiting https://tinyurl.com/BonitaBeachRoadRegistration or on the project website. Once registered, attendees will receive a confirmation email containing information about joining the workshop online.



IN-PERSON OPTION: Attend the Alternatives Public Workshop on **Tuesday, April 4, 2023**, at Bonita Springs Recreation Center, 26740 Pine Ave, Bonita Springs, FL 34135. Visit the workshop any time between **5 and 7 p.m**. to view the project video and displays, speak with project team members, and submit comments or questions.

CONTACT

Patrick Bateman, P.E. | Project Manager | Florida Department of Transportation MS 1-40 801 North Broadway Avenue, Bartow, Florida 33830 | Telephone: 863.519.2792 | Email: patrick.bateman@dot.state.fl.us

Por favor contacte a Karina Della Sera para información en español (Karina.DellaSera@dot.state.fl.us or 863-519-2750)

View all materials online at https://www.swfiroads.com/project/444321-1. Comments can be provided through the project website and questions can be answered by calling the FDOT project manager Patrick Bateman, PE at (863) 519-2792.

STUDY SCHEDULE

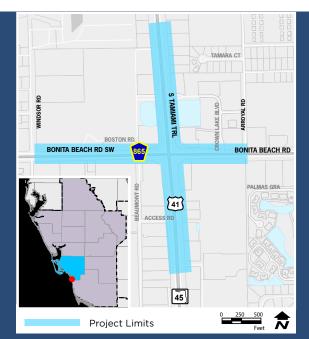
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The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated May 26, 2022 and executed by the Federal Highway Administration and FDOT.



FDOT DISTRICT ONE ATTN: PATRICK BATEMAN, MS 1-40 801 NORTH BROADWAY AVENUE BARTOW, FLORIDA 33830 PLACE POSTAGE HERE

COMPANY/ORGANIZATION TITLE RECIPIENT NAME BUILDING X 123 STREET, SUITE A SOMEWHERE, FL 00000



Newsletter #2 - March 2023

US 41 at the Intersection of Bonita Beach Road (CR 865) Project Development and Environment (PD&E) Study Bonita Springs, Florida FPID: 444321-1

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FOR QUICK ONLINE REGISTRATION, SCAN HERE!

PROJECT LOCATION MAP - LEE COUNTY, FL