

UPWP REVIEW CHECKLIST

UPWP Reviews

- ✓ TPP(S) provides to MPOs a UPWP format that is to be followed.
- ✓ The FHWA reviews and approves all initially proposed FY UPWPs (see process for UPWP amendments below).
- ✓ Review last year's UPWP and compare to new document as first step in review process.
- ✓ The UPWP should include all transportation planning activities in area including city projects. Details regarding the activities should include who is performing the work, the schedule for completion and the products to be produced.
- ✓ Review UPWP self-certification statement.
- ✓ Check to ensure that expenditures are reasonable and necessary as defined in OMB Circular A-87.
- ✓ Check arithmetic in budget calculations. The MPO cannot program in excess of their available money.
- ✓ Task 4 of UPWPs, concerning the long-term or Metropolitan Transportation Plan (MTP) should have a lot of activity when MPOs are revising MTPs (every 4 years for MPOs designated non-attainment or maintenance areas, otherwise every 5 years). TMAs may also show a lot of activity when preparing for federal certification review.
- ✓ Planning funds may, in some circumstances, be used outside of a MPO's planning area in non-attainment and attainment areas should the expenditure qualify under OMB Circular A-87. The FHWA/FTA will work with TxDOT-TPP and the MPO to determine whether the use of planning funds (or other funds that can be used for planning: STP-MM and CMAQ) may be used outside the planning area. PL and CMAQ funds may not be used outside of the United States.
- ✓ Note that some MPOs (e.g. Texarkana) have 2 year UPWPs.
- ✓ Some MPOs (El Paso and Texarkana) have joint planning processes with other state DOTs and FHWA Division Offices (New Mexico and Louisiana) and comments and approvals should be coordinated with the appropriate Division Office.
- ✓ Equipment purchases \geq \$5K need FHWA prior approval
- ✓ In years when reauthorization bill status is uncertain, note that approvals are made contingent upon legislation for continued funding.
- ✓ Difference between FTA v. FHWA: Budget (grant) v. Contract Authority; FTA budget year July 1-June 30.

UPWP Amendment Reviews

- ✓ If a non-TMA MPO revises its UPWP, TxDOT will review and approve/reject the revisions. Copies of TxDOT's action relative to the UPWP amendment request will be transmitted to FHWA for its information. For TMAs, the FHWA will review and approve/reject revisions. No work order for new items will be issued to the MPO prior to receiving FHWA approval.
- ✓ Should be brief description of change.
- ✓ Check for what is reasonable and necessary.

- ✓ Funding sources referenced. TPF stands for "Transportation Planning Funds." TPF are unused PL funds from the previous 2 years. This fund is redistributed to all MPOs.
- ✓ STP funds being used in the UPWP must be reflected in the TIP because they are construction funds.
- ✓ Check arithmetic.

Paperwork Processing:

For UPWPs:

- ✓ TxDOT-TPP takes the lead on review of newly proposed UPWPs. The MPO draft UPWPs are due to TxDOT by June 1 and final versions August 1. The Division will start to see drafts coming in with Policy Board agendas.
- ✓ MPOs submit the UPWPs to TPP(S), which then forwards one copy each to FHWA, FTA, and TxDOT-PTN. The FHWA Division Office will forward one copy of each UPWP to the FTA Regional Office. Review, reconciliation of comments and action on the UPWPs will be accomplished within 30 days of receipt by the FHWA Division. All TMA UPWPs will be concurrently reviewed by the FHWA Division and the FTA Regional Offices. The FHWA Division and FTA Regional staffs shall meet as necessary to discuss and resolve any comments relevant to providing a joint response. The FHWA Division will prepare "draft" response letter and transmit it to the FTA Regional Office. The approval will be issued as a joint FTA Region/FHWA Division letter (see sample Attachment 1). The signatories may be as delegated for approval of the UPWP.
- ✓ The FHWA Division will act as the Executive Agent for FTA for the review and approval of the UPWPs for all non-TMAs. The FHWA Division shall consult with the FTA Region on unusual or potentially controversial transit related studies. The FTA Regional staff will advise the FHWA Division of any concerns within two weeks of receipt of the UPWP. The FHWA Division will provide the FTA Region with a copy of all UPWP approvals and correspondence. Any revisions to the UPWPs will be handled in a similar manner.
- ✓ UPWPs by the Division must be approved by **Sept. 30**.
- ✓ If problems are identified during the reviews which require change, the UPWP approval can be withheld pending correction/changes or approval can be given contingent upon timely correction of the problem.

For UPWP Amendments:

- ✓ Any revisions to the UPWPs will be handled in a manner similar to the approval process for non-TMAs. TxDOT will process amendments for non-TMAs and copy the FHWA Division with its decision. The FHWA Division will act as the Executive Agent for FTA for the review and approval of the UPWPs for all TMAs. The FHWA Division shall consult with the FTA Region on unusual or potentially controversial transit related studies. The FTA Regional staff will advise the FHWA Division of any concerns within two weeks of receipt of a newly proposed UPWP. The FHWA Division will provide the FTA Region with a copy of all UPWP

approvals and correspondence.

- ✓ The TMA UPWP amendment requests are processed in the following manner: 1) Stamp TxDOT original letter for approval and sign for approval; 2) keep the original letter with our stamp/signature and make 2 copies for distribution to FTA (including copy of amendment(s)) and TxDOT's TPP (who will contact MPO); 3) Write TPP filing # (e.g. PPD-19-H-Austin) on our copy.
- ✓ If problems are identified during the review which requires change, the UPWP approval can be withheld pending correction/changes or approval can be given contingent upon timely correction of the problem.

ATTACHMENT 1

Sample FHWA Approval Letter for UPWP to TPP(S)

JLR



U.S. Department
of Transportation
**Federal Highway
Administration**

Texas Division

September 22, 2009

300 E. 8th Street, Room 826
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Tel (512) 536-5936
Fax (512) 536-5990
texas.fhwa@dot.gov

In Reply Refer To:
HPP-TX

Harlingen-San Benito MPO
FY 2010 Unified Planning Work Program (UPWP)

Mr. James L. Randall, P. E.
Director, Transportation Planning
and Programming Division
Texas Department of Transportation
P.O. Box 149217
Austin, TX 78714-9217

Attention: Tammy Sturm, Transportation Planner

Dear Mr. Randall:

We have reviewed the FY 2010 Unified Planning Work Program (UPWP) for the Harlingen-San Benito MPO, which was submitted by Tammy Sturm of your office on September 1, 2009. We hereby approve the subject FY 2010 UPWP contingent upon the following comments and revisions:

- Per 23 CFR 420.117 (e), this report must include an appropriate credit reference and disclaimer statement. For example:
 - "This report was funded in part through grant[s] from the Federal Highway Administration [and Federal Transit Administration], U.S. Department of Transportation. The views and opinions of the authors [or agency] expressed herein do not necessarily state or reflect those of the U. S. Department of Transportation."
- Task 1.2, p.10: Please be advised that under OMB Circular A-87, individual memberships are not an allowable expense; however, costs associated with the membership of a governmental unit in a business, technical and professional organization is allowable.
- Task 1.4, p.10: It is stated that the MPO staff continuously update the MPO



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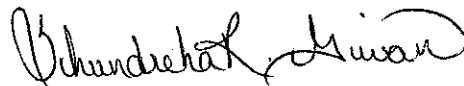
Mr. James Russell
September 22, 2009
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website; however, the draft FY 2010 UPWP planning document was not posted for public comment/ review. Please update the website to include a notice of public comment/ review for all future transportation planning documents.

- Footnote 2, p.22: Revise to read "Estimate based on prior years authorizations; approvals are made contingent upon legislation for continued funding."

For any additional questions or comments on this subject, please contact me at (512) 536-5936.

Sincerely yours,



Shundreka R. Givan, AICP
Environmental and Transportation Planning Coordinator

cc: Lynn Hayes, FTA-Region VI
TxDOT Pharr District
Lori Morel, TxDOT TPP (S)
Kelly Kirkland, TxDOT PTN