

## **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

### **RESOLUTION 2020-24**

#### **RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO) DEFINING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO**

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**WHEREAS**, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

**WHEREAS**, the River to Sea Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for the designated Metropolitan Planning Area (MPA) comprised of Volusia County and the urbanized areas of Flagler County including the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

**WHEREAS**, the FDOT funds projects in the Work Program based on the plans and priorities set by the TPO; and

**WHEREAS**, the River to Sea TPO desires to provide, whenever possible, financial assistance to governmental entities to allow them to pursue transportation projects and programs which are consistent with the TPO's plans and priorities and benefit residents of and visitors to our planning area; and

**WHEREAS**, the River to Sea TPO wants to leverage the state and federal transportation funds programmed on transportation projects in TPO's MPA and ensure a measure of local financial commitment to transportation projects and programs utilizing these funds;

**NOW, THEREFORE, BE IT RESOLVED** by the River to Sea TPO that:

1. Every governmental entity receiving state and/or federal transportation funds for a project on any of the following Priority Project Lists shall provide a local match at a minimum ratio of 10% local funds to 90% state and/or federal funds:
  - a. Traffic Operations, Safety, and Local Initiatives Projects;
  - b. Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives Projects.

This match requirement shall not apply to projects on the State Highway System; and

2. Every governmental entity receiving state and/or federal transportation funds for a project on the TPO's Priority List of Transportation Planning Studies shall provide a local match at a minimum ratio of 10% local funds to 90% state and/or federal funds; and

3. A local match shall not be required for any project on the TPO's Priority Lists of Strategic Intermodal System (SIS) Projects, Regionally-Significant Non-SIS Roadway Projects, or Transit Projects, subject to any other funding program requirements that may apply (e.g., Transportation Regional Incentive Program); and
4. the River to Sea TPO determines that "local match" shall be defined as non-state/non-federal cash match and/or in-kind services of eligible costs that advance the project in question; and
5. notwithstanding the terms prescribed in subparagraph 1 and 2, above, the required local match shall not exceed the ratio required in the current policy of the TPO Board at the time the governmental entity requests funding unless the local government entity commits to a higher local match for the project; and
6. the River to Sea TPO reserves the right to waive or adjust the local match requirements if the TPO Board deems there exists sufficient reason or circumstance; and
7. the River to Sea TPO defines a cost overrun as an increase in the amount of the cost of any programmed project phase due to a change in scope, project limits or project approach that could have reasonably been foreseen or is the result of an incomplete, insufficient or out of date cost estimate; and
8. the River to Sea TPO reaffirms its policy that any cost overruns encountered on a project funded with state and/or federal transportation funds will be the responsibility of the governmental entity identified as the project originator with the following exception: if the project is on the state highway system and the State DOT is the project manager of record then the state shall be responsible for any cost overruns utilizing state dollars; and
9. the River to Sea TPO defines a cost increase as an increase in the cost of any programmed project phase due to unforeseen market changes or a change in requirements and/or standards for projects that have current and complete cost estimates; and
10. Requests for additional state and/or federal funds must be submitted to the TPO and include a statement of hardship or justification by the governmental entity identified as the project sponsor along with supporting documentation that includes detailed justification of the change in cost; and
11. the River to Sea TPO Executive Director may authorize the use of state and/or federal funds to cover some or all of a cost increase on any project phase up to and including 10% of the project cost estimate for that phase; and
12. the use of state and/or federal funds to cover cost increases exceeding 10% of the project cost estimate for any phase may be authorized only by the River to Sea TPO Board; and
13. the policies set forth in this resolution shall remain in effect unless and until they are repealed or amended by the TPO; and
14. the Chairperson of the River to Sea TPO (or their designee) is hereby authorized and directed to submit this resolution to the:
  - a. Florida Department of Transportation;
  - b. Federal Transit Administration (through the Florida Department of Transportation);

- c. Federal Highway Administration (through the Florida Department of Transportation);  
and
- d. Councils, Commissions, and Managers of the TPO Member Local Governments.

**DONE AND RESOLVED** at the regularly convened meeting of the River to Sea TPO held on the 25th day of November 2020.

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

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**CITY OF NEW SMYRNA BEACH COMMISSIONER JASON MCGUIRK**  
**CHAIRPERSON, RIVER TO SEA TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on November 25, 2020.

**ATTEST:**

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**DEBBIE STEWART, RECORDING SECRETARY**  
**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**