

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 2015-05

RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION DEFINING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS UTILIZING THE TPO'S URBAN ATTRIBUTAL FUNDS (SU) AND TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS

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 River to Sea TPO is designated and certified by the U.S. DOT as a "large MPO"; and

WHEREAS, as a result of the aforementioned designation the River to Sea TPO annually receives suballocations of federal Surface Transportation Funds (SU) and Transportation Alternatives Program Funds (TALU); and

WHEREAS, the River to Sea TPO maintains full authority over the programming and distribution of these SU and TALU funds; 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 benefit residents of and visitors to our planning area; and

WHEREAS, the River to Sea TPO wants to leverage its annual allocations of SU and TALU funds 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 SU or TALU funds from the River to Sea TPO shall provide a local match commitment; and
2. for project applications received after January 28, 2015, the governmental entity requesting the funds shall be required to match SU and TALU funds programmed on the project with local funds at the ratios of 90/10 (SU/local) and 80/20 (TALU/local); and

3. the River to Sea TPO determines that "local match" shall be defined as non-federal cash match and/or in-kind services that advance the project in question; and
4. notwithstanding the terms prescribed in subparagraph 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 requesting the funds commits to its amount of local match for the project; and
5. 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
6. the River to Sea TPO also reaffirms its policy that any cost overruns encountered on a project funded with SU funds or TALU 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
7. the River to Sea TPO Executive Director may authorize the use of state or federal funds to cover some or all of a cost overrun on any project phase up to and including 10% of the project cost estimate for that phase; and
8. the use of state or federal funds to cover cost overruns exceeding 10% of the project cost estimate for any phase may be authorized only by the River to Sea TPO Board; and
9. the River to Sea TPO deems that a cost overrun shall be the difference between the amount programmed on any project phase and the actual cost for that phase; and
10. the Chairman of the River to Sea TPO (or his 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 28th day of January, 2015.

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 1/28/2015

VOLUSIA COUNTY COUNCIL MEMBER, PAT PATTERSON
1ST VICE CHAIRMAN, 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 January 28, 2015.

ATTEST:


PAMELA C. BLANKENSHIP, RECORDING SECRETARY