Transportation Planning Work Program
for the
Eau Claire Urbanized Area
2020

prepared for:
Chippewa-Eau Claire Metropolitan Planning Organization
http://www.wcwrpc.org

October 2, 2019
Metropolitan Planning Organization Policy Committee

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Information included in this document is subject to change based on any new interpretation or reauthorization of the federal transportation bill, currently FAST Act.

The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the Metropolitan Planning Program, Section 104(f) of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

Matching funds are provided by the Wisconsin Department of Transportation and West Central Wisconsin Regional Planning Commission (WCWRPC).
Resolution 19-05

ADOPTION OF THE 2020 UNIFIED WORK PROGRAM FOR THE CHIPPEWA-EAU CLAIRE MPO and ANNUAL MPO CERTIFICATION, FOR THE PERIOD: JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

WHEREAS, the Chippewa-Eau Claire MPO is the Metropolitan Planning Organization for the Eau Claire (WI) Urbanized Area, and the Policy Committee has the responsibility to direct, coordinate, and administer the transportation planning process in the urbanized area; and

WHEREAS, the Federal Highway Administration and Federal Transit Administration, under 23 CFR 450 Subpart C, have determined the necessity for a Unified Planning Work Program; and

WHEREAS, the Chippewa-Eau Claire MPO has been recognized as the Metropolitan Planning Organization for the Eau Claire Urbanized Area; and

WHEREAS, the Policy Committee has reviewed the clarifications of transportation planning activities outlined in the 2020 Unified Planning Work Program and finds them consistent with the transportation planning process.

NOW, THEREFORE, BE IT RESOLVED that the Policy Committee of the Chippewa-Eau Claire MPO adopts this Unified Planning Work Program and directs the staff to submit this document to the Wisconsin Department of Transportation and to the Federal Highway Administration and Federal Transit Administration; and

BE IT FURTHER RESOLVED that in accordance with 23 CFR 450.335(a) Chippewa-Eau Claire MPO hereby certifies that the metropolitan transportation planning process is addressing major issues facing 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;
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, 7508(c) and (d)) and 40 CFR part 63;
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;
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

Adopted this 2nd day of October 2019

APPROVED:
[Signature]
Gregory Hoffman, Chairperson
Chippewa-Eau Claire Metropolitan Planning Organization

ATTEST:
[Signature]
Ann Z. Schell, Secretary
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2020 Urban Transportation Planning Work Program  
Eau Claire Urbanized Area

**INTRODUCTION**

This Planning Work Program, pursuant to 23 CFR 450 Subpart C, is intended to provide direction and substance for pursuing a unified urban transportation planning work effort in the Eau Claire Urbanized Area during calendar year 2020. In addition, federal statute requires that metropolitan planning organizations (MPOs) consider the 10 planning factors listed below when developing transportation plans and programs, pursuant to 23 CFR 450.306. The Chippewa-Eau Claire MPO will consider these 10 factors for MPO planning in the development of the 2020 work program elements.

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 for freight.
5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned 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 efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
10. Enhance travel and tourism.

The matrix included as Exhibit E illustrates the 2020 MPO work elements and the metropolitan planning factors to be addressed in each project.

This work program is developed under the Cooperative Agreement for Continuing Transportation Planning for the Eau Claire, Wisconsin Metropolitan Area, between WisDOT, the MPO, and the cities of Eau Claire and Chippewa Falls as the urban transit operators. The agreement was updated and signed in 2017, laying out roles and responsibilities of the participating agencies.

Since mid-2014, the Chippewa-Eau Claire MPO has been staffed by two transportation planners, which has allowed for much more flexibility in the MPO program, more direct assistance to the urban municipalities, and more involvement of MPO staff in state and local project planning, especially during Long-range Plan update years when it can be extremely difficult for one planner to meet the demands.

The 2020 work program is developed with a focus on the update of the long-range plan, due in early 2021, continued implementation of the long-range plan, adopted in 2016, and addressing the planning needs of local municipalities. A particular emphasis is being placed on planning for a system that will meet the needs of a changing transportation environment. With relatively few highway capacity needs in the next 20 years, attention has turned to the increasing demand for alternative transportation modes, and to safety. Continued tracking
of performance measures will allow the MPO to examine the effects of the recommendations over time. In addition to the tracking of the ongoing set of performance measures, it is the intention of the Chippewa-Eau Claire MPO to continue to coordinate with, and affirm statewide performance measures and targets, adopted by WisDOT. Initial work begins on the update to the long-range transportation plan in late 2019, and the planning process will continue through 2020. It is anticipated that work on the plan in 2020 will include much of the data gathering, analysis, public involvement, and early stages of document drafting.

Continued implementation of the long-range plan has the MPO assisting some of the urban area municipalities and WisDOT. Some urbanized area communities will be involved in updates to their comprehensive plans, and the MPO will assist as requested, in the development of those transportation elements. Several project requests have been heard from municipalities, and the WisDOT - NW Region. Those are represented under the appropriate work element section. Other technical assistance requests arise over the course of the year and are addressed on a case by case basis depending upon staff availability.

The work program highlights the major areas of work to be undertaken for urban transportation planning in the Chippewa-Eau Claire urbanized area. It is not intended to duplicate background information already available in other planning documents (i.e., Transportation Improvement Program). Rather, it highlights the major program activities which will be worked on by the staff of the West Central Wisconsin Regional Planning Commission in cooperation with federal, state, and local municipal representatives.

WORK PROGRAM ORGANIZATION

The proposed work program identifies four principal categories where transportation planning efforts will be directed during calendar year 2020. These include: Short Range Planning; Long-range Planning; Transportation Improvement Program; and, Program Administration and Support. As part of the overall work program, staff will provide support to the Metropolitan Planning Organization (MPO) to accomplish federal planning requirements. This will ensure that the Urbanized Area retains its eligibility for capital, operating, and planning funds. In addition, the West Central Wisconsin Regional Planning Commission (WCWRPC) will serve as the fiscal agent for the MPO. The MPO staff and consultants will perform administrative services and assist in performing transportation planning functions for the MPO.

PUBLIC PARTICIPATION PROCESS

A goal of federal planning requirements is to provide public awareness of and involvement in the transportation planning and programming process. The MPO continues to maintain an extensive public participation process as an integral component of its planning and programming activities. The MPO has adopted a Public Involvement Plan and reviews it annually for necessary revisions and updating. The following actions summarize the MPO’s efforts in addressing the public participation process.

- The MPO Council, or policy committee, is made up of elected officials from member communities and the two counties. The Council is responsible for final approvals of MPO technical and policy documents.
Chippewa - Eau Claire MPO

Map 1

MPO Boundaries

- City, Village, Town
- County
- Urbanized Area
- Metropolitan Planning Area

City of Chippewa Falls Inset

City of Eau Claire Inset

August 2017

West Central Wisconsin Regional Planning Commission
• The MPO maintains a Technical Advisory Committee comprised of Federal, State, and municipal representatives for highways and transit, along with land use and environmental representatives. The TAC provides technical input to MPO staff and advises the MPO Council on technical matters and documents.

• A mailing list of local private transit operators is maintained and used for direct notification and solicitation of input for the development of TIPs, work programs, and special studies requiring their expertise. Special study committees are formed, when needed, to address specific topics such as bicycle facilities, land use, and environmental resources. They may be comprised of citizen and TAC members, as well as persons from other necessary areas of expertise.

• All meeting notices (MPO, TAC, and special study) are sent to the local media for publication or broadcast.

• Public information meetings are held in conjunction with planning studies in progress, or when requested.

• Public notices are employed to inform the general public of the availability of all draft and final TIPs, work programs, and transportation plans for review and comment, as well as any revisions to the public involvement plan. Public notices also offer the opportunity to request a public hearing prior to final action by the MPO Policy Committee. Public notices are also posted on the WCWRPC website, www.wcwrpc.org, along with specific information on TIP amendments and review of draft plans. Public notices include sentence in Hmong and Spanish, stating a contact number for further information.

• The MPO will consult with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation in the development of the LRP. The consultation will offer a comparison of the transportation plans to plans and inventories under these agencies’ jurisdictions.

• The MPO will continue to rely on the Chippewa Falls and Eau Claire Transit Commissions and transit managers as the initial point of contact for gathering the public input of transit users.

• The MPO also maintains a web site at http://www.wcwrpc.org for public information and contact purposes. Also included at the website are the Title VI policy statement and a link to the Title VI Plan, adopted in October, 2014, as amended.

The Public Involvement Plan was reviewed and updated by the MPO in 2007, in 2013, and again in 2016, resulting in minor changes to enhance and clarify the public involvement opportunities in the urban transportation planning and improvement programming process. In addition to these specific actions by the MPO, all TIP projects submitted by local municipalities, as well as MPO work program activities submitted for local municipal review, are subject to the public participation process mandated through the open meeting laws and legal notices required for all formal action by local units of government. The Public Involvement Plan can be found at:
http://wcwrpc.org/MPO_Documents/TitleVIPlan%20ECMPO%20final%20document%202010_17.pdf
**ELEMENT 100 – Short Range Planning**

**Objective:**
To incorporate transportation system management strategies into the urban transportation planning process to help preserve and maximize the efficiency and enhance the safety of the existing transportation system.

**Previous and Current Work:**
Short range actions to improve vehicle flow and increase the safety and efficiency of the urban transportation system have been an integral component of the transportation planning process since 1988. Recent long-range planning efforts identified and recommended short range actions to improve transportation facilities for vehicular travel, as well as pedestrians, bicyclists, and transit riders. Short range planning activities that were undertaken in 2019 included:

- Provided technical and advocacy assistance to West Central Wisconsin Rail Coalition and the Wisconsin Gateway Corridor Coalition in efforts to promote passenger rail service in Eau Claire and West Central Wisconsin through the development of a public-private partnership, including the engagement of local business and higher education interests on an Organizing Council. Students from UW-Eau Claire, UW-Stout, and UW-River Falls, and Chippewa Valley Technical College are also assisting with engagement of students and some electronic media updates and outreach efforts. Continued work with Corridor Rail, formerly Corridor Capital, a passenger rail development, finance, and management company, to help facilitate passenger rail from the MPA to the Twin Cities. Studied value capture and other non-traditional funding options for station development and service operation.

- Continued to work with the Center for Independent Living of Western Wisconsin (CILWW) in their coordination efforts in the region and support them in their grant applications for operation of their volunteer driver and voucher programs in the larger west central region.

- Worked with the City of Altoona on their official map for the portion of the City in the USH 12 corridor.

- Continued working with the City of Altoona, City of Eau Claire, Eau Claire County, and WisDOT staff on a potential crossing of Otter Creek in the Hillcrest mixed use development, making a connection from the existing mall area (City of Eau Claire) to STH 12, through the new mixed use development of the former Hillcrest golf course (City of Altoona). 2019 activities involved the City of Eau Claire moving forward to conduct a study to look at other connection alternatives. That effort and MPO involvement will likely continue.

- Worked with a UW-Madison research group and Eau Claire Transit (ECT) on a study of the potential for the use of automated vehicles for transit trips.

- Continued representing the MPO on the City of Eau Claire Healthy Communities Chronic Disease Prevention Action Team and the City of Eau Claire Step It Up! action group, which provided Walking School Bus program materials to all elementary schools in the Eau Claire Area School District and did a walk/bike audit for State Street, which is a pilot Complete Streets project to eventually implement a Complete Streets policy in the City of Eau Claire.

- Completed work on the City of Chippewa Falls Bicycle and Pedestrian Plan.

- Completed a Wisconsin Department of Natural Resources (DNR) State Trail map for the DNR showing the Chippewa Valley State trails.

- Continued working with the City of Eau Claire on a Safe Routes to Parks Plan.
• Worked with the City of Altoona, City of Chippewa Falls, City of Eau Claire, Village of Lake Hallie, Chippewa County, Eau Claire County, and bicycle groups on the Chippewa Valley Bike Routes system and mapping.
• Applied for a Mayo Clinic Hometown Health Grant to help fund a regional SRTS coordinator position. The grant was awarded.
• Started working with planning related activities for a regional Safe Routes to School program in the Chippewa Valley.
• Completed Chippewa and Eau Claire counties’ Human Service Transportation Coordination Plan updates.

Relationship to Other Activities:
Short range planning activities are a primary means of identifying transportation system preservation actions to help implement the long-range transportation plan. Many of the system preservation actions may also result in the identification of projects or service costs that are eligible for federal transportation funding and, therefore, may be incorporated into the TIP. The on-going data collection and processing of land use and socio-economic information also serves as a foundation for all transportation-related planning activities, including both highway and transit, and in the analysis of issues related to environmental justice concerns.

Methodology:
Short range planning activities for 2020 will include:
• Technical assistance, as needed, in the effort to regain the authority to establish an RTA.
• Implementation of the Long-Range Transportation Plan Update for the Chippewa-Eau Claire Metropolitan Planning Area 2015-2045 (adopted in March, 2016).
• Other technical assistance to transit providers or municipalities, as requested, relating to Safe Routes to School planning, parking studies, route analysis, etc.
• Provide assistance, as needed, in ongoing efforts to reestablish passenger rail service for the urbanized area. Current efforts in this area include work with the West Central Wisconsin Rail Coalition, Corridor Rail, and other related planning agencies toward establishing a public-private partnership to accomplish this goal.
• Continue to provide assistance and data to entities and their consultant(s) in the implementation of Safe Routes to School (SRTS) plans, as needed.
• Participate at Eau Claire County and Chippewa County specialized transportation coordinating committee meetings as needed.
• Participate in the City of Eau Claire Healthy Communities Chronic Disease Prevention Action Team and the City of Eau Claire Step It Up! action group.
• Assist on WisDOT Grant applications, when needed.
• Assist with Coordinated Public Transit Human Service Transportation Plans, updates and amendments, when needed.
• Staff will be available to provide technical assistance as requested by municipalities or WisDOT on an array topics and studies. The timing of this type of technical assistance is mainly up to the municipality request, as well as the availability of MPO staff. Some projects were suggested by TAC members and WisDOT-NW Region staff, or otherwise suggested during the development of this work program. The list below will be addressed as they are requested throughout the year, or in subsequent years:
o Technical assistance to municipalities for corridor preservation, official mapping, and access management planning, including but not limited to the development of an official map for the STH 12 corridor in the City of Altoona and Town of Washington.

o Study of the potential for an overpass of I-94, west of the USH 53 interchange, to relieve traffic at USH 53/Golf Road interchange and provide a safe bike/pedestrian route across I-94.

o Assistance to the City of Eau Claire in the grade separation of the rail crossing on Galloway and other potential crossing closure impacts.

o Assistance to communities on bicycle/pedestrian plans and related planning activities.

o Encouragement and assistance on CIPs.

o PEV charging station readiness planning (model policies, strategies, …)

o Assistance the cities of Eau Claire and Altoona with Otter Creek crossing alternatives study, as needed.

o Provide assistance to the City of Eau Claire on the Eau Claire Transit – Transit Development Plan.

o Execute the annual (or biennial) intersection crash rate analysis

o Assist the City of Eau Claire, Eau Claire County, and Chippewa County with an access control study and/or official mapping for CTH T, between STH 312 and STH 29

o Update the DNR State Trail map after an Old Abe Trail connection is completed.

o Assist with update of Chippewa Valley Bike Map.

o Identifying, developing warrants, and ranking locations for bus stop shelters

o Develop criteria for locating painted crosswalks

o Work with municipalities to do demonstration/pop-up projects for traffic calming and/or pedestrian safety

o Identify locations in need of bicycle parking, review and suggest changes to bike parking in zoning ordinances, devise a bike parking request program, as requested by municipalities

o Develop regional Vision Zero program

o Develop walking loops in downtowns and high employment areas

o Assist the City of Chippewa Falls on a way-finding project.

Schedule:
All of the identified short-range planning activities will be conducted between January and December of 2020, unless otherwise noted.

Products:
Listed studies would produce written reports as appropriate to the project. Other products are dependent on technical assistance requests.

Funding Source:

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<th>WisDOT (4.62%)</th>
<th>WCWRPC (15.38%)</th>
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Person Hours:
Professional: 772
Technical Support: 198
ELEMENT 200 – Long-range Transportation Planning

Objective:
To continue the tracking, and analysis of data and information relevant to the socio-economic conditions of the metropolitan planning area, its land use patterns and development trends, and the operational characteristics of the transportation system as needed for the maintenance of the long-range plan, adopted in March of 2016. Work will also include the refining and further study of specific modes, locations, or factors, as noted in the Long-range Plan. Considerable work will completed on the update of the long-range plan during CY 2020, due in March of 2021.

Previous and Current Work:
Long-range transportation plans were prepared for the metropolitan planning area and adopted in 1986, 1997, 2006, 2010, and the update most recently adopted in March of 2016. The current long-range plan extends to the year 2045 planning horizon. The following planning activities that were undertaken in 2018 included:

- Maintained public involvement through MPO Council meetings, TAC meetings, website postings and media news releases.
- Participated in West Central Wisconsin Rail Coalition at monthly meetings and other meetings related to the Coalition’s mission.
- Reviewed Long-range Plan, adopted in 2016, for projects moving forward for further study, and for compliance of TIP projects.
- Monitored Long-range Plan through annual updates of performance indicators.
- Reviewed and acted upon performance target requirements for the Safety, Pavement and Bridge, and Transit Asset Management targets.
- Began scheduling and reviewed public involvement process for the Long-range Plan update (due in March of 2021).

Relationship to Other Activities:
All of the urban area planning activities strengthen the base of information needed to maintain the Long-range Transportation Plan. The monitoring of development patterns impacts all transportation-related planning activities, including both highway and transit, and their effects on the environment and environmental justice concerns. The various planning activities conducted toward this end also contribute to the identification of projects and services that may become eligible for federal and state funding assistance through programming in the TIP. At the local level, the results of local planning initiatives facilitate improved decision-making on local capital improvement priorities. Also, setting and monitoring of performance measures and targets link short term changes in the system

WCWRPC adopted a regional comprehensive plan in 2009. Should this plan be updated, products developed through the comprehensive planning process, particularly the land use and transportation elements, and those developed for the Long-range Transportation Plan are coordinated, as much as possible, in order to yield consistent analysis and recommendations. Coordination is also intended between the Long-Range Plan and comprehensive plans of urban communities.
Methodology:
Long-range planning activities for 2020 will include:

- Gather and analyze data, engage in public involvement, and update recommendations, as appropriate, for inclusion in the updated Long-range Plan for the Chippewa-Eau Claire Metropolitan Planning Area.
- Implement Long-range Transportation Plan for 2045, including but not limited to those recommendations for further study included in the plan.
- Continue to implement performance indicators to monitor and track transportation and land use impacts and planning assumptions associated with project, policy, and study recommendations adopted and approved in the Long-range Plan.
- Continue to work with WisDOT on development and tracking of FAST Act performance targets.
- It is the intention of the Chippewa-Eau Claire MPO to coordinate with and affirm statewide performance targets developed by the Wisconsin Department of Transportation (WisDOT). In an effort to assist in meeting statewide targets, planning efforts will address potential effects related to the established targets.
- Establish performance measure targets no later than 180 days after the date of the State and/or Transit Providers establish their respective targets.
- Work with WisDOT in statewide transportation planning efforts.

Schedule:
All of the identified long-range planning activities will be conducted between January and December of 2020, unless otherwise noted.

Products:
Report documents will be produced as appropriate for those items addressed as needing further study in the most recently adopted long-range plan. A review of the annual performance indicators will be presented in report form early in the year. Significant progress will be made toward the development of the Long-Range Plan update due in March, 2021.

Funding Source:

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Person Hours:
Professional: 1,349 Technical Support: 285

ELEMENT 300 – Transportation Improvement Program (TIP)

Objective:
To maintain a five-year Transportation Improvement Program (TIP) that details the schedule for improvements to the highway, transit, bicycle, and pedestrian facilities within the Chippewa-Eau Claire Metropolitan Planning Area. This includes and any 2020-2024 TIP amendments that require attention in 2020.
**Previous and Current Work:**
TIPs were developed annually from 1982 to 2010. In 2011, the MPO started a biennial cycle for TIP development, and revised the process for ranking candidate projects for inclusion in the annual TIP document, to address multimodal factors, to favor projects of greater importance to the urbanized area, and to provide a more objective project selection. The MPO Technical Advisory Committee develops a draft TIP during the third quarter of each odd-numbered year. The MPO Policy Committee reviews and adopts the TIP in early October of odd years and submits it to WisDOT for incorporation in the STIP by October 15th. Amendments to the TIP are frequent and address changes in the WisDOT project schedule, and to meet the needs of untimely grant programs. The 2018-2022 TIP was developed and adopted in 2019, and there have been 32 project additions, deletions, or alterations to the document, through four amendment resolutions by the MPO, through October of 2019. Two additional resolutions, for a total of six, added language to the TIP documenting compliance with performance measure and target requirements. The 2020-2024 TIP was approved in October of 2019.

**Relationship to Other Activities:**
Preparation of the TIP is the primary means by which the MPO's long-range transportation plan is implemented. It helps ensure that federal and state investments in the local transportation system are directly tied to metropolitan planning activities and policies. Also, with the intent of supporting the State-adopted performance targets, the STBG-Urban project selection criteria include elements to promote the preservation of the existing system, and to reward candidate projects that will improve safety at intersections or on corridors with a history of crashes, as well as projects that serve multiple modes of transportation.

**Methodology:**
In October of 2020, a new TIP (2020-2024) will be compiled and adopted. Amendments to the 2020-2024 TIP (adopted October 2019) will be processed as requested throughout 2020. Major amendments are noticed in the local newspapers and on the WCWRPC website, with an opportunity to request a public hearing. All amendments are reviewed by the TAC and approved by the MPO Council after a 15-day public review period. Approved amendments are then submitted to WisDOT, FHWA, and FTA. WisDOT then includes the amendments in the upcoming STIP amendment.

**Schedule:**
In odd years, begin biennial update of TIP (June); Complete draft TIP (August); TAC/public reviews TIP (August-September); MPO approves final TIP (October); submit TIP to WisDOT (by October 15). In odd and even years, amendments are processed and adopted as necessary, with approvals on a quarterly basis to coincide with MPO meetings.

**Product:**
Products include documentation for any amendments to the 2020-2024 TIP that may occur in 2020.

**Funding Source:**

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<th>Funding Category/Shares</th>
<th>FHWA (80%)</th>
<th>WisDOT (4.62%)</th>
<th>WCWRPC (15.38%)</th>
<th>TOTAL (100%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PL formula funds</td>
<td>$10,917</td>
<td>$630</td>
<td>$2,099</td>
<td>$13,646</td>
</tr>
</tbody>
</table>

**Person Hours:**
Professional: 150  
Technical Support: 5
**ELEMENT 400 – Transportation Program Administration**

**Objective:**
To provide for the general administration of the MPO’s transportation program and fulfill the reporting, financial accounting, and certification requirements prescribed by FHWA and FTA to maintain federal and state urban transportation funding eligibility. To serve as a conduit to the urban area on state and federal transportation issues and initiatives.

**Previous and Current Work:**
The West Central Wisconsin Regional Planning Commission has served as the administrative and fiscal agent for the MPO since its inception in 1982 and continues to provide administrative services. The WCWRPC coordinates urban transportation planning activities with local, state, and federal agencies, as appropriate. In 2018, MPO staff updated the Cooperative Planning Agreement between WisDOT, the MPO, and the cities of Eau Claire and Chippewa Falls as the urban transit providers in the urbanized area, as needed, to reflect new performance measure/target requirements in the FAST Act.

**Relationship to Other Activities.**  
The administrative services support all transportation program activities and provide accountability for work elements undertaken and financial resources expended.

**Methodology:**
The staff of the WCWRPC prepares quarterly financial and work progress reports to document and account for the expenditure of transportation planning funds. News releases and newsletter articles are prepared, as needed, in support of specific work program activities. Staff administrative support is also provided in scheduling and conducting MPO and TAC meetings, maintaining interagency coordination, conducting public involvement meetings, administering contracts, developing and maintaining interagency agreements, and preparing an annual financial audit and annual certification statement. Also included are the preparation of the annual work program, staff supervision of planners and interns working on transportation plans and studies, and the implementation and monitoring of the MPO’s Public Involvement Plan. WCWRPC staff will attend appropriate state, regional, or national conferences/meetings/workshops to fulfill training needs and remain current on transportation-related issues. Staff will continue to participate in the quarterly FHWA/MPO/WisDOT forums to discuss planning, policy, financial, and technical issues and concerns.

**Schedule:**
Prepare quarterly financial/progress reports (by April 30, July 31, October 31, January 31); conduct MPO and TAC meetings (quarterly, or as needed); prepare annual reports/certifications and conduct annual audit (by December 31); prepare annual work program (draft by mid-September, final by November 15); and attend quarterly MPO Director meetings. Other administrative functions are on-going with work program activities.

**Products:**
Quarterly and annual reports  
Annual certifications and audit for 2019  
Work program for 2021

**Funding Source:**

<table>
<thead>
<tr>
<th>Funding Category/Shares</th>
<th>FHWA (80%)</th>
<th>WisDOT (4.62%)</th>
<th>WCWRPC (15.38%)</th>
<th>TOTAL (100%)</th>
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</thead>
<tbody>
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<td>PL formula funds</td>
<td>$25,819</td>
<td>$1,491</td>
<td>$4,964</td>
<td>$32,274</td>
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</table>

**Person Hours:**
Professional: 360  
Technical Support: 5
Exhibit A
Proposed Committee Meeting Dates for 2020

<table>
<thead>
<tr>
<th></th>
<th>January</th>
<th>August</th>
<th>April</th>
<th>September</th>
<th>November</th>
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<tbody>
<tr>
<td>TAC</td>
<td>January 15</td>
<td>August 12</td>
<td>April 15</td>
<td>September 9</td>
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<td>MPO</td>
<td>February 5</td>
<td>August 26</td>
<td>April 29</td>
<td>October 7</td>
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<tr>
<td>Mid-Year UWP Review</td>
<td>May/June</td>
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<td>Fall work program meeting</td>
<td>September/October</td>
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<tr>
<td>RPC</td>
<td>January 9</td>
<td>July 9</td>
<td>March 12</td>
<td>September 10</td>
<td>November 12</td>
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<tr>
<td>MPO Directors’ Meetings</td>
<td>January 28</td>
<td>July 28</td>
<td>April 28</td>
<td>October 27</td>
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Exhibit B
Chippewa-Eau Claire Metropolitan Planning Organization

Summary Project Budget by Funding Source*

<table>
<thead>
<tr>
<th>Work Categories</th>
<th>Total Cost</th>
<th>Federal FHWA (80%)</th>
<th>State WisDOT (4.62%)</th>
<th>Local WCWRPC (15.38%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 Short Range Planning</td>
<td>$79,699</td>
<td>$63,760</td>
<td>$3,682</td>
<td>$12,258</td>
</tr>
<tr>
<td>200 Long Range Transportation Plan</td>
<td>$135,014</td>
<td>$108,011</td>
<td>$6,237</td>
<td>$20,766</td>
</tr>
<tr>
<td>300 Transportation Improvement Program</td>
<td>$13,646</td>
<td>$10,917</td>
<td>$630</td>
<td>$2,099</td>
</tr>
<tr>
<td>400 Transportation Program Administration</td>
<td>$32,274</td>
<td>$25,819</td>
<td>$1,491</td>
<td>$4,964</td>
</tr>
<tr>
<td>FY 2020 Total</td>
<td>$260,634</td>
<td>$208,507</td>
<td>$12,040</td>
<td>$40,087</td>
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* Program expenses are in compliance with 23 CFR 420.113 and 2 CFR 225.
**Exhibit C**  
West Central Wisconsin Regional Planning Commission  
*2020 Transportation Program Budget*

<table>
<thead>
<tr>
<th>Direct Salaries</th>
<th>% of Time on Program</th>
<th># of Chargeable Hours</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPO Director</td>
<td>66%</td>
<td>1,133</td>
<td>$47,257</td>
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<tr>
<td>Senior Transp. Planner</td>
<td>71%</td>
<td>1,190</td>
<td>$49,554</td>
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<tr>
<td>Senior Planner I</td>
<td>3%</td>
<td>51</td>
<td>$2,118</td>
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<tr>
<td>Associate Planner I</td>
<td>10%</td>
<td>184</td>
<td>5,819</td>
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<tr>
<td>Associate Planner II</td>
<td>17%</td>
<td>296</td>
<td>8,580</td>
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<tr>
<td>Associate Planner III</td>
<td>10%</td>
<td>178</td>
<td>5,473</td>
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<tr>
<td>Office Manager</td>
<td>1%</td>
<td>17</td>
<td>377</td>
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</tbody>
</table>

Total Direct Chargeable Salaries $119,178

**Release Time/Fringe Benefit Rate (57.39%)**  
(See Exhibit C-2)  
68,402

Total Direct Chargeable Personnel Costs $187,579

**Indirect Expenses (33.84%)** (See Exhibit C-1)  
63,474

Total Personnel Costs $251,053

**Direct Expenses**

Travel $3,271

TOTAL MPO TRANSPORTATION PROGRAM COSTS: $254,324

NOTE: The Release Time/Fringe Benefit and Indirect Costs assigned to the MPO Transportation Program are pro-rated from the total Release Time/Fringe Benefit and Indirect Costs developed for the West Central Wisconsin Regional Planning Commission (WCWRPC), as presented in Exhibit C-1 and C-2. The Economic Development Administration is the cognizant/lead federal agency for the WCWRPC’s cost allocation/indirect cost rates.
Exhibit C-1  
West Central Wisconsin Regional Planning Commission  
*Estimate of 2020 Indirect Costs for Entire Agency Operations* 

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Total WCWRPC Indirect Personnel Costs*</td>
<td>$224,400</td>
</tr>
<tr>
<td>Indirect Chargeable Salaries</td>
<td>$142,571</td>
</tr>
<tr>
<td>X Release Time/Fringe Benefit Rate (57.39%)</td>
<td>81,829</td>
</tr>
<tr>
<td>Travel</td>
<td>$8,000</td>
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<tr>
<td>Supplies, Equipment, and Maintenance</td>
<td>45,000</td>
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<tr>
<td>Postage</td>
<td>3,000</td>
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<td>Telephone/Internet</td>
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<tr>
<td>Dues and Subscriptions</td>
<td>5,000</td>
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<tr>
<td>Printing</td>
<td>8,500</td>
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<tr>
<td>Insurance</td>
<td>5,500</td>
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<tr>
<td>Audit</td>
<td>10,000</td>
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<tr>
<td>Office Rent</td>
<td>31,000</td>
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<tr>
<td>Depreciation†</td>
<td>8,000</td>
</tr>
<tr>
<td><strong>Total WCWRPC Indirect Costs:</strong></td>
<td>$350,400</td>
</tr>
</tbody>
</table>

**Indirect Cost Rate Computation**

```
| Indirect Chargeable Salaries | $657,906 |
| X Release Time/Fringe Benefit Rate (57.3947784%) | 377.603 |

Total Direct Personnel Costs: $1,035,509

\[
\frac{$350,400}{\$1,035,509} = 33.8384311\% 
\]

*Indirect Personnel Costs include portions of Executive Director (95%), Finance Manager (80%), Office Manager (80%) salaries.

**Indirect costs are based on actual audited costs of the previous year and are applied as a fixed rate throughout the current year. The cognizant agency reviewing the indirect cost plan is the Economic Development Administration.

+Depreciation = Straight line allocation of office equipment, office furniture, etc.; usage based on mileage for automobiles.
### Exhibit C-2

**West Central Wisconsin Regional Planning Commission**  
*Estimate of 2020 Release Time/Fringe Benefits*  
*For Entire Agency Operations*

#### Release Time

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Vacation Pay</td>
<td>$77,340</td>
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<tr>
<td>Holiday Pay</td>
<td>26,548</td>
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<tr>
<td>Sick Pay</td>
<td>35,385</td>
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</tbody>
</table>

Total Release Time: **$139,273**

#### Fringe Benefits

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Social Security</td>
<td>$71,890</td>
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<tr>
<td>Retirement</td>
<td>63,434</td>
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<tr>
<td>Health Insurance</td>
<td>183,838</td>
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<tr>
<td>Vacation Purchased by Employees</td>
<td>-7,686</td>
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<tr>
<td>Life Insurance</td>
<td>2,761</td>
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<tr>
<td>Workers Compensation</td>
<td>5,922</td>
</tr>
<tr>
<td>Sick Leave Retirement Payout</td>
<td>0</td>
</tr>
</tbody>
</table>

Total Fringe Benefits: **$320,159**

Total WCWRPC Release Time/Fringe Benefits: **459,432**

#### Release Time/Fringe Benefit Rate Computation

$$\frac{459,432}{800,477} = 57.3947784\%$$

(Total Fringe Benefit & Release Time) ÷ (Total Chargeable Salaries)
<table>
<thead>
<tr>
<th>Work Tasks</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
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<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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<tbody>
<tr>
<td>100 Short Range Planning</td>
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<tr>
<td>120 Corridor Pres.vtn./Access Mngt. Assistance as requested</td>
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<td>130 Traffic Impact Analysis Assistance</td>
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<tr>
<td>140 Local Transit Coordination &amp; Planning as requested</td>
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<td>150 Technical Assistance to communities, as requested</td>
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<tr>
<td>160 Bicycle/Pedestrian Ping/Mapping Assistance, as requested</td>
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<td>170 Safe Routes to Schools Planning, as requested</td>
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<td>180 Assist Communities with STBG-TAgrant applications</td>
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<td>200 Long Range Transportation Planning</td>
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<tr>
<td>210 Maintain Public Participation Plan</td>
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<td>220 Multimodal advocacy and coordination</td>
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<td>230 GIS/ARCView Land Use Mapping</td>
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<tr>
<td>240 Long Range Plan (2015-2045) Implementation</td>
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<tr>
<td>250 Work with WisDOT/FHWA in Development of Perf. Targets</td>
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<tr>
<td>270 Long Range Plan (2020-2045) development</td>
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<td>320 Prepare TIP Document/Amendments</td>
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<td>410 Staff Support to MPO and TAC</td>
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<td>420 Interagency Coordination and Public Involvement</td>
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<tr>
<td>430 Complete Quarterly Financial Invoices &amp; Progress Reports</td>
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<tr>
<td>440 Prepare News Releases, Newsletter Articles, Annual Report</td>
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<td>460 Procure Annual Performance &amp; Financial Compliance Audit</td>
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<tr>
<td>470 Prepare Annual Certification Statement &amp; Title VI Update</td>
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</tbody>
</table>

(-) On-going Planning/technical assistance  (x) Special planning study  (+) Report
Intentionally left blank
Exhibit E
Metropolitan Planning Factors to be Considered in the 2020 Work Program

**Factors:**

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 for freight.

5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and local planned 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 efficient system management and operation.

8. Emphasize the preservation of the existing transportation system.

9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and

10. Enhance travel and tourism.

---

<table>
<thead>
<tr>
<th>UPWP Category</th>
<th>UPWP Elements</th>
<th>Metropolitan Planning Factors</th>
</tr>
</thead>
<tbody>
<tr>
<td>120</td>
<td>Corridor Presvtn./Access Mngt. Assistance</td>
<td>X X X X X X X X X</td>
</tr>
<tr>
<td>130</td>
<td>Traffic Impact Analysis Assistance</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>140</td>
<td>Local Transit Coordination &amp; Planning</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>150</td>
<td>Technical Assistance to communities</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>160</td>
<td>Bicycle/Pedestrian Ping/Mapping</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>210</td>
<td>Maintain Public Participation Plan</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>220</td>
<td>Multimodal coordination</td>
<td>X X X X X X X X</td>
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<tr>
<td>230</td>
<td>GIS Land Use Mapping</td>
<td>X X X X X X X X</td>
</tr>
<tr>
<td>250</td>
<td>Development/Maintenance of Perf. Targets</td>
<td>X X X X X X X X</td>
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<tr>
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<td>Program Administration</td>
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Exhibit F
MPO Certification Summary

The Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Council, as the policy board of the MPO, is charged with implementing the metropolitan planning process in accordance with applicable requirements of federal transportation legislation, the Civil Rights Act, and the Americans with Disabilities Act. All agencies involved in the transportation planning process must also be held accountable to these federal requirements. (Compliance with the Clean Air Act is not required as the Eau Claire urbanized area is not an air quality non-attainment or maintenance area.)

By federal law, agencies providing transportation services and/or receiving federal money must categorically adhere to the requirements as listed in the MPO’s adoption/self-certification resolution.

With the approval of the Self-Certification, the MPO Council is certifying that regulations and policies of the MPO as a sub-recipient of federal aid are in compliance with applicable federal and state employment opportunity laws and guidelines, affirmative action goals, equal employment opportunity requirements, employment practices, procurement activities, and transportation services. The Transportation Planning Work Program includes documentation that, as an agency and in partnership with its members, the MPO Council adheres to the applicable requirements of federal transportation legislation.

The 10 requirements for self-certification are summarized below.

1) **23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart.** These citations summarize the metropolitan planning requirements. Under these requirements, the MPO must currently have an approved Transportation Improvement Program, Long-range Transportation Plan, Transportation Planning Work Program, and Public Participation Plan. The MPO is also required to have interagency agreements, approved metropolitan area boundaries, and annual listings of obligated projects.

   **Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement because it currently has an approved TIP, Long range Transportation Plan, Transportation Planning Work Program, and Public Participation Plan. The MPO also has all of its required agreements, approved boundaries, and listings of obligated projects.

2) **Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21.** Title VI prohibits exclusion from participation in, denial of benefits of, and discrimination under federally-assisted programs on the grounds of race, color, or national origin.

   **Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017. The MPO also follows the West Central Wisconsin Regional Planning Commission (WCWRPC) non-discrimination policy as the MPO is housed within the RPC.
3) **49 U.S.C. 5332**, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017. The MPO also follows the WCWRPC non-discrimination policy as the MPO is housed within the RPC.

4) **Sections 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR Part 26** regarding the involvement of disadvantaged business enterprises in the US DOT funded projects.

**Chippewa-Eau Claire MPO Compliance:** The MPO does not typically utilize outside contractors in the execution of planning projects. However, if the situation should arise, the MPO will establish and follow a DBE policy.

5) **23 CFR part 230**, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.

**Chippewa-Eau Claire MPO Compliance:** This requirement does not directly apply to the Chippewa-Eau Claire MPO because it is not involved in federal or federal-aid highway construction contracts. However, the MPO follows the West Central Wisconsin Regional Planning Commission (WCWRPC) Equal Opportunity Policy in other employment-related actions, including hiring.

6) **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.** Programs and activities funded with federal dollars are prohibited from discriminatory practices based on disability.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017. The MPO also follows the WCWRPC non-discrimination policy as the MPO is housed within the RPC.

7) **The Older Americans Act, as amended (42 U.S.C 6101)**, prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017. The MPO also follows the WCWRPC non-discrimination policy as the MPO is housed within the RPC.

8) **Section 324 of title 23, U.S.C.**, regarding the prohibition of discrimination based on gender.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017. The MPO also follows the WCWRPC non-discrimination policy as the MPO is housed within the RPC.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the policies identified in the *Chippewa-Eau Claire Metropolitan Planning Organization (MPO) Title VI Plan/Limited English Proficiency Plan/Public Participation Plan that was approved by the MPO Council on October 8, 2014, with approval of updated document on October 11, 2017.* The MPO also follows the WCWRPC non-discrimination policy as the MPO is housed within the RPC.

10) *Section 225 of 2 CFR Cost Principles for State, Local, and Indian Tribal Governments,* establishing principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts, and other agreements with governmental units.

**Chippewa-Eau Claire MPO Compliance:** The MPO complies with this requirement through the adoption of a WisDOT and FHWA reviewed and approved annual work program, utilizing estimated work hours, and fringe and indirect rates that are computed annually for the entire WCWRPC and applied to the MPO work program. The MPO submits quarterly progress reports and reimbursement requests to WisDOT for review and payment of State and Federal shares, as they appear in the adopted work program, for allowable expenses. WCWRPC, as the host agency of the MPO, utilizes generally accepted accounting practices and contracts for annual financial audits.
COOPERATIVE AGREEMENT FOR CONTINUING TRANSPORTATION PLANNING FOR THE CHIPPEWA-EAU CLAIRE, WISCONSIN METROPOLITAN AREA between

STATE OF WISCONSIN, DEPARTMENT OF TRANSPORTATION
and the
CHIPPEWA-EAU CLAIRE METROPOLITAN PLANNING ORGANIZATION
and the
EAU CLAIRE TRANSIT SYSTEM
(Transit Operator)
and the
CHIPPEWA FALLS SHARED RIDE TAXI
(Transit Operator)

This Cooperative Agreement is made and entered into between the State of Wisconsin Department of Transportation ("WisDOT"), the Chippewa-Eau Claire Metropolitan Planning Organization ("MPO"), Eau Claire Transit, the operator of publicly owned transit services ("Transit Operator") and the Chippewa Falls Shared Ride Taxi, the operator of publicly owned transit services ("Transit Operator").

Recitals Section
WHEREAS, various federal grants and aids are available to WisDOT and/or the MPO, and various state grants and aids are available to the MPO for carrying out metropolitan transportation planning activities; and

WHEREAS, WisDOT is authorized by sec. 85.02, Wis. Stats. to direct, undertake and expend state and federal aid for planning, promotion and protection activities for all transportation modes; and

WHEREAS, the Governor of Wisconsin and local communities within the Eau Claire Urbanized Area, through their authorized representatives, have jointly designated the MPO to carry out metropolitan transportation planning activities for the Metropolitan Planning Area; and

WHEREAS, the Transit Operator provides mass transportation services within the Chippewa-Eau Claire Metropolitan Planning Area; and

WHEREAS, the Transit Operator is the designated recipient in the Urbanized Area for federal transit operating aids under Section 5307 of the Federal Transit Act, as amended; and

WHEREAS, metropolitan transportation planning activities come under the jurisdiction of the U.S. Department of Transportation Federal Highway Administration and Federal Transit Administration ("USDOT") and are subject to the metropolitan planning requirements of 23 U.S.C. 134, section 5303 of the Federal Transit Act and implementing regulations at 23 C.F.R. 450; and

WHEREAS, the MPO, WisDOT and USDOT in consultation with the appropriate transportation providers enter into an annual unified planning work program ("Planning Work Program") as detailed in Article III Scope of Work of this agreement; and
WHEREAS, Metropolitan Planning Area boundaries for purposes of the federal planning provisions have been determined by agreement between the MPO and the Governor;

NOW THEREFORE, in consideration of these premises, and of their mutual and dependent needs, the parties hereto contract and agree as follows:

**Article I: Statement of Purpose**

WisDOT and the MPO, in cooperation with the Transit Operator, shall cooperatively undertake a continuing, cooperative, and comprehensive performance-based multimodal transportation planning and programming process for the Metropolitan Planning Area in accordance with state and local goals for metropolitan planning, the provisions of 23 USC 134, 49 USC 5303, and 23 CFR 450, and in accordance with the provisions of this Agreement.

**Article II: Overall Responsibilities**

A. The MPO shall be responsible for and shall be the lead agency in conducting the following transportation planning and programming activities pursuant to 23 CFR 450 and FTA Circular 4702.1B:

1. Formulating, adopting and periodically reviewing, updating and amending a long-range multimodal transportation plan for the Metropolitan Planning Area, which shall conform to all applicable Federal requirements;

2. Formulating and approving a short-range Transportation Improvement Program (TIP) for the Metropolitan Planning Area which shall cover a period of not less than 4 years and must have 4 years of projects and may include projects outside the Planning Area for information only. The TIP will provide a notice to the public that the public participation process used for its development meets the public participation requirements for the program of projects prepared by transit operators under 49 U.S.C. 5307;

3. Assisting and participating with updating a mid-range (3-5 year) transit development plan (TDP) in cooperation with the fixed route Transit Operator. This plan shall include, but not be limited to, transit system policies and service demands, transit service reductions and extensions, transit fares, and transit system capital facility needs;

4. Coordinating short-range (e.g., TIP), mid-range (3-5 year) and long-range transit planning and programming with other transportation planning and programming, with cooperation and assistance from the Transit Operators;

5. Providing a forum for cooperative transportation planning and decision-making, and establishing a public participation process that ensures reasonable opportunities for early and continuing involvement of individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled,
and other interested parties in the review and evaluation of all transportation plans and programs, the latter to include special outreach efforts to those traditionally underserved by existing transportation systems;

6. Considering and implementing WisDOT transportation plans and planning guidance to the fullest extent consistent within local and regional goals;

7. Making data, assumptions, criteria, methodology, and analyses available to WisDOT and other participants in a timely manner;

8. Providing WisDOT with copies of all transportation plans and programs and all resolutions concerning their adoption, endorsement, or amendment;

9. Providing WisDOT with an annual self-certification that the MPO’s transportation planning process conforms to all applicable Federal requirements pursuant to 23 CFR 450;

10. Complying with American Disabilities Act of 1990 plan certification procedures as required in 49 CFR 37.139;

11. Formulating and annually approving the Planning Work Program, which shall identify all transportation-related planning activities to be funded with state and federal financial aids and technical assistance in accordance with the provisions of this Agreement and the time schedule adopted by WisDOT;

12. Cooperatively establishing all federally required MPO performance targets, sharing performance data and preparing system performance reports in coordination with WisDOT and Transit Operator (based on FHWA and FTA performance measure final rules publications); and the collection of data for state asset management plan per applicable federal regulations.

13. Maintaining a current Title VI Program as required by Federal Transit Administration’s Title VI Circular 4702.1B in addition to the following:

   a. Completing an annual report denoting any Title VI Investigations, Complaints and Lawsuits or reporting there had been none within the preceding year;

   b. Reporting Title VI activities annually within the Unified Planning Work Program;

   c. Updating the Title VI Program with approval by the MPO’s Policy Board on a three year cycle.

14. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operators, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs;

15. Working with WisDOT and Transit Operators in the preparation of a financial plan for the transportation plan and transportation improvement program, including the
cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.


B. WisDOT shall be responsible for, and shall be the lead agency in conducting, the following transportation planning and programming activities:

1. Actively participating in MPO activities to represent the state’s interests and ensure awareness and consideration of state transportation plans, programs, projects and policies in MPO decision-making.

2. Informing the MPO relative to the availability, or anticipated availability, of State and Federal financial aids and technical assistance for metropolitan transportation planning activities; making all metropolitan planning funds authorized by 23 U.S.C. 104(f) and 49 U.S.C. 5305(d) available to the MPOs in accordance with a formula developed by WisDOT, in consultation with the MPOs, and approved by USDOT;

3. Providing information relative to the availability, or anticipated availability, of State and Federal financial aids for metropolitan transportation improvements and services that fall under local programming jurisdiction;

4. Providing information relative to the proposed programming of State and Federal financial aids for metropolitan transportation improvements and services, which fall under State jurisdiction;

5. Informing the MPO relative to Federal or State statutes, policies, regulations and guidelines, which bear upon metropolitan transportation planning and programming activities and contractual arrangements;

6. Developing statewide strategies and guidance for the preparation and scoping of the metropolitan area transportation system plan, improvement program, and Planning Work Program to address Federal and State planning requirements and goals;

7. Coordinating the development of the schedule and procedures for annual submittal and interagency review (including but not limited to FHWA and FTA) and approval of the Planning Work Program;

8. Providing technical support and data and information collected or maintained by WisDOT that is pertinent to the transportation planning work to be performed by the MPO under this Agreement;

9. Coordinate, review and comment on MPO’s long-range transportation plan, in a timely manner, for use as a guide in statewide planning and programming activities;

10. Approving the MPO TIP on behalf of the Governor;
11. Developing the statewide long-range transportation plan and the Statewide Transportation Improvement Program (STIP) in cooperation with MPO, pursuant to the provisions of 23 U.S.C. 135;

12. Coordinating and reconciling MPO transportation plans and programs with statewide plans and programs as necessary to ensure connectivity within transportation systems, in cooperation with the MPO;

13. Including the metropolitan TIP without change in the STIP, directly or by reference, after approval of the TIP by the MPO and the Governor.

14. Monitoring the MPO’s transportation planning process to ensure compatibility with State and USDOT programs and objectives and to certify compliance with applicable Federal requirements;

15. Cooperatively selecting and establishing performance targets, sharing performance data and analysis, supporting monitoring and reporting of system performance in coordination with the MPO and Transit Operators (based on FHWA and FTA performance measure final rules);

16. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operators, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs;

17. Working with the MPO and Transit Operators in the preparation of a financial plan for the transportation plan and transportation improvement program, including the cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.


C. Each Transit Operators shall be responsible for and shall be the lead agencies in conducting the following transportation planning and programming activities:

1. Actively participating in MPO activities to represent the public transit interests and ensure awareness and consideration of public transit plans, programs, projects and policies in MPO decision-making.

2. Coordination of short-range (e.g., TIP), mid-range (3-5 year) and long-range transit planning and programming (e.g., Transit Development Plan) with other transportation planning and programming, with cooperation and technical assistance from the MPO;

3. Providing information relative to the proposed programming of Federal, State and local funds for metropolitan transit system improvements and services that fall under the Transit Operator’s jurisdiction;
4. Preparing and submitting applications for State and Federal mass transportation capital and operating assistance grants and administering approved grants;

5. Conducting preliminary engineering and final design studies relating to mass transportation capital facilities, including, but not limited to, transit stations, shelters, bus stop signs, garages, maintenance buildings, operator buildings, and rolling stock;

6. Conducting detailed operational planning necessary to establish or modify transit routes, schedules, fares, stop locations, transfer points, vehicle assignments, and other operating procedures in accord with the proposals contained in the fixed route operator’s TDP;

7. Preparing and updating paratransit service plans in conformance with the Americans with Disabilities Act of 1990;

8. Endorsing the MPO metropolitan area transportation plan in a timely manner, for use as a guide in local transit planning and programming activities;

9. Conducting transit marketing planning, including, but not limited to, the conduct of market surveys, the design of user information materials, and the development of transit promotion programs;

10. Conducting transit management planning, including but not limited to, activities related to personnel procedures and training programs, maintenance policies, fare collection and handling procedures, and accounting practices;

11. Collecting data to meet the requirements of 49 U.S.C. 5335;

12. Collecting data to meet the requirements of Wisconsin Administrative Code Trans 3, 4, and 8;

13. Cooperatively selecting and establishing performance targets, sharing performance data and analysis, supporting monitoring and reporting of system performance in coordination with WisDOT and the MPO (based on FHWA and FTA performance measure final rules); and

14. Ensuring opportunities for the early and continuing involvement of the MPO, Transit Operators, WisDOT, local governmental units, and general public in the review and evaluation of all state transportation plans and programs.

15. Working with the MPO and WisDOT in the preparation of a financial plan for the transportation plan and transportation improvement program, including the cooperative development of estimates of transportation system costs and funding revenues to support implementation of the plan and program.

16. Working cooperatively with the MPO and WisDOT in the preparation of an annual listing of obligated transportation projects funded under 23 U.S.C. or 49 U.S.C. Chapter 53.
Article III: Scope of Work

A. The cooperative metropolitan transportation planning process shall be carried out in accordance with a Planning Work Program approved by the MPO, WisDOT and USDOT, in consultation with appropriate transportation providers have entered into the Planning Work Program, including budget and cost allocation. The Planning Work Program will be reviewed, approved and replaced annually. The original and all approved subsequent Planning Work Programs during the terms of this agreement shall be made part of this agreement, and made a part of this Agreement which shall constitute the scope of work to be performed under this Agreement.

B. The Planning Work Program shall set forth a description of the specific metropolitan transportation planning activities and products to be completed each calendar year, the corresponding staff and budgetary requirements, and the allocation of the total costs between the participating agencies. Responsibility for the following planning activities shall be identified in the Planning Work Program, where applicable:

1. Preparing technical and other reports to assure documentation of the development, refinement and reappraisal of the transportation plan; and

2. Conducting detailed corridor or subarea studies to evaluate major transportation investment alternatives and their social, economic and environmental impacts pursuant to 23 CFR 450.

C. Upon adoption of the Planning Work Program by the MPO and approval by WisDOT and by USDOT funding agencies, WisDOT shall authorize the MPO to proceed with the Planning Work Program in writing, and in accordance with the terms and conditions of such approval.

The Planning Work Program may be amended during the course of the year upon written request of the MPO subject to (1) the written concurrence of WisDOT and USDOT funding agencies and (2) the availability of funding, if applicable.

D. The cooperative metropolitan transportation planning process to be conducted under this agreement and governed by the provisions of 23 CFR 450 shall encompass the Metropolitan Planning Area, as determined by agreement between the Governor and MPO.

Article IV: Organization and Administration

A. The governing body of the MPO shall appoint and maintain such policy, citizen and/or technical advisory committees as deemed appropriate to effectively carry out the comprehensive metropolitan transportation planning process under this Agreement. WisDOT and the Transit Operators shall be represented on such policy and technical advisory committees.

B. MPO may enter into such institutional arrangements, service contracts or agency agreements as it deems necessary to carry out the scope of work under this Agreement with the understanding that the MPO shall remain accountable for completion of planning products in accordance with the Planning Work Program. All such contracts, subcontracts, agreements or other written understandings for services shall conform to the appropriate provisions of 2
CFR 200 as supplemented by 23 CFR 420.119 issued by the Federal Highway Administration (FHWA); Federal Transit Administration (FTA) Circular 4220.1E and any changes or revisions thereto; and other applicable guidance the FTA, FHWA or USDOT may issue.

C. When consultants are to be employed in accomplishing work under this Agreement, all parties providing funding or technical support for such work shall have the right to review and advise on basic study methods and procedures and to review and approve subcontracts.

D. Nothing in this Contract shall be deemed as a waiver of WisDOT’s or the State’s sovereign immunity consistent with Wisconsin State law.

Article V: Inspection of Work

WisDOT and USDOT shall, at all times during the effective period of this Agreement, be accorded proper facilities for inspection of the metropolitan transportation planning work activities and shall, in accordance with Article XI, have access to all data, information, records and documents pertaining to the work under this Agreement.

Article VI: Work Product

A. WisDOT, the MPO and the Transit Operators shall give each other and applicable USDOT agencies reasonable opportunity to review and comment on their respective reports produced under this Agreement prior to publication of the final report.

B. All reports and documents published by all parties under this Agreement shall give credit to all other parties and to participating USDOT agencies and include appropriate disclaimer statements regarding representation of USDOT views or policies.

C. WisDOT and USDOT shall each have the royalty-free nonexclusive and irrevocable right to reproduce, publish, distribute, or otherwise use, and to authorize others to use, the work produced under this Agreement for government purposes.

Article VII: Prohibited Interest

A. No member, officer or employee of the MPO or any state or local public body during his or her tenure or for one year thereafter may have or acquire any interest whatsoever, direct or indirect, in this Agreement or proceeds thereof or any benefit arising therefrom.

B. No member of or delegate to the Congress of the United States of America may have or acquire any interest whatsoever, direct or indirect, in this Agreement or proceeds thereof or any benefit arising therefrom.

Article VIII: Funding and Payment

A. Funding levels and financial responsibilities for the continuing metropolitan transportation planning process shall be negotiated annually in conjunction with the preparation, review and approval of the Planning Work Program, and shall consider such factors as the availability of
federal planning monies and state and local matching funds, statewide allocation formulas
developed in cooperation with MPOs, and the relative benefits to participating agencies.

B. Upon adoption of the Planning Work Program by the MPO and approval by WisDOT and by
USDOT funding agencies, the Planning Work Program shall be deemed to constitute a part
of this Agreement with respect to the scope of work and funding arrangements. Specific
terms or conditions governing the financial aspects of the Planning Work Program will be set
forth in WisDOT's annual authorization letter.

C. All costs incurred during the progress of the metropolitan transportation planning work
activities under this Agreement shall be shared by the MPO and the other participating
agencies on the basis of the cost allocation schedule set forth in the approved Planning Work
Program.

D. WisDOT's share of program costs, together with any USDOT share, which is administered
by WisDOT, will be paid to the MPO following the receipt of a properly executed invoice,
and a detailed status of expenditures report per WisDOT Unified Planning Work Program
Handbook.

E. Progress reports containing a narrative and financial account of the work accomplished to
date shall be furnished by MPO to WisDOT at no greater than a quarterly interval. These
reports shall be due 30 days after the end of the first, second and third quarters, and 60 days
after the final quarter.

F. WisDOT may withhold or delay approval of invoices if the MPO fails to submit progress
reports or scheduled products in a timely and satisfactory manner. WisDOT shall provide
reimbursement to the MPO within 15 business days so as to comply with federal planning
requirements for the timely payment for all submitted and approved progress reports,
finished products, and invoices.

Article IX: Cost Principles

A. Allowable Costs. Actual costs incurred by MPO under this Agreement shall be eligible for
reimbursement provided the costs are:

1. Verifiable from the MPO's records;

2. Not included as match funds as prescribed by federal law or regulation for any other
federally assisted program;

3. Necessary and reasonable for proper and efficient accomplishment of the approved
Planning Work Program;

4. In conformance with the standards for allowable costs set forth in 2 CFR 225 (Office of
Management and Budget (OMB) Circular A-87, revised) and with applicable guidelines,
regulations, or federal Agreement provisions issued by FHWA or FTA.

5. Not paid by the federal government under another assistance agreement unless authorized
to be used as match funds under the other federal agreement and the laws and regulations
governing such agreement; and
6. Provided for in the approved Planning Work Program.

7. No contributions where costs are not incurred, such as volunteer services or donated property, may be accepted as the non-federal share.

B. Indirect Costs. MPO costs charged on an indirect basis shall be supported by an indirect cost allocation plan and indirect cost rate proposal. Such plans shall be submitted with certification to WisDOT and the host agency’s cognizant federal agency for approval prior to recovering any indirect costs included under this Agreement.

Article X: Property Utilization and Management

The MPO shall comply with the property management standards as set forth in 2 CFR 200, Subpart D, Property Standards.

Article XI: Records and Audits

A. The MPO shall, for the program of continuing, comprehensive transportation planning and programming activities maintain an accounting system that adequately accounts for all funds provided for, accruing to, or otherwise received from the federal, state and local units of government, or any other quasi-public or private source under this Agreement.

B. All eligible costs, including paid services and expenses contributed by the MPO, shall be charged to the approved Planning Work Program by the MPO and shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All accounting records and other evidence pertaining to the costs incurred by the MPO under this Agreement shall be maintained by the MPO and shall be clearly identified and readily accessible. WisDOT and USDOT shall have authority to audit, review, examine copy and transcribe any pertinent data, information, records or documents relating to this Agreement at any reasonable time. The MPO shall retain all records and documents applicable to this Agreement for a period of not less than three (3) years after final payment is made to WisDOT by the federal funding agencies.

C. The MPO shall have a single, organization-wide financial and compliance audit performed by a qualified, independent auditor if required to do so under federal laws and regulations. (See 2 CFR 200 Subpart F Audit Requirements). This audit shall be performed in accordance with 2 CFR 200, and state single, organization-wide audit guidelines issued by the Wisconsin Department of Administration (DOA). A copy of the audit shall be furnished to WisDOT.

Article XII: Certification Regarding Lobbying

A. The MPO certifies, by signing this Agreement, 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 Federal 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.

B. 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 USC 1352. 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.

C. The MPO also agrees by signing this Agreement that it shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such subrecipients shall certify and disclose accordingly.

**Article XIII: Effective Date and Duration of Agreement**

A. This Agreement shall become effective upon execution by WisDOT, the MPO, and the Transit Operators and shall remain in force until terminated under provisions of Article XIV, or until superseded by a new agreement.

B. This Agreement may be amended from time-to-time as facts or circumstances warrant or as may be required by OMB and/or state laws, administrative regulations, departmental orders, or guidelines having the full force and effect of law.

C. This Agreement supersedes any previous cooperative agreement for metropolitan transportation planning.

**Article XIV: General Provisions**

A. **Choice of Law.** This Agreement shall be interpreted in accordance with the statutes and laws of the United States of America and the State of Wisconsin.

B. **Entire Agreement.** This Agreement together with those documents referred to herein contain the entire agreement of the parties and supersedes any and all prior COOPERATIVE AGREEMENT FOR CONTINUING TRANSPORTATION PLANNING agreements and draft agreements, or oral understandings between the parties.
C. The State of Wisconsin may cancel this and any related contract in whole or in part, and without penalty due to nonappropriation of funds or for failure of the MPO and Transit Operators to comply with terms, conditions, and specifications of this contract by notice required in Article XV.

D. **Severability.** If any provision of this Agreement or the application of this agreement is held invalid, the enforceability of all other provisions shall not be impaired.

**Article XV: Termination Of Agreement**

WisDOT, the MPO or the Transit Operators may terminate this Agreement by giving sixty (60) days written notice of such termination to the other parties. In the event of termination, the MPO will be entitled to receive just and equitable compensation for any satisfactory work completed under this Agreement to the effective date of such termination.

IN WITNESS WHEREOF, the parties have hereto caused this Agreement to be executed by their proper officers and representatives.

**CHIPPEWA-EAU CLAIRE METROPOLITAN PLANNING ORGANIZATION**

By ___________________________ Date 2/1/17

Gregory Hoffman, Chair

**STATE OF WISCONSIN, DEPARTMENT OF TRANSPORTATION**

By ___________________________ Date 2/15/17

[Signature]

Dawson, Secretary

**TRANSIT OPERATOR (EAU CLAIRE TRANSIT)**

By ___________________________ Date 2/1/2017

[Signature]

Dale Peters, City Manager

**TRANSIT OPERATOR (CHIPPEWA FALLS SHARED RIDE TAXI)**

By ___________________________ Date 2/1/17

[Signature]

Gregory Hoffman, Mayor of Chippewa Falls
To address the requirements or Title VI in 2018, the Chippewa-Eau Claire MPO conducted the following activities:

- Conducted scheduled TAC and MPO Policy Committee meetings that were open for public involvement.
- Used local media and website to inform the general public of meetings.
- A bicycle and pedestrian plan was begun for the City of Chippewa Falls in 2018. The planning process will gather input from those living and working in Chippewa Falls through a survey, online and hardcopy as needed. The process will also have a steering committee with broad representation, and will hold two open houses – one at the issue and opportunity identification stage, and one to gather comments on plan recommendations.
- Endorsed Section 5310 Grant application for Center for Independent Living of Western Wisconsin (CILWW) to continue to administer a multi-county volunteer driver program for those without other available transit services, and to continue their transportation coordination efforts in the area.
- Advertised and offered input and comment opportunities for six amendments to the 2016-2020 Transportation Improvement Program (TIP).
- Staff participated on the Board of Directors of Clear Vision Eau Claire, a group that encourages and facilitates civic engagement for the common good, with particular emphasis on engaging a diversity population. Staff worked on the development of a survey for broad distribution in Eau Claire County, to gather input on upcoming issues that should to be addressed by the public, with the assistance of Clear Vision, with the goal of continuing to keep the public engaged in the public work.
- Staff maintained a Title VI Plan and LEP Plan. Although the area’s minority and LEP populations to not meet “safe harbor thresholds”, which would require translation of key documents, etc., staff continues to reach out to local Hispanic and Hmong organizations to discuss public participation and language translation to encourage participation. The adopted Title VI Plan is available at: http://wcwrpc.org/MPO_Documents/TitleVIPlan%20ECMPO%20final%20document%2010_17.pdf
- Staff completed Safe Routes to Schools plans for the cities of Eau Claire and Altoona. Public participation included advisory committee participation, walk audits, as well as parent surveys and involvement of teachers and children in classroom trip tally activities.

There have been no Title VI complaints filed with the Sub-Recipient (WCWRPC) during this time period.
TITLE VI NON-DISCRIMINATION AGREEMENT between
The Wisconsin Department of Transportation (WisDOT) and
West Central Wisconsin Regional Planning Commission, a WisDOT Sub-Recipient

Sub-Recipient Title VI Coordinator:

Name: Lynn Nelson
Title: Executive Director
Mailing Address: 800 Wisconsin Street
Mail Box 9
Eau Claire, WI 54703
Phone: 715-836-2918 Fax: 715-836-2886

I. Policy Statement

The above identified Sub-Recipient of WisDOT federal aid funds, hereinafter referred to as the “Sub-Recipient,” assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Sub-Recipient further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988.)

In the event the Sub-Recipient distributes federal aid funds to an additional sub-recipient, the Sub-Recipient will include Title VI language in all written agreements and will monitor the additional sub-recipient for compliance.

The Sub-Recipient has authorized and charged the above identified Title VI Coordinator with the authority and responsibility for initiating and monitoring Sub-Recipient Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21.
II. Title VI Program

Organization and Staffing

A. Pursuant to 23 CFR 200, the Sub-Recipient has appointed, or will appoint within thirty days, the above identified Title VI Coordinator who is responsible for implementing the Sub-Recipient’s Title VI Program. Within twenty days after the signing of this agreement the Sub-Recipient will provide WisDOT with a copy of the Sub-Recipient’s organization’s chart illustrating the level and placement of the Title VI Coordinator.

B. The Sub-Recipient will notify WisDOT in writing of any changes to the Sub-Recipient’s organization chart, Title VI Coordinator, or Title VI Coordinator contact information.

C. The sub-Recipient appoints their Title VI Coordinator as the designated representative for issues and actions pertaining to this agreement.

III. Assurances

Consistent with 49 CFR Part 21.7 the Sub-Recipient hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the Sub-Recipient regardless of whether those programs and activities are Federally funded or not.

2. That it will promptly take any measures necessary to effectuate this agreement.

3. That each program, activity, and facility as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.

4. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Sub-Recipient by the Wisconsin Department of Transportation (WisDOT) under a Federally-Funded Program and is binding on it, other additional sub-recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Sub-Recipient.

5. That the Sub-Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federally-Funded programs and, in adapted form in all proposals for negotiated agreements.

Title VI
Non-Discrimination Agreement
Page No. 2
The Sub-Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

6. That the Sub-Recipient shall insert the clauses of Appendix 1 of this Agreement in every contract subject to the Act and the Regulations.

7. That the Sub-Recipient shall insert the clauses of Appendix 2 of this Agreement, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

8. That the Sub-Recipient shall include the appropriate clauses set forth in Appendix 3 of this Agreement, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sub-Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.

9. The Sub-Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

IV. Implementation Procedures

A. This agreement shall serve as the Sub-Recipient’s Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

B. For the purpose of this agreement, “Federal Assistance” shall include:

1. grants and loans of Federal funds,

2. the grant or donation of Federal property and interest in property,

3. the detail of Federal personnel,

4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the Sub-Recipient, or in recognition of the public interest to be served by such sale or lease to the Sub-Recipient, and

Title VI
Non-Discrimination Agreement
Page No. 3
5. any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

C. The Sub-Recipient shall:

1. Issue a policy statement, signed by the head of the Sub-Recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Sub-Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.

2. Take affirmative action to correct any deficiencies found by WisDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The head of the Sub-Recipient shall be held responsible for implementing Title VI requirements.

3. Establish a civil rights unit and designate a manager who has a responsible position in the organization and easy access to the head of the Sub-Recipient. This unit shall contain a Title VI Coordinator, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.

4. Adequately staff the civil rights unit to effectively implement the civil rights requirements.

5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the Sub-Recipient’s report of investigation, will be forwarded to WisDOT’s Civil Rights and Compliance Section (CRCS) within 10 days of the date the complaint was received by the Sub-Recipient.

6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by the Sub-Recipient.

7. Conduct Title VI reviews of the Sub-Recipient program areas and activities, and of additional sub-recipient contractor or consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.

8. Conduct training programs on Title VI and related statutes.

9. Prepare a yearly report of Title VI accomplishments for the last year and goals for the next year.
   a) Annual Work Plan

   Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.
b) Accomplishment Report
List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews (internal or external) conducted by the Title VI Specialist. List any major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the Sub-Recipient.

V. Discrimination Complaint Procedures

A. The Sub-Recipient adopts the following discrimination complaint procedures:

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the Sub-Recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Sub-Recipient’s Title VI Coordinator for review and action.

2. In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
   a) The date of alleged act of discrimination; or
   b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

   In either case, the Sub-Recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant’s representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the Sub-Recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Sub-Recipient’s investigative procedures.

4. Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, advise the complainant of other avenues of redress available, such as WisDOT and USDOT.
5. The Sub-Recipient will advise WisDOT CRCS within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to WISDOT:
   
a) Name, address, and phone number of the complainant.

b) Name(s) and address(es) of alleged discriminating official(s).

  c) Basis of complaint (i.e., race, color, national origin or sex)

  d) Date of alleged discriminatory act(s).

  e) Date of complaint received by the Sub-Recipient.

  f) A statement of the complaint.

  g) Other agencies (state, local or Federal) where the complaint has been filed.

  h) An explanation of the actions the Sub-Recipient has taken or proposed to resolve the issue raised in the complaint.

6. Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the Sub-Recipient. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

7. Within 90 days of receipt of the complaint, the head of the Sub-Recipient will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with WisDOT, or USDOT, if they are dissatisfied with the final decision rendered by the Sub-Recipient. The Title VI Coordinator will also provide WisDOT CRCS with a copy of this decision and summary of findings upon completion of the investigation.

B. WisDOT contact information is as follows:

Wisconsin Department of Transportation
Office of Business Opportunity and Equity Compliance
Title VI Program Coordinator
P.O. Box 7965
Madison, Wisconsin 53707-7965
Phone: (608) 266-8126 Fax: (608) 267-3641
lqwanya.smith@dot.wi.gov

VI. Sanctions
In the event the Sub-Recipient fails or refuses to comply with the terms of this agreement, WisDOT may take any or all of the following actions:
1. Cancel, terminate, or suspend this agreement in whole or in part;

2. Refrain from extending any further assistance to the Sub-Recipient under the program from which the failure or refusal occurred, or any other program, until sufficient evidence of past correction of noncompliance and/or satisfactory assurance of future compliance has been received from the Sub-Recipient.

3. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the Sub-Recipient.

4. Refer the case to the U.S. Department of Justice for appropriate legal proceedings.

VII. Signatures

Wisconsin Department of Transportation:

____________________________
Signature

____________________________
Title

____________________________
Date

Sub-Recipient:

Lynn Nelson, Executive Director

____________________________
Signature

Lynn Nelson, Executive Director

____________________________
Title

8/19/17

____________________________
Date
Appendix 1

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. Compliance with Regulations
   The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination
   The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment
   In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports
   The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WISDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance
   In the event of the contractor’s non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:
   
   • Withholding of payments to the contractor under the contract until the contractor complies, and/or;
   • Cancellation, termination, or suspension of the contract, in whole or in part.
The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request WISDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.
Appendix 2

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the State of Wisconsin will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation WISDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1064 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remit, release, quitclaim, and convey unto the State of Wisconsin all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the State of Wisconsin, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the State of Wisconsin, its successors, and assigns.

The State of Wisconsin, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed, (1)(and) (2) that the state of Wisconsin, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (1) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.1

1 Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.
Appendix 3

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Sub-Recipient pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Wisconsin State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.
Intentionally left blank.