



Policy Committee Meeting

October 15th, 2024

9:30 AM

Brewer City Council Chambers and via Zoom

Agenda

1) Call to Order

2) Public Comment

Members of the public in attendance of today's meeting have an opportunity to provide public comment on today's agenda items.

3) Approval of September 17th, 2024 BACTS Policy Committee Meeting Minutes (Attachment A)

4) BACTS Monthly Report (Attachment B)

5) Urban Partnership Initiative (UPI) Projects

Staff Report

As part of the new MaineDOT funding initiative, initiative 3 is the Urban Partnership Initiative (UPI). The UPI is only eligible to MPO communities, and is similar to the Municipal Partnership Initiative in that the program is funded with state dollars, and is a 50/50 match with municipalities. MaineDOT has set aside \$3 million for the UPI program to be divided among the 4 MPO's. BACTS Staff sent members an application for UPI projects for their municipality, for consideration in the 2025 MaineDOT Work Plan. One application from Bangor was received.

Bangor has submitted a proposal to add 0.77 miles of sidewalk on Maine Ave, between Hammond Street and Union Street, construction and engineering cost estimated at \$475,000.00.

Proposed Action: Approve Bangors Maine Ave sidewalk project proposal to be submitted to MaineDOT for funding consideration under the UPI funding initiative.

6) BACTS / MaineDOT MOU (Attachment C)

Staff Report

BACTS Staff and MaineDOT will provide an overview of the MOU that has been drafted in coordination with the states 4 MPO's. The intent of the MOU is to enhance coordination between MaineDOT and the MPO's and improve cooperation through a new agreement that outlines the responsibilities of each party, including decision making for transportation investments. The MOU also outlines the new funding initiatives developed by MaineDOT, and details the roles and responsibilities for each initiative.

Proposed Action: Discuss the sections of the MOU, and timeline for comments and Executive Director signature.

7) BACTS UPWP Budget

Staff will provide budgetary information regarding the 2024-2025 UPWP budget.

BACTS 2024-2025 UPWP											23	Total	
09/30/2024											7	Months into contract	
											16	Months left in contract	
Task	Project	Total Allotted	Total Spent	In-Kind	Total Remaining	Contract to Date Trend			Forecasted Trend (Projected Figures)				
						Actual % Usage	Amount Should be as of 9/30 30.4%	Variance	Total Remaining (Less In Kind)	Salary	Consultant	Direct Expenses	Estimated Remaining
FHWA													
1	Operation and Coordination	\$219,173	\$161,168	\$0	\$58,005	73.5%	\$66,705	-\$94,463	\$58,005	\$130,499	\$30	\$11,486	-\$84,009
2	Programming	\$45,800	\$10,787	\$0	\$35,013	23.6%	\$13,939	\$3,152	\$35,013	\$27,529	\$22,500	\$36	-\$15,052
3	Data and Studies	\$188,500	\$110,707	\$0	\$77,793	58.7%	\$57,370	-\$53,337	\$77,793	\$131,887	\$75,552	\$6,126	-\$135,772
4	Planning	\$453,600	\$40,889	\$0	\$412,711	9.0%	\$138,052	\$97,163	\$412,711	\$79,985	\$331,935	\$945	-\$154
5	Unallocated	\$366,617	\$0	\$0	\$366,617	0.0%	\$111,579	\$111,579	\$366,617	\$0	\$0	\$0	\$366,617
Total FHWA		\$1,273,690	\$323,551	\$0	\$950,140	25.40%	\$387,645	\$64,094	\$950,140	\$369,900	\$430,017	\$18,594	-\$131,629
FTA													
1	Operation and Coordination	\$79,500	\$17,229	\$3,446	\$58,825	21.7%	\$24,196	\$6,966	\$47,060	\$59,488	\$0	\$2,579	-\$15,008
2	Programming	\$9,900	\$772	\$154	\$8,973	7.8%	\$3,013	\$2,241	\$7,178	\$11,174	\$0	\$0	-\$3,996
3	Data and Studies	\$17,100	\$2,894	\$579	\$13,627	16.9%	\$5,204	\$2,310	\$10,902	\$12,877	\$0	\$249	-\$2,224
4	Planning	\$161,062	\$3,115	\$623	\$157,324	1.9%	\$49,019	\$45,904	\$125,859	\$69,807	\$165,000	\$2,534	-\$111,481
Total FTA		\$267,562	\$24,011	\$4,802	\$238,749	8.97%	\$81,432	\$57,421	\$190,999	\$153,345	\$165,000	\$5,362	-\$132,709
Total		\$1,541,253	\$347,562	\$4,802	\$1,188,888	22.55%	\$469,077	\$121,515	\$1,141,139	\$523,245	\$595,017	\$23,956	-\$1,080

The following are provided are DRAFT figures at this time for budgetary consideration only.

Proposed Action: For discussion only.

8) General Consultant Agreement Task Order

Staff will provide a monthly report on task order assignments and status.

<u>Project</u>	<u>Consultant</u>	<u>Estimated Time Frame</u>
Culvert Inventory	VHB	September 2024 - December 2025
Fare Structure	Foursquare	October 2024 - June 2025
Signal Warrant Analysis - Brewer South Main	Sewall	October 2024 - December 2024

Proposed Action: For discussion only.

9) Transit Updates

Staff and The Community Connector will provide updates on transit studies, operations, or other transit related items.

Proposed Action: For discussion only.

10) Project Updates

Members will provide updates on BACTS funded construction projects in the region.

Proposed Action: For discussion only.

11) MaineDOT Report

MaineDOT staff will provide an update on any MaineDOT projects, policies, or plans.

Proposed Action: For discussion only.

12) Other Business

Discussion of other items not on today's agenda.

13) Upcoming Meetings

Transit Committee - October 23rd, 2024 at 2PM - via Zoom

Policy Committee - November 19th, 2024 at 1:00PM - Hampden Council Chambers



Attachment A
Policy Committee Meeting
September 17th, 2024

1:05PM

Bangor City Council Chambers and via Zoom

Minutes

Committee Members	Affiliation
Jeff Davis Anne Kreig Courtney O'Donnell	Bangor
Jeremy Caron Linda Johns Tena Kroll	Brewer
Amy Ryder Victor Smith	Hampden
EJ Roach	Old Town
Bill Cody Mitch Stone	Orono
David Pardilla	Penobscot Nation
MaineDOT / FHWA	
Jarod Farn-Guillette, Claire Winter, Paige Melius	

1) Call to Order

Meeting was called to order by Jeremy Caron at 1:05PM.

2) Public Comment

No comments at this time.

3) Approval of July 23rd, 2024 BACTS Policy Committee Meeting Minutes

No comments on the minutes, Linda Johns made a motion to approve the minutes as written, seconded by Aaron Huotari, roll call vote taken, the following members abstained Courtney O'Donnell, Tena Kroll, EJ Roach, Bill Cody, and David Pardilla, remainder of members were all in favor.

4) BACTS Monthly Report

Madeline Jensen provided an update. EPA Grant has had a slight shift in scope, brought on by group discussions. Maddie will provide eligible communities with a drafted letter of support regarding this grant opportunity. Group is hoping to receive LOS in late September/early October for application submission in October.

Jacob Stein provided an update regarding an ADA training session he attended. Staff can provide notes from this training to members upon request.

Jacob Stein also provided a brief update, the SS4A project kick off meeting was held earlier this month. Staff will be reaching out to members regarding joining the steering committee for this regional project.

Sara Devlin provided an update regarding electronic speed signs/feedback signs. MaineDOT has a list of locations across the region, they are looking for member identified locations on state aid roads, Sara Devlin provided members with information regarding who to contact with this information.

5) Adoption of Updated Public Participation Plan Staff Report

BACTS Staff posted the updated version of the Public Participation Plan for public comment period starting on June 26th, 2024. This comment period ended August 12th, no public comments were received. BACTS Staff did receive comments, which have been incorporated in the final draft, from FHWA.

Proposed Action: Adopt the finalized Public Participation Plan.

Sara Devlin provided an overview, BACTS made minor updates to our plan based on updated public outreach policies. In addition, BACTS received feedback from FWHA on the draft version of the Plan and incorporated feedback into the finalized Public Participation Plan.

Courtney O'Donnell made a motion to adopt the Public Participation Plan as written, Linda Johns seconded. Roll call vote was taken, all in favor.

6) BACTS UPWP Budget

Staff will provide budgetary information regarding the 2024-2025 UPWP budget.

BACTS 2024-2025 UPWP
08/31/2024

23 Total
6 Months into contract
17 Months left in contract

Task	Project	Total Allotted	Total Spent	In-Kind	Total Remaining	Contract to Date Trend			Forecasted Trend (Projected Figures)				
						Actual % Usage	Amount Should be as of 8/31	Variance	Total Remaining (Less In Kind)	Salary	Consultant	Direct Expenses	Estimated Remaining
FHWA													
1	Operation and Coordination	\$219,173	\$135,383	\$0	\$83,790	61.8%	\$57,176	-\$78,207	\$83,790	\$150,212	\$30	\$11,605	-\$78,057
2	Programming	\$45,800	\$9,906	\$0	\$35,894	21.6%	\$11,948	\$2,042	\$35,894	\$18,160	\$22,500	\$115	-\$4,881
3	Data and Studies	\$188,500	\$87,709	\$0	\$100,791	46.5%	\$49,174	-\$38,535	\$100,791	\$125,040	\$62,027	\$6,192	-\$92,469
4	Planning	\$453,600	\$35,746	\$0	\$417,854	7.9%	\$118,330	\$82,584	\$417,854	\$69,847	\$331,935	\$945	\$15,127
5	Unallocated	\$366,617	\$0	\$0	\$366,617	0.0%	\$95,639	\$95,639	\$366,617	\$0	\$0	\$0	\$366,617
Total FHWA		\$1,273,690	\$268,744	\$0	\$1,004,946	21.10%	\$332,267	\$63,523	\$1,004,946	\$363,259	\$416,492	\$18,858	\$206,337
FTA													
1	Operation and Coordination	\$79,500	\$16,059	\$3,212	\$60,229	20.2%	\$20,739	\$4,680	\$48,183	\$60,658	\$0	\$2,579	-\$15,054
2	Programming	\$9,900	\$707	\$141	\$9,051	7.1%	\$2,583	\$1,875	\$7,241	\$11,239	\$0	\$0	-\$3,998
3	Data and Studies	\$17,100	\$2,634	\$527	\$13,939	15.4%	\$4,461	\$1,827	\$11,151	\$13,137	\$0	\$249	-\$2,235
4	Planning	\$161,062	\$1,913	\$383	\$158,767	1.2%	\$42,016	\$40,104	\$127,014	\$71,009	\$165,000	\$2,534	-\$111,529
Total FTA		\$267,562	\$21,313	\$4,263	\$241,986	7.97%	\$69,799	\$48,486	\$193,589	\$156,044	\$165,000	\$5,362	-\$132,817
Total		\$1,541,253	\$290,057	\$4,263	\$1,246,933	18.82%	\$402,066	\$112,009	\$1,198,535	\$519,302	\$581,492	\$24,221	\$73,520

*Anticipated transfer to FTA for Transit Studies

The following are provided are DRAFT figures at this time for budgetary consideration only.

Sara Devlin provided an overview. BACTS is currently working with MaineDOT to finalize a minor amendment related to FTA apportionment for 2024.

7) General Consultant Agreement Task Order Assignment Policy

Staff will review the policy as approved by the Executive Committee. Staff will provide a monthly report on task order assignments and status.

Project	Consultant	Estimated Time Frame
Culvert Inventory	VHB*	September 2024 - December 2025

**BACTS Staff are currently in discussion for this project with VHB, anticipated to finalize task order issuance in coming weeks. Authorization has been received from BACTS Executive Committee for the selected consultant.*

Proposed Action: For discussion only.

Sara Devlin provided an overview of the GCA process. Sara provided clarification that for projects that are specific to one municipality, BACTS Staff will coordinate with that municipality's Staff regarding initial scoping in the process.

8) Transit Updates

Courtney O'Donnell provided an update on Community Connector. System is currently short staffed and will be assessing for potential route efficiencies in the interim. Courtney O'Donnell also provided members with an update on the anticipated timeline for FY24 final and FY25 Q1 billing cycles. The cold bus barn and technology project are both in the works and on schedule.

9) Project Updates

Jeremy Caron provided an update on Brewer projects

- South Main - Nearly complete
- Shim on State Street beginning shortly
- Out to bid for 2 MPI projects for next year

Victor Smith provided an update on Hampden projects

- Western Avenue signal project has started
- DOT is working on paving from Winterport town line through to Bangor

Jefferson Davis provided an update on Bangor projects

- Working on finishing up Ohio Street
- Forest and State is completed but the City has upgraded signal standards and will be working on implementation going forward
- Working on design elements for a variety of projects.
- DDI Project anticipated to start in coming years.
- 95 bridges
 - Broadway - ongoing
 - Stillwater and Kenduskeag are anticipated to be replaced next year
 - City is replacing Ohio Street bridge in coming year
 - DOT resurfacing Bullseye bridge as well, anticipated to be next year.

Mitch Stone provided an update on Orono projects

- Route 2 and Park Street Project, underway
- Discussions continuing on Route 2 VPI

David Pardilla provided an update on Penobscot Nation projects

- Number of bridges being worked on this year and design on others for coming years
- Assessing adding sidewalk to one of the projects for increased safety

10) MaineDOT Report

Claire Winter provided an update. MaineDOT is in the middle of the workplan process. A synergy meeting is occurring shortly. There is a candidate list, Sara Devlin can share with the group upon request, this list does not include UPI's.

Claire Winter also provided an update on the MPO MOU Process. In final stages, hoping to finalize in coming months. The MOU outlines initiatives and process to enhance collaboration and communication.

11) Other Business

Sara Delvin asked the group to start thinking about potential projects to submit for UPI consideration. UPI has similar standards to an MPI but is for the State MPO's only. Intent is a focus on active transportation.

12) Upcoming Meetings

Transit Committee - October 10th, 2024 at 2PM - via Zoom **Meeting update - Will be held on 10/23!**

Policy Committee - October 15th, 2024 at 9:30AM - Brewer Council Chambers

The meeting was called to adjourn by Courtney O'Donnell, seconded by Linda Johns. Unanimous approval. Meeting ended at 1:45PM.



Attachment B
BACTS Monthly Report
October 2024

Traffic Incident Management (TIM) - BACTS continues to work with MaineDOT on implementing the recommendations from the statewide TIMS strategic plan. The Augusta and Aroostook groups will meet in October. Training in Penobscot occurred October 1st. BACTS Staff hosted a booth for outreach at the Maine Municipal Association conference. Crash Responder Safety Week events are being planned and will include a press event and two training sessions.

Safe Streets for All Grant - Staff and VHB are working on developing stakeholder lists and collecting crash data. Steering Committee creation is upcoming.

EV Fueling Stations - Efficiency Maine has funding opportunities for EV fueling stations across Maine. Please visit the following link for funding eligibility:
<https://www.efficiencymaine.com/at-work/electric-vehicle-supply-equipment-initiative/>

VPIs - Staff attended multiple Orono council committee meetings which discussed the current VPI project and attended an Orono Route 2 walking discussion with the public and council. Brewer VPI held its first public meeting on September 30th and did stakeholder roundtables in September. BACTS Staff did pop-up outreach at Old Town's Riverfest, Bangor ARTober Festival, and Hampden's Fall Fest. Staff is attending the first Hampden VPI public meeting this October. Staff also performed data collection for the Hampden VPI.

Collector Paving, Capital, and Planning Project Identification - Sewall is almost finished with the fieldwork for expanding the Better Roads database to cover the expanded BACTS Region collector roads and performing a similar scoring of the arterials and sidewalks.

Corridor Scoring - Staff created and edited a corridor scoring methodology document.

Rural Contract - Staff spent time performing rural outreach in Corinth and Garland with plans to meet with other towns throughout the next two months. Staff coordinated and will be attending a rural outreach in Northern Penobscot County and will be attending a synergy meeting with rural planners in Aroostook County in late October.

Culvert Inventory Data Request - Executive Director signed and approved of Culvert Analysis. Staff began providing Consultant with current shapefiles and other data collected.

ADA Transition Plan Training - Staff attended an ADA Title II training session which discussed key accessibility standards and when facilities must be brought up to current standards. The training emphasized the importance of transition plans, which must ensure no exclusion or discrimination in programs, services, and activities. Staff has extensive notes and can share with members upon request.

Meetings and Conferences

- MaineDOT Coordination Meetings
- SS4A Community of Practice webinars
- Crash Responder Safety Week All State Meeting
- Talking TIMs Webinar
- Maine Municipal Association Conference
- MaineDOT Rural Coordination Meeting
- PTAC Meeting, State of Transit Subcommittee, Steering Subcommittee
- Maine Climate Council Public Meeting
- Chamber of Commerce Early Bird Breakfast
- Bangor VPI Public Meeting
- UMaine Career Fest
- Building a Just Energy Transition in NE
- Every Day Counts - FHWA GHG Webinar
- BRLI Class Day 1 & 2
- Maine Employment Law Conference
- Orono Town Council Meeting
- Bike Coalition x Town Council Meeting
- Rural outreach Corinth Meeting

MaineDOT/MPO Memorandum of Understanding

Revised Draft, 9/20/2024

Introduction

1.1 Vision

Maine Department of Transportation (MaineDOT) and **BACTS/KACTS/ATRC** (the “MPO”) will collaborate for a seamless transportation system where joint planning and investments create a safe, integrated, efficient, and financially and environmentally sustainable network that prioritizes connectivity, quality of life, and accessibility, with a commitment to helping the climate through innovative and environmentally conscious solutions.

1.2 Purpose

Metropolitan planning organizations (MPOs) grew out of the Federal-Aid Highway Act of 1962 to carry out a continuing, cooperative and comprehensive transportation planning process in large urban areas. In Maine, MPOs share responsibility with the Maine Department of Transportation (MaineDOT) and mass transit providers for making transportation investments in urban areas with core populations of at least 50,000 or over 200,000. In the case of a Transportation Management Area (TMA), Maine has four MPOs and one of which is a TMA. Federal regulations pertaining to the creation, operation and interaction of the MPOs and MaineDOT are contained in 23 CFR 450 Subpart C.

This Memorandum of Understanding details how MaineDOT and the MPO have agreed to collaboratively do business to benefit the transportation system users within and adjacent to the MPO area that is consistent with the above cited regulations.

Term definitions are consistent with those found in 23 CFR Part 450 unless otherwise defined, herein.

1.3 Recitals

1. WHEREAS the MPO is the designated Metropolitan Planning Organization (MPO) for **AREA** urbanized area (UZA) with federal transportation planning and programming requirements placed on the MPO; and

2. WHEREAS the MPO is responsible for planning and programming financial resources for a multi-modal transportation system for the MPO urbanized area (“the AREA region”) by conducting the federal metropolitan planning process (3C Process) for the region, including preparation of the fiscally constrained certification documents including MPO’ Long-Range Transportation Plan, Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), as well as other plans and studies supporting MPO decision-making; and
3. WHEREAS the Maine Department of Transportation (MaineDOT) is responsible for administering federal and state transportation programs, planning, and funding which directly impact the MPO region through MPO’ Long-Range Transportation Plan, TIP, and UPWP; and
4. WHEREAS MPO and MaineDOT both desire to better define their respective roles and responsibilities regarding MPO’ Long-Range Transportation Plan, the region’s four-year TIP, and the integration of the region’s TIP with MaineDOT’s statewide Work Plan and the State Transportation Improvement Program (STIP), and
5. WHEREAS MPO and MaineDOT agree that transportation needs across the state are greater than available resources, and that MaineDOT’s historic allocation of capital funding to MPO is insufficient for achieving the region’s goals and is a small fraction of MaineDOT’s total investment in the region, and therefore MPO and MaineDOT will work together to leverage additional federal formula and state funding while jointly and collaboratively pursuing special funding (e.g., discretionary grants, earmarks); and
6. WHEREAS MPO shares the State’s goal of reducing transportation greenhouse gas emissions through electrification, investments in multimodal transportation that reduce vehicle miles traveled (VMT) and vehicle hours traveled (VHT), and encourage smart land use planning; and
7. WHEREAS MPO and MaineDOT agree that there is a need and an opportunity to enhance cooperation through this new agreement that governs the responsibilities of each party and the process for jointly deciding FHWA and state-funded transportation investments in the MPO region;

NOW THEREFORE MPO and MaineDOT agree to this Memorandum of Understanding.

2. Planning and Scoping

2.1 General Metropolitan Transportation Planning Process

The MPO and MaineDOT will carry out a continuing, cooperative, and comprehensive performance-based multimodal transportation planning process in accordance with 23 CFR § 450 Subpart C— Metropolitan Transportation Planning and Programming.

2.1.1 MPO and MaineDOT joint responsibilities:

- All parties will actively exchange information on a regular basis and collaborate in the development of any and all relevant transportation planning documents with each other. Parties will transparently identify differences in priorities and approaches and collaboratively work toward resolution as quickly as possible.
- All parties will actively participate in all official meetings of joint interest.
- MaineDOT agrees to raise any issues or differences in priorities or approaches early and often with the MPO staff, and MPO staff agree to do the same regarding MaineDOT priorities or approaches. MaineDOT and the MPO agree to work collaboratively in good faith to resolve all issues as early in any processes as possible to avoid delays and additional expenses. Issues that cannot be resolved at the staff levels will be escalated to the MPO Director and the Director of the Bureau of Planning. Issues that cannot be resolved by these staff directors will be escalated to MPO's governing board and the Office of the MaineDOT Deputy Commissioner and/or the Commissioner.
- Both parties will ensure that all public meetings meet the requirements of Maine law regarding public meetings (1 MRSA §403), virtual public meetings (1 MRSA §403-B) and notice for public meetings (1 MRSA §406). All parties shall provide each other with notification of, and may participate in, other meetings of mutual interest, including but not limited to cooperation or consultation on transportation planning and programming activities, and project development.
- Both parties will cooperate in the development of transportation system performance measures and goals.
- Both parties will distribute planning documents, reports and recommendations for internal review in a timely way.
- When undertaking a multimodal, systems-level corridor or subarea planning study, the lead party will include the other parties before the project planning begins, or conduct a joint planning effort, to the extent practicable (23 CFR § 450.318).
- Both will work proactively to identify areas where communication gaps exist or where other issues have been identified. Where these exist, the parties shall cooperate to address them and improve the parties' ability to carry out the continuing, cooperative, and comprehensive planning process effectively.

2.1.2 MPO Responsibilities:

- The MPO will ensure MaineDOT is invited to be represented at all standing MPO committee meetings and all study ad hoc meetings.
- The MPO will provide timely and responsive feedback on MaineDOT-led plans, studies, and policies.
- MPO will provide MaineDOT planning studies with information on project priorities and scoping Information.

2.1.3 MaineDOT Responsibilities:

- MaineDOT will participate in regular MPO governing board meetings, along with any other committees on which a MaineDOT representative is serving. MaineDOT will also participate in ad hoc or emergency MPO meetings.

- MainedOT will ensure the MPO is invited to participate in relevant planning meetings that discuss transportation investments in the MPO areas.
- MainedOT will provide timely and responsive feedback on MPO-led plans, studies, and policies.

2.2 Metropolitan Transportation Plans (MTP)

The long-range Metropolitan Transportation Plan (MTP) is a federally required planning document showing how the MPO intends to invest in transportation in their region over a period of 20 years. The MTP must be fiscally constrained, performance-driven, and outcome-based, and include both long- and short-term goals, objectives, strategies, and performance measures that provide for the development of an integrated multimodal transportation system. Projects reflected in the MPOs' Transportation Improvement Program (TIP) must be consistent with the MTP and reflect the investment priorities of the MTP (23 U.S. Code § 134). A STIP, which incorporates the TIP, must also be consistent with the MTP and the state's long-range statewide transportation plan (LTRP) (23 CFR § 450.218). By extension, the MainedOT Work Plan and projects therein for the MPO area must be consistent with the MTP, and the state LTRP. The MPO and MainedOT will collaboratively work together to ensure that the MTP and the LTRP are consistent and will be consistent with future TIP/STIP projects.

2.2.1 MPO Responsibilities

- The MPO will develop a fiscally constrained, performance-driven, outcome-based, long-range MTP for the Metropolitan Planning Area (MPA) in accordance with 23 CFR § 450.324, that also considers the federal planning factors listed in 23 CFR § 450.306. Fiscal constraints will be based on historic funding trends and overlaid with foreseeable projections.
- The MPO will cooperate with MainedOT and facilitate participation of transit operators, municipalities, and other MPO members in developing the MTP. This includes providing multiple opportunities for MainedOT, all MPO members, and the public to meaningfully engage with the MPO throughout the development of the MTP. It will also look at MainedOT statewide plans, where applicable, for consistency.
- The MPO will consider and respond to suggestions and feedback from MainedOT to ensure that the MTP is coordinated with the statewide transportation planning process, including the statewide Long-Range Transportation Plan and Maine Turnpike Authority plans (in applicable regions).
- The MPO will appropriately involve Tribal Governments within the MPO area in the development of the MTP as required in 23 CFR § 450.210.
- The MPO will cooperate with MainedOT and MPO members, including the public transportation operator(s), to develop a financial plan for the MTP, showing how the MTP can be implemented.
- The MPO will submit the approved MTP to the Governor (or designee) and the MainedOT Bureau of Planning, FHWA, and FTA.
- The MPO will review and update the MTP at least every 5 years (in attainment areas) or 4 years (in nonattainment or maintenance areas).

2.2.2 MaineDOT Responsibilities

- MaineDOT will cooperate with the MPO in the development of the MTP by providing input and feedback on goals, strategies, policies, and projects listed in the MTP.
- MaineDOT will provide the MPO with information about the statewide plan and programs including the state's Long-Range Transportation Plan and other relevant statewide plans, to better coordinate the MTP with the statewide plans.
- MaineDOT will provide the MPO with relevant and available data, as requested, to assist with the development of the MTP.
- MaineDOT will provide feedback to the MPO throughout the MTP development and update process to ensure that the MTP is coordinated with the statewide transportation planning process.
- MaineDOT will provide the MPO with estimates of funds that will be available to support Metropolitan Transportation Plan implementation. These will be based on historic and foreseeable trends.
- MaineDOT will use the MTP projects and investment priorities as guidance when developing the Work Plan, which feeds into the federally required MPO's TIP and State's STIP.

2.2.3 Public Transportation Operator(s) Role

- Cooperate with the MPO in the development of the MTP by providing input and feedback on goals, strategies, policies, and projects listed in the MTP.
- Provide the MPO with estimates of all sources of funds that will be available to support metropolitan transportation plan implementation.
- Coordinate with the MPO on estimated needs to achieve public transportation objectives.

2.3 Unified Planning Work Program (UPWP)

Every two years, MPOs produce Unified Planning Work Programs (UPWP) that describe their regional planning priorities and document how they intend to spend their allocated federal, state and local planning funds. Biennially, MaineDOT and the MPO will enter into an agreement to provide the MPO access to the federal funding that supports this planning work in advance of the beginning of the biennial UPWP period.

UPWP funding levels will be determined using federal apportionment, obligation limitation and state match policies. These totals will be subdivided into allocation for each MPO based on a formula. The formula is set by MaineDOT, in coordination with the four MPOs using such factors as each MPO's proportion of Vehicle Miles Traveled, Federal Aid mileage and population. These will be calculated at the beginning of the biennial development of the UPWP. The funding split within UPWP for both FHWA and FTA planning funds is 80 percent federal, 10 percent state and 10 percent local.

If state or federal funding is significantly altered legislatively, then MaineDOT will provide new estimates and UPWP funding levels may need to be revised and subject to an amended agreement.

For FTA 5303 funds, MaineDOT will provide estimates for inclusion in the initial UPWP contract, traditionally divided between MPOs at historically established proportions. When final apportionments

are released by FTA (typically in the Spring), MaineDOT will prepare an amendment for the UPWP agreement with the revised amounts.

MPOs may amend their UPWPs to meet changing regional needs and priorities. Additionally, there may be simple UPWP revisions.

A detailed UPWP schedule can be referenced in the Appendix and amendment revision thresholds can be referenced in the Administrative Guide to MPOs.

2.3.1 MPO Responsibilities:

- The MPO will prepare a biennial UPWP, soliciting input from MaineDOT.
- The MPO will provide MaineDOT with a draft of their UPWP in September of odd numbered years.
- The MPO will submit final UPWP to MaineDOT for approval by FHWA and FTA in November of the same year.
- The MPO will review and sign a cooperative agreement in December with MaineDOT for distribution of FHWA and FTA planning funds.
- The MPO will review and sign a cooperative agreement modification regarding revised FTA 5303 funds or other funding changes.
- The MPO will prepare annual progress reports, which include a summary of accomplishments, progress in meeting product schedules, with explanation of delays, and approved UPWP amendments or revisions.
- The MPO will submit annual progress reports to MaineDOT's Urban Planner.
- The MPO may amend their UPWP in coordination with MaineDOT.
- The MPO may submit UPWP revisions that do not change the total approved budget and do not change the scope to MaineDOT and FHWA and/or FTA for informational purposes.

2.3.2 MaineDOT Responsibilities:

- MaineDOT will provide early and often input into the UPWP development through MPO staff and Committee discussions and provide written comments on the draft UPWP in October of odd numbered years.
- MaineDOT will cooperate with the MPOs in setting the formula for splits between the MPOs of funding for the UPWP.
- MaineDOT will provide estimates for FTA 5303 funds. When final apportionments are released, MaineDOT will prepare a cooperative agreement modification with the revised amounts.
- MaineDOT will submit the UPWP to FHWA and FTA for joint review and approval in November of odd numbered years.
- MaineDOT will prepare and execute the cooperative agreement no later than December 15 of odd numbered years with MPO for distribution of FHWA and FTA planning funds.
- MaineDOT will submit annual MPO progress reports to FHWA and FTA for review.
- MaineDOT will review and forward amendment requests to FHWA and/or FTA for approval.
- MaineDOT will submit quarterly UPWP invoice progress reports to FHWA and FTA for review.

2.4 MPO Boundaries

The Metropolitan Planning Area (MPA) is an MPO's official boundary, representing the region in which the metropolitan transportation planning process takes place. Federal transportation funding may be used within this area, which must cover at a minimum, per 23 CFR § 450.312:

- The entire federal urbanized area for each MPO region, as defined by the U.S. Census Bureau; and
- The surrounding area likely to become urbanized within the 20-year forecast period of an MPO MTP.

Though historically, the federal urbanized area was used for the MPO Capital program in Maine, with the new initiatives in this MOU, it was collectively decided by the MPOs and MaineDOT to utilize the MPAs through all the programs and initiatives.

After each federal census, MaineDOT coordinates with each MPO and federal officials to gather information supporting the establishment of the planning area. Approval of the planning area requires the dated signatures of the MPO Chair and the MaineDOT Commissioner, acting for Maine's governor. In Maine, a representative from the Federal Highway Administration (FHWA) also signs the official MPO boundary maps, which must be submitted to the FHWA and the Federal Transit Administration (FTA).

In the 2024 update of the MPAs, it was determined to define the MPA as the entirety of a municipality which as a portion of its boundary in the MPO federal urbanized area. Several exceptions were agreed.

See Appendix for 2024 PACTS/BACTS/ATRC/KACTS MPA Boundary Map.

3. STIP & TIP

3.1 Processes Coordination and Alignment

A Transportation Improvement Program (TIP) is a prioritized listing of transportation projects covering a period of four years. The TIP is developed and adopted by an MPO as part of the metropolitan planning process. The projects reflected in the MPO's Transportation Improvement Program (TIP) must be consistent with the MTP and reflect the investment priorities of the MTP (23 U.S. Code § 134). By extension, the MaineDOT Work Plan and projects therein for the MPO area must be consistent with the MTP and LRTP. These projects must ultimately be contained in the TIP and STIP.

The cycle for updating the TIP must be compatible with the Statewide Transportation Improvement Program (STIP) process. Since MaineDOT develops the STIP annually after publication of its Three Year Work Plan, the associated TIPs must be updated annually as well.

Annually, MaineDOT provides each MPO with a listing of FHWA and FTA funded projects within the MPA of the MPO reflecting the projects prioritized through the cooperative Work Plan process and consistent with the projects and investment priorities in the MPOs' MTP and MaineDOT's LRTP. MPOs then prepare and approve their TIPs in cooperation with MaineDOT, for inclusion in the STIP.

A TIP, by federal law, covers four years and includes all activities within an MPO area that utilize FHWA and/or FTA funding – including those proposed by MaineDOT. TIPs comprise projects developed for the MaineDOT Work Plan and projects currently under construction. A project within an MPO must be in an approved TIP and the TIP incorporated into the State’s STIP to be authorized for federal funding.

MaineDOT oversees the design and delivery of the transportation improvements included in MaineDOT’s Work Plan, including those selected by MPOs. The process begins when MaineDOT uploads planned projects into its project tracking system and assigns project managers to oversee the scopes, schedules, and budgets of those projects. As mentioned in Initiatives 1-6 (below), MaineDOT and the MPO will work in cooperation to ensure prioritized projects are reflected in the financially constrained Work Plan. The MaineDOT Work Plan timeline and process diagram can be referenced in the Administrative Guide to MPOs.

MPOs are also required to produce an annual listing of projects in their regions for which federal funds have been obligated. These listings are provided by MaineDOT and include federally required information which can be referenced in the Administrative Guide to MPOs.

3.1.1 MPO Responsibilities

- MPO will provide early and often input to MaineDOT as it develops the project list for MaineDOT’s Work Plan
- MPO, in coordination with MaineDOT, will develop TIP including project lists, ensuring the projects reflect the cooperative Work Plan efforts and are consistent with the MPO’s MTP. (For the 2025-2028 TIP, MaineDOT will generate the TIP project lists based on the cooperative Work Plan process).
- MPO will submit their TIP to their respective MPO committees for review and approval.
- MPO will obtain public comment in accordance with the MPO’s Public Participation Plan.
- MPO will submit approved TIP to MaineDOT for approval and incorporation in STIP.
- MPO will review and comment on the draft STIP.
- MPO will submit requests for STIP/TIP amendments and modifications to MaineDOT.
- MPO will review and consider approving MaineDOT requested TIP amendments and modifications.
- MPO will maintain an updated errata sheet.
- MPO will submit an annual request to MaineDOT for an obligated project listing.
- MPO will publish or make their obligated project listing available in accordance with § 450.334.

3.1.2 MaineDOT Responsibilities

- MaineDOT will work cooperatively with the MPO in recommending programming and projects for the Work Plan that align with the projects and investment priorities of the MPO’s MTP per 23 CFR § 450.330 (c) and 23 U.S. Code § 134 and the State’s LRTP per 23 CFR § 450.218

- MainedOT will provide the MPO with its estimate of available federal and state revenue that can be used in developing the TIP. Both Parties agree to work cooperatively to develop final estimates of funds that can be reasonably expected to support the TIP.
- MainedOT will provide the MPO with a listing (in Microsoft Excel) of FHWA and FTA funded projects within the Metropolitan Planning Area (MPA) of the MPO. The listing will contain sufficient project detail and costs as required by 450.218(i) through (j).
- MainedOT will review and comment on the draft MPO TIP.
- MainedOT will approve the MPOs TIP for inclusion into the State's STIP. MainedOT will provide an opportunity for the MPO to review the STIP.
- MainedOT will consider requests for STIP/TIP amendments and modifications and if approved, ensure these are made, either through the Administrative Modification process or through a formal amendment process.
- MainedOT will submit the STIP to FHWA and FTA for approval.
- MainedOT will provide an annual obligated funding list with required information in accordance with § 450.334 to the MPO once requested.

4. Core Initiatives

MainedOT and the MPO will work collaboratively and cooperatively to develop Maine's Three Year Work Plan to advance the goals, investment priorities, and prioritized fiscally constrained projects of the Metropolitan Transportation Plan (MTP) and MainedOT's Long-Range Plan (LRTP). Each partner will work collaboratively with the other to bring their areas of organizational strength to the cooperative planning process to ensure a robust investment plan that meets the needs of the region and state.

While there is no guarantee of the amount of state and federal funding that will be available from year to year, MainedOT and the MPOs will annually develop forecasts as part of the Work Plan Development Processes to help MPOs satisfy federal requirements for a fiscally constrained MTP and TIP.¹ While there is no guarantee of the amount of state and federal funding that will be available from year to year, MainedOT and the MPOs will annually develop forecasts as part of the Work Plan Development Processes to help MPOs satisfy federal requirements for a fiscally constrained MTP and TIP. These forecasts, covering at least three (3) years of MainedOT's upcoming MainedOT Work Plan, will be provided by MainedOT to the MPOs through one memo in late June or early July. MainedOT will provide targets for funding based on a rolling three-year average of previous funding. The memo will highlight special funding items that may have skewed the average, and indicate any potential anticipated increases or decreases based on latest policy information from federal and state appropriators.

There are multiple factors to consider when estimating available funding, including state budgets, national reauthorizations, federal appropriation bills, projects of significant economic or social impact, and new needs that arise from natural and manmade disasters. There are other opportunities through grants, as well as Congressionally Directed Spending that can bring additional funding to the state and

¹ <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/financial-planning-fiscal-constraint>

MPO regions. This funding has the potential to affect significant change and transform Maine and the region's future.

Roles in Work Plan Development

Although MaineDOT and the MPOs will both drive the prioritization of candidate projects for the Work Plan and ultimately the TIP and STIP, there are areas where each agency will play a lead role.

Each May, MaineDOT will provide the MPOs with an outlook and guidance on current and anticipated new bridge, highway rehabilitation and reconstruction, and pavement condition on all Highway Corridor Priority 1-4 roadways. This condition data and guidance provided by MaineDOT will help the MPOs understand upcoming needs (and potential projects) and streamline the coordination and development of upcoming Work Plan candidates.

The development of the Work Plan, as outlined below, will create a coordinated STIP and MPO TIP.

There are eight initiatives that ensure that transportation on the state and federal classification systems have a source of funding and coordinated improvement processes between the MPO and MaineDOT.

4.1 Initiative 1 - Planning and Scoping Transformative Projects

As part of the MPO's Unified Planning Work Program (UPWP) and MaineDOT's Planning Partnership Initiative (PPI) and Village Partnership Initiative (VPI) planning efforts, the MPO will solicit for and lead efforts, in partnership with local Municipalities and MaineDOT, to develop projects that are transformative in nature. These projects should advance the goals, investment priorities, of the MTP and state LRTP, as well as other state and regional planning initiatives.

PPI/VPI funding is allocated in a statewide context based on needs and the study parameters and may be used to augment UPWP directed urban planning funds if needed. Whether funded through UPWP, PPI, or VPI; municipalities are required to participate in the MPO through the development of the UPWP and MPO process (including requisite local match commitments), and work with both the MPO and MaineDOT to build a vision to bring the project to a state of "Grant Readiness" - Once at a state of Grant Readiness, and if all three parties agree to pursue funding, MaineDOT, the MPO, and the Municipality will pursue funding through the development of the Work Plan and/or from the discretionary grant or other federal funding opportunities that are most applicable to the project.

Strategies for funding may include:

- MaineDOT and the MPO will coordinate to develop a pipeline of transformative projects for inclusion in the future Work Plans.
- Discretionary Grants: In the unlikely event that a region has two or more funding pursuits that could appear to be in competition for the same funding source, the MPO will prioritize the projects and pursuits if/as it deems necessary, recognizing funding pursuits in other parts of the state.
- Other federal funding opportunities: MaineDOT will annually coordinate with the MPOs (and vice versa) on project priorities for Congressionally Directed Spending ("earmarks") and other federal opportunities to advance such priorities in coordination with the MPOs as both deem

appropriate. In most cases, these conversations will be an ongoing dialogue between the MPOs and MaineDOT's Urban Planner.

Readiness includes:

1. There must be documented local and/or regional support (i.e., MPO governing body approval and municipal council or selectboard approval).
2. Local commitment for a portion of the nonfederal share—typically 10% of design and construction costs.
3. Planning project scope and preliminary design needs to be far enough along (such as approaching PDR) to ensure that the project can be built as conceived. Right-of-way, environmental permitting, and physical constraints must be evaluated. These tasks are planning activities eligible for UPWP and/or MaineDOT PPI/VPI funds.
4. The planning and design must be sufficient to generate reliable future project cost estimates. MaineDOT staff will be a partner throughout these planning and scoping projects and will provide proactive, timely and responsive input and feedback to ensure the planning and design is sufficient. If design is needed beyond what is considered to be “planning activities,” MaineDOT will provide funding and/or technical assistance to perform such design work.
5. Analysis of the project must be robust enough to ensure that the project is sustainable and will not create significant unintended consequences. The project should also provide good value for the taxpayer money invested.

MaineDOT will provide technical and in some cases financial assistance in the development of these candidate projects.

A planning-level memorandum of understanding detailing the actionable and financial roles of the Municipality, MPO, and MaineDOT will be executed prior to the start of each PPI/VPI study and for each applicable study within a UPWP.² See MaineDOT's current Local Cost Share Policy for match requirements for each phase of a project

4.1.1 MPO Responsibilities

- The MPO will work with member Municipalities during development of the Metropolitan Transportation Plan and as opportunities arise that are consistent with MaineDOT and MPO priorities to identify projects that could represent large transformative change for the region.
- The MPO will prioritize those projects and include them for study in their UPWP or, once UPWP resources are committed, request supplemental funding from MaineDOT through its PPI/VPI programs.
- The MPO will work with and enter into necessary agreements with the host Municipality to administer the enhanced Scoping Study.
- The MPO will work closely with the host Municipalities and MaineDOT to ensure that all parties agree that the project is in a state of Grant Readiness at the end of the study.

² Planning MOUs associated with UPWP-funded efforts will be determined by MPOs.

- The MPO will set priorities for advancing its Grant Ready Projects and work with MaineDOT to determine the most competitive funding opportunities for those projects.

4.1.2 MaineDOT Responsibilities

- MaineDOT will channel all municipal requests for transformative Enhanced Scoping studies within the MPO Planning Area to the MPO for consideration and prioritization.
- MaineDOT will only consider any MPO request for PPI funding once UPWP funding is programmed, and make informed decisions based on the magnitude and merits of the project and availability of PPI funding.
- MaineDOT will work closely with the MPO and the Municipality during development of the Enhanced Scoping Study to produce the most competitive project and one that can be supported by all three parties.
- For MPO priority projects that are in a state of Grant Readiness, MaineDOT will work with the MPO to determine the most competitive funding program and work on optimal timing for submitting a request for special funding.
- If it is determined that MaineDOT should be the entity developing the application or request for special federal funding MaineDOT will work closely with the MPO and its Municipality in the development of the application or request. The MPO and Municipality may choose to apply or request special federal funding on their own and MaineDOT will provide supporting documentation and support letters for regional priorities.
- In most cases, MaineDOT (Locally Administered Projects, included) will lead development and construction projects receiving awards.

4.1.3 Municipal Role

- The Municipality will work through the MPO to request and prioritize projects for Enhanced Scoping.
- The Municipality in collaboration with MaineDOT and the MPO may be asked to lead and contract for the execution of the Enhanced Scoping Study.
- The Municipality will lead the public involvement activities consistent with MaineDOT and MPO policies.
- The Municipality will provide documentation of municipal support prior to MaineDOT and the MPO seeking application or request for special federal funding.
- The Municipality will provide technical support during the application or request for special federal funding.
- The Municipality may contract with study consultants for planning level work.

4.2 Initiative 2 - Corridor Management Plans

The MPO will develop and periodically update Corridor Management Plans for key corridors in the MPO region. These plans should include safety improvements, equity, active transportation improvements, traffic management, congestion mitigation, GHG emissions reduction, transit improvements, and key maintenance implications. Corridors should be looked at as more than just one street or highway, but rather in a systems approach of a network of integrated infrastructure

and as an opportunity to achieve economic, housing, equity, quality of life, and climate goals. These plans serve as a short- and long-term vision for the corridor and should be consistent with the MTP and state LRTP. These plans should transcend municipal boundaries and/or be regional in nature.

The MPO will fund the development of Corridor Management Plans using their regular UPWP funding and/or may request PPI/VPI funding from MaineDOT.

Proposed improvements arising from these plans will be considered for state and federal funding as an add on to heavy pavement treatments (Initiatives 4 & 5), standalone Work Plan projects (Initiative 6), and as candidates for special federal funding (Initiative 1). MaineDOT will provide technical assistance in the development of these candidate projects. Technical assistance could include, but is not limited to, tasks such as reviewing traffic models, lane designations, cost benefit analysis for safety and mobility, traffic safety, and answering questions related to environmental concerns and historic properties. MaineDOT and the MPO will work together to identify the best funding strategy and timing for each Corridor Management Plan element. In advance of developing the Work Plan each year, the Urban Planner will coordinate with each MPO on the regions' Corridor Management Plans to determine funding strategy, possibilities, and priorities within the upcoming Work Plan.

4.2.1 MPO Responsibilities

- The MPO will work with their Municipalities during development of their MTP to identify corridors in most need of planning and a comprehensive management plan.
- The MPO will prioritize those corridors for study and in their UPWP.
- The MPO will work with and enter into necessary agreements with the host Municipality to conduct studies.
- The MPO will work closely with the host Municipalities and MaineDOT to ensure that all parties agree that the resulting improvements are consistent with local, MPO and State priorities, policies, and design guides.
- The MPO will work with MaineDOT to determine the best avenue to fund various elements of a Corridor Management Plan.
- The MPO may lead or will support public engagement for the corridor planning process.

4.2.2 MaineDOT Responsibilities

- MaineDOT will channel all municipal requests for Corridor Management Plans within the MPO Planning Area to the MPO for consideration and prioritization.
- MaineDOT will remain engaged and be responsive throughout the corridor planning process and work closely with the MPO and the host municipalities to ensure the resulting plan is consistent with local MPO and State priorities, policies, and design guides.
- MaineDOT will work with the MPO to determine how elements of a Corridor Management Plan can be funded and built.
- MaineDOT's Urban Planner will ensure that Completed Corridor Management plans are distributed and considered during MaineDOT Work Plan and project development.

4.2.3 Municipal Role

- The Municipality will participate through the UPWP process and provide requisite local match commitments and be party to necessary agreements with the MPO to conduct the study.
- The Municipality will work with the MPO and neighboring Municipalities to request Corridor Management Plans.
- The Municipality, in collaboration with MaineDOT, the MPO and neighboring Municipalities, may be asked to lead Corridor Management Studies.
- The Municipality may lead or will support public involvement activities consistent with MaineDOT and MPO policies.
- The Municipality may be asked to provide documentation of municipal support prior to MaineDOT and the MPO making significant corridor changes.

4.3 Initiative 3 - Urban Partnership Initiative (UPI)

The Urban Partnership Initiative will be administered by MaineDOT and the MPO in a similar manner to MaineDOT's Municipal Partnership Initiative (MPI) program. MaineDOT will annually evaluate the demonstrated need and may increase funding as project requests and available funding grow. MaineDOT will provide funding expectations by October of each year. This program is State funded (with local match) and is directly dependent on the State budget, as are the other MPIs.

This program is only eligible for the 4 MPOs and will not impact a Municipality's eligibility under MaineDOT's existing MPI program, except that these programs cannot be combined with other MaineDOT programs on the same segment of roadway without Commissioner approval. This program is intended to target improvements to active transportation, but all MPI scopes are also eligible. Active transportation project types may include new sidewalks, sidewalk reconstruction, multi-use trail connectivity to highways, accessibility upgrades to existing pedestrian facilities and intersection safety improvements. If a proposed project can be funded under the MPI program, it may be switched to that program instead. Projects that are on the state or state-aid system are eligible. Additionally, projects that include a transition or connection point to a state or state-aid road, or an off-system trail that terminates or begins on a state system roadway would qualify for the UPI program.

This program is 50% state: 50% local and each individual project is capped at \$750,000 state funds.

Municipalities will apply to the MPO for their UPI projects and, if awarded, are responsible for administering/delivering the projects (as is the case with the State's MPI program). The MPO will then submit their candidates to MaineDOT with comments and their prioritization by November 1 of each year. Projects will be funded based on MPO prioritization. If candidates exceed the allocated funding for the year's state program amount, the program will split the state funding between the MPOs by the prevailing PL formula split ratios. This proportional allocation of resources may require projects to be rescoped by the Municipalities (e.g., if a project's original scope/budget exceeds the funding available). Alternatively, a Municipality could increase its local share to cover the difference between the funding and the anticipated costs. If no candidates are received from an MPO, all

funding will be allocated between the remaining MPOs. Surplus UPI funds will be rolled into the state's MPI program annually.

The selected UPI projects will be included in the next Three Year Work Plan and the Municipalities will deliver the projects within three (3) years inclusion in that Work Plan (For example, a project included in "year 1" of the 2025-2026-2027 Work Plan, which is typically published in January, will be delivered by 1/31/28). In the event that a project is not delivered within three years, the project will be cancelled, and the state funding will be applied/rolled over to the next year of UPI funding. MaineDOT reserves the right to grant extensions under extraordinary circumstances.

In the event that a project's costs exceed the budget, the sponsor Municipality is responsible for any overruns.

A sponsor Municipality may seek reimbursement from MaineDOT at the completion of the project. The reimbursement request process is directly between the Municipality and MaineDOT. The MPO is not responsible for facilitating, tracking, and/or securing reimbursement.

4.3.1 MPO Responsibilities

- Solicit projects from MPO municipalities form within the MPO Planning Area.
- Prioritize project based on MPO policies.
- Provide MaineDOT a list of priority projects for consideration on November 1 of each year.

4.3.2 MaineDOT Responsibilities

- MaineDOT will provide the MPO with the available funding anticipated for the next three years in October of each year. These are subject to the State Budget and available state funding.
- MaineDOT will review prioritized list of UPI projects and select projects in MPO priority order utilizing funding as detailed above.
- Maine DOT will communicate the projects funded to the Municipalities and the MPO and will enter into agreements directly with the Municipalities.

4.3.3 Municipal Role

- Participate in the MPO including through the UPWP process and requisite local match commitments.
- The Municipality will enter into a cooperative agreement with MaineDOT and will lead the development and construction of the project.
- The Municipality and its Engineer will conduct the project in accordance with the cooperative agreement and the prevailing MPI Project Guide.
- Seek reimbursement directly from MaineDOT within one year of the project's completion.

4.4 Initiative 4 - Paving-Highway Corridor Priorities (HCP) 3 & 4

MaineDOT will provide each MPO condition and network level candidates annually based on its pavement management systems as a tool for consideration in January of each year. The MPO may choose to use this data at its discretion.

Annually, by August 1st the MPO will return up to 10% of the HCP 3 & 4 mileage in their network as prioritized candidates for the year after next (i.e. August 2024 provides candidates for paving in 2026). Eligible mileage will not include Light Capital Paving (LCP) program roadways, which are described in more detail below.

Once MaineDOT receives the list of MPO candidates, MaineDOT will coordinate with the MPO and the host Municipalities to determine the appropriate treatments. MaineDOT will program as many of the candidates as possible given available funding in the priority order provided by the MPO. If a high priority candidate will not be paved due to readiness, cost, or timing, the next high priority candidate of comparable cost will be selected from the list. Funding levels, determined in September, will be split between MPOs on a total lane mileage basis.

Costs for paving on HCP 3 & 4 will be split 80% federal funds and 20% local funds. Local interest elements will be subject to MaineDOT's Match Policy. MaineDOT's Local Cost Share Policy can be referenced on the MaineDOT website.

This program will begin with the 25-26-27 Work Plan with candidates due annually by July 1 each year to the Urban Planner.

The one exception to this initiative is the state-funded Light Capital Paving (LCP road excluded) Program that is applied regionally to all non-urban compact unbuilt roadways, and all HCP 4 non-urban compact regardless of built/unbuilt status. This is a light treatment intended to keep the road in serviceable condition. This program is cyclic (seven years on average) and performed regionally. MaineDOT will lead this program in areas within the MPA but outside urban compacts. No local match will be required for this program.

4.4.1 MPO Responsibilities

- The MPO will solicit paving projects from member Municipalities within the MPO. The MPO may choose to solicit from all Municipalities annually or may divide Municipalities into subregions. This will not include LCP program roadways.
- The MPO will provide MaineDOT a list containing approximately 10% of the MPO HCP 3&4 mileage to MaineDOT in August of each year. This list will include a general scope and anticipated construction cost.

4.4.2 MaineDOT Responsibilities

- MaineDOT will provide by June 30 both road segment conditions and most recent treatment.
- MaineDOT will provide the MPO with a map of all roadways subject to the LCP treatment.

- Once MaineDOT receives the list of projects it will engage with Municipality to refine the scope, estimated costs and constraints.
- MaineDOT will fund as many of the projects as possible in the MPO priority order per the parameter listed in the paragraphs above. In the event that a project has an unforeseen constraint (e.g., an underground utility conflicts and/or upcoming utility work on the segment), MaineDOT and the MPO may agree to skip a project and proceed to the next project on the MPO's list.
- In most cases MaineDOT (Locally Administered Projects (LAP), included) will lead development and construction of projects funded.

4.4.3 Municipal Role

- The Municipality will participate in the MPO project prioritization process and provide requisite local match.
- The Municipality will work with the MPO to provide viable well vetted candidates, scopes and costs.
- The Municipality will work with MaineDOT to provide viable refined scopes, known constraints and cost estimates.
- If projects are delivered through the LAP process the Municipality agrees to follow all MaineDOT policies and procedures.

4.5 Initiative 5 - Safety & Mobility, HCP 1 & 2 (including NHS) paving, Interstate and Bridge Improvements, etc.

Each May, MaineDOT will provide the MPOs with an outlook of current & anticipated bridge, pavement, and highway rehabilitation or reconstruction candidates on all HCP 1 & 2 roadways, including last treatment and current condition. This data will help the MPOs understand upcoming needs (and potential projects) and streamline the coordination and development of future Work Plan candidates.

Candidates on HCP 1 & 2 will be cooperatively developed by MaineDOT and the MPOs. Using the outlook of current and anticipated bridge/pavement candidates on HCP 1 & 2 roadways, the MPOs will share any plans (e.g., local plans, corridor management plans), studies, and suggested improvements for consideration and inclusion in candidate projects. The MPOs will annually share this information by March 30. The MPOs' local knowledge and input will help as we also work to ensure that policies including, but not limited to, MaineDOT's Complete Streets Policy and MPO policies such as Complete Streets and Vision Zero Action Plans are considered and incorporated. MaineDOT and MPO policies and objectives can therefore be balanced and harmonized as a part of this process and reflected clearly in the work plan.

Using the information provided by the MPOs in conjunction with other local and state data, MaineDOT will develop preliminary scopes of work ("candidates" for upcoming Work Plan) that balance preserving the road core while improving multimodal mobility and safety and support both MaineDOT and MPO policies, priorities, and goals.

MaineDOT will provide upcoming Work Plan candidates to the MPOs by June 30 each year for comments regarding consistency with regional plans, policies, and studies (e.g., L RTPs, corridor management plans, complete streets policies safety action/vision zero plans, transit plans, etc.), local implications /opportunities, and other local input. The MPO will return comments, endorsements, or concerns by September 1 that same year. MaineDOT will not start preliminary engineering for any candidates, unless the project is needed based on an emergency condition, until after considering and responding to the comments and recommendations from the MPOs. All MPO input will be considered in the final scope and the Urban Planner will discuss all issues with the MPO and relay MaineDOT's decisions in writing.

Preliminary engineering projects typically remain in engineering for one to three years before advancing to construction funding. There will be multiple additional opportunities for the MPO to weigh in on the final design. Once construction is funded, the goal is to deliver (bid) the project within one, to no longer than, three years.

Projects will be funded from these lists at 100% by MaineDOT using state and federal sources. However, if local interest elements are added, they may be subject to the MaineDOT's Match Policy. Examples of local interest elements can be referenced in MaineDOT's Local Match Policy.

4.5.1 MPO Responsibilities

- MPO will provide relevant plans, studies, and suggested improvements by March 30 each year.
- MPO will review the projects with the host Municipalities and provide comments on constraints and considerations MaineDOT should be aware of by September 1 of each year

4.5.2 MaineDOT Responsibilities

- MaineDOT will provide the MPOs with an outlook of current/anticipated pavement condition on HCP 1 & 2 by May 30 of each year.
- MaineDOT will generate a list of project candidates proposed to appear in the Work Plan for the first time by June 30 of each year. Not all candidates will be funded.
- MaineDOT will consider all MPO comments in good faith within the context of MaineDOT's policies, procedures and funding.

4.5.3 Municipality(ies) Role

- The Municipality will provide comments on constraints and considerations MaineDOT should be aware of.

4.6 Initiative 6 - General Highway, Bridge and other Work Plan Items

For projects that are not captured in the initiatives above (initiatives 1-5), MaineDOT and the MPOs will annually propose other MPO-area projects for inclusion in MaineDOT's Work Plan. MaineDOT and MPOs will provide the associated project lists annually by June 1. The MPOs will prioritize the projects (considering priorities identified by MaineDOT) and return the prioritized lists to MaineDOT by August 30. This prioritization process, to-be-defined by the MPOs in close coordination with MaineDOT, helps provide the regional perspective and ensure a strong link between regional transportation plans and policies and the projects that are advanced to preliminary design and/or construction in the MPO areas.

Following MPO prioritization, MaineDOT will host a workshop annually in September with MPO staff to discuss and develop a coordinated funding strategy. MaineDOT and the MPO staff will review the potential funding outlook and match projects to funding sources based on the MPO prioritization process, the anticipated available funding, project readiness, and the eligibility of various funding programs.

Based on the outcomes above, MaineDOT will share the refined project lists via the annual "synergy meetings". MaineDOT will continue to provide Work Plan drafts to MaineDOT and MPO staff through the development of the Work Plan. MaineDOT will also provide the MPO final committee lists prior to synergy meetings in the fall of each year and the MPOs are encouraged to participate in those meetings and comment freely. Finally, as Work Plan drafts are provided for MaineDOT staff review they will also be provided to MPO Staff (through the Urban Planner) for final review and comment.

4.6.1 MPO Responsibilities

- The MPO will prioritize projects (proposed by MaineDOT or the MPO) and work with MaineDOT to develop a funding strategy for the Work Plan and TIP.
- The MPO will participate in coordination meetings.

4.6.2 MaineDOT Responsibilities

- MaineDOT will propose projects that are not captured in initiatives 1-5. MaineDOT may wish to prioritize the projects in advance of submission.
- MaineDOT will annually host a workshop to discuss the MPO priorities and develop a strategy for funding and implementation.
- MaineDOT will invite the MPOs to annual Synergy meetings.
- Projects being considered by various MaineDOT committees will be shared with the MPO in August and September for 30-day comment.
- The MPO will be invited to formal project specific field visits. The MPO may also request to participate in other field visits.

- MaineDOT will provide the MPO progress drafts of the Three-Year Work Plan prior to finalization for comments and omission identification.
- With MPO projects that are in the pipeline and that have started PE, MaineDOT recognizes a shared commitment to bring these projects to completion.

4.7 Enhance the State’s Transit System

A robust transit system throughout Maine serves key economic development, workforce development, equity, climate, and congestion reduction goals. Many statewide, regional, and local planning efforts highlight the need for additional resources for transit to ensure it will serve the diverse and changing needs of the state.

To advance state, regional, and local goals and to best leverage the flexibility of these funding sources, MaineDOT and the MPO will work collaboratively with transit operators to identify transformative projects to enhance the transit system that would not otherwise be possible under FTA formula funding. There are many funding sources that can be considered to try and meet a clear need or fund an MPO’s prioritized projects. Local match should also be considered as part of transit funding (see MaineDOT’s Local Match Policy to see specifics on match expectations). MaineDOT and MPO will consider a variety of flexible funding sources to meet regional and state needs.

4.7.1 MPO Responsibilities

- The MPO will work with their region’s transit agencies during development of their Metropolitan Transportation Plan and as opportunities arise that are consistent with MaineDOT and MPO priorities to identify projects that could represent transformative change for the region's transit system.
- The MPO will prioritize those projects through its MTP, incorporate priority projects into the TIP, and work with the sponsoring agency and FTA to confirm eligibility.

4.7.1 MaineDOT Responsibilities

- MaineDOT will work with the MPO to determine the appropriate funding source(s) for these projects, and consider inclusion in the MaineDOT Work Plan

4.8 Prioritize Climate-Friendly Investments

A changing climate threatens Maine's economy and quality of life. An ever-increasing focus on climate action planning—including the State's Climate Action Plan—urge bold and swift action to mitigate the impacts of climate change. MaineDOT and the MPO will consider a variety of flexible funding sources to meet regional and state needs.³

³ Examples of state and federal funding programs that serve to advance goals under this initiative include, but are not limited to: Carbon Reduction Program (CRP), Congestion Mitigation and Air Quality Improvement Program

To ensure proactive progress on meeting climate and other environmental goals, the MPO will work collaboratively with its municipalities and transit operators and MaineDOT to identify projects that align with major environmental and climate planning efforts.

4.8.1 MPO Responsibilities

- The MPO will work with its municipalities and transit agencies to identify projects that advance major climate-related goals and priorities.
- The MPO will prioritize these projects through its MTP and recommend appropriate funding programs to MaineDOT.

4.8.2 MaineDOT Responsibilities

- MaineDOT will work with the MPO to determine the appropriate funding source(s) for these projects.

5. Performance Based Planning

MaineDOT and the MPO will work cooperatively to develop and implement a performance-based planning approach to transportation decision making to address federal performance measures. These performance measures are integrated and referenced in the MTP and in the investment priorities of the TIP. The MPO may set their own performance measures and respective targets or choose to support MaineDOT statewide targets.

5.1 MPO Responsibilities

- MPO will develop and share information related to performance data and measures with MaineDOT.
- MPO will select performance targets in accordance with 23 § 450.306(d) and in coordination with MaineDOT, and ensure these targets are included in the MTP and TIP.
- MPO will report any changes or adoptions of performance targets.
- MPO will ensure that public transportation operators and other stakeholders are active participants in the development and reporting of these measures.

5.2 MaineDOT Responsibilities

- MaineDOT will develop and share information related to performance data and measures with the MPO, broken out by MPO regions.
- MaineDOT will select performance targets in accordance with 23 § 450.206(c) and in coordination with the MPO.
- MaineDOT will report any changes or adoptions of performance targets.

(CMAQ), PROTECT, Transportation Alternatives (TA), Municipal Stream Crossing and Maine Infrastructure Adaptation Fund.

5.3 Public Transportation Operator Role

- Develop and share information related to performance data and measures.
- Coordinate with MaineDOT and the MPO to ensure consistency with performance targets that public transportation providers establish under 49 U.S.C. 5326(c) and 49 U.S.C. 5329(d).

6. Civil Rights/Title VI

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in any program receiving federal money. Additionally, a presidential executive order in 1994 directed every federal agency to make “environmental justice” (EJ) part of its mission by identifying and addressing the effects of all programs, policies, and activities on minority and low-income populations. These requirements also apply to agencies receiving federal funds—including the MPO.

6.1 MPO Responsibilities

- MPO will update Title VI compliance plans each year by October 1.
- MPO will sign annual assurances of compliance with applicable anti-discrimination laws and regulations.
- MPO will prepare and submit the Annual Title VI/EJ Goals & Accomplishments Report directly to the MaineDOT no later than October.
- MPO will ensure that contracted consultants comply with Title VI, through periodic reviews, and incorporate the requirements of Form FHWA-1273 in all contracts.
- MPO will keep accurate and complete records needed to determine Title VI compliance.
- MPO will solicit and consider the views of all groups within the population of the MPO area in planning transportation projects. Such information should be included in MPO public participation and Title VI compliance plans.
- MPO will promptly process, investigate, and resolve Title VI complaints, and correct deficiencies.

6.2 MaineDOT Responsibilities

- MaineDOT will perform Title VI reviews of sub recipients of federal funds, including MPOs.
- MaineDOT will sign annual assurances of compliance with all applicable laws and regulations.
- MaineDOT will promptly process, investigate, and resolve Title VI complaints.
- MaineDOT will correct deficiencies.
- MaineDOT will update Title VI implementation plans.
- MaineDOT will provide Title VI information to the public.
- MaineDOT will deliver training programs.

7. Public Participation Plan

The MPO must have in place a federally required Public Participation Plan, developed with transportation stakeholders, that provides reasonable opportunities for public involvement.

7.1 MPO Responsibilities

- The MPO will develop a Public Participation Plan (also known as a Public Involvement Plan), in consultation with all interested parties and in accordance with the requirements of 23 CFR § 450.316; and Maine law regarding public meetings (1 MRSA §403), virtual public meetings (1 MRSA §403-B) and notice for public meetings (1 MRSA §406).
- The MPO shall work with MaineDOT to coordinate the MPO's Public Participation Plan with the MaineDOT Public Involvement Plan.

7.2 MaineDOT Responsibilities

- MaineDOT will provide the MPO with MaineDOT's Public Involvement Plan and work with the MPO to coordinate MaineDOT's Public Participation Plan with the MPO plan.

8. Metropolitan Planning Process Self Certification

The MPO must submit a self-certification to MaineDOT along with their TIP, which is then passed along to the FHWA and FTA along with MaineDOT's STIP.

8.1 MPO Responsibilities

- Submit a self-certification that the metropolitan transportation planning process is addressing major issues facing the MPO area and is meeting federal requirements (as described in 23 CFR 450.336) to MaineDOT as an attachment to the MPO's TIP at least every 4 years.

8.2 MaineDOT Responsibilities

- Review and certify the MPO's self-certification at least every 4 years.
- Submit the self-certification to the FHWA and FTA along with the STIP.

9. Existing Agreements

Metropolitan Planning Agreements for Cooperative, Comprehensive and Continuing Transportation Planning, and Programming exist and have been previously signed by MaineDOT, the MPO and Public Transit Providers in each MPO area. These agreements are in effect unless they are superseded by amendment or terminated by agreement of all parties.

The Metropolitan Planning Agreements for Cooperative, Comprehensive and Continuing Transportation Planning, and Programming can be referenced in the Appendix.

10. Agreement Disclaimers, Modification, Duration and Termination

- I. Nothing contained in this Agreement is intended to or shall limit the authority or responsibilities assigned to signatory organizations under Maine law or federal law.
- II. Unless specifically noted, this agreement does not negate any responsibilities or requirements listed in the Metropolitan Planning Agreement for Cooperative, Comprehensive and Continuing Transportation Planning and Programming established between the MPO, MaineDOT,
- III. This agreement should be reviewed every 3 years to assess its efficacy and revised as needed.
- IV. This Agreement shall be effective on the date last signed below. It will remain in effect unless and until the time it is superseded by amendment or terminated by agreement of all parties. Modifications and amendments may only be modified in writing signed by all parties.