



Local Governments Working Together Since 1967

METROPOLITAN TRANSPORTATION PLAN (MOVE 2046)

REQUEST FOR PROPOSALS

AUGUST 19, 2020

CAPITAL REGIONAL PLANNING COMMISSION
14734 S. HARRELL'S FERRY RD., STE. B
BATON ROUGE, LA 70816
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www.crpcla.org

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I. RFP TIMELINE

SUBJECT: Baton Rouge Metropolitan Transportation Plan Update
(**MOVE 2046**)

PURPOSE: The purpose of this RFP is to select a Consultant to update, make improvements to, develop a state-of-the-art Metropolitan Transportation Plan for the Baton Rouge Metropolitan Planning Area.

SCOPE OF WORK: See Specifics Under Scope of Work

BUDGET: The maximum consultant budget for the MTP update is a non-negotiable lump sum fee of **\$560,000**.

SCHEDULE:

- Wednesday, August 19, 2020 -- Release of RFP
- Friday, August 28, 2020 -- Deadline for Questions by 5:00pm (CDT), Questions will only be accepted in writing to the attention of Sooraz Patro at spatro@crpcla.org
- Monday, August 31, 2020 – Release of Responses to Questions will be posted on the MPO’s website at www.crpcla.org as soon as possible but no later than by 5:00 p.m. (CDT)
- Friday, September 9, 2020 -- Proposals due by 3:00 PM CDT
Number of Copies: **Six** hard copies addressed to:

Sooraz Patro, Director of Transportation
14734 S. Harrell’s Ferry Rd.
Baton Rouge, LA 70816

One electronic document e-mailed to: Spatro@crpcla.org
- September 10 through 14 – MTP Selection Committee review of proposals and scoring/prioritization
- September 16th TPC Meeting – Transportation Policy Committee review and approval of the consultant recommendation
- Week of September 21, 2020 – Contract begins, anticipated

COST LIABILITY: All costs incurred in the submission of proposals or in making necessary studies, designs, or benchmarks of estimates for the preparation of the proposals are the sole responsibility of the Consultant.

Note: *CRPC reserves the right to amend and/or change this schedule at their discretion. It is the Proposers’ responsibility to visit the Capital Region Planning Commission’s website regularly at www.crpcla.org for any updated information on this project.*

II. Introduction

This Request for Proposals (RFP) is seeking a consulting firm to update the long-range transportation plan or Metropolitan Transportation Plan (MOVE 2046), hereby referred to as “the Plan,” for the Metropolitan Planning Area of the Baton Rouge Metropolitan Planning Organization within Capital Region Planning Commission.

In general, the Plan is envisioned as a blueprint consisting of recommendations for a community-supported comprehensive network of multi-modal transportation options to connect neighborhood users to special generators and key destinations. The scope involves ensuring compliance with federal performance-based planning as outlined in MAP-21 and FAST Act, including special compliance regarding performance measures and performance target requirements. The Plan will aim to use the newly completed 2019/2020 Household Travel Survey and traffic counts; with a forecast year of 2046 as described in the Scope of Work (SOW).

The Plan will complement the current/ongoing CRPC planning projects including: MPO Model Update; Regional Bicycle and Pedestrian Plan, Ferry Feasibility Study etc. and any other planning initiatives undertaken by CRPC during the Plan update. Moreover, the Plan will incorporate current best practices in stakeholder engagement/ public involvement strategies, freight planning, air quality conformity analysis including report making with emphasis on graphics and visualization. Public outreach will be framed with consideration given to the need to create a plan that is both fiscally constrained and conforms to required air quality standards. See the SOW for further information on tasks associated for the Plan update.

The Plan will be prepared cooperatively by and between the selected consultant, the public, and participants in the CRPC Long Range Transportation Planning Process. In addition to the citizenry and stakeholders, primary participants include the CRPC, the Louisiana Department of Transportation (DOTD), the cities and parishes falling within the MPO boundary, and any other affected federal and state agencies.

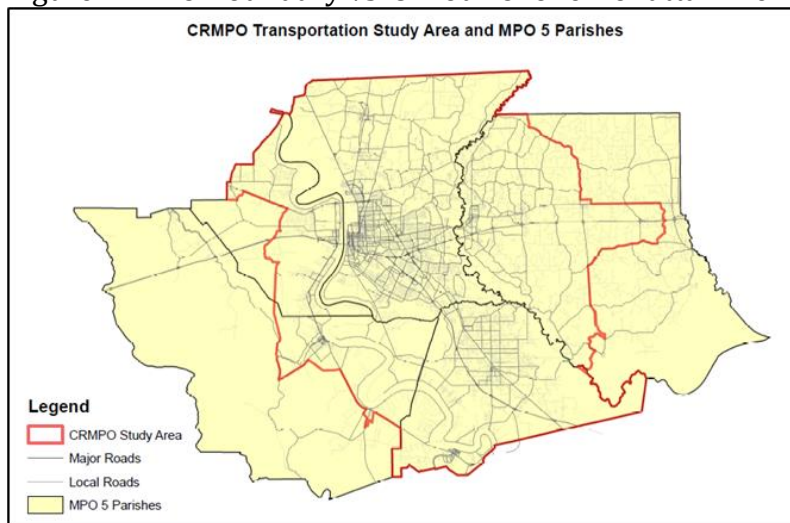
The importance of real, comprehensive and continuous public involvement throughout this process cannot be underscored enough. Transportation issues have emerged as a principle concern of citizens throughout the region. The update to the MTP is an opportunity to allow input into problems as well as provide a forum to identify trade-offs for tough choices. Furthermore, special attention must be given to extend outreach efforts to low-income, minority and limited English-speaking communities.

III. Background

The Capital Region Metropolitan Planning Organization's (MPO) study area includes all of East Baton Rouge, Ascension parishes, Livingston, West Baton Rouge and a portion of Iberville parishes. While the current 8-Hour Ozone Nonattainment Area covers all Capital Region's Five Parishes, the existing travel demand model area lies within the boundary of five parishes.

A regional map for the boundaries of five-parish related nonattainment area and MPO transportation study area is shown below in Figure 1.

Figure 1: MPO Boundary vs. 8-Hour Ozone Nonattainment Area



IV. Offeror's Minimum Qualifications

- a. At least one principal or responsible member of the firm shall demonstrate a minimum of five years' experience in responsible charge of, or major expertise in, the field involved in this RFP.
- b. Offeror must show minimum experience of four projects of similar scope.
- c. Experience working in the development of performance measures and target setting in urban areas should be noted, if applicable to the project team.

V. Proposal Content

Proposals should contain at least the following documentation:

1. Cover Letter - This should include a summary of the key points of the proposal and the approach to accomplishing the study. The contact person's (project manager's) name, address, telephone number, and e-mail address must be

included. The Attachment A is the proposer's information Form. The cover letter is not considered part of the maximum twelve-page requirement outlined in #2 of this section.

2. Study Methodology Section - This should include the Consultant's approach to tasks to accomplish the work outlined in the Scope of Work. This Section should demonstrate an understanding of the regional transportation system, travel demand modeling, and Federal and State planning requirements. This section is limited to twelve pages in length and no less than an 11-point font size.
3. Key Personnel Section - One paragraph summaries of qualifications and experience should be submitted for all personnel assigned to the project. The assignment of personnel must specifically contain the percent of time by personnel for each task included in the Scope of Work. The key personnel section is not considered part of the maximum twelve-page requirement outlined in #2 of this section. One-page resumes for each team member shall be attached as an appendix to the RFP. Additional information or links to completed projects may also be attached to the appendix.
4. Management Plan Section - The management plan must contain a schedule of work (timeline) with milestones, and a percent of time by each task described in the Scope of Work for the Prime and each subconsultant. The management plan section is not considered part of the maximum twelve-page requirement outlined in #2 of this section.
5. Related Work Section - Work closely related to that described in the Scope of Work which has been performed by the specific personnel assigned to this project should be briefly outlined in the proposal. Specific emphasis should be placed on work undertaken in areas similar to the Capital Region metropolitan area in the previous five years. The related work section is not considered part of the maximum twelve-page requirement outlined in Study Methodology Section (#2).
6. DBE Participation - The consultant team should strive to adhere to the Disadvantage Business Enterprise (DBE) goal of the Capital Region Planning Commission. CRPC has adopted a DBE goal of 8%.
7. MPO Standard Consultant Submittal Form (Attachment) -- The respondent shall complete and submit MPO Consultant Submittal Form with the proposal. The form is available at: <http://crpcla.org/publicnotices>

VI. Selection Procedure

CRPC will form an advisory evaluation MTP Steering Committee consisting of persons individually and collectively knowledgeable in the areas of Transportation/Traffic Planning to review and rank the proposals received in accordance with the criteria of evaluation described below.

CRPC may seek additional information, conduct interviews, or request best and final offers from individual Proposers.

The evaluation committee’s ranking and recommendation will be forwarded to CRPC’s Executive Director who will make a recommendation to the CR MPO Transportation Policy Committee for final action. The recommendation and award of a contract, if any, will be to the Proposer whose proposal is most advantageous to CRPC based on the evaluation criteria set forth below.

CRPC reserves the right to reject any and/or all proposals submitted or to conclude that none of the proposals are advantageous to CRPC.

VII. Criteria for Evaluation

The proposals will be evaluated based on the following criteria with relative weights in lists below:

Item	Criteria for Evaluation	Points
A	Demonstrated an overall understanding of the scope of work and the ability to meet the requirements of this RFP	30
B	Qualifications and previous related experience of key personnel to be assigned to this project including sub-contractors	20
C	Firm’s previous related work experience within the past five years which includes citing previous experience in similar studies or projects	20
D	References and recommendations of previous clients	15
E	A detailed Management Plan demonstrating the ability to complete project tasks within Consultant established schedule and key milestones (must include dates)	15
	Total Possible Points	100

VIII. Budget

The maximum budget allocated to the selected consultant for the MTP update is a non-negotiable lump sum fee of \$560,000.

IX. Duration of Contract

This contract will commence on September 21, 2020 (anticipated) and extend through **March 2022 in an approximately 18-month period.**

X. Proposal Submission Guideline

Respondents shall submit 6 bound and 1 electronic copy of the proposal to:

Capital Region Planning Commission
 Attn: Mr. Sooraz Patro, Director of Transportation
 14734 S. Harrell’s Ferry Rd. Baton Rouge, LA 70816

The proposal must be received by 3:00pm C.S.T. on Tuesday, 09/09/20. Please direct any questions to Sooraz Patro, Director of Transportation via email at spatro@crpcla.org. A list of received questions and responses will be posted on our website.

CRPC will not pay for the development or submission of any proposals in response to this RFP. Furthermore, CRPC reserves the right to reject any or all proposals.

Award is contingent upon CRPC receiving Notice to Proceed from LA DOTD.

XI. Schedule

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|---|----------------------------|
| • RFP Distribution (Website/Email) | August 19, 2020 |
| • Advertise RFP (Newspaper) | August 19, 2020 |
| • Deadline to RFP related Questions | August 28, 2020; 5pm CST |
| • Release of Responses to Questions | August 31, 2020; 5pm CST |
| • RFP Proposals Respondent Deadline | September 9, 2020; 3pm CST |
| • MTP RFP Evaluation Committee Review/Ranking | September 10 - 14, 2020 |
| • Consultant Team Interviews (if needed) | September 16, 2020 |
| • TPC Review and Consultant Selection | September 16, 2020 |
| • Notification of Selected Consultant | September 17, 2020 |
| • Contract Begins (anticipated) | September 21, 2020 |

XII. Compliance with Federal Regulations

The successful Proposer will be required to comply with, in addition to other provisions of the Request for Proposal, the conditions required by all applicable Federal and State regulations as detailed in the attachment B (Note: forms to be filled in Appendix A & B), including the following:

1. Equal Employment Opportunity - Successful Proposer will be required to comply with all applicable Equal Employment Opportunity Laws and Regulations.
2. Title VI Assurances - Successful Proposer will be required to comply with all requirements imposed by Title VI of the Civil Rights Act of 1964 (49 U.S.C. Section 2000d), the Regulations of DOT issued thereunder (49 C.F.R. part 21), and assurances by the MPO thereto.

XIII. Scope of Work

In accordance with federal requirements, Capital Region Planning Commission (CRPC) is initiating an update to the Metropolitan Transportation Plan (MTP), "MOVE 2046". The new MTP will be compliant with current, applicable federal planning rules as defined in 23 CFR 450.322. The new MTP including the conformity analysis and determination, will be completed before the current plan expires on March 14, 2022. The purpose of this scope is to provide planning/engineering services for the development of an update of the MTP for the Baton Rouge Urbanized Area as described in this exhibit.

Task 1.0 Project Management

This task will provide effective management, quality control, scheduling, work plan, progress reports and other project administrative functions. This task also requires for coordination among the CRPC staff and consulting team(s) Coordination will continue throughout the duration of the study. It will assure communication and

coordination among all the parties involved with project activities. It will ensure that all task assignments are clearly defined and delivered on time. Also, task and project progress will be monitored on a regular basis and schedule will be adjusted as needed to address any unusual circumstances.

Task 2.0 Public Involvement

This task is to involve and inform key participants, stakeholders and the public concerning the study process and findings and to obtain their input into the analysis and results. Particular attention will be given to engaging the "interested parties" specified in the Metropolitan Planning Regulations and to meeting the objectives of the Baton Rouge MPO Public Participation Plan. This task will be a joint effort by CRPC staff and Consultant.

Task 2.1 – Outreach Plan, Process and Methodology

Develop a methodology that ensures public outreach will be broad and incorporated at key intervals in the transportation planning process. Key stakeholders will be identified, and schedule will be developed for stakeholder interviews and focus group meetings. Performance measures to gauge success of outreach methods will be developed. An overall schedule of public participation events will be established and roles and duties for implementation of public meetings will be clearly defined. Public meetings will be coordinated with member agencies' existing meetings to the greatest extent possible.

Task 2.2 – Brand, Marketing Plan, and Marketing Templates

Update branding strategy including a logo, title slogan, taglines and visuals for the plan which will be developed through engagement of the MPO Technical and Policy committees as well as input from key stakeholders. Develop a marketing plan that includes identification of communication goals, message development, social media, broadcast, video, and print components. Create contact list for news outlets, parish and municipal PIO's, and key partners and stakeholders. Prepare templates for outreach materials to be used at public meetings and stakeholder interviews. Develop press releases, email blasts, and presentations for public and stakeholder engagement.

Task 2.3 – Stakeholder Outreach and Public Involvement

Perform stakeholder interviews, focus group/agency consultation meetings and public outreach events that align with the outreach plan. Public outreach methods must include digital and face-to-face components. Outreach will incorporate "MetroQuest" or similar tool to engage citizens around existing and future transportation needs, funding priorities, growth scenarios, and funding constraints, at a minimum. Public and stakeholder meetings must include real-time feedback or voting tools. CRPC anticipates 3-4 key points in the planning process where public/stakeholder meetings will be held throughout the region. Public and stakeholder meetings will be held in each of the MPO parishes, during each round of meetings. The Consultant will work with CRPC to identify opportunities to cooperate with agency partners to co-host meetings where feasible. A strategy to include minority and underserved population in the planning process will also be

identified and implemented. Consultant will develop a meeting “tool-kit” to allow CRPC staff to host smaller outreach meetings and gather additional public input. Consultant will be principally responsible for meeting topic development, outreach methods and facilitation. CRPC staff will be available to assist with meeting set up and facilitation.

Task 2.4 – Trend Identification and Outreach Documentation

The Consultant shall tabulate and evaluate data collected and provide a series of reports on the trends and themes gathered through the various stakeholder interview and meetings. Documentation shall be related to the performance measures created under Task 2.1. During each phase of public outreach, the Consultant shall tabulate the diversity of respondents and assess whether additional targeted public outreach efforts are needed to ensure efforts have been made to engage minority and low-income residents. The Consultant shall provide a final report detailing the public outreach effort which shall include all data collected, surveys and materials produced.

Task 3.0 Existing Conditions Review

Task 3.1 Regional Demographics, Land Use, and Travel Patterns

The purpose of this task is to review and analyze basic demographics, such as population, employment, education and economic data. Land use development and commute patterns across the region will be analyzed with respect to population and employment growth areas. Particular attention is placed upon how transportation can support or undermine the region’s economic vitality. Measures such as the Housing and Transportation Affordability (H + T) Index will be utilized.

Review Current Land Use Plans and existing development proposals

This task will involve obtaining and assessing the current state of land use and community planning in the region. The following are the tasks that will be executed as part of this effort:

- Contact and meet with each of the local governments to obtain existing land use and/or community plans and efforts. Also discuss any future efforts that may be relevant.
- Review the collected plans and identify common elements and their effect on the transportation system.
- Develop maps to identify the land uses that will be affected by various transportation related decisions. Utilize the information gathered to develop maps depicting general themes, special areas or planning efforts in the region.

Task 3.2 Regional Multi-Modal Transportation Network Review

This task will involve conducting a comprehensive review of the current MPO road, transit, freight, rail, air, and water networks. Non-motorized transportation networks (sidewalks and bike lanes) will also be reviewed. A review of current ITS network, its ability to support various ITS applications, and readiness to support the next way of transformative technology of Connected and Autonomous Vehicles

(CAVs). Deficiencies and gaps in these networks will be identified. Accessibility and connectivity of all the above networks will also be evaluated.

Task 3.3 Regional Transportation Safety Review

This task will involve obtaining and analyzing the crash records for the last five years in the region. CRPC staff will contact LADOTD to obtain at most five years of crash records of the study area. Crash records will be geocoded and analyzed to determine segment and intersection hotspots for all the roadways within the MPO planning boundary. Staff will also map the results using advanced visualization techniques. Crash rate will be calculated for each of the segment and intersection and will be compared with the state average values to determine all the locations in the MPO boundary with crash rate worse than the statewide average. The crash data will also be analyzed by time of day, surface conditions, lighting, severity, collision type, and whether alcohol was involved to identify problem areas. Using the results of the crash analysis, recommendations and mitigation methods will be developed. This task will involve reviewing the current MPO HSIP baseline and targets and updating them as per the FHWA TPM guidelines.

Rulemaking	23 CFR Part 490 Section	Final Performance Measures	Measure Applicability
Safety	490.207(a)(1)	Number of fatalities	All public roads
	490.207(a)(2)	Rate of fatalities	All public roads
	490.207(a)(3)	Number of serious injuries	All public roads
	490.207(a)(4)	Rate of serious injuries	All public roads
	490.207(a)(5)	Number of non-motorized fatalities and non-motorized serious injuries	All public roads

Transit safety performance measures will also be reviewed as per the FTA safety TPM guidelines.

Task 3.4 Regional Congestion and System Performance Review

Congestion Management Process is an integral part of long- and short-range transportation planning process. A review of current and historical trends in congestion and system performance related metrics will be conducted. System performance will be measured in terms of reliability of people and freight utilizing the NPMRDS RITIS dataset and tools. The current status of the operational and management strategies will also be reviewed. This task will involve reviewing the current system performance baseline and targets and updating them as per the FHWA TPM guidelines.

Rulemaking	23 CFR Part 490 Section	Final Performance Measures	Measure Applicability
System Performance	490.507(a)(1)	Percent of the person-miles travelled on the Interstate that are reliable	The Interstate System

	490.507(a)(2)	Percent of the person-miles travelled on the non-Interstate NHS that are reliable	The non-Interstate NHS
	490.607	Truck Travel Time Reliability (TTTR) Index	The Interstate System
	490.707(a)	Annual Hours of Peak Hour Excessive Delay Per Capita	The NHS in urbanized areas with a population over 1 million for the first performance period and in urbanized areas with a population over 200,000 for the second and all other performance periods that are also in nonattainment or maintenance areas for ozone (O ₃), carbon monoxide (CO), or particulate matter (PM ₁₀ and PM _{2.5})
	490.707(b)	Percent of Non-SOV travel	The NHS in urbanized areas with a population over 1 million for the first performance period and in urbanized areas with a population over 200,000 for the second and all other performance periods that are also in nonattainment or maintenance areas for ozone (O ₃), carbon monoxide (CO), or particulate matter (PM ₁₀ and PM _{2.5})
	490.807	Total Emissions Reduction	All projects financed with funds from the 23 U.S.C. 149 CMAQ program apportioned to State DOTs in areas designated as nonattainment or maintenance for ozone

			(O3), carbon monoxide (CO), or particulate matter (PM10 and PM2.5)
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Task 3.5 Regional Pavement and Asset Conditions Review

The status of the current transportation infrastructure will be reviewed as part of this task. FAST Act and MAP-21 require state DOTs, MPOs, and transit operators to carefully review inventories, set performance targets, and allocate budgets to achieve state of good repair goals. The following pavement and bridge TPMs will be evaluated as per the FHWA guidelines.

Rulemaking	23 CFR Part 490 Section	Final Performance Measures	Measure Applicability
Infrastructure	490.307(a)(1)	Percentage of pavements of the Interstate System in Good condition	The Interstate System
	490.307(a)(2)	Percentage of pavements of the Interstate System in Poor condition	The Interstate System
	490.307(a)(3)	Percentage of pavements of the non-Interstate NHS in Good condition	The non-Interstate NHS
	490.307(a)(4)	Percentage of pavements of the non-Interstate NHS in Poor condition	The non-Interstate NHS
	490.407(c)(1)	Percentage of NHS bridges classified as in Good condition	NHS
	490.407(c)(2)	Percentage of NHS bridges classified as in Poor condition	NHS

Transit Asset Management plans, baselines, and targets will also be reviewed as per FTA's TAM guidelines.

Task 4.0 Develop Guiding Principles, Goals, Objectives, and Performance Measures

The purpose of this task will be the establishment of goals and criteria that will be used as guidelines for the development and evaluation of alternatives for the MTP. The goals and criteria will also take into consideration the coordination of all modes of transportation as described in the Metropolitan Planning Requirements under the

Fixing America’s Surface Transportation Act (FAST ACT). The goals and objectives will be established based on the outcomes of the existing condition review and input from the public, stakeholders, and committees. In general, these goals and objectives should relate to the eight planning factors and seven national goals as required to be considered under FAST ACT.

FAST ACT also emphasizes establishment of performance measures that are closely tied to the region’s goals and objectives. Performance measures are central to implementing a performance-based planning process that guides decision making. Development of transportation system performance measures and performance targets will also be coordinated with, and informed by, a public involvement program and related to performance-based plans such as the Congestion Management Plan, Transportation and Transit Asset Management Plans.

The performance along with the overall guiding principles, goals, and objectives will form the basis for development of evaluation criteria for ranking and prioritizing projects. The evaluation criteria will be developed in coordination with the MTP committees to rank existing and new projects, as well as to evaluate potential funding scenarios. Where possible, quantifiable performance measures and evaluation criteria will be developed. The projects can be scored and compared objectively, and so also the performance measured.

The criterion for evaluating the performance of the system alternatives may include the following:

- Improve Safety and Security,
- Protect the Environment,
- Reduce Congestion,
- Support Land Use and Economic Development Goals,
- Increase Connections,
- Improve Access,
- Increase Multi-Modal Options and Energy Conservation,
- Improve Quality of Life etc.

Task 5.0 Identify Future (2046) Challenges and Opportunities

This task will involve forecasting landuse, demographic, socioeconomic, technological, environmental, and other shifts that could occur in the capital region by horizon year (2046) and intermediate years (2026 and 2036). The challenges and opportunities that might arise due to projected shifts will also be analyzed and documented. Following are some of the shifts, challenges, and opportunities that will be looked at as part of the long-range transportation planning process.

1. Population and employment growth in the region
2. Percentage of aging population and transportation needs
3. Socioeconomic shifts and equity in transportation accessibility
4. Share of ride hailing services and trips
5. Future of public transit
6. Resilience of transportation network to environmental and major disasters/disrupting events such as hurricanes, floods, COVID-19 etc.

7. Electric Vehicles, Connected and Automated Vehicles (CAVs), and Drones
8. E-Commerce and supply chain
9. Landuse changes and active lifestyle needs
10. Rural transportation needs

All the above shifts especially population and employment growth will significantly affect current roadway network. A detailed analysis will be conducted to identify the impact of all above shifts on the roadway network in future (2046). This begins with developing Existing Plus Committed (E+C) network, and projecting future travel for the E+C network for the year 2046. The process of trip generation, distribution, mode choice, and assignment will be accomplished by using the input planning variables forecasted for the years 2026, 2036, and 2046.

Task 5.1 Forecast TAZ planning variables for 2026, 2036, and 2046

A methodology will be developed for forecasting base year (2020) socioeconomic data to the Planning Horizon (2046) and intermediate (2027 and 2036) years. The development of this method will be done in coordination with representatives from the local entities, business community, universities, and commercially available population and employment projection data.

Task 5.2 Develop Existing Plus Committed Network

The first step in identification of roadway needs is the assignment of future (year 2046) traffic volumes to the Existing plus Committed (E+C) network. Information on the location and physical characteristics of committed roadway improvements for the study area will be compiled in coordination with LADOTD, and the local governmental agencies, from which information on committed improvements will be obtained. The E+C network will be coded for input to the forecast model. The E+C network will include existing classified roadways and those committed by LADOTD, CRPC, and local agencies for implementation.

Task 5.3 Assign 2046 Traffic to E+C Network

The year 2046 vehicle trips will be assigned to the E+C network. This assignment will be analyzed to determine future traffic demands and the adequacy, or capacity, of the existing plus committed roadway network to accommodate these projected traffic demands. Future travel demands will be compared to the capacity of the roadway network to identify sections or locations, which are projected to operate at unacceptable levels of service.

Task 5.4 Assign 2026 and 2036 Traffic to E+C Network

An assignment of each of the intermediate years (2026 and 2036) vehicle trips will be made on the E+C network. These interim assignments will help identify the probable order and magnitude of deficiencies that can be expected in light of forecast development.

Task 5.5 Technical Memorandum No.1

A technical report will be prepared which summarizes the results of Task 5.0.

Task 6.0 2046 Transportation System Needs, Improvement Strategies, and Scenarios

Once the future trends, challenges, and opportunities have been analyzed, the next step will be to identify future transportation needs, improvement strategies, and scenarios. Traditionally these strategies were primarily focused on improving capacity of the roadway network for addressing identified long-range (year 2046) needs. History has shown that transportation issues will never be solved by building new roads or adding capacity. A combination of strategies that improve efficiency of current network, promote alternative modes of transportation, reducing SOV travel, leverage transformations in technology, improve safety, improve state of good repair, and lastly increasing roadway capacity will be developed and evaluated in this task. This process of alternatives development will result from a team effort involving local governments, public, stakeholders, and committees. Various regional and local plans will be referred to and strategies identified in those plans will be incorporated into this long range plan. Non-capacity related projects/strategies, their effectiveness and costs will be documented. For capacity related projects, the following steps will be utilized.

Task 6.1 Compile regional capacity needs

An open call-for-projects will be announced, and local government members will be welcomed to submit their priority projects for consideration in this twenty five year MTP with horizon year of 2046. Workshops will be conducted to review and discuss existing and future transportation needs, project proposals, and planning process with local elected officials, business leaders, and community partners. Projects carried over from the current long range plan MOVE 2042 will constitute the initial list of priorities. A comprehensive list of capacity related projects will be compiled based on the input received during the planning process.

Task 6.2 Scenario Planning and Alternative Networks Evaluation

Scenario planning will help the Capital Region to prepare for what lies ahead. Scenario planning will be used to identify alternative networks that will be used for developing a long-range vision for transportation investments in the Capital Region. Various scenarios including but not limited to natural disasters, aging population, equity, **pandemic (virus/disease)** and land use changes developed through public/stakeholder engagement. These scenarios will be used for developing a shared vision for the communities in the Capital Region.

The transportation projects resulting from the efforts in Task 6.1 and also the scenarios identified above will be considered in formulating alternative networks. Indicators which will help choose needed network additions/improvements include regional VMT, VMT by functional classification, screenline changes, reasonableness of changes in travel patterns, and average speed or speed by functional classification. This task will help determine which proposed roadway alternatives yield the best return on investment, address the needs of the future, and provide a basis for the Metropolitan Transportation Plan. The congestion problems and strategies identified in the Baton Rouge MPO Congestion Management Process will be used to choose and prioritize the improvements that will be included in the formulation of roadway alternatives. A minimum of three scenarios will be considered for evaluation. Each alternative will be executed independently and compared to the 2046 E+C forecast. The results will reveal which combination of strategies best address the

identified deficiencies. The details of which improvements or changes that are to be included in each network will be identified in concert with local governments, stakeholders, regional transportation partners and public at large.

Task 6.3 Assign Future Traffic (2046) to Alternative Networks

Future year 2046 traffic assignments will be made for the alternative networks for use in the evaluation of their operational performance and to determine their ability to satisfy projected deficiencies.

Task 6.4 Alternative Network Evaluation

A matrix type evaluation process will be used to compare alternatives. This matrix will relate alternatives, and individual elements of alternatives, to evaluation criteria established in Task 4.0. Also, evaluation will also take into consideration the potential of the alternatives to help reach the established TPM targets. Based on this analysis, a preferred roadway network alternative will be recommended, reviewed with all the participating stakeholders, public, and the local agencies and finalized as the Recommended Long-Range Transportation Needs Analysis for the year 2046. This Needs Analysis will take into consideration the Metropolitan Planning Requirements described in FAST ACT.

Task 6.5 Technical Memorandum No. 2

A technical report will be prepared which summarizes the results of Task 6.

Task 7.0 Financial Plan / Staged Improvement Plan

The recommended transportation plan elements will be selected from the Needs Analysis and listed in priority order for the following time intervals: 2022-2026 (Stage I), 2027-2036 (Stage II), 2037-2046 (Stage III).

Task 7.1 Financial Assessment

An assessment of the estimated funding availability, which can reasonably be expected to be available from all sources during the plan period will be prepared. Innovative financing techniques such as the Public-Private Partnerships (3Ps), Tolling, Tax Increment Financing (TIF), Transportation Investment Generating Economic Recovery (TIGER), local tax etc. will also be considered when estimating the funding availability. The calculations of available revenue will include a rate-of-growth (ROG) factor as agreed upon by the MTP TAC. The Needs Analysis and financial assessment will then be used to prepare a realistic staging program based on anticipated funding levels. The assessment will adhere to DOTD's 2018 policy paper and guidance on revenue projection and financial constraint determination.

Task 7.2 Development of Implementation Costs

Order-of-magnitude estimates of implementation costs will be developed for each improvement identified in the Needs Analysis. These cost estimates (in 2020 constant dollars) will be prepared for all logical route segments or projects. Typical implementation costs by type of improvement will be developed through consultation with LADOTD and also the local agencies. Implementation costs will

be in terms of "total project cost" as defined in the Metropolitan Transportation Regulations including anticipated construction cost to which industry standard multiplier will be applied for items such as preliminary engineering, construction engineering, indirect costs, contingencies and rights-of-way.

These constant dollars will then be converted to 'Year-of-Expenditure ' project cost to conform to the FAST ACT requirements. Constant year dollars will be inflated using an annual compound inflation factor agreed upon by the Capital Region MPO, local agencies, LADOTD, and regional stakeholders.

Task 7.3 Staged Improvement Plan

If the projected funding levels exceed the cost of the Needs Analysis the improvements will be prioritized and allocated to the following time intervals: Stage 1(2022-2026), Stage II (2027- 2036), Stage III (2037-2046). However, if the cost of the Needs Analysis exceeds the projected funding, the improvements will be prioritized and allocated to the three stages until the cost of the Staged Improvement Program is not greater than the funding expected to be available.

Task 7.3.1 Stage 1(2022 - 2026)

The Stage I (2022-2026) roadway needs shall be those previously identified by LADOTD, CRPC and local agencies. These improvements shall consist primarily of committed improvements and Transportation System Management (TSM) actions including traffic operational improvements, ride sharing, High Occupancy Vehicle (HOV) lanes and other traffic management concepts.

Task 7.3.2 Stages II & III

An evaluation of the Years 2036 & 2046 traffic assignments on the E+C Network will be used to designate the remaining improvements in the Needs Analysis to the appropriate Stage. This designation will be made based on the order and magnitude of forecast deficiencies. Working meetings of the STUDY TEAM will be held to reach consensus on the recommended staging. The final staged transportation plan will be the product of CONSULTANTS, LADOTD, CRPC, and local agency input.

Task 7.3.3 Identification of Unmet Needs

Projects described in the Needs Analysis that will not be implemented, due to funding constraints, if any, will be listed as Unmet Needs.

The product of Task 7.0 will be the Recommended Baton Rouge Urbanized Area Staged Improvements that will be included in the MTP and presented to the MPO for adoption.

Task 8.0 Environmental, Air Quality Conformity, and Equity Analysis

This task will address general environmental impacts, equity, resilience and also the Clean Air Act transportation conformity requirements of the MTP.

Task 8.1 Environmental, Equity and Resilience Analysis

A conceptual analysis of the generalized environmental considerations of the packaged set of staged improvements proposed for inclusion in the MTP will be performed to identify components of the plan that may not be consistent with the environmental objectives of the plan. This analysis will also consider equity /environmental justice, storm water mitigation and regional resilience. This analysis, subject to availability of data, is anticipated to include:

- A geographic information system (GIS) comparison of the relationship of proposed projects to environmentally sensitive locations
- Establishment of environmental justice zones for equity analysis.
- A generalized assessment of transportation system impacts such as air quality and energy consumption using standard analysis tools such as the FHWA STEAM program
- Agency consultation on issues of concern as described in the Metropolitan Planning Regulations as to adjustments to the staged improvements that might mitigate the identified potential impacts
- Agency consultation to address storm water mitigation/management as an inherent part of for all future transportation projects embedded into the MTP.

Task 8.2 Air Quality Conformity Analysis

The federal transportation conformity regulations (40 CFR part 93), Criteria and Procedures for Determining Conformity to State and Federal Implementation Plans of Transportation Plans, Programs, and Projects Funded Under Title 23 U.S.C. or the Federal Transit Act, requires Metropolitan Planning Organizations (MPOs) and state Departments of Transportation (DOTs) to make conformity determinations for Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs) before they are adopted, approved, and accepted in nonattainment and air-quality maintenance areas.

Task 8.2.1 Air Quality Inter-Agency Meetings

Sections 105 and 110 of 40 CFR part 93, require that planning staff with CRPC, LDOTD, FHWA, the Environmental Protection Agency (EPA) and LDEQ through an interagency consultation process need to reach a consensus on general and specific methodologies required to complete the tasks for the conformity analysis. Some of the topics that needs to be discussed and agreed by the inter-agency committee are listed below.

- Appropriate Motor Vehicles Emissions Budget (MVEB),
- Latest planning assumptions,
- MOVES input data,
- VMT estimates for urban and rural areas,
- Non-attainment and planning area boundaries,
- Regionally significant projects to be analyzed for the Plan and TIP stages,
- Exempt projects, and
- Plan year staging options
- Conformity analysis years

Inter-agency meetings will be scheduled at regular intervals throughout the

conformity analysis process in order to avoid unforeseen obstacles after the process is complete.

Task 8.2.2 Develop MOVES Input Files

This is the most critical and labor intensive task of the conformity process. All the required MOVES 2014 files including but not limited to vehicle age distribution, Inspection Maintenance program, VMT fractions by facility type etc. will be developed. The input files that were developed and used to support LDEQ's re-designation package submittal process will be reviewed and updated if needed for use in the MTP conformity process.

Task 8.2.3 MOVES 2014 Emissions Analysis

MOVES 2014 will be executed using the input files developed above to estimate the emissions by each of planning stage year and other years such as the budget. The years that the emissions analysis needs to be run will be determined through the inter-agency consultations. The network emissions in each of the analysis year will be summarized and compared to the MOVES MVEB's.

Task 8.2.4 Off-Model Emissions Analysis

This task is only required if the network emissions in any of the analysis year exceeds the MVEB's for that year. Research will be conducted and a list eligible off-model projects will be identified. Once the off-model projects are approved by the inter-agency committee, emission benefits of each of the project is calculated using MOVES 2014 project level emissions analysis. The results are summarized and deducted from the emissions estimated in Task 8.2.3 to calculate the net emissions. The net emissions are then compared to MVEB's to determine if the plan passes the conformity.

Task 8.2.5 Air Quality Conformity Report

Upon completion of the conformity analysis, a draft copy detailing the background, methodology used, analysis process, MOVES input and output files, and emissions summary will be prepared for review, comment, and approval by the inter-agency committee, public, and the MPO Transportation Policy Committee. The document will be then finalized and transmitted to FHWA and EPA for their review and approval.

Task 9.0 Metropolitan Transportation Plan Preparation and Printing

The Metropolitan Transportation Plan (MTP) document will be developed during this Task. This includes ensuring that the new MTP is compliant with all of the new planning requirements found in FAST ACT.

Task 9.1 Develop the Planning Elements of the MTP in Compliance with FAST ACT

During this subtask, the following elements will be reviewed to ensure that the new MTP will be in compliance with the new requirements as set forth in FAST ACT. Detailed narratives will also be developed documenting the planning processes utilized during the plan development in order to address these elements

- Planning requirements
- Total project cost
- Year of Expenditure dollars
- Complete Streets/Bike-Pedestrian Element
- Public Transportation Element
- Travel Demand Management
- Agency coordination requirements
- Public outreach requirements
- Environmental mitigation requirements
- Operations and maintenance strategy requirements
- Safety and Security requirements

The document shall also include discussion on key travel purposes such as: journey to work; goods movement and trade; tourism, entertainment, and recreation; economic generators; and community travel and their impact on the region.

Task 9.2 Draft Report

Upon completion of the study process, at least 25 copies of a draft study report will be prepared for review and comment by MPO committees, stakeholders, public, and other governmental agencies. This draft report will document data gathering, analyses, findings and the recommended transportation plan, and will contain appropriate text, tables, and graphics. Included in the report will be a financial analysis with a description of the procedures used to calculate estimated project implementation costs and projected funding resources.

Task 9.5 Final Report

Following approval by the MPO TPC, final report will be prepared and at least 25 bound copies will be printed. A brief plan summary color brochure will also be prepared, and 1,000 copies will be printed for general distribution to the public and other stakeholders. The documents will also be uploaded to CRPC's website for electronic distribution of the same. All materials and computer files used in creating the final report and summary brochure will be digitized for future references and also provided to CRPC at the conclusion of the study.

XIV. Attachments

ATTACHMENT A: PROPOSER'S INFORMATION SHEET

ATTACHMENT B: FEDERAL REGULATIONS

- APPENDIX B.1 - CERTIFICATION REGARDING LOBBYING
- APPENDIX B.2 - DEBARMENT AND SUSPENSION CERTIFICATION
- APPENDIX B.3 - FEDERALLY REQUIRED CONTRACT CLAUSES

ATTACHMENT A: PROPOSER'S INFORMATION SHEET

All firms proposing as prime contractors or subcontractors on CAPITAL REGIONAL PLANNING COMMISSION (CRPC) projects are required to submit this form. Please complete this form and return it with your proposal.

If you have any questions about this form, please call Sooraz Patro, Director of Transportation, (225) 383-5203, or email Spatro@crpcla.org

1. GENERAL INFORMATION

Name of Firm:
Street Address:
City, State, ZIP:
Mailing Address:
City, State, Zip:

Telephone Number:
Fax Number:
E-mail address:
Web Address:
Year Firm was established:

Check all that apply:
Is this firm a prime consultant? _____
Is this firm a sub-consultant? _____ Identify specialty: _____
Is this firm a certified DBE? _____ If so, by whom? _____
Is this firm currently debarred? _____
Is this firm currently the subject of debarment proceedings? _____

2. FINANCIAL INFORMATION

Firm's annual gross receipts (average of last 3 years):

_____ <\$500,000
_____ \$500,000 - 1,500,000
_____ \$1,500,000 - \$5,000,000
_____ >\$5,000,000

Information will be maintained as confidential to the extent allowed by federal and state law.

The undersigned swears that the above information is correct. Any material misrepresentation may be grounds for terminating any contract which may be awarded.

Name, Title

ATTACHMENT B: FEDERAL REGULATIONS

APPENDIX B.1: CERTIFICATION REGARDING LOBBYING

The undersigned Contractor certifies, to the best of his or her knowledge and belief, that:

- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, *et seq.*)]
- 3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, *et seq.*, apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date: _____

APPENDIX B.2: DEBARMENT AND SUSPENSION CERTIFICATION

Choose one alternative:

- The Proposer, _____, certifies to the best of its knowledge and belief that it and its principals:
 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or Contract under a public transaction; violation of federal or state antitrust statutes or commission or embezzlements, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicated for or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in Paragraph 2 of this certification; and
 4. Have not within a three-year period preceding this Proposal had one or more public transactions (federal, state or local) terminated for cause or default.

OR

- The Proposer is unable to certify to all of the statements in this certification, and attaches its explanation to this certification. (In explanation, certify to those statements that can be certified to and explain those that cannot.)

The Proposer certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provision of Title 31 USC § Sections 3801 are applicable thereto.

Executed in (City) _____, state of _____

Printed Name: _____

Authorized Signature

Date

APPENDIX B.3: FEDERALLY REQUIRED CONTRACT CLAUSES

- A. CIVIL RIGHTS REQUIREMENTS
- B. DISADVANTAGED BUSINESS ENTERPRISE (DBE)
- C. GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)
- D. LOBBYING
- E. ADA ACCESS
- F. NO OBLIGATION BY THE FEDERAL GOVERNMENT
- G. RECORDS AND REPORTS
- H. TERMINATION
- I. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED ACTS
- J. BREACHES AND DISPUTE RESOLUTION
- K. CLEAR AIR
- L. CLEAN WATER REQUIREMENTS
- M. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT
- N. ENERGY CONSERVATION REQUIREMENTS
- O. RECYCLED PRODUCTS
- P. GOVERNING LAW
- Q. SEVERABILITY
- R. PATENT RIGHTS
- S. RIGHTS IN DATA AND COPYRIGHTS

A. CIVIL RIGHTS REQUIREMENTS

Civil Rights – The following requirements apply to the underlying contract:

- 1) *Nondiscrimination* – In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.
- 2) *Equal Employment Opportunity* – The following equal employment opportunity requirements apply to the underlying contract:
 - a) *Race, Color, Creed, National Origin, Sex* – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
 - b) *Age* – In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
 - c) *Disabilities* – In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
- 3) The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

B. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

- 1) This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. The agency's overall goal for DBE participation is 0.03%. A separate contract goal has not been established for this procurement.
- 2) The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as CRMPO deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (*see* 49 CFR 26.13(b)). The successful bidder/offeror will be required to report its DBE participation obtained through race-neutral means throughout the period of performance.
- 3) The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from the CRMPO.
- 4) The contractor must promptly notify the CRMPO whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the CRMPO.

C. GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

This contract is a covered transaction for purposes of 49 CFR Part 29. As such, the contractor is required to verify that none of the contractor, its principals, as defined at 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, are excluded or disqualified as defined at 49 CFR 29.940 and 29.945.

The contractor is required to comply with 49 CFR 29, Subpart C and must include the requirement to comply with 49 CFR 29, Subpart C in any lower tier covered transaction it enters into.

By signing and submitting its bid or proposal, the bidder or proposer certifies as follows:

The certification in this clause is a material representation of fact relied upon by the CRMPO. If it is later determined that the bidder or proposer knowingly rendered an erroneous certification, in addition to remedies available to the CRMPO, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The bidder or proposer agrees to comply with the requirements of 49 CFR 29, Subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

D. LOBBYING

Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] – Contractors who apply or bid for an award of \$100,000 or more shall file the certification

required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

**** MUST COMPLETE AND SUBMIT APPENDIX A: 49 CFR PART 20 – CERTIFICATION REGARDING LOBBYING ****

E. ADA ACCESS

Accessibility. Facilities to be used in public transportation service must comply with 42 U.S.C. Sections 12101 *et seq.* and DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 CFR Part 37; and Joint ATBCB/DOT regulations, "Americans with Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 CFR Part 1192 and 49 CFR Part 38. Notably, DOT incorporated by reference the ATBCB's "Americans with Disabilities Act Accessibility Guidelines" (ADAAG), revised July 2004, which include accessibility guidelines for buildings and facilities, and are incorporated into Appendix A to 49 CFR Part 37. DOT also added specific provisions to Appendix A modifying the ADAAG, with the result that buildings and facilities must comply with both the ADAAG and amendments thereto in Appendix A to 49 CFR Part 37.

F. NO OBLIGATION BY THE FEDERAL GOVERNMENT

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

G. RECORDS AND REPORTS

The MPO and Contractor shall maintain all books, records, and other documentation pertaining to the Scope of Services and necessary to completely substantiate all costs incurred and billed to the MPO for a period of three (3) years from the date of final payment. These records shall be made available for inspection and audit to any state or federal authority authorized to inspect such records and copies thereof shall be furnished at the expense of Contractor, if so requested.

H. TERMINATION

If the Contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension or if the Contractor fails to comply with any other provision of this contract, the MPO may terminate this contract for default. The MPO shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. The Contract will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performances set forth in this contract.

I. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED ACTS

- 1) The Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. §3801 *et. seq.* and U.S. DOT regulations, 'Program Fraud Civil Remedies,' 49 C.F.R. Part 31, apply to its actions pertaining to the Project. Upon execution of the underlying contract, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or cause to be made, pertaining to the underlying contract of the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Contractor further

acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Contractor to the extent the Federal Government deems appropriate.

- 2) The Contractor also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by the FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. §1001 and 49 U.S.C. § 5307(n)(1) on the Contractor, to the extent the Federal Government deems appropriate.
- 3) The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

I. BREACHES AND DISPUTES

- 1) *Disputes* – Disputes arising in the performance of this Contract which are not resolved by agreement of the parties shall be decided in writing by the CRMPO’s Executive Director. This decision shall be final and conclusive unless within then (10) days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the Transportation Planning Director. In connection with any such appeal, the Contractor shall be afforded and opportunity to be heard and to offer evidence in support of its position. The decision of the Executive Director shall be binding upon the Contractor and the Contractor shall abide by the decision
- 2) *Performance During Dispute* – Unless otherwise directed by the CRMPO, Contractor shall continue performance under this Contract while matters in dispute are being resolved.
- 3) *Claims for Damages* – Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefore shall be made in writing to such other party within a reasonable time after the first observance of such injury or damage.
- 4) *Remedies* – Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the CRMPO and the Contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or if a court of competent jurisdiction with the State in which the CRMPO is located.
- 5) *Right and Remedies* – The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of and duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the CRMPO or Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, no shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

K. CLEAN AIR

- 1) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401 et seq. The Contractor agrees to report each violation to the purchaser and understands and agrees that the Purchaser will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.
- 2) The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

L. CLEAN WATER REQUIREMENTS

- 1) The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 22 U.S.C. § 1251 et seq. The Contractor agrees to report each violation to the Purchaser and understands and agrees the

Purchaser will, in turn, report each violation as required to assure notification to FTA and the Appropriate EPA Regional Office.

- 2) The Contractor also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

M. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

- 1) *Overtime requirements* – No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
- 2) *Violation; liability for unpaid wages; liquidated damages* – In the event of any violation of the clause set forth in paragraph (1) of this section the contractor and any subcontractor responsible therefore - shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1) of this section.
- 3) *Withholding for unpaid wages and liquidated damages* – The MPO shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract of any other federal contract with the same prime contractor, of any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2) of this section.
- 4) *Subcontracts* – The Contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraphs (1) through (4) of this section and also a clause requiring subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1) through (4) of this section.

N. ENERGY CONSERVATION REQUIREMENTS

The Contract agrees to comply with mandatory standards and policies relating to energy. The laws of the State of Louisiana shall govern the construction, interpretation the Energy Policy and Conservation Act.

O. RECYCLED PRODUCTS

The contractor agrees to comply with all the requirements of Section 6002 of the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. § 6962), including but not limited to the regulatory provisions of 40 CFR part 247, and Executive order 12873, as they apply to the procurement of items designated in Subpart B of 40 CFR Part 247

P. GOVERNING LAW

The laws of the State of Louisiana shall govern the construction, interpretation, execution and enforcement of this Agreement.

Q. SEVERABILITY

In the event any provision of the Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement

R. PATENT RIGHTS

The Contractor Agrees that (a) Depending on the nature of the Underlying Agreement, the Federal Government may acquire patent rights when the contractor produces a patented or patentable invention, improvement or discovery, (b) The Federal Governments rights arise when the patent or patentable information is conceived or reduce to practice with federal assistance or (c) When a patent is issued or patented information becomes available as described in the preceding section (b) of section r., the FTA will be notified immediately and a detailed report satisfactory to FTA will be provided.

S. RIGHTS IN DATA AND COPYRIGHTS

"Subject data" means recorded information whether or not copyrighted, and that is delivered or specified to be delivered as required by the underlying agreement. Examples of 'subject data" include, but are not limited to computer software, standards, specifications, engineering drawings and associated lists, process sheets, manuals, technical reports, catalog item identifications, and related information, but do not include financial reports, cost analyses, or other similar information used for performance or administration of the underlying agreement.

Upon final payment, all designs, plans, reports, specifications, drawings, subject data and other services rendered by Contractor shall become the sole property of the MPO, which shall have the royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use and authorize others to use all such materials for authorized government purposes. Other entities that may reproduce, publish, or otherwise use the designs, plans, reports, specifications, drawings, and other services rendered by Professional include, but are not limited to the Louisiana Department of Transportation ("LADOT"), the Federal Transportation Administration ("FTA"), and the Federal Highway Administration ("FHWA").