



Permian Basin
MPO Metropolitan
Planning
Organization

FY 2025

UNIFIED PLANNING WORK PROGRAM (UPWP)

Permian Basin MPO

Transportation Management Area (TMA)

AIR QUALITY STATUS:
Attainment

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Federal Approval:

Permian Basin MPO

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I. INTRODUCTION

As a result of the Federal Aid Highway Act of 1962, the *Midland-Odessa Regional Transportation Study* (MORTS) *Metropolitan Planning Organization* (MPO) was initiated in April 1965. Guidance and direction of activities in the initial phase was furnished by the *Coordinating Committee* composed of representatives of the various participating governmental agencies (Ector County, Midland County, the City of Midland, the City of Odessa and the Texas Highway Department).

In 1973, the organizational structure was revised to create a Policy Advisory Committee and a Steering Committee. The Policy Advisory Committee (PAC), the policy making body for the MPO was made up of representatives from Ector and Midland County, the Cities of Midland and Odessa and the Texas Highway Department District Engineer. The PAC considered recommendations from the Steering Committee, which was composed of staff members of the participating entities, representatives of state and federal agencies; key regional stakeholders; and, local, state and federal elected officials until the MPO became a self- supporting agency in August 2006. At this time, the MPO changed its name from MORTS to the Midland Odessa Transportation Organization (MOTOR) and the PAC and Steering Committee were renamed the Policy Board and Technical Advisory Committee (TAC) respectively. In 2012, MOTOR MPO became a Transportation Management Area (TMA) by designation of the USDOT. In August 2015, the Policy Board voted to rename the organization Permian Basin MPO in order to better represent the area and to eliminate confusion with other transportation agencies. The City of Odessa is the fiscal agent for the Permian Basin MPO. Acting through its Policy Board, Permian Basin MPO, in conjunction with the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Martin, Midland and Ector Counties, the cities of Midland and Odessa, and MOUTD, the Permian Basin MPO administers the transportation planning process in the urban area. This designation was renewed by contract with TxDOT and executed in September 2018. The contract reflects changes in the planning process brought about by the Infrastructure Investment and Jobs Act (IIJA) of 2021, the previous Fixing America's Surface Transportation (FAST) Act, and earlier federal transportation language, such as ISTEA, TEA-21, SAFETEA-LU, and MAP-21. The FY 2024 UPWP was developed in accordance with the regulations set forth in the IIJA Fixing America's Surface Transportation (FAST) Act passed in 2015, and the Infrastructure IIJA in 2021. Together with the State of Texas, and the Midland Odessa Urban Transit District, the Permian Basin MPO is responsible for carrying out the provisions of FAST Act and IIJA as regulated by Title 23 Code of Federal Regulations. Permian Basin MPO planning activities are part of a required Continuing, Cooperative and Comprehensive (3C) transportation planning process.

A. **PURPOSE –**

1. Each year Permian Basin MPO shall submit to TxDOT (the department) a program of work which includes goals, objectives and tasks required by each of the agencies involved in the metropolitan transportation planning process. This program of work is to be called the Unified Planning Work Program (UPWP) or any name that may be specified in future federal or state regulations.
2. The UPWP will be prepared for a period of one year only. The UPWP shall only reflect work that can be accomplished during the fiscal year.
3. The effective date of each UPWP will be October 1 of each fiscal year or the date of the department approval, whichever occurs later. On that date, the UPWP shall constitute a new federal project and shall supersede the previous UPWP.

4. The UPWP shall comply with all applicable federal and state requirements and will describe metropolitan transportation and transportation-related planning activities anticipated in the one-year period.
5. The UPWP shall reflect transportation planning work tasks to be funded by federal, state or local transportation, or transportation related tasks planning funds.
6. The use of federal metropolitan transportation planning funds shall be limited to transportation planning work conducted inside the Metropolitan Area Boundary (MAB).
7. The use of federal transportation planning funds shall be limited to corridor/sub-area level planning objectives (planning and environmental linkage and safety studies are considered corridor level planning). The use of such funds beyond the stated objectives is not allowed.
8. Permian Basin MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., add any new work tasks or change the scope of existing work tasks) prior to receiving approval from the department. Any costs incurred prior to receiving department approval shall not be eligible for reimbursement with federal transportation funds.

The UPWP work elements are developed to incorporate the ten planning factors of the MAP-21, the FAST Act, and the IIJA, and the seven MAP-21 national performance goals for federal highway programs listed below.

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase the accessibility and mobility of people and freight.
5. Protect and enhance the environment, promote energy, conservation, improve the quality of life, and promote consistency between transportation improvements and local planning growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes for people and freight.
7. Promote the efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.
9. Improving the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.
10. Enhancing travel and tourism.

The MAP-21, FAST Act, and IIJA national performance goals are:

1. Safety – To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
2. Infrastructure condition – To maintain the highway infrastructure asset system in the state of good repair.
3. Congestion reduction – To achieve a significant reduction in congestion on the NHS.
4. System reliability – To improve the efficiency of the surface transportation system.
5. Freight movement and economic vitality – To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
6. Environmental sustainability – To enhance the performance of the transportation system while protecting and enhancing the natural environment.

7. Reduce project delivery delays – To reduce project costs, promote completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies’ work practices.

Environmental mitigation efforts are assured at the planning stage for transportation improvements using technology such as Geographic Information System (GIS), NEPAAssist tool, and the cooperative exchange of information with federal, state, and local agencies related to or interested in transportation planning.

Public participation in the Permian Basin MPO planning process is an important on-going effort to obtain citizen input and is described in an adopted Public Participation Plan (PPP). Permian Basin MPO staff advertises all Policy Board, regular and special meetings, as well as plan development workshops and public comment periods for planning documents. Information is also posted on the Permian Basin MPO website, www.permianbasinmpo.com, Facebook.

B. DEFINITION OF AREA –

The transportation planning process is conducted within the Permian Basin MPO boundary as shown on the map in Appendix B. The boundary includes the Cities of Midland and Odessa and portions of Ector, Martin, and Midland Counties. It also corresponds to the area of the region which is likely to become urbanized in the next 20 years.

C. ORGANIZATION –

Permian Basin MPO, in cooperation with TxDOT, FHWA, and FTA, carries out the regional transportation planning process. As the Permian Basin MPO’s Fiscal Agent, the City of Odessa, receives the reimbursement funds from TxDOT for Transportation and Transit Planning.

As mentioned in the Introduction, and illustrated in Appendix A, Permian Basin MPO utilizes three bodies: the Policy Board, the Technical Advisory Committee, and MPO staff to conduct its required activities. The Policy Board is composed of local elected officials from member entities, the TxDOT Odessa District Engineer, and the MOUTD General Manager. The TAC (Appendix A) is also composed of representatives from the Cities of Midland and Odessa; Ector, Martin, and Midland Counties; TxDOT, and MOUTD. The TAC reviews the status of all projects within the Permian Basin MPO Metropolitan Area Boundary and performs other duties as assigned by the Policy Board. The Permian Basin MPO staff supports these bodies and carries out daily operations. The Permian Basin MPO Executive Director serves as chair of the TAC.

D. PRIVATE SECTOR INVOLVEMENT –

Permian Basin MPO seeks input from the private sector on local and regional transportation issues. All civic and professional groups are encouraged to participate in the planning process. Private sector developers, stakeholders, and consultants will be used on an “as available” basis to augment and support the transportation planning process. Public involvement is assured in the Permian Basin MPO MAB through an adopted Public Participation Plan (PPP). Policy Board meetings, public meetings, and

open public comment periods for the Transportation Improvement Program (TIP) and the Metropolitan Transportation Plan (MTP) are advertised in local newspapers, e-mail blasts, and social media notifications. Information related to transportation planning is also forwarded to stakeholders of the transportation industry, including appropriate federal, state, local agencies, and Economic Development Corporations. Developers and associated agencies that promote commercial and residential growth are also encouraged to participate.

Additionally, the Permian Basin MPO website contains information regarding the meetings of both the Policy Board and TAC, which includes agendas, meeting minutes and upcoming meeting dates, as well as current and previous planning documents. The website also includes news and information regarding transportation planning and upcoming projects. Access to documents such as the TIP and MTP is also available for the public to aid in dispersing information to disadvantaged citizens. With a surge of social media users in recent years, Permian Basin MPO has utilized Facebook and Twitter for information sharing.

E. PLANNING EMPHASIS AREAS—

2021 IIJA Planning Emphasis Areas:

1. Tackling the Climate Crisis – Transition to a Clean Energy, Resilient Future Federal Highway Administration (FHWA) divisions and Federal Transit Administration (FTA) regional offices should work with State departments of transportation (State DOT), metropolitan planning organizations (MPO), and providers of public transportation to ensure that transportation plans and infrastructure investments help achieve the national greenhouse gas reduction goals of 50-52 percent below 2005 levels by 2030, and net-zero emissions by 2050, and increase resilience to extreme weather events and other disasters resulting from the increasing effects of climate change. Field offices should encourage State DOTs and MPOs to use the transportation planning process to accelerate the transition toward electric and other alternative fueled vehicles, plan for a sustainable infrastructure system that works for all users and undertake actions to prepare for and adapt to the impacts of climate change. Appropriate Unified Planning Work Program work tasks could include identifying the barriers to and opportunities for deployment of fueling and charging infrastructure; evaluating opportunities to reduce greenhouse gas emissions by reducing single-occupancy vehicle trips and increasing access to public transportation, shift to lower emission modes of transportation; and identifying transportation system vulnerabilities to climate change impacts and evaluating potential solutions.

2. Equity and Justice⁴⁰ in Transportation Planning

FHWA Division and FTA regional offices should work with State DOTs, MPOs, and providers of public transportation to advance racial equity and support for underserved and disadvantaged communities. This will help ensure public involvement in the planning process and that plans and strategies reflect various perspectives, concerns, and priorities from impacted areas. The MPO encourages the use of strategies that: (1) improve infrastructure for non-motorized travel, public transportation access, and increased public transportation service in underserved communities; (2) plan for the safety of all road users, particularly those on arterials, through infrastructure improvements and advanced speed management; (3) reduce single-occupancy vehicle travel and associated air pollution in communities near high-volume corridors; (4) offer reduced public transportation fares as appropriate; (5) target demand-response service towards communities

with higher concentrations of older adults and those with poor access to essential services; and (6) consider equitable and sustainable practices while developing transit-oriented development including affordable housing strategies and consideration of environmental justice populations. Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities) defines the term “equity” as the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.” In addition, Executive Order 14008 provides a whole-of-government approach to advancing environmental justice by stating that 40 percent of Federal investments flow to disadvantaged communities. FHWA Division and FTA regional offices should work with State DOTs, MPOs, and providers of public transportation to review current and new metropolitan transportation plans to advance Federal investments to disadvantaged communities. To accomplish both initiatives, our joint planning processes should support State and MPO goals for economic opportunity in disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, recreation, and health care.

3. Complete Streets

FHWA Division and FTA regional offices should work with State DOTs, MPOs and providers of public transportation to review current policies, rules, and procedures to determine their impact on safety for all road users. This effort should work to include provisions for safety in future transportation infrastructure, particularly those outside automobiles. A complete street is safe, and feels safe, for everyone using the street. FHWA and FTA seek to help Federal aid recipients plan, develop, and operate streets and networks that prioritize safety, comfort, and access to destinations for people who use the street network, including pedestrians, bicyclists, transit riders, micro-mobility users, freight delivery services, and motorists. The goal is to provide an equitable and safe transportation network for travelers of all ages and abilities, including those from marginalized communities facing historic disinvestment. This vision is not achieved through a one-size-fits-all solution – each complete street is unique and developed to best serve its community context and its primary role in the network. Per the National Highway Traffic Safety Administration’s 2019 data, 62 percent of the motor vehicle crashes that resulted in pedestrian fatalities took place on arterials. Arterials tend to be designed for vehicle movement rather than mobility for non-motorized users and often lack convenient and safe crossing opportunities. They can function as barriers to a safe travel network for road users outside of vehicles. To be considered complete, these roads should include safe pedestrian facilities, safe transit stops (if present), and safe crossing opportunities on an interval necessary for accessing destinations. A safe and complete network for bicycles can also be achieved through a safe and comfortable bicycle facility located on the roadway, adjacent to the road, or on a nearby parallel corridor. Jurisdictions will be encouraged to prioritize safety improvements and speed management on arterials that are essential to creating complete travel networks for those without access to single-occupancy vehicles.

4. Public Involvement

Early, effective, and continuous public involvement brings diverse viewpoints into the decision-making process. FHWA Division and FTA regional offices should encourage MPOs, State DOTs, and providers of public transportation to increase meaningful public involvement in transportation planning by integrating Virtual Public Involvement (VPI) tools into the overall public involvement approach while ensuring continued public participation by individuals without access to computers and mobile devices. The use of VPI broadens the reach of information to the public and makes participation more convenient and affordable to greater numbers of people. Virtual tools provide increased transparency and access to transportation planning activities and decision-making processes. Many virtual tools also provide information in visual and interactive formats that enhance public and stakeholder understanding of proposed plans, programs, and projects. Increasing participation earlier in the process can reduce project delays and lower staff time and costs. More information on VPI is available [here](#).

5. Strategic Highway Network (STRAHNET)

U.S. Department of Defense (DOD) Coordination FHWA Division and FTA regional offices should encourage MPOs and State DOTs to coordinate with representatives from DOD in the transportation planning and project programming process on infrastructure and connectivity needs for STRAHNET routes and other public roads that connect to DOD facilities. According to the Declaration of Policy in 23 U.S.C. 101(b)(1), it is in the national interest to accelerate construction of the Federal-aid highway system, including the Dwight D. Eisenhower National System of Interstate and Defense Highways, because many of the highways (or portions of the highways) are inadequate to meet the needs of national and civil defense. The DOD's facilities include military bases, ports, and depots. The road networks that provide access and connections to these facilities are essential to national security. The 64,200-mile STRAHNET system consists of public highways that provide access, continuity, and emergency transportation of personnel and equipment in times of peace and war. It includes the entire 48,482 miles of the Dwight D. Eisenhower National System of Interstate and Defense Highways and 14,000 miles of other non-Interstate public highways on the National Highway System. The STRAHNET also contains approximately 1,800 miles of connector routes linking more than 200 military installations and ports to the primary highway system. The DOD's facilities are also often major employers in a region, generating substantial volumes of commuter and freight traffic on the transportation network and around entry points to the military facilities. Stakeholders are encouraged to review the STRAHNET maps and recent Power Project Platform (PPP) studies. These can be a useful resource in the State and MPO areas covered by these route analyses.

6. Federal Land Management

Agency (FLMA) Coordination FHWA Division and FTA regional offices should encourage MPOs and State DOTs to coordinate with FLMAs in the transportation planning and project programming process on infrastructure and connectivity needs related to access routes and other public roads and transportation services that connect to Federal lands. Through joint coordination, the State DOTs, MPOs, Tribal Governments, FLMAs, and local agencies should focus on integration of their transportation planning activities and develop cross-cutting State and MPO long range transportation plans, programs, and corridor studies, as well as the Office of Federal Lands 5 Highway's developed transportation plans and programs. Agencies should explore opportunities to leverage transportation funding to support access and transportation needs of FLMAs before transportation projects are programmed in the Transportation Improvement Program (TIP) and

Statewide Transportation Improvement Program (STIP). Each State must consider the concerns of FLMAs that have jurisdiction over land within the boundaries of the State (23 CFR 450.208(a)(3)). MPOs must appropriately involve FLMAs in the development of the metropolitan transportation plan and the TIP (23 CFR 450.316(d)). Additionally, the Tribal Transportation Program, Federal Lands Transportation Program, and the Federal Lands Access Program TIPs must be included in the STIP, directly or by reference, after FHWA approval in accordance with 23 U.S.C. 201(c) (23 CFR 450.218(e)).

7. Planning and Environment Linkages (PEL)

FHWA Division and FTA regional offices should encourage State DOTs, MPOs and Public Transportation Agencies to implement PEL as part of the transportation planning and environmental review processes. The use of PEL is a collaborative and integrated approach to transportation decision making that considers environmental, community, and economic goals early in the transportation planning process, and uses the information, analysis, and products developed during planning to inform the environmental review process. PEL leads to interagency relationship building among planning, resource, and regulatory agencies in the early stages of planning to inform and improve project delivery timeframes, including minimizing duplication and creating one cohesive flow of information. This results in transportation programs and projects that serve the community's transportation needs more effectively while avoiding and minimizing the impacts on human and natural resources. More information on PEL is available [here](#).

8. Data in Transportation Planning

To address the emerging topic areas of data sharing, needs, and analytics, FHWA Division and FTA regional offices should encourage State DOTs, MPOs, and providers of public transportation to incorporate data sharing and consideration into the transportation planning process, because data assets have value across multiple programs. Data sharing principles and data management can be used for a variety of issues, such as freight, bike and pedestrian planning, equity analyses, managing curb space, performance management, travel time reliability, connected and autonomous vehicles, mobility services, and safety. Developing and advancing data sharing principles allows for efficient use of resources and improved policy and decision making at the State, MPO, regional, and local levels for all parties.

II. TASK 1.0 – ADMINISTRATION AND MANAGEMENT

A. OBJECTIVE:

Provide for the daily operation, organization, and coordination of the transportation and land use planning process; provide administrative oversight that will focus on planning for a multi-modal transportation system that promotes interagency and citizen participation in the transportation and land use planning process; and provide Permian Basin MPO staff the opportunity for professional development through attendance at training workshops, courses and meetings.

B. EXPECTED PRODUCTS:

Prepare a monthly FHWA PL-112 and FTA Sec. 5303 combined accounting report of Transportation Planning Funds (TPF), coordinate Permian Basin MPO Policy Board and TAC activities; update and maintain records with federal and state agencies; complete a fiscal audit as necessary, amend by-laws and other documents, and update the Public Participation Plan (PPP) as needed. Advocate public awareness with Chamber of Commerce transportation sub-committees, City Planning and Zoning Boards, Midland Odessa Transportation Alliance (MOTRAN), Permian Basin Bicycle and Pedestrian advocates, the Odessa and Midland Development Corporations, the Permian Road Safety Coalition, the Permian Strategic Partnership, the Permian Basin Builders Association, Board of Realtors and other interested entities. The MPO staff will document how the MPO proposes to address the previous Federal Certification Review (2024) findings, comments, and recommendations. This will enable the MPO to prepare for the next Federal Certification Review more efficiently. Staff will prepare amended/new resolutions using related data to continue to address safety, road and bridge conditions, transit asset conditions and system reliability (PM1, PM2, PM3) as may be required in FY 2025. All reporting to TxDOT will be completed as needed. MPO staff will continue to seek opportunities for additional funding to support studies and /or project development.

C. PREVIOUS WORK:

Staff coordinated twelve Policy Board and twelve TAC regular and numerous special meetings, numerous Policy Board training sessions presented by staff and external participants, prepared monthly accounting reports, completed monthly reports for Transportation Planning Fund (TPF); updated and maintained state and federal records in compliance with federal and State regulations. Continued keeping records of limited English proficient callers including staff responses.

D. SUBTASKS:

1.1 Program Administration:

Activities under this subtask will provide oversight and coordination of the various programs contained in the work program. Accounting records of state and federal funds will be updated and maintained in accordance with federal, state, and fiscal agent requirements. Daily functions include correspondence, record keeping, public relations, meeting preparation, advertisement preparations, as well as local mileage to conduct normal MPO administrative business. Also included in Subtask 1.1 is paid unileave and paid holidays.

1.2 Office Equipment, Supplies, and Lease:

Office supplies, postage fees, office space lease and insurance premiums, phone service, subscriptions and printing required for planning activities are charged to this subtask. Office furnishings, computers, support hardware and software to facilitate work performed will be purchased by Permian Basin MPO, as needed. Consistent with 2 CFR 200 guidelines, FHWA and/or TxDOT must approve all purchases over \$5,000.00 in writing.

Activities under this subtask will provide an Americans with Disabilities Act (ADA) accessible office space for the Permian Basin MPO where administrative and technical staff can perform the planning for the Permian Basin MAB and hold meetings of the Permian Basin MPO Policy Board and TAC and other meetings as necessary. Office space will also be provided as a meeting place for the public to discuss transportation related materials and technical issues. Also included in this subtask are a reverse osmosis water treatment system, an alarm system, newspaper services, and other miscellaneous expenses.

1.3 Indirect Costs:

Activities under this subtask include administrative fees paid to the Fiscal Agent, the City of Odessa. The City of Odessa assists Permian Basin MPO in processing payables and providing an accounting mechanism and payroll system maintained by City staff. Permian Basin MPO also works with City of Odessa Department Directors who provide assistance, guidance, and direction on legal issues, human resources, as well as providing contract procurement assistance. The Fiscal Agent also provides a process to advertise and pay expenses to recruit candidates for Permian Basin MPO staff positions.

1.4 Professional Development:

The cost of attending approved transportation and land use planning workshops, conferences, technical workgroups, and Permian Basin MPO related meetings is charged to this subtask. Examples include TEMPO/AMPO meetings, Border Trade Advisory Committee meetings, Advanced Air Mobility (AAM) Committee meetings, the TxDOT Freight Advisory Committee, Ports-to-Plains corridor (I-27), Legislative Updates, meetings of the Texas Transportation Commission, meetings and conferences of the Texas A&M Transportation Institute (TTI), meetings of the TxDOT Safety Committee and safety conferences sponsored by TTI or TxDOT, meetings of the Transportation Research Board, meetings of the Texas Public Health Association (TPHA), and meetings/conferences of the American Planning Association. Also included are regional planning meetings, travel demand modeling, GIS training and GIS meetings, and other similar scheduled events. This subtask includes funding for airfare, car rental, mileage, meals, lodging, registration fees, training materials, staff time, and conference costs. Any out of state travel must be approved in writing by TxDOT prior to incurring any costs.

1.5 Public Participation Plan and Title VI Civil Rights:

Permian Basin MPO staff will periodically review and update the public involvement procedures to monitor its effectiveness in obtaining input from citizens with minority, ethnic, and/or low-income backgrounds. Permian Basin MPO may amend the public involvement procedures as

necessary based on these reviews. The MPO will utilize outside consultant assistance in the continuation of its public participation efforts.

Permian Basin MPO will conduct public meetings and hearings in accordance with its established policies and governing regulations. Permian Basin MPO will publish public notices of meetings as required. The purpose is to inform the general public and receive input on multi-modal transportation planning efforts in the MAB.

Permian Basin MPO staff will also provide data and technical support as needed to organizations participating in the transportation planning process to facilitate informed decision making about development needs and the impact on the transportation network. Permian Basin MPO will also consult as appropriate with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation when developing long-range transportation plans.

Permian Basin MPO will seek out and consider the needs of those individuals traditionally underserved by existing transportation systems. The Permian Basin MPO staff will maintain public involvement procedures with the goal of ensuring that citizens from minority or ethnic backgrounds and/or low-income populations in the Permian Basin MPO MAB have an opportunity to participate in the planning process and to meet the requirements of the U.S. Title VI program.

Public access to Permian Basin MPO documents, maps and other visualization aides are provided at the Permian Basin MPO office or upon written request by direct mail or email. Permian Basin MPO will maintain a website to further its capabilities of providing information to the public. The website offers easy access to Permian Basin MPO documents in order to improve public outreach efforts. Policy Board meeting agendas and minutes are also available on the website www.permianbasinmpo.com. In addition, Permian Basin MPO plans (TIP, MTP, PPP, and the Title VI Program) are available for public review and comment during the public comment periods outlined in the PPP. Documents can be found at the Permian Basin MPO office; www.permianbasinmpo.com; Ector County Library; Midland Centennial Library; the City Secretary's office in both Midland and Odessa; Martin County Courthouse; and TxDOT Odessa District office during the public comment periods. MPO staff will also maintain a database of contacts to be used to increase public participation. The Permian Basin MPO has experienced low public turnout at scheduled events and workshops. Assisted work from consultant(s) may continue into FY 2024. Permian Basin MPO will review and analyze Title VI data and will consider the information when prioritizing projects. Additionally, staff will continue to evaluate existing procedures for Title VI compliance using performance measures and indicators, including the following:

1.6 Performance Measures

With the passage of the FAST Act and the IIJA bill, an anticipated set of Performance Measures to provide a means to invest federal transportation funds more efficiently by focusing on national transportation goals will continue to be implemented. On January 16, 2018, the Policy

Board passed a resolution adopting the Safety Performance Measures and Targets (PM1) established by the Texas Department of Transportation. In January 2019, April 2020, February 2021, February 2022, January 2023, and January 2024, the Policy Board approved new resolutions that commit the MPO to support TxDOT's adopted safety targets. In November 2018, June 2021, and June 2023, PM2 resolutions were passed by the Policy Board. PM3 resolutions were also passed by the Policy Board in November 2018, April 2021, and June 2023. These are directly tied to transportation system condition and reliability. Staff will continue to coordinate with TxDOT and the MOUTD to develop and refine performance measures as required by the FAST Act, Texas House Bill 20, and the MPO's Congestion Management Process. A Transit Asset Management Plan (TAM) and Transit Safety Plan have been approved by MOUTD in compliance with performance-based planning requirements. Both plans have been approved by the MPO Policy Board.

1.7 Local and Regional Agency Interaction

When appropriate, Permian Basin MPO staff will present briefings and presentations on transportation issues. Permian Basin MPO staff will attend transportation advisory group meetings, stakeholder meetings, and meetings of municipalities and counties, providers of transportation, business associations, service organizations, Permian Road Safety Coalition, Permian Strategic Partnership, Rotary Club, Permian Basin Builders Association, and others to keep informed about trends and activities in the region that will impact the transportation network. As stated previously, presentations were made to local interest groups and stakeholders throughout the region.

1.8 Resiliency Planning

MPO Staff will continue to address planning for resiliency. Staff assisted with the preparation of a regional Resilience Improvement Plan from FY 2022 to FY 2024. Staff will consider proposing amendments to the MPO's project selection and scoring process to include a wider use of selection criteria for projects that exhibit potential resiliency. This will be documented in the MPO's MTP and TIP, as amended.

1.9 2.5% Set-Aside for Increasing Safe and Accessible Transportation Options

MPO Staff will review proposed complete street projects for inclusion into the MTP and TIP where appropriate. A minimum of 2.5% of the MPO's budget will be utilized to increase safe and accessible transportation options for all users and all modes. Review procedures will include analysis of available federal and state crash data records for all modes of transportation and incorporating these findings into the project selection process. Included in this subtask is coordination with the Permian Basin Regional Planning Commission to complete and implement a Comprehensive Safety Action Plan.

E. FUNDING SUMMARY –

Task 1.0 – 1-Year Funding Summary Table

FY 2025

	Responsible Agency	Transportation Planning Funds (TPF)¹	FTA Section 5307 Funds	Local Funds	Total Funds
Subtask		FY 2025	FY 2025	FY 2025	FY 2025
1.1	MPO	185,000			185,000
1.2	MPO	54,000			54,000
1.3	MPO	6,000			6,000
1.4	MPO	30,000			30,000
1.5	MPO	12,000			12,000
1.6	MPO	17,000			17,000
1.7	MPO	31,900			31,900
1.8	MPO	19,500			19,500
1.9	MPO	29,600			29,600
Total:		385,000			385,000

III. TASK 2.0 - DATA DEVELOPMENT AND MAINTENANCE

A. OBJECTIVE –

Collect, maintain, and forecast socio-economic, land use, crash, traffic count, transit and travel data. Use data collection and analysis efforts to assist in developing and enhancing transportation policies and to evaluate how performance measures (Subtask 1.6) have been affected by transportation investments.

B. EXPECTED PRODUCTS –

Update socio-economic data, traffic count data, land use data, crash data, transit data, and travel time data. Continue coordination efforts with MOUTD (urban) and assist with rural public transportation providers in an effort to enhance the coordination of public transit service in the MAB.

C. PREVIOUS WORK –

Various highway and transit data collection efforts include updating and maintaining traffic count database, updating high crash locations, congestion locations, and analyzing census data for socio-economic groups within the Permian Basin MPO MAB. Used the CRIS Query system to complete a 2020-2022 comparison of fatal and non-fatal crash counts with the Permian Basin MPO. Used data from CRIS query regarding crashes and data from the Census Bureau regarding underserved communities to assist in the project scoring and selection process. Worked with TxDOT to revise FY 2023 functional classification map. Worked with TxDOT to review a draft of the Loop 338 study and establish a smoothed metropolitan area boundary following the release of 2020 census data.

D. SUBTASKS –

2.1 Socio-Economic Data:

Population, housing, employment, and land use data will be collected and maintained. Information from census data, building permits data, environmental mitigation sources and employment data will be collected and analyzed throughout the MAB. Data collected on disabled, minority and low-income groups within Permian Basin MPO boundary will be evaluated with emphasis on transit analysis, transit ridership applications, and identification of trends dealing with Title VI needs.

Following the April 1, 2020 Census Day, the U.S. Census Bureau will complete its decennial census during FY 2022 and beyond. It is anticipated that the MPO's urban boundary will need to be adjusted following the census. Staff will work with TxDOT to establish a smoothed urban boundary and a metropolitan boundary as needed. In addition, demographic updates for the Travel Demand Model will need to reflect data from the 2020 census as needed; this new data will also affect subtask 4.3.

2.2 Traffic Data Collection:

Permian Basin MPO staff will coordinate with local, state, and regional efforts to develop and update the data needed for transportation planning and development as these affect the adopted

CMP and project selection process. By establishing a data bank, Permian Basin MPO will be able to monitor important travel details over time as they relate to vehicle crashes, travel time studies, level of service, percent truck travel, travel delay time, etc. Permian Basin MPO continues to develop the GIS database for use in the MTP, designation of federal roadway functional classifications, and other reports and studies. Permian Basin MPO will continue coordinating with the Cities of Midland and Odessa and TxDOT for traffic counts, database maintenance and mapping improvements for transportation and land use planning.

Work using SPR or PL funds may be completed by consultants.

The Permian Basin MPO has established a project scoring and selection process using traffic data and other data sources as part of its continuous and comprehensive planning work in its MTP and TIP documents.

FUNDING SUMMARY:

Task 2.0 – 1-Year Funding Summary Table

FY 2025

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Section 5307 Funds	Local Funds	Total Funds
		FY 2025	FY 2025	FY 2025	
2.1	MPO	30,000			30,000
2.2	MPO	11,900			11,900
Total:		41,900			41,900

¹TPF – This includes both FHWA PL-117-58 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor work hours, they are not reflected in the funding tables.

IV. TASK 3.0 - SHORT RANGE PLANNING

A. OBJECTIVE –

Conduct short-range transportation planning activities with an implementation focus; provide citizens, affected public agencies, private transportation providers, and other groups an opportunity to comment on proposed transportation projects, plans and programs.

Continue the development of projects that will be implemented in all modes of transportation, thereby developing an efficient, safe, and secure network for all traveling citizens. Continue the development of planning activities associated with the FY 2025 UPWP and the 2025-2028 TIP as needed.

Continue to provide guidance, direction and assistance to ongoing land use planning initiatives including access management, bicycle and pedestrian corridor planning, sidewalks, and support for Category 9 grant applications. The administrative task includes assisting with on-going efforts between Permian Basin MPO and MOUTD in the development of the regional transit service areas

and plans. Other purposes include sharing data, preparing maps, attending, or hosting/sponsoring meetings, and providing general transportation planning and administrative assistance.

B. EXPECTED PRODUCTS –

Revise FY 2025-2028 TIP and FY 2025 UPWP as needed. Begin work on FY 2026 UPWP, FY 2024 APL and APER. Analyze citizen requests and comments. Continue working with cities and counties and transit provider on special transportation and land use planning studies.

C. PREVIOUS WORK –

MPO staff worked with member agencies to develop and revise the FY 2023-2026 TIP, the 2024 UPWP, ALOP, and APER; consulted with cities and counties on various transportation and land use studies; analyzed citizen requests; and investigated grant research/procurement. The FY 2023-2026 TIP was amended administratively to add transit performance targets and provide a history of project development from the previous TIP. Staff attended quarterly and annual meetings of the Permian Road Safety Coalition; two meetings with the Permian Strategic Partnership, a regional non-profit agency established to address the needs within the Permian that have been and will be affected by the growth in the energy sector were attended. Staff attended all TEMPO meetings, TxDOT “Click it or Ticket” safety event, EZ-Rider Board meetings, and the Permian Basin Regional Planning Commission meetings. Staff maintains a position on the Border Trade Advisory Committee, the Advanced Air Mobility Committee, the TxDOT Safety Committee, and the I-20 and I-10 corridor committees.

SUBTASKS –

3.1 Amendment(s) to FY 2025-2028 TIP, preparation of the FY 2025 UPWP, FY 2025 UPWP amendments(s), FY 2024 APL and APER, Citizen Requests Summary and Analysis, Performance Measures and Targets.

It is anticipated that the FY 2025-2028 TIP and the FY 2025 UPWP will need to be amended to reflect changes in work tasks and project prioritization as well as funding to accurately show proposed Permian Basin MPO work in published documents such as the TIP and the MTP. In addition, citizen comments and requests related to transportation planning will be documented. Necessary studies will be conducted, and recommendations will be made to address all comments and requests.

Performance measures and targets will continue to be considered under this subtask. It is also anticipated that the MPO Policy Board will need to consider both measures and targets to meet the FAST Act requirements. The TIP will be compliant with Texas House Bill 20 and the Federal IIJA laws.

3.2 Transit System Evaluation and Analysis

MOUTD will continue its analysis of the transit system to include passenger surveys, operator and stakeholder feedback, and passenger boarding and alighting analysis in an effort to assess efficiency and effectiveness of the system to include fixed route, para-transit service and commuter routes as well as make recommendations and implement new service, route re-design, and improve route frequency. MOUTD plans to continue with its system analysis into FY 2025; the MPO will participate in this work. The original study was delayed by the onset of the Covid-19 pandemic but was completed in FY 2022. The MPO assists EZ-Rider with route mapping and data collection.

D. FUNDING SUMMARY

FY 2025

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Section 5307 Funds	Local Funds	Total Funds
		FY 2025	FY 2025	FY 2025	
3.1	MPO	21,900			21,900
3.2	MOUTD		6,167,145		6,167,145
Total:		21,900	6,167,145		6,189,045

¹TPF – This includes both FHWA PL-117-58 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor work hours, they are not reflected in the funding tables.

V. TASK 4.0 - METROPOLITAN TRANSPORTATION PLAN

A. OBJECTIVE –

Maintain and update the 2025-2050 MTP, Congestion Management Process (CMP), and the 2050 Travel Demand Model (TDM).

B. EXPECTED PRODUCTS –

Implement the 2050 MTP and continue review of projects to be programmed throughout the term of the MTP. Revise the MTP, as may be required by TxDOT, FHWA, FTA, or Permian Basin MPO. Ensure projects proposed for inclusion in the TIP are correctly referenced in the MTP.

Update CMP as necessary and verify accuracy of the road network.

C. PREVIOUS WORK –

During FY 2024, Staff, TAC and Policy Board worked to update the MPO’s project selection scoring methodology and weighting criteria. Additionally, in October 2018, the Policy Board concurred with a staff generated Three County Regional Thoroughfare Plan; this plan has been reviewed in FY 2020 and was not amended in FY 2024. Staff continued with its involvement with a TxDOT/TTI sponsored analysis of truck parking in the region and design standards for regional mobility related to the energy sector. Staff reviewed TxDOT Odessa District’s project portfolio.

TxDOT Administration and Permian Basin MPO staff participated in continued Travel Demand Model (TDM) training and mapping exercises. TxDOT staff have provided on-going technical support via scheduled telephone conference calls, new training, and continuous feedback. Staff made several edits to the roadway network and run scenarios to be utilized in the 2050 model update and the 2050 Metropolitan Transportation Plan.

Staff participated in the TxDOT sponsored 24-County Freight and Energy Sector Plan. Additionally, staff participated in the Ports to Plains (I-27) feasibility study and an I-10 and I-20 corridor subcommittee.

D. SUBTASKS –

4.1 Maintain and update MTP:

Prepare, implement and maintain the Forward 2050 MTP as required. Continue to follow-up on Policy Board direction regarding amendments to the Forward 2050 Plan. Revise projected revenues and ensure projects proposed for inclusion in the TIP are accurately referenced in the MTP. Update the cost of the scheduled projects list for letting. Update project priority list identified funding, and operations and maintenance cost. Continue to seek additional funding sources for projects contained in the MTP or desired regional corridor studies. The MPO staff will continue to amend the MTP as needed when additional funding availability or project prioritization changes. The MPO staff continues to monitor performance measures and targets as part of the reporting to TxDOT and USDOT on safety, road, bridge, and transit fleet conditions as well as system reliability (PM1, PM2, PM3). Permian Basin MPO staff will continue public outreach efforts and may utilize a consultant to assist with the Permian Basin MPO website, e-mail blasts, and status updates on Facebook. These public participation efforts will be utilized as part of the transportation decision making process by the TAC and the Policy Board.

4.2 Maintain CMP:

Implement and maintain the adopted CMP. Permian Basin MPO will continue to review the Congestion Monitoring Network and revise as needed. Staff will analyze and provide visualization tools to illustrate crash rates, traffic counts, roads and bridge conditions, locations of traffic congestion, and other data collected from federal, state, and local planning partners as described in Subtask 2.2. The CMP will continue to be monitored in FY 2024. Staff will continue to work with the City of Odessa, the City of Midland and both county administrative staffs to review and consider access conditions when review opportunities are requested. A major component of the CMP analysis is freight movement in the MAB. Following the completion of the TxDOT led 24-county Permian Basin freight study an advisory committee was formed. The committee will continue to assist with regional freight analysis. The committee is known as the Permian Basin Freight Advisory Committee. Membership includes freight stakeholders and transportation company representatives. The Membership has been invited to attend TxDOT 2050 planning meetings and Forward 2050 MTP meetings.

4.3 Travel Demand Model (TDM)

Staff will continue to work with TxDOT and consultants to utilize a travel demand model update containing transportation network data and demographic analysis. Information from the model, funded by TxDOT, will be used to project traffic conditions, land use, and employment on the existing and future roadway system. This tool will be used to assist decision makers with proposed project analysis and prioritization which will result in an effective distribution of funds in the MTP. As part of the TDM, work related to Traffic Analysis Zones (TAZ's) and network changes including functional classification will be addressed in this subtask. Staff anticipates utilizing TDM consultants to assist with training and modelling exercises as needed.

E. FUNDING SUMMARY -

Task 4.0 – 1-Year Funding Summary Table

FY 2025

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Section 5307 Funds	Local Funds	Total Funds
		FY 2025	FY 2025	FY 2025	
4.1	MPO	43,700			43,700
4.2	MPO	21,700			21,700
4.3	MPO	20,000			20,000
Total:		85,400			85,400

¹TPF – This includes both FHWA PL-117-58 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor work hours, they are not reflected in the funding tables.

VI. TASK 5.0 - SPECIAL STUDIES

A. OBJECTIVE –

Conduct special studies which may be required to complete corridor and sub-area planning activities needed to identify and prioritize projects to be included in the TIP and MTP; and to pursue studies arising from the local evaluation of multi-modal transportation services and regional freight movement.

B. EXPECTED PRODUCTS –

To be determined by Policy Board.

C. PREVIOUS WORK –

Permian Basin Multi-Use Trail Study, Phase II

Staff met with consultants, the Permian Basin Bicycle and Pedestrian Advisory Committee and the “Wildcatters Trail Committee” to share the consultant’s preliminary findings on possible corridor alignments. Staff also identified additional stakeholders including the University of Texas Permian Basin (two campuses) and landowners along the proposed trail path. Staff met with UTPB administration to learn how their campus master plans might coincide with the goals and objectives of a Multi-Use Corridor between the two cities. Staff met with consultants and stakeholders after receiving the final draft and worked with consultants to make changes. The Covid-19 pandemic slowed this effort temporarily; however, Phase II was completed to specifically identify the trail location in FY 2022.

Staff participated with the consultants for the Interregional Planning and Environment Linkage (PEL) Study to generate a list of stakeholders to be interviewed regarding the feasibility and potential location of a regional connectivity corridor. The interview process took place in July 2021 and again in March, 2023; the results will be utilized to reflect stakeholder comment and advise the consultants on route prioritization. Four townhall style meetings were held in 2022; two in May, and two in September, with two held in Midland and two in Odessa. The consultants made numerous presentations to the TAC and Policy Board about the PEL study including its purpose and results. This PEL work was completed in February 2024 when a final presentation was made to the Board.

TxDOT funded a study of the Loop 338 corridor around Odessa. Work continued during FY 2021-2023. Staff participated in a presentation made by TxDOT to the City of Odessa and Ector County.

Staff participated in a Comprehensive Operations Analysis completed by the MOUTD (EZ-Rider transit) in FY 2021. The study was partially funded by the MPO with \$35,000 provided. EZ-Rider is planning a similar study for FY 2025.

A contract between the MPO and the Texas A&M Transportation Institute was executed in June 2021 to complete a regional resiliency plan. Work commenced in FY 2021 and continued from FY 2022 to FY 2024. This work is substantially complete. Staff and the consultants will compare the document to the FHWA checklist for compliance with regulations related to resiliency plans.

D. SUBTASKS –

5.1 Americans with Disabilities Act (ADA) Transition Plan

This work will provide a long-term plan for removal of physical barriers to accessibility in transportation systems and facilities for people with disabilities by identifying and mapping locations where gaps and barriers exist in the multi modal transportation network.

5.2 Comprehensive Safety Action Plan

This involves working with the PBRPC and the City of Midland and Midland County to utilize the completed Comprehensive Safety Action Plan so that member agencies may apply for competitive grant project funding under the FHWA's Safe Streets and Roads 4 All program (SS4A).

5.3 General Planning Services

This task involves working with one or more qualified consultants to assist staff with the preparation of the following documents and or studies, Congestion Management Process update, 2050 MTP, Performance Based Planning and Programming, Corridor Studies, Freight Studies, EJ Analysis, and others.

E. FUNDING SUMMARY -

Task 5.0 – 1-Year Funding Summary Table

Subtask	Responsible Agency	Transportation Planning Funds (TPF) ¹	FTA Section 5307 Funds	TxDOT Funds	Total Funds
		FY 2025	FY 2025	FY 2025	
5.1	MPO	216,700			216,700
5.2	MPO	10,000			10,000
5.3	MPO	110,000			110,000
Total:		336,700			336,700

¹TPF – This includes both FHWA PL-117-58 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor work hours, they are not reflected in the funding tables.

VII. BUDGET SUMMARY

1-Year Funding Summary - FY 2025

UPWP Task	Description	TPF ¹	FTA Sect. 5307 Funds	TxDOT	Total Funds
1.0	Administration – Management	385,000			385,000
2.0	Data Development and Maintenance	41,900			41,900
3.0	Short Range Planning	21,900	6,167,145		6,189,045
4.0	Metropolitan Transportation Plan	85,400			85,400
5.0	Special Studies	336,700			336,700
Total:		870,900	6,167,145		7,038,045

¹TPF – This includes both FHWA PL-117-58 and FTA Section 5303 Funds. TxDOT will apply transportation development credits sufficient to provide the match for TPF. As the credits reflect neither cash nor work hours, they are not reflected in the funding tables.

Combined Transportation Planning Funds	\$ 7,038,045
Estimated Unexpended Carryover	\$ 219,638
TOTAL TPF:	\$ 7,257,683

APPENDIX A

**PERMIAN BASIN MPO MEMBERSHIP
TECHNICAL ADVISORY COMMITTEE MEMBERSHIP
MPO STAFF**

PERMIAN BASIN MPO – POLICY BOARD MEMBERSHIP

MEMBERS	TITLE	REPRESENTING	ELECTED OFFICIAL
<i>Voting Members</i>			
Jack Ladd, Jr.**	Councilman	City of Midland	Yes
Terry Johnson	Judge	Midland County	Yes
Mike Gardner*	Commissioner	Ector County	Yes
Steve Thompson	Councilman	City of Odessa	Yes
Bryan Cox	Judge	Martin County	Yes
Eric Lykins, P.E.	District Engineer	TxDOT Odessa District	No
Kayleen Hamilton	General Manager	MOUTD/EZ-Rider	No
<i>Ex-Officio Members</i>			
		Represented by (1) Member	
Federal Elected Officials	U.S. Representatives or Designee		Represented by (1) Member
	U.S. Senators or Designee		Member
State Elected Officials	Texas State Representatives or Designee		Represented by (1) Member
	Texas State Senators or Designee		Member
Federal Highway Administration Member	Field Representative		Represented by (1) Member
Federal Transit Administration	Field Representative		Represented by (1) Member
TxDOT Division Office TPP	Field Representative		Represented by (1) Member
Texas Commission on Environmental Quality	Field Representative		Represented by (1) Member

Federal Aviation Administration	Field Representative	Represented by (1)
		Member
Midland – Odessa Transportation Alliance	Chairperson	

**Denotes Committee Chairperson*

*** Denotes Committee Vice-Chairperson*

PERMIAN BASIN MPO – TECHNICAL ADVISORY COMMITTEE (TAC) MEMBERSHIP

MEMBERS	TITLE	REPRESENTING
Voting Members		
Cameron Walker*, AICP	Executive Director	Permian Basin MPO
Chad Windham, P.E.	Director of Operations	TxDOT Odessa District
Julie Patino	MOUSD	MOUSD
Vacant	Citizen	Martin County
Eddie Landrum	Director of Planning & Development	Ector County
Andrew Avis**	Director of Public Works	Midland County
Robert Ornelas, P.E.	Director of TP&D	TxDOT Odessa District
Joe Tucker, P.E.	Director of Public Works Assistant	City of Odessa
Jose Ortiz, P.E.	City Manager Construction	City of Midland
Bobby Wojciechowski	Manager	City of Midland
City of Odessa	Vacant	City of Odessa

**Denotes Committee Chairperson*

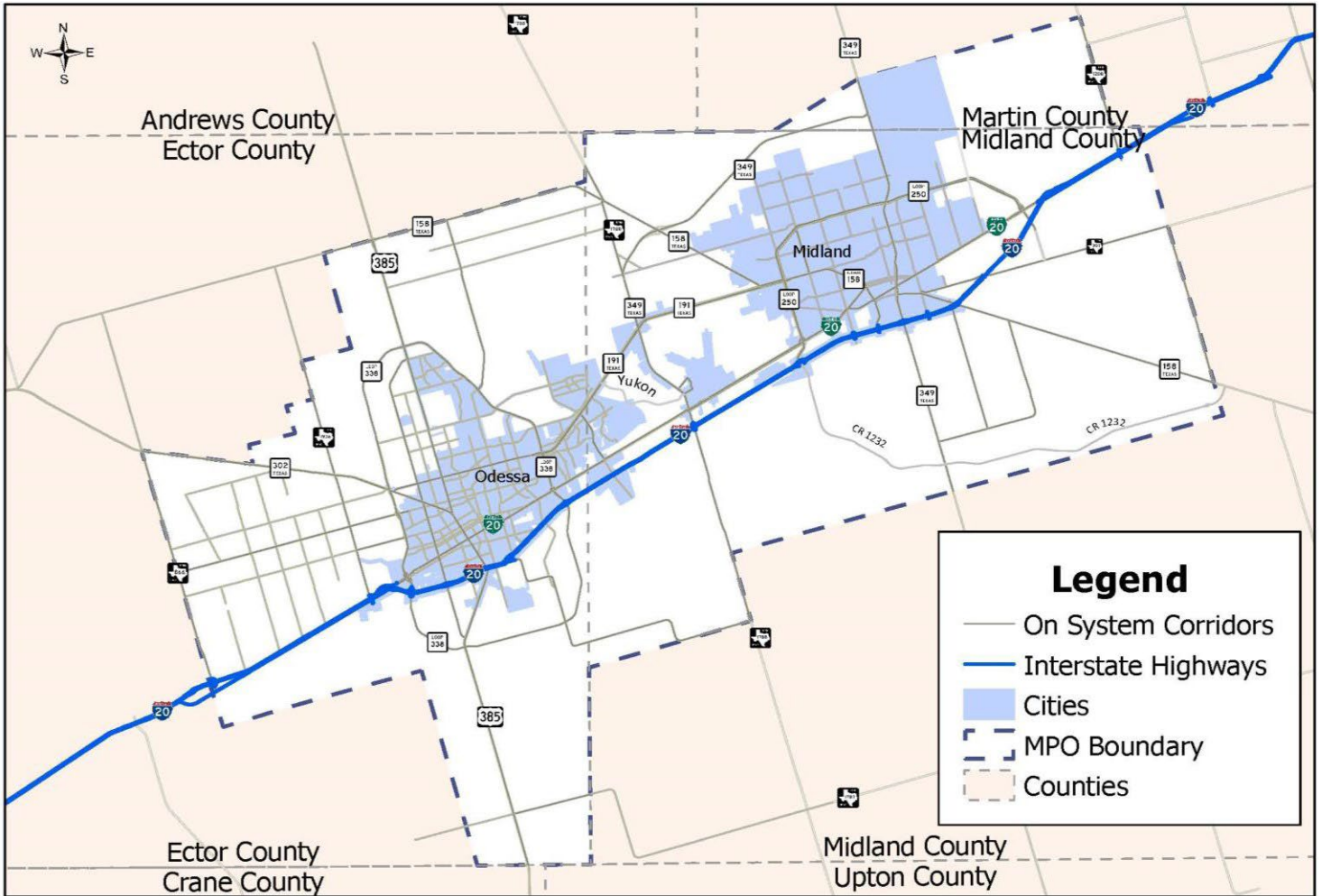
*** Denotes Committee Vice-Chairperson*

PERMIAN BASIN MPO – STAFF

NAME	TITLE	NAME	TITLE
Cameron Walker, AICP	Executive Director	Vacant	Senior Transportation Planner
Kimberly Potter	Office Manager	Akyra Hamilton	GIS Technician/Transportation Planner

APPENDIX B

METROPOLITAN AREA BOUNDARY MAP



Permian Basin MPO Boundary



This map was developed by Permian Basin MPO for the purpose of aiding in regional transportation planning decisions and is not warranted for any other use. No warranty is made by Permian Basin MPO regarding its accuracy or completeness.

APPENDIX C

DEBARMENT CERTIFICATION
(Negotiated Contracts)

- (1) The **Permian Basin MPO** as **CONTRACTOR** certifies to the best of its knowledge and belief that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) 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* transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity* with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions* terminated for cause or default.
- (2) Where the **CONTRACTOR** is unable to certify to any of the statements in this certification, such **CONTRACTOR** shall attach an explanation to this certification.

**federal, state or local*



Mike Gardner, Chair

Permian Basin MPO

08/19/2024

Date

APPENDIX D

LOBBYING CERTIFICATION

**CERTIFICATION FOR CONTRACTS,
GRANTS, LOANS AND
COOPERATIVE AGREEMENTS**

The undersigned 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 any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any 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.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients 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 Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Mike Gardner, Chair

Permian Basin MPO

08/19/2024

Date

APPENDIX E

CERTIFICATION OF COMPLIANCE – Contract Procurement

I, Mike Gardner, Chair, a duly authorized officer/representative of Permian Basin Metropolitan Planning Organization do hereby certify that the contract and procurement procedures that are in effect and used by the forenamed MPO are in compliance with 2 CFR §200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” as it may be revised or superseded.



08-19-2024

Date

Mike Gardner
Permian Basin MPO Policy Board – Chair

Attest:

Cameron Walker

Name

Executive Director

Title

APPENDIX F

CERTIFICATION OF INTERNAL ETHICS AND COMPLIANCE PROGRAM

I, Mike Gardner, Chair, a duly authorized officer/representative of Permian Basin Metropolitan Planning Organization do hereby certify that the forenamed MPO has adopted and does enforce an internal ethics and compliance program that is designed to detect and prevent violations of law, including regulations and ethical standards applicable to this entity or its officers or employees and that the internal ethics and compliance program satisfies the requirements of 43 TAC § 31.39 “Required Internal Ethics and Compliance Program” and 43 TAC § 10.51 “Internal Ethics and Compliance Program” as it may be revised or superseded.



Mike Gardner.
Permian Basin MPO Policy Board– Chair

08-19-2024
Date

Attest:

Cameron Walker

Name

Executive Director

Title

APPENDIX G
CERTIFICATION OF COMPLIANCE

MPO Self – Certification

In accordance with 23 CFR Part 450.336 and 450.220 of the Infrastructure Investment and Jobs Act (IIJA Act), the Texas Department of Transportation, and the Permian Basin Metropolitan Planning Organization for the Midland Odessa urbanized area, I hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U. S. C. 134, 49 U.S.C. 5303, and this subpart (a);
- (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1), and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23, U.S.C., regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

(11)

Witness these signatures this 19th day of August, 2024

A handwritten signature in blue ink that reads "Eric Lykins, PE". The signature is written in a cursive style and is contained within a rectangular box.

Eric Lykins P.E.
Texas Department of Transportation
Odessa District Engineer

A handwritten signature in blue ink that reads "Michael R. Gardner". The signature is written in a cursive style and is contained within a rectangular box.

Mike Gardner
MPO Policy Board Chair

END OF DOCUMENT