

**Member Governments**

Town of Carrboro  
Town of Chapel Hill  
County of Chatham  
City of Durham  
County of Durham  
Town of Hillsborough  
NC Department of  
Transportation  
County of Orange

**DURHAM – CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION  
TECHNICAL COORDINATING COMMITTEE (TCC)**

**September 25, 2013  
9:00 a.m.**

**Committee Room  
2<sup>nd</sup> Floor Durham City Hall**

- 1. Roll Call**
- 2. Ethics Reminder**

In accordance with the State Government Ethics Act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters coming before the Board today? If so, please identify the conflict and refrain from any participation in the particular matter involved.

- 3. Adjustments to the Agenda**
- 4. Public Comments**

**CONSENT AGENDA**

- 5. Approval of August 28, 2013 TCC Meeting Minutes  
Attachment 5**

A copy of the August 28, 2013 minutes is enclosed as Attachment 5.

**TCC Action:** Approve minutes of the August 28, 2013 TCC meeting.

**ACTION ITEMS**

- 6. DCHC MOU Update  
Attachment 6, 6A, 6B, 6C, 6D, 6E  
Dale McKeel, LPA Staff  
Felix Nwoko, LPA Staff**

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is a partnership of the member agencies in the Durham Urbanized Area and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation. The MPO is established through a Memorandum of Understanding (MOU) between its members.

The DCHC MPO's current MOU was executed in 1994. On June 10, 2013 the LPA staff sent a proposed update of the DCHC MOU to member agencies, requesting that they review and provide comments by September 10, 2013. The updated MOU includes updates and changes to reflect current federal and state legislation and regulations, planning practices of the MPO,

updated population figures, and best planning principles. The following attachments are provided for this item:

- Attachment 6A – Letter to MPO members mailed June 10, 2013;
- Attachment 6B – MPO’s proposed draft MOU mailed June 10, 2013;
- Attachment 6C – Summary of comments received on draft MOU with LPA response;
- Attachment 6D – Draft MOU incorporating proposed changes in response to comments;
- Attachment 6E – Member comments.

**TCC Recommendation:** Receive report and provide a recommendation to the TAC on the update Memorandum of Understanding.

**7. FY 2012-2018 Transportation Improvement Program – Amendment #12**

**Attachment 7**

**Dale McKeel, LPA Staff**

**David Bonk, Town of Chapel Hill**

Amendment # 12 to the FY 2012-2018 Transportation Improvement Program is necessary to permit Chapel Hill Transit to use FY 2014 Section 5339 funds. Attachment 7 is the resolution with attached tables.

**TCC Recommendation:** Recommend approval of the Resolution to Modify the 2012-2018 Transportation Improvement Program for the Durham-Chapel Hill-Carrboro Urban Area.

**8. FY 2012-2013 STP-DA Project Change Requests**

**Attachment 8, 8A**

**Felix Nwoko, Lead Planning Agency**

Several STP-DA projects programmed in FY 2012 and FY 2013 have not been obligated and require an extension to FY 2014. Any STPDA funding that is not obligated by the FY 2014 deadline will be redistributed through the next Call for Projects. No projects are currently programmed beyond FY 2014. Attachment 8 provides more information and an update and explanation on the status of projects. Attachment 8A is the Interim STPDA Allocation Guidance.

**TCC Recommendation:** Receive report and allow projects to advance if the obligation of funding is expected to occur by the end of FY 2014.

**REPORTS FROM STAFF:**

**9. Reports from Staff**

**Attachment 9**

**Felix Nwoko, LPA Staff**

**TCC Action:** Receive report from staff

**10. Report from the Chair**

**No attachment**

**Mark Ahrendsen, TCC Chair**

**TCC Action:** Receive report from TCC Chair

**11. NCDOT Report**

**Attachment 11**

**Wally Bowman, Division 5 – NCDOT**

**Mike Mills, Division 7 – NCDOT**

**Richard Hancock, Division 8 – NCDOT**

**Julie Bollinger, Transportation Planning Branch – NCDOT**

**Kelly Becker, Traffic Operations – NCDOT**

**TCC Action:** Receive report from NCDOT

**INFORMATIONAL ITEMS:**

**12. None**

**No Attachment**

**Adjourn**

**Next meeting: October 23, 2013**



40 **Ethics Reminder**

41 In accordance with the State Government Ethics Act, it is the duty of every Board member to  
42 avoid conflicts of interest. Does any Board member have any known conflict of interest in respect to any  
43 matters coming before the Board today? If so, please identify the conflict and refrain from any  
44 participation in the particular matter involved. No conflicts were identified.

45 **Adjustments to the Agenda**

46 There were no adjustments to the agenda.

47 **Public Comments**

48 There were no comments from the public.

49 **CONSENT AGENDA:**

50 **Approval of July 24, 2013 TCC Meeting Minutes (Attachment 5)**

51 Bret Martin recommended the following changes to the July 24, 2013 TCC Meeting Minutes:  
52 Page 3, line 84 should read as "MPO Planning Area"; Page 9, line 218 "Bret Martin stated that Orange  
53 County has a CMAQ transit project for "Hillsborough Circulator" bus service; and on line 220 add  
54 "transit" after CMAQ.

55 A motion was made by Felix Nwoko and seconded by John Hodges-Copple to approve the July  
56 24, 2013 TCC Meeting Minutes with the recommended changes above. The motion carried  
57 unanimously.

58 **ACTION ITEMS:**

59 **TIP Update/SPOT 3.0 Prioritization (Attachments 6, 6A, 6B, 6C, 6D, 6E and 6F)**

60 Andy Henry provided an introduction and update for the TIP Update/SPOT 3.0 Prioritization,  
61 along with the attachments.

62 Mark Ahrendsen asked if there is any oversight of the qualitative scoring process or can the  
63 MPO assign the scoring. Ed Lewis stated that NCDOT division engineers are working on the way NCDOT

64 is scoring their projects. Mr. Lewis stated he saw it somewhere where the MPO must have a process for  
65 scoring. Patrick McDonough stated he is more concerned with how differences between the MPO and  
66 NCDOT are going to be handled. Bret Martin asked when the MPO will know the division's scores. Mr.  
67 Lewis indicated there will be a public involvement period.

68 John Hodges-Copple stated there are three things that we need to stay on. (1) Will there be  
69 rules for the development of the MPO method; (2) once rules are in place, MPO staff needs to  
70 communicate with the divisions to see how their scoring method is being done; and (3) the application  
71 of the methods. Bret Martin stated it is critical that we select our criteria in concert with NCDOT,  
72 otherwise we could lose projects. Mike Kneis stated he is not sure if there will be a formal meeting in  
73 the divisions.

74 John Hodges-Copple stated the language in the legislation that bothers him is "the Department  
75 shall develop a process for standardizing or approving local methodology used in MPO and RPO  
76 prioritization." The legislation requires NCDOT to do that.

77 After a lot of discussion, a TIP subcommittee meeting was scheduled to discuss the prioritization  
78 process and schedule for September 10, 2013 at 2:00 p.m. The location will be determined by Andy  
79 Henry and he will notify everyone.

#### 80 **2045 MTP/Socioeconomic Data (Attachment 7)**

81 Andy Henry provided an introduction and update on the 2045 MTP/Socioeconomic Data, along  
82 with the attachment. Local planners need to review and update the information. 2013 is the base data  
83 year.

84 The Employment Analyst training will be conducted September 12, 17, and 24, 2013. Everyone  
85 really needs to attend the training. Andy Henry is available to help and John Hodges-Copple is the  
86 coordinator. Felix Nwoko stated in terms of technical help for GIS online, please contact Amanda  
87 Klepper. Please send Amanda Klepper an email if you don't have an account.

88 **Transportation Alternatives Program (TAP) (Attachment 8)**

89 Andy Henry provided an introduction and update for the Transportation Alternatives Program  
90 (TAP), along with the attachment.

91 This item will be discussed in greater detail at the TIP subcommittee meeting that is being held  
92 on September 10, 2013 at 2:00 p.m.

93 **FY 2013-2015 CMAQ Changes (Attachments 9 and 9A)**

94 David Bonk provided an introduction for the FY 2013-2015 CMAQ changes.

95 A motion was made by Felix Nwoko and seconded by Jeff Brubaker to recommend the TAC  
96 approve the CMAQ program change. The motion carried unanimously.

97 **FY 2012-2018 Transportation Improvement Program – Amendment #11 (Attachment 10)**

98 Felix Nwoko provided an introduction for the FY 2012-2018 Transportation Improvement  
99 Program – Amendment #11, along with the attachment.

100 A motion was made by David Bonk and seconded by Margaret Hauth to recommend TAC  
101 approval of the Resolution to Modify the 2012-2018 Transportation Improvement Program for the  
102 Durham-Chapel Hill-Carrboro Urban Area. The motion carried unanimously.

103 **REPORTS FROM STAFF:**

104 **Reports from Staff (Attachment 11)**

105 The report from staff is attached for review.

106 **Report from the Chair (No attachment)**

107 There was nothing to report from the Chair.

108 **NCDOT Report (Attachment 13)**

109 Mike Kneis, Division 5 stated the report is attached for review. Ed Lewis, Division 7 stated the  
110 report is attached for review. A meeting will be held on September 12, 2013 for the Feasibility Study.

111 Darius Sturdivant, Division 8 stated the report is attached for review. Kelly Becker stated the safety  
112 projects will be put on the list.

113 **Reminder**

114 The MOU is due back to the TCC on September 10, 2013.

115 **Adjournment**

116 There being no further business before the Technical Coordinating Committee, the meeting was  
117 adjourned at 10:37 a.m.

**Member Organizations:** Town of Carrboro • Town of Chapel Hill • County of Chatham • City of Durham  
Durham County • Town of Hillsborough • NC Department of Transportation • Orange County

June 10, 2013

Mr. Charlie Horne  
Manager  
Chatham County  
P.O. Box 1809  
Pittsboro, NC 27312

Dear Mr. Horne:

Chatham County is a valued member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), the transportation planning agency charged with fulfilling federal metropolitan planning requirements in the Durham Urbanized Area. The MPO is a partnership of the member governments in the Durham Urbanized Area and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation. The MPO is established through a Memorandum of Understanding (MOU) between its member organizations. The MPO has proposed an update to this MOU and is requesting that Chatham County review and provide comments on the updated document by September 10, 2013. After MPO staff and the MPO's governing board, the Transportation Advisory Committee, have reviewed all comments on the document, the final MOU will be requested to be approved by the governing boards of all member governments of the MPO.

The DCHC MPO's current MOU was executed in 1994 and is provided as an attachment to this letter. Several updates and changes have been proposed to this document to reflect current federal and state legislation and regulations, planning practices of the MPO, updated population figures, and best planning principles. The MPO's proposed draft MOU is also included as an attachment to this letter. The proposed draft MOU includes highlights and comments to indicate language that has been updated and changed.

In summary, the major proposed changes are:

- References to new and updated federal and state legislation and regulations;
- More descriptive names for the MPO's governing board and staff board;
- Addition of required planning procedures and processes to the MPO's responsibilities ;
- Addition of Triangle Transit to the MPO's member governments and inclusion as a voting member of the governing board to fulfill a new federal requirement;
- Adjustment to the weighted voting provision to reflect current population figures. The table below displays the 2010 Census population figures for the MPO for reference;

Agency	2010 Census Population	2010 Census Population Share	Current MOU Weighted Votes	Current MOU Weighted Voting Share	Proposed Number of TAC Members	Proposed MOU Weighted Votes	Proposed MOU Weighted Voting Share
Durham City	228,330	0.58	6	0.40	2	8	0.40
Chapel Hill	57,233	0.15	2	0.13	1	3	0.15
Durham County	35,384	0.09	2	0.13	1	2	0.10
Orange County	34,172	0.09	1	0.07	1	2	0.10
Carrboro	19,582	0.05	1	0.07	1	1	0.05
Chatham County	13,809	0.03	1	0.07	1	1	0.05
Hillsborough	6,087	0.02	1	0.07	1	1	0.05
NC BOT	N/A	N/A	1	0.07	1	1	0.05
Triangle Transit	N/A	N/A	N/A	N/A	1	1	0.05

\*The County population figures only include the non-incorporated population. The Town of Cary has 1,422 residents in the portion of Chatham County within the MPO. The City of Raleigh has 1,067 residents in Durham County within the MPO. These residents are not included in the county population figures above. The Town of Cary and City of Raleigh are both members of the NC Capital Area MPO.

- Changes to the MPO's responsibilities and member governments' responsibilities to reflect the approved cost-sharing among member governments for the local match associated with the MPO's work program; and
- Additional voting and non-voting membership on the MPO's staff board.

Coordinating an update to the MPO's MOU is a complex and time-consuming task as it requires agreement and execution by the governing boards of all of the MPO's member governments. We appreciate you and your staff's careful consideration of the enclosed document over the next few months. MPO staff members are available to meet and discuss this document with Chatham County and can assist with any necessary presentation of the document to staff or governing boards. Please contact Felix Nwoko at [felix.nwoko@durhamnc.gov](mailto:felix.nwoko@durhamnc.gov) or 919-560-4366 x 36424 with any questions or to schedule a meeting.

Sincerely,



Felix Nwoko  
Planning Manager

Cc: Hilary Pace, Chatham County  
Jason Sullivan, Chatham County

**DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION**

**MEMORANDUM OF UNDERSTANDING  
FOR  
COOPERATIVE, COMPREHENSIVE, AND CONTINUING  
TRANSPORTATION PLANNING**

Between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,  
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO  
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,  
COUNTY OF ORANGE, COUNTY OF CHATHAM, TRIANGLE TRANSIT, AND  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Comment [BE1]: Added

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

DATE

WITNESSETH THAT

WHEREAS, Section 134(a) of Title 23 United States Codes states:

Comment [BE2]: Reference U.S.C. first as it establishes the basis for MPOs

Policy – It is in the national interest—

- (1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and
- (2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

WHEREAS, Section 134(c) of Title 23 United States Codes states:

General Requirements.—

- (1) Development of long-range plans and TIPs.— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall

develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the State.

(2) Contents.— The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

(3) Process of development.— The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

WHEREAS, Chapter 136, Section 66.2(a) of the General Statutes of North Carolina states:

**Comment [BE3]:** Reference N.C. General Statutes second as it establishes a requirement for MPOs

Each MPO, with cooperation of the Department of Transportation, shall develop a comprehensive transportation plan in accordance with 23 U.S.C. Section 134. In addition, an MPO may include projects in its transportation plan that are not included in a financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. For municipalities located within an MPO, the development of a comprehensive transportation plan will take place through the metropolitan planning organization. For purposes of transportation planning and programming, the MPO shall represent the municipality's interests to the Department of Transportation.

WHEREAS, Chapter 136, Section 66.2(b) of the General Statutes of North Carolina states:

After completion and analysis of the plan, the plan shall be adopted by both the governing body of the municipality or MPO and the Department of Transportation as the basis for future transportation improvements in and around the municipality or within the MPO. The governing body of the municipality and the Department of Transportation shall reach agreement as to which of the existing and proposed streets and highways included in the adopted plan will be a part of the State highway system and which streets will be a part of the municipal street system. As used in this Article, the State highway system shall mean both the primary highway system of the State and the secondary road system of the State within municipalities.

WHEREAS, Chapter 136, Section 66.2(d) of the General Statutes of North Carolina states:

For MPOs, either the MPO or the Department of Transportation may propose changes in the plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the MPO.

WHEREAS, a transportation planning process includes the operational procedures and working arrangements by which short and long-range transportation plans are soundly conceived and developed and continuously evaluated in a manner that will:

1. Assist governing bodies and official agencies in determining courses of action and in formulating attainable capital improvement programs in anticipation of community needs; and,
2. Guide private individuals and groups in planning their decisions which can be important factors in the pattern of future development and redevelopment of the area;

WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive transportation planning process, be established for the Durham Urbanized Area in compliance with Title 23 U.S.C. Section 134 and any subsequent amendments to that statute, and any implementing regulations; Title 49 U.S.C. Chapter 53 and any subsequent amendments to these statutes, and any implementing regulations; and the Clean Air Act of 1970, as amended, [42 U.S.C. 7504 and 7506(c)].

**Comment [BE4]:** Changed reference from Federal Transit Act of 1991 to the U.S.C. related to Metropolitan Planning and public transportation

**Comment [BE5]:** Added Clean Air Act – references U.S.C. requirements on conformity

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE, the following Memorandum of Understanding is made:

Section I

It is hereby agreed that the City of Durham, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, County of Durham, County of Orange, County of Chatham, and the North Carolina Department of Transportation in cooperation with the United States Department of Transportation will participate in a continuing, cooperative, and comprehensive transportation planning process with responsibilities and undertakings as related in the following paragraphs:

**Comment [BE6]:** Added.

1. The Durham-Chapel Hill-Carrboro Metropolitan Planning Area, will consist of the Durham Urbanized Area as defined by the United States Department of Commerce, Bureau of the Census, plus that area beyond the existing urbanized area boundary that is expected to become urbanized or be affected by urban policies within a twenty-year planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall include the boards of general purpose local government – the Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners; the North Carolina Department of Transportation; a MPO Board hereinafter defined, a MPO Technical

**Comment [BE7]:** Metropolitan Planning Area – not Metropolitan Area Boundary – is term used in U.S.C.

**Comment [BE8]:** Changed from Durham-Chapel Hill-Carrboro Urbanized Area. Census uses “Durham Urbanized Area”

**Comment [BE9]:** New name for TAC

Committee hereinafter defined, and the various agencies and units of local, regional, state, and federal government participating in the transportation planning for the area.

**Comment [BE10]:** New name for TCC  
**Comment [BE11]:** Added regional. Could refer to TJCOG, Triangle Transit, etc.

3. The Metropolitan Planning Area boundary will be periodically reviewed and revised in light of new developments, basic data projections for the current planning period, and as may otherwise be required by federal and state laws.

4. The continuing transportation planning process will be a cooperative one reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development of the Municipalities of Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange, and Chatham. Attention will be given to cooperative planning with the neighboring metropolitan and rural planning organizations.

**Comment [BE12]:** Changed to more inclusive language (previously only referenced CAMPO).

5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.

6. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Clean Air Act of 1970, as amended.

**Comment [BE13]:** Added

7. Transportation policy decisions within the Planning Area are the shared responsibility of the MPO Board, the N.C. Board of Transportation, and participating local governments.

8. Transportation plans and programs, and land use policies and programs, for the Planning Area, having regional impacts, will be coordinated with Triangle Transit, the neighboring metropolitan and rural planning organizations, and Triangle J Council of Governments.

**Comment [BE14]:** Changed to more inclusive language (previously only referenced CAMPO).

9. A MPO Board is hereby established with the responsibility for cooperative transportation decision-making for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO). The MPO Board shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards, and for providing opportunities for citizen participation in the transportation planning process.

The MPO Board will be responsible for carrying out the provisions of 23 U.S.C. Section 134; Title 49 U.S.C. Chapter 53; and 42 U.S.C. 7504 and 7506(c); including but not limited to:

**Comment [BE15]:** Updated reference to public transportation U.S.C.

**Comment [BE16]:** Added. References Clean Air Act requirements.

a. Establishment of goals and objectives for the transportation planning process;

- b. Review and approval of a Prospectus for transportation planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;
- c. Review and approval of the transportation Unified Planning Work Program;
- d. Review and approval of changes to the National Highway System, Functional Classification, and Metropolitan Planning Area boundary;
- e. Review and approval of the Comprehensive and Metropolitan Transportation Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive Transportation Plan shall include the projects in the Metropolitan Transportation Plan as well as projects that are not included in the financially constrained plan or are anticipated to be needed beyond the horizon year as required by 23 U.S.C. Section 134. As specified in General Statutes Section 136-66.2(d) revisions to the Comprehensive Transportation Plan may be required to be jointly approved by the North Carolina Department of Transportation and the MPO Board;
- f. Review and approval of the Transportation Improvement Program and changes to the Transportation Improvement Program. As specified in 23 U.S.C. Section 134(k), all federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area (excluding projects carried out on the National Highway System) shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator;
- g. Review and approval of planning procedures for air quality conformity and review and approval of air quality conformity determination for projects, programs, and plans;
- h. Review and approval of a Congestion Management Process;
- i. Review and approval of the distribution and oversight of federal funds designated for the Durham Urbanized Area under the provisions of MAP-21 and any other subsequent Transportation Authorizations;
- j. Review and approval of a policy for public involvement for the DCHC MPO;
- k. Review and approval of an agreement between the MPO, the State, and public transportation operators serving the Metropolitan Planning Area that defines mutual responsibilities for carrying out the metropolitan planning process in accordance with 23 C.F.R. 450.314;

**Comment [BE17]:** Old MOU includes “urban area boundary”. Urbanized area set by Census. Smoothed UZA no longer necessary.

**Comment [BE18]:** Updated to reflect current names of plans and legislation.

**Comment [BE19]:** Added reference to specific language for selection of TIP projects in Transportation Management Areas.

**Comment [BE20]:** Added

**Comment [BE21]:** Added

**Comment [BE22]:** Added

**Comment [BE23]:** Added

**Comment [BE24]:** Added

- l. Oversight of the Lead Planning Agency staff;
- m. Revision in membership of the MPO Technical Committee hereinafter defined;
- n. Development and approval of committee bylaws for the purpose of establishing operating policies and procedures;
- o. Review and approval of cooperative agreements with other transportation organizations, transportation providers, counties, and municipalities.

**Comment [BE25]:** Added

**Comment [BE26]:** Added.

The membership of the MPO Board shall include:

- a. Two members of the Durham City Council;
- b. One member of the Chapel Hill Town Council;
- c. One member of the Carrboro Board of Aldermen;
- d. One member of the Hillsborough Board of Commissioners;
- e. One member of the Durham County Board of Commissioners;
- f. One member of the Orange County Board of Commissioners;
- g. One member of the Chatham County Board of Commissioners;
- h. One member of the North Carolina Board of Transportation;
- i. One member of the Triangle Transit Board of Trustees.

Municipal and county public transit providers shall be represented on the MPO Board through their respective municipal and county local government board members.

**Comment [BE27]:** Added to address MAP-21 requirement that transit providers be voting members of the MPO Board.

It shall be the responsibility of each member jurisdiction to appoint a representative and an alternate(s) to the MPO Board.

A quorum of the MPO Board shall consist of a majority of the voting members whose votes together represent a majority of the possible weighted votes identified in the weighted vote schedule below. A majority vote shall be sufficient for approval of matters coming before the committee with the exception that a committee member may invoke the following weighted vote provisions on any matter:

Government Body	Votes
City of Durham	8*
Town of Chapel Hill	3
Durham County	2
Orange County	2
Town of Carrboro	1
Chatham County	1
Town of Hillsborough	1
N.C. Board of Transportation	1
Triangle Transit	1

Total 20

\* 4 votes per representative

Representatives from each of the following bodies will serve as non-voting members of the MPO Board:

- a. A representative of the Federal Highway Administration;
- b. A representative of the Federal Transit Administration;
- c. Other local, regional, state, or federal agencies impacting transportation in the planning area at the invitation of the MPO Board.

**Comment [BE28]:** Proposed Weighted Voting is based on the current MOU, but gives Orange County an additional vote to be equivalent to Durham County (actual populations are very close), gives Chapel Hill one additional vote, and gives City of Durham two additional votes.

Quorum is 6 members who represent 11 weighted votes.

**Comment [BE29]:** Current MOU "A Division Administrator(s) of the Federal Highway Administration and/or the Federal Transit Administration, or their representative(s);"

The MPO Board will meet as often as it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Board may appoint members of the Board to act as Chair and Vice-Chair with the responsibility for coordination of the Board's activities. A member of the Lead Planning Agency staff will serve as Secretary to the Board and will work cooperatively with the staff of other jurisdictions.

**Comment [BE30]:** Changed from City of Durham Department of Transportation

10. A MPO Technical Committee shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area and with the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the MPO Board regarding any necessary actions relating to the continuing transportation planning process. The MPO Technical Committee shall be responsible for development, review and recommendations for approval and changes to the Prospectus, Unified Planning Work Program, Transportation Improvement Program, National Highway System, Functional Classification, Metropolitan Planning Area boundary, Metropolitan Transportation Plan, and Comprehensive Transportation Plan, for planning citizen participation, and for documenting reports of the transportation study.

Membership of the MPO Technical Committee shall include technical representatives from local and state agencies directly related to and concerned with the transportation planning process for the planning area. Representatives will be designated by the chief executive officer of each represented agency. Departments or divisions within local and state agencies that should be represented on the MPO Technical Committee include, but are not limited to, those responsible for transportation planning, land use planning, transportation operations, public works and construction, engineering, public transportation, environmental conservation and planning, bicycle and pedestrian planning, and economic development. Initially, the membership shall include, but not be limited to, the following:

**Comment [BE31]:** Added.

- a. The City of Durham 5 representatives
- b. The Town of Chapel Hill 3 representatives
- c. The Town of Carrboro 2 representatives

- d. The Town of Hillsborough 1 representative
- e. Durham County 3 representatives
- f. Orange County 3 representatives
- g. Chatham County 1 representative
- h. The N.C. Department of Transportation 5 representatives
- i. Triangle J Council of Governments 1 representative
- j. Duke University 1 representative
- k. N.C. Central University 1 representative
- l. The University of North Carolina 1 representative
- m. The Raleigh-Durham Airport Authority 1 representative
- n. Triangle Transit 1 representative
- o. The Research Triangle Park Foundation 1 representative
- p. The N.C. Department of the Environment and Natural Resources 1 representative

**Comment [BE32]:** Increased to 3 to be equal with Durham County.

**Comment [BE33]:** Added due to air quality and Merger Process roles

The City of Durham’s membership shall not include members of the Lead Planning Agency staff.

**Comment [BE34]:** Added

In addition to voting membership, the following agencies shall have non-voting membership:

- a. The Federal Highway Administration 1 representative
- b. The Federal Transit Administration 1 representative
- c. The U.S. Army Corps of Engineers 1 representative
- d. The U.S. Environmental Protection Agency 1 representative
- e. The U.S. Fish and Wildlife Service 1 representative
- f. The N.C. Department of Cultural Resources 1 representative
- g. The N.C. Department of Commerce 1 representative
- h. The U.S. Department of Housing and Urban Development 1 representative
- i. The N.C. Railroad Company 1 representative
- j. The N.C. Trucking Association 1 representative
- k. The N.C. Motorcoach Association 1 representative
- l. Regional Transportation Alliance 1 representative

**Comment [BE35]:** Current MOU says 2 from USDOT. Proposed MOU specifically requests one from FHWA and one from FTA.

**Comment [BE36]:** Added – all have role in Merger Process

**Comment [BE37]:** Added due to Livability Initiative.

**Comment [BE38]:** Added to incorporate freight interests.

**Comment [BE39]:** Added as a substitute for the Greyhound membership currently in the TCC bylaws. Represents private charter bus operators.

**Comment [BE40]:** Added to incorporate economic development interests.

The MPO Technical Committee shall meet when it is deemed appropriate and advisable. On the basis of a majority vote, the MPO Technical Committee may appoint voting members of the Committee to act as Chair and Vice-Chair with the responsibility for coordination of the Committee’s activities.

- 11. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange County Board of Commissioners, and Chatham County Board of Commissioners shall serve as the primary means for citizen input to the continuing transportation planning

process. During the Metropolitan Transportation Plan reevaluation, citizen involvement in the planning process shall be encouraged during re-analysis of goals and objectives and plan formation. This citizen involvement will be obtained through procedures outlined in the MPO's policy for public involvement.

**Comment [BE41]:** Deleted "...goals and objectives surveys, neighborhood forums, and public hearings in accordance with..."

**Comment [BE42]:** Changed from "North Carolina Highway Action Plan"

The MPO Board may also receive public input or hold public hearings as may also be required by federal or state law.

Section II

It is further agreed that the subscribing agencies will have the following responsibilities, these responsibilities being those most logically assumed by the several agencies:

The Municipalities and the Counties

**Comment [BE43]:** Condensed into one section. Current MOU includes identical language for all seven municipalities and counties.

The municipalities and the counties will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. The municipalities and the counties shall coordinate zoning and subdivision approval within their respective jurisdictions in accordance with the adopted Metropolitan Transportation Plan and the Comprehensive Transportation Plan.

Additionally, the City of Durham will serve as the Lead Planning Agency for the transportation planning process in the Planning Area.

The municipalities and the counties will participate in funding the portion of the costs of the MPO's work program not covered by federal or state funding as approved by the MPO Board. The portion to be paid by each municipal and county member government will be based upon its pro rata share of population within the MPO Planning Area, utilizing the most recent certified North Carolina Office of State Planning municipal and county population estimates. In addition, MPO members may also voluntarily contribute additional funds for other purposes such as to participate in funding the costs of special studies, or other specialized services as mutually agreed upon.

**Comment [BE44]:** Added. Uses same language as CAMPO.

Failure to pay the approved share of costs shall invalidate the MPO's Unified Planning Work Program and annual MPO self-certification as required by 23 CFR 450.334. Failure to certify shall result in the withholding of transportation project funds to the metropolitan planning area in accordance with federal law. In order to avoid this, the MPO Board shall amend the Unified Planning Work Program.

**Comment [BE45]:** Added.

The municipalities and the counties receiving federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program shall comply with adopted reporting and oversight procedures.

**Comment [BE46]:** Added

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. The Department, to the fullest extent possible and as permitted by existing state and federal regulations, will provide assistance in the protection of necessary rights-of-way for those transportation facilities designated in the adopted Metropolitan Transportation Plan and Comprehensive Transportation Plan.

Comment [BE47]: Changed from "thoroughfares"

Triangle Transit

Triangle Transit will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus. Triangle Transit shall comply with adopted reporting and oversight procedures for the receipt of federal transportation funding designated for the Durham Urbanized Area as approved by the MPO Board through the Unified Planning Work Program.

Comment [BE48]: Added.

Section III

Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving thirty (30) days written notice to the other parties prior to the date of termination. If any party should terminate participation, this Memorandum of Understanding shall remain in force and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization shall continue to operate as long as 75% or more of the population within the Metropolitan Planning Area is represented by the remaining members. For the purpose of determining 75% representation, the populations within incorporated areas are represented by the respective municipal governments and the populations within the unincorporated areas are represented by the respective county governments.

Section IV

In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Durham by its Mayor, the Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its Chair, and the Secretary of Transportation on behalf of the Governor of the State of North Carolina and the North Carolina Department of Transportation, this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Comment [BE49]: Current MOU says "City Manager" for City of Durham only

(Seal)

City of Durham

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Mayor

(Seal)

Town of Chapel Hill

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Mayor

(Seal)

Town of Carrboro

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Mayor

(Seal)

Town of Hillsborough

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Mayor

(Seal)

County of Durham

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal)

County of Orange

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal)

County of Chatham

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal)

Triangle Transit

\_\_\_\_\_  
Clerk

By \_\_\_\_\_  
Chair

(Seal)

North Carolina Department of  
Transportation

By \_\_\_\_\_  
Secretary

**DCHC MPO Memorandum of Understanding  
Summary of Comments Received from DCHC Members**

**Note:** Page and line references refer to Attachment 6D (TCC Review Version of MOU).

**Town of Hillsborough Comments – Received 8/28/13**

Comment	LPA Response
No comments	N/A

**Chatham County Comments – Received 9/6/13**

Comment	LPA Response
Page 6, line 36. The Chatham County Board of Commissioners is unanimously opposed to the weighted voting provisions.	No change. The proposed weighted voting is based on the current MOU, but gives Orange County an additional vote to be equivalent to Durham County (actual populations are very close), gives the Town of Chapel Hill one additional vote, and gives the City of Durham two additional votes. Population distribution is not the only factor in developing the current weighted voting structure as the City of Durham only represents 40% of the weighted votes yet represents about 58% of the population of the MPO.
General comment: The Board of Commissioners is also concerned about the 20% local match, citing the population differences between the urbanized area and the planning area of the MPO boundary within Chatham County.	No change. Federal regulations require the MPO to plan and conduct other activities within the entire planning area, not just the urbanized area.

**NCDOT Comments – Received 9/6/13**

Comment	LPA Response
Page 3, line 13. The MPO is required to plan for the entire area, not just the Durham Urbanized Area as defined by the US Census. Change “Durham Urbanized Area” to “Durham-Chapel Hill-Carrboro Metropolitan Planning Area”	Change made
Page 4, line 21. Change “Planning Area” to “MPO”	Change made
Page 4, line 36. What is MPO policy for PI [public involvement]? Expecting the public to show up in downtown Durham, in the morning, and pay to park may be limiting your PI.	No change. The MPO approved a revised Public Involvement Policy on 10/11/06. The Policy prescribes the procedures for disseminating information to the public and receiving public input into the MPO’s decision-making process. The MPO holds meetings and workshops at night and in locations other than downtown Durham as appropriate. Public involvement is also part of the

	Certification Review process.
Page 5, line 13. NC General Statutes require the plan to include MTP projects and says that it may include other projects not in the fiscally constrained plan. Delete “as well as” and add “and may include additional.”	Change made
Page 5, line 16. NC General Statutes requires that any revisions to the CTP shall be jointly approved by the MPO Board and N.C. Board of Transportation. Change “may be” to “are.”	Change made
Page 5, line 36. Change “Durham Urbanized Area” to “DCHC MPO.”	Change made.
Page 6, line 2. NCDOT comment: “You’re going to put the management of Durham staff under the MPO board. You may need to remove this or use another word.”	No change. LPA staff and member jurisdictions have a clear understanding of the term oversight as used in the MOU.
Page 6, line 11. Since you are specifying weighted voting below, you need to be clear about the number of votes under a non-weighted voting scheme.	No change. The MOU at page 6, line 32 states that a majority vote shall be sufficient for approval of matters coming before the committee.
Page 6, line 12. Why does City of Durham have two voting members and no one else does?	No change. Based on the 2010 census, about 58 percent of the MPO population lives in the City of Durham.
Page 6, line 21. Should there be a BOT member for each Division represented (5, 7, and 8)? Is one board member going to be able to represent the other Division counties?	No change. There needs to be on-going consultation between the Board of Transportation members for Divisions 5, 7, and 8.
Page 6, line 32. Simple majority or 2/3rds majority? Can one abstain? And how does that affect the vote?	No change. A simple majority is sufficient. The bylaws address abstentions (abstentions are not included in the tally of the vote).
Page 7, line 41. Need to address votes per [MPO Technical Committee] member.	No change. Voting procedures are discussed in the bylaws.
Page 8, line 14. Why is DENR a voting member here?	No change. DENR was added to reflect air quality and Merger Process roles.
Page 8, line 20. What is the purpose of non-voting membership for some agencies? Is this just to define their role and also state they have no voting capacity?	No change. Non-voting members have various interests in the transportation planning process and can participate in TCC meetings but not vote.
Page 8, line 20. Need to discuss quorum and majority vote for TCC. Simple majority or 2/3rds majority? Would 2/3rds be more appropriate? For example, when the TCC is not sure/split on an action, probably wouldn’t want to forward to TAC.	No change. Voting procedures are discussed in the bylaws.
Page 9, line 36. There is nothing in the Federal Planning regulations that address paying of local shares or invalidation of PWP or self-certification. This should be removed or reference made to local	Change to read as follows: “Funding provided by member agencies will be used to provide the required local match to federal funds. Failure by member agencies to pay the approved share of

MPO policies.	costs would impact the MPO's ability to match federal funds and could have the effect of invalidating the MPO's Unified Planning Work Program and the annual MPO self-certification, and could also result in the withholding of transportation project funds. Failure by member governments to pay the approved share of costs may also result in the withholding of MPO services and funding."
Page 10, line 17. Remove sentence "The Department, to the fullest extent possible and as permitted by existing state and federal regulations, will provide assistance in the protection of necessary rights-of-way for those transportation facilities designated in the adopted Metropolitan Transportation Plan and Comprehensive Transportation Plan." and replace with "Should any authorized local government body chose to adopt or amend a transportation corridor official map for a proposed public transportation corridor pursuant to N.C.G.S. § 136-44.50, the Department may offer assistance by providing mapping, data, inventories or other Department resources that could aid the local government body in adopting or amending a transportation corridor official map."	Change made.
Page 11, line 7. Add "Triangle Transit by its Chair"	Change made.

#### Orange County Comments – Received 9/6/13

Comment	LPA Response
Page 6, line 22. Concern over Triangle Transit becoming a voting member of the MPO Board.	The federal MAP-21 law requires that transit providers be voting members of the MPO Board.
Page 7, line 30. The phrase "of the transportation study" needs further description or clarification. What transportation study?	Change "the transportation study" to "various transportation studies."
Page 9, line 36. The phrase "Failure to pay the approved share of costs...." needs clarification. The members share? The subscribing agencies share?	Change "Failure to pay the approved share of costs" to "Failure by member agencies to pay the approved share of costs."

#### Town of Chapel Hill Comments – Received 9/13/13

Comment	LPA Response
Page 9, line 27. Add "reflected in the annual Planning Work Program" before the word "approved" in the following sentence: "The municipalities and the counties will participate in	Change made.

funding the portion of the costs of the MPO's work program not covered by federal or state funding as approved by the MPO Board."	
The remainder of Section II, on page 9 and 10, attempts to deal with the recently established requirement that local governments provide a portion of the local match required to support MPO staff activities. While the local governments and MPO have agreed to establish an oversight committee that will develop the annual work program and related annual budget Chapel Hill believes the MOU does not address the issue of potential disagreements between the member jurisdictions and the MPO staff over the budget and related local payments. This section needs some improvement.	No change. The MOU is not the appropriate mechanism to address these concerns. Oversight mechanisms have been addressed in the document entitled "FY 2014 Unified Planning Work Program (UPWP) LPA Oversight Structures and Highlights" that was approved as part of the UPWP at the May 2013 TAC meeting.

#### Town of Carrboro Comments – Received 9/13/13

Comment	LPA Response
Page 6, line 36. The minimum number of weighted votes for all parties should be two (2), except for the N.C. Board of Transportation and Triangle Transit, who should receive one (1) vote, to reflect the fact that they are distinct from the other parties in that they are represented by appointed, and not elected, officials.	No change. Both the N.C. Department of Transportation and Triangle Transit have a high degree of financial investment and responsibility in the MPO region. In addition, members of the Board of Transportation and Triangle Transit board are appointed by and held accountable by elected officials. Also, the current members of the Triangle Transit board from the DCHC region are elected officials.
Page 9, line 26. Language should be added establishing an oversight process for activities conducted under the MPO's work plan, as has been agreed to by MPO staff and member jurisdiction staff.	No change. The MOU is not the appropriate mechanism to address this concern. Oversight mechanisms have been addressed in the document entitled "FY 2014 Unified Planning Work Program (UPWP) LPA Oversight Structures and Highlights" that was approved as part of the UPWP at the May 2013 TAC meeting.
Page 9, line 26. A limitation on the percent annual increase in the UPWP budget should be added.	No change. The MPO Board has the authority to control the level of spending in the UPWP.
Page 10, line 35. The written notice period for termination of participation in the transportation planning process should be changed from thirty (30) days to ninety (90) days.	Change made.

**City of Durham Comments – Received on 9/16/13**

<b>Comment</b>	<b>LPA Response</b>
Page 10, line 35. The written notice period for termination of participation in the transportation planning process should be changed from thirty (30) days to ninety (90) days.	Change made.

**Durham County Comments – None received as of 9/19/13**

**Triangle Transit Comments – None received as of 9/19/13**

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**DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION**

**MEMORANDUM OF UNDERSTANDING  
FOR  
COOPERATIVE, COMPREHENSIVE, AND CONTINUING  
TRANSPORTATION PLANNING**

Between

THE GOVERNOR OF THE STATE OF NORTH CAROLINA,  
CITY OF DURHAM, TOWN OF CHAPEL HILL, TOWN OF CARRBORO  
TOWN OF HILLSBOROUGH, COUNTY OF DURHAM,  
COUNTY OF ORANGE, COUNTY OF CHATHAM, TRIANGLE TRANSIT, AND  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

in cooperation with

THE UNITED STATES DEPARTMENT OF TRANSPORTATION

DATE

WITNESSETH THAT

WHEREAS, Section 134(a) of Title 23 United States Codes states:

Policy – It is in the national interest—

- (1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and
- (2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).

WHEREAS, Section 134(c) of Title 23 United States Codes states:

General Requirements.—

- (1) Development of long-range plans and TIPs.— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall

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1 develop long-range transportation plans and transportation improvement  
2 programs through a performance-driven, outcome-based approach to planning  
3 for metropolitan areas of the State.

4 (2) Contents.— The plans and TIPs for each metropolitan area shall provide for  
5 the development and integrated management and operation of transportation  
6 systems and facilities (including accessible pedestrian walkways and bicycle  
7 transportation facilities) that will function as an intermodal transportation  
8 system for the metropolitan planning area and as an integral part of an  
9 intermodal transportation system for the State and the United States.

10 (3) Process of development.— The process for developing the plans and TIPs  
11 shall provide for consideration of all modes of transportation and shall be  
12 continuing, cooperative, and comprehensive to the degree appropriate, based  
13 on the complexity of the transportation problems to be addressed.

14  
15 WHEREAS, Chapter 136, Section 66.2(a) of the General Statutes of North Carolina states:

16  
17 Each MPO, with cooperation of the Department of Transportation, shall develop a  
18 comprehensive transportation plan in accordance with 23 U.S.C. Section 134. In  
19 addition, an MPO may include projects in its transportation plan that are not included in  
20 a financially constrained plan or are anticipated to be needed beyond the horizon year  
21 as required by 23 U.S.C. Section 134. For municipalities located within an MPO, the  
22 development of a comprehensive transportation plan will take place through the  
23 metropolitan planning organization. For purposes of transportation planning and  
24 programming, the MPO shall represent the municipality's interests to the Department of  
25 Transportation.

26  
27 WHEREAS, Chapter 136, Section 66.2(b) of the General Statutes of North Carolina states:

28  
29 After completion and analysis of the plan, the plan shall be adopted by both the  
30 governing body of the municipality or MPO and the Department of Transportation as  
31 the basis for future transportation improvements in and around the municipality or  
32 within the MPO. The governing body of the municipality and the Department of  
33 Transportation shall reach agreement as to which of the existing and proposed streets  
34 and highways included in the adopted plan will be a part of the State highway system  
35 and which streets will be a part of the municipal street system. As used in this Article,  
36 the State highway system shall mean both the primary highway system of the State and  
37 the secondary road system of the State within municipalities.

38  
39 WHEREAS, Chapter 136, Section 66.2(d) of the General Statutes of North Carolina states:

40  
41 For MPOs, either the MPO or the Department of Transportation may propose changes  
42 in the plan at any time by giving notice to the other party, but no change shall be  
43 effective until it is adopted by both the Department of Transportation and the MPO.

44

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1 WHEREAS, a transportation planning process includes the operational procedures and working  
2 arrangements by which short and long-range transportation plans are soundly conceived and  
3 developed and continuously evaluated in a manner that will:

- 4
- 5 1. Assist governing bodies and official agencies in determining courses of action and in  
6 formulating attainable capital improvement programs in anticipation of community  
7 needs; and,
- 8
- 9 2. Guide private individuals and groups in planning their decisions which can be important  
10 factors in the pattern of future development and redevelopment of the area;
- 11

12 WHEREAS, it is the desire of these agencies that a continuing, cooperative, and comprehensive  
13 transportation planning process, be established for the Durham-Chapel Hill-Carrboro  
14 Metropolitan Planning Area ~~Urbanized Area~~ in compliance with Title 23 U.S.C. Section 134 and  
15 any subsequent amendments to that statute, and any implementing regulations; Title 49 U.S.C.  
16 Chapter 53 and any subsequent amendments to these statutes, and any implementing  
17 regulations; and the Clean Air Act of 1970, as amended, [42 U.S.C. 7504 and 7506(c)].

18

19 WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the  
20 parties be superseded and replaced by this Memorandum of Understanding.

21

22 NOW THEREFORE, the following Memorandum of Understanding is made:

23

24 Section I

25

26 It is hereby agreed that the City of Durham, Town of Chapel Hill, Town of Carrboro, Town of  
27 Hillsborough, County of Durham, County of Orange, County of Chatham, and the North Carolina  
28 Department of Transportation in cooperation with the United States Department of  
29 Transportation will participate in a continuing, cooperative, and comprehensive transportation  
30 planning process with responsibilities and undertakings as related in the following paragraphs:

- 31
- 32 1. The Durham-Chapel Hill-Carrboro Metropolitan Planning Area, will consist of the  
33 Durham Urbanized Area as defined by the United States Department of Commerce,  
34 Bureau of the Census, plus that area beyond the existing urbanized area boundary that  
35 is expected to become urbanized or be affected by urban policies within a twenty-year  
36 planning period. This area is hereinafter referred to as the Metropolitan Planning Area.
- 37
- 38 2. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) shall  
39 include the boards of general purpose local government – the Durham City Council,  
40 Chapel Hill Town Council, Carrboro Board of Aldermen, Hillsborough Board of  
41 Commissioners, Durham County Board of Commissioners, Orange County Board of  
42 Commissioners, and Chatham County Board of Commissioners; the North Carolina  
43 Department of Transportation; a MPO Board hereinafter defined, a MPO Technical

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1 Committee hereinafter defined, and the various agencies and units of local, regional,  
2 state, and federal government participating in the transportation planning for the area.  
3

- 4 3. The Metropolitan Planning Area boundary will be periodically reviewed and revised in  
5 light of new developments, basic data projections for the current planning period, and  
6 as may otherwise be required by federal and state laws.  
7
- 8 4. The continuing transportation planning process will be a cooperative one reflective of  
9 and responsive to the programs of the North Carolina Department of Transportation,  
10 and to the comprehensive plans for growth and development of the Municipalities of  
11 Durham, Chapel Hill, Carrboro, and Hillsborough; and the Counties of Durham, Orange,  
12 and Chatham. Attention will be given to cooperative planning with the neighboring  
13 metropolitan and rural planning organizations.  
14
- 15 5. The continuing transportation planning process will be in accordance with the intent,  
16 procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.  
17
- 18 6. The continuing transportation planning process will be in accordance with the intent,  
19 procedures, and programs of Clean Air Act of 1970, as amended.  
20
- 21 7. Transportation policy decisions within the MPO Planning Area are the shared  
22 responsibility of the MPO Board, the N.C. Board of Transportation, and participating  
23 local governments.  
24
- 25 8. Transportation plans and programs, and land use policies and programs, for the  
26 Planning Area, having regional impacts, will be coordinated with Triangle Transit, the  
27 neighboring metropolitan and rural planning organizations, and Triangle J Council of  
28 Governments.  
29
- 30 9. A MPO Board is hereby established with the responsibility for cooperative  
31 transportation decision-making for the Durham-Chapel Hill-Carrboro Metropolitan  
32 Planning Organization (DCHC MPO). The MPO Board shall have the responsibility for  
33 keeping the policy boards informed of the status and requirements of the  
34 transportation planning process; assisting in the dissemination and clarification of the  
35 decisions, inclinations, and policies of the policy boards, and for providing opportunities  
36 for citizen participation in the transportation planning process.  
37

38 The MPO Board will be responsible for carrying out the provisions of 23 U.S.C. Section  
39 134; Title 49 U.S.C. Chapter 53; and 42 U.S.C. 7504 and 7506(c); including but not  
40 limited to:

- 41  
42 a. Establishment of goals and objectives for the transportation planning process;  
43

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- 1           b. Review and approval of a Prospectus for transportation planning which defines  
2 work tasks and responsibilities for the various agencies participating in the  
3 transportation planning process;  
4
- 5           c. Review and approval of the transportation Unified Planning Work Program;  
6
- 7           d. Review and approval of changes to the National Highway System, Functional  
8 Classification, and Metropolitan Planning Area boundary;  
9
- 10          e. Review and approval of the Comprehensive and Metropolitan Transportation  
11 Plans. As specified in General Statutes Section 136-66.2(a), the Comprehensive  
12 Transportation Plan shall include the projects in the Metropolitan Transportation  
13 Plan and may include additional ~~as well as~~ projects that are not included in the  
14 financially constrained plan or are anticipated to be needed beyond the horizon  
15 year as required by 23 U.S.C. Section 134. As specified in General Statutes  
16 Section 136-66.2(d) revisions to the Comprehensive Transportation Plan are may  
17 be required to be jointly approved by the North Carolina Department of  
18 Transportation and the MPO Board;  
19
- 20          f. Review and approval of the Transportation Improvement Program and changes  
21 to the Transportation Improvement Program. As specified in 23 U.S.C. Section  
22 134(k), all federally funded projects carried out within the boundaries of a  
23 metropolitan planning area serving a transportation management area  
24 (excluding projects carried out on the National Highway System) shall be  
25 selected for implementation from the approved TIP by the metropolitan  
26 planning organization designated for the area in consultation with the State and  
27 any affected public transportation operator;  
28
- 29          g. Review and approval of planning procedures for air quality conformity and  
30 review and approval of air quality conformity determination for projects,  
31 programs, and plans;  
32
- 33          h. Review and approval of a Congestion Management Process;  
34
- 35          i. Review and approval of the distribution and oversight of federal funds designated  
36 for the DCHC MPO ~~Durham Urbanized Area~~ under the provisions of MAP-21 and  
37 any other subsequent Transportation Authorizations;  
38
- 39          j. Review and approval of a policy for public involvement for the DCHC MPO;  
40
- 41          k. Review and approval of an agreement between the MPO, the State, and public  
42 transportation operators serving the Metropolitan Planning Area that defines  
43 mutual responsibilities for carrying out the metropolitan planning process in  
44 accordance with 23 C.F.R. 450.314;

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- 1  
2 l. Oversight of the Lead Planning Agency staff;  
3  
4 m. Revision in membership of the MPO Technical Committee hereinafter defined;  
5  
6 n. Development and approval of committee bylaws for the purpose of establishing  
7 operating policies and procedures;  
8  
9 o. Review and approval of cooperative agreements with other transportation  
10 organizations, transportation providers, counties, and municipalities.  
11

12 The membership of the MPO Board shall include:

- 13  
14 a. Two members of the Durham City Council;  
15 b. One member of the Chapel Hill Town Council;  
16 c. One member of the Carrboro Board of Aldermen;  
17 d. One member of the Hillsborough Board of Commissioners;  
18 e. One member of the Durham County Board of Commissioners;  
19 f. One member of the Orange County Board of Commissioners;  
20 g. One member of the Chatham County Board of Commissioners;  
21 h. One member of the North Carolina Board of Transportation;  
22 i. One member of the Triangle Transit Board of Trustees.  
23

24 Municipal and county public transit providers shall be represented on the MPO Board  
25 through their respective municipal and county local government board members.  
26

27 It shall be the responsibility of each member jurisdiction to appoint a representative and  
28 an alternate(s) to the MPO Board.  
29

30 A quorum of the MPO Board shall consist of a majority of the voting members whose  
31 votes together represent a majority of the possible weighted votes identified in the  
32 weighted vote schedule below. A majority vote shall be sufficient for approval of  
33 matters coming before the committee with the exception that a committee member  
34 may invoke the following weighted vote provisions on any matter:  
35

<u>Government Body</u>	<u>Votes</u>
City of Durham	8*
Town of Chapel Hill	3
Durham County	2
Orange County	2
Town of Carrboro	1
Chatham County	1
Town of Hillsborough	1
N.C. Board of Transportation	1

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1	Triangle Transit	<u>1</u>
2	Total	20

3  
4 \* 4 votes per representative

5  
6 Representatives from each of the following bodies will serve as non-voting members of  
7 the MPO Board:

- 8  
9 a. A representative of the Federal Highway Administration;  
10 b. A representative of the Federal Transit Administration;  
11 c. Other local, regional, state, or federal agencies impacting transportation in the  
12 planning area at the invitation of the MPO Board.

13  
14 The MPO Board will meet as often as it is deemed appropriate and advisable. On the  
15 basis of a majority vote, the MPO Board may appoint members of the Board to act as  
16 Chair and Vice-Chair with the responsibility for coordination of the Board's activities. A  
17 member of the Lead Planning Agency staff will serve as Secretary to the Board and will  
18 work cooperatively with the staff of other jurisdictions.

- 19  
20 10. A MPO Technical Committee shall be established with the responsibility of general  
21 review, guidance and coordination of the transportation planning process for the  
22 planning area and with the responsibility for making recommendations to the respective  
23 local, state, and federal governmental agencies and the MPO Board regarding any  
24 necessary actions relating to the continuing transportation planning process. The MPO  
25 Technical Committee shall be responsible for development, review and  
26 recommendations for approval and changes to the Prospectus, Unified Planning Work  
27 Program, Transportation Improvement Program, National Highway System, Functional  
28 Classification, Metropolitan Planning Area boundary, Metropolitan Transportation Plan,  
29 and Comprehensive Transportation Plan, for planning citizen participation, and for  
30 documenting reports of various transportation studies ~~the transportation study~~.

31  
32 Membership of the MPO Technical Committee shall include technical representatives  
33 from local and state agencies directly related to and concerned with the transportation  
34 planning process for the planning area. Representatives will be designated by the chief  
35 executive officer of each represented agency. Departments or divisions within local and  
36 state agencies that should be represented on the MPO Technical Committee include,  
37 but are not limited to, those responsible for transportation planning, land use planning,  
38 transportation operations, public works and construction, engineering, public  
39 transportation, environmental conservation and planning, bicycle and pedestrian  
40 planning, and economic development. Initially, the membership shall include, but not  
41 be limited to, the following:

- 42  
43 a. The City of Durham 5 representatives  
44 b. The Town of Chapel Hill 3 representatives

**Note: TCC Review Version 9/25/13. Reflects changes made to the version mailed to member agencies on 6/10/13. Deleted language is struck through, and added language is underlined.**

1	c. The Town of Carrboro	2 representatives
2	d. The Town of Hillsborough	1 representative
3	e. Durham County	3 representatives
4	f. Orange County	3 representatives
5	g. Chatham County	1 representative
6	h. The N.C. Department of Transportation	5 representatives
7	i. Triangle J Council of Governments	1 representative
8	j. Duke University	1 representative
9	k. N.C. Central University	1 representative
10	l. The University of North Carolina	1 representative
11	m. The Raleigh-Durham Airport Authority	1 representative
12	n. Triangle Transit	1 representative
13	o. The Research Triangle Park Foundation	1 representative
14	p. The N.C. Department of the Environment and	1 representative
15	Natural Resources	

16  
17 The City of Durham's membership shall not include members of the Lead Planning  
18 Agency staff.

19  
20 In addition to voting membership, the following agencies shall have non-voting  
21 membership:

22		
23	a. The Federal Highway Administration	1 representative
24	b. The Federal Transit Administration	1 representative
25	c. The U.S. Army Corps of Engineers	1 representative
26	d. The U.S. Environmental Protection Agency	1 representative
27	e. The U.S. Fish and Wildlife Service	1 representative
28	f. The N.C. Department of Cultural Resources	1 representative
29	g. The N.C. Department of Commerce	1 representative
30	h. The U.S. Department of Housing and Urban	1 representative
31	Development	
32	i. The N.C. Railroad Company	1 representative
33	j. The N.C. Trucking Association	1 representative
34	k. The N.C. Motorcoach Association	1 representative
35	l. Regional Transportation Alliance	1 representative

36  
37 The MPO Technical Committee shall meet when it is deemed appropriate and advisable.  
38 On the basis of a majority vote, the MPO Technical Committee may appoint voting  
39 members of the Committee to act as Chair and Vice-Chair with the responsibility for  
40 coordination of the Committee's activities.

41  
42 11. The Durham City Council, Chapel Hill Town Council, Carrboro Board of Aldermen,  
43 Hillsborough Board of Commissioners, Durham County Board of Commissioners, Orange  
44 County Board of Commissioners, and Chatham County Board of Commissioners shall

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1 serve as the primary means for citizen input to the continuing transportation planning  
2 process. During the Metropolitan Transportation Plan reevaluation, citizen involvement  
3 in the planning process shall be encouraged during re-analysis of goals and objectives  
4 and plan formation. This citizen involvement will be obtained through procedures  
5 outlined in the MPO's policy for public involvement.

6  
7 The MPO Board may also receive public input or hold public hearings as may also be  
8 required by federal or state law.

9  
10 Section II

11  
12 It is further agreed that the subscribing agencies will have the following responsibilities, these  
13 responsibilities being those most logically assumed by the several agencies:

14  
15 The Municipalities and the Counties

16  
17 The municipalities and the counties will assist in the transportation planning process by  
18 providing planning assistance, data, and inventories in accordance with the Prospectus.  
19 The municipalities and the counties shall coordinate zoning and subdivision approval  
20 within their respective jurisdictions in accordance with the adopted Metropolitan  
21 Transportation Plan and the Comprehensive Transportation Plan.

22  
23 Additionally, the City of Durham will serve as the Lead Planning Agency for the  
24 transportation planning process in the Planning Area.

25  
26 The municipalities and the counties will participate in funding the portion of the costs of  
27 the MPO's work program not covered by federal or state funding as reflected in the  
28 annual Planning Work Program approved by the MPO Board. The portion to be paid by  
29 each municipal and county member government will be based upon its pro rata share of  
30 population within the MPO Planning Area, utilizing the most recent certified North  
31 Carolina Office of State Planning municipal and county population estimates. In  
32 addition, MPO members may also voluntarily contribute additional funds for other  
33 purposes such as to participate in funding the costs of special studies, or other  
34 specialized services as mutually agreed upon.

35  
36 ~~Failure to pay the approved share of costs shall invalidate the MPO's Unified Planning~~  
37 ~~Work Program and annual MPO self certification as required by 23 CFR 450.334. Failure~~  
38 ~~to certify shall result in the withholding of transportation project funds to the~~  
39 ~~metropolitan planning area in accordance with federal law. In order to avoid this, the~~  
40 ~~MPO Board shall amend the Unified Planning Work Program.~~

41  
42 Funding provided by member agencies will be used to provide the required local match  
43 to federal funds. Failure by member agencies to pay the approved share of costs would  
44 impact the MPO's ability to match federal funds and could have the effect of

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1 invalidating the MPO's Unified Planning Work Program and the annual MPO self-  
 2 certification, and could also result in the withholding of transportation project funds.  
 3 Failure by member governments to pay the approved share of costs may also result in  
 4 the withholding of MPO services and funding.

5  
 6 The municipalities and the counties receiving federal transportation funding designated  
 7 for the Durham Urbanized Area as approved by the MPO Board through the Unified  
 8 Planning Work Program shall comply with adopted reporting and oversight procedures.

9  
 10 North Carolina Department of Transportation

11  
 12 The Department will assist in the transportation planning process by providing planning  
 13 assistance, data, and inventories in accordance with the Prospectus. ~~The Department, to~~  
 14 ~~the fullest extent possible and as permitted by existing state and federal regulations, will~~  
 15 ~~provide assistance in the protection of necessary rights-of-way for those transportation~~  
 16 ~~facilities designated in the adopted Metropolitan Transportation Plan and~~  
 17 ~~Comprehensive Transportation Plan.~~ Should any authorized local government body  
 18 chose to adopt or amend a transportation corridor official map for a proposed public  
 19 transportation corridor pursuant to N.C.G.S. § 136-44.50, the Department may offer  
 20 assistance by providing mapping, data, inventories, or other Department resources that  
 21 could aid the local government body in adopting or amending a transportation corridor  
 22 official map.

23  
 24 Triangle Transit

25  
 26 Triangle Transit will assist in the transportation planning process by providing planning  
 27 assistance, data, and inventories in accordance with the Prospectus. Triangle Transit  
 28 shall comply with adopted reporting and oversight procedures for the receipt of federal  
 29 transportation funding designated for the Durham Urbanized Area as approved by the  
 30 MPO Board through the Unified Planning Work Program.

31  
 32 Section III

33  
 34 Parties to this Memorandum of Understanding may terminate their participation in the  
 35 continuing transportation planning process by giving ninety (90) ~~thirty (30)~~ days written notice  
 36 to the other parties prior to the date of termination. If any party should terminate  
 37 participation, this Memorandum of Understanding shall remain in force and the Durham-  
 38 Chapel Hill-Carrboro Metropolitan Planning Organization shall continue to operate as long as  
 39 75% or more of the population within the Metropolitan Planning Area is represented by the  
 40 remaining members. For the purpose of determining 75% representation, the populations  
 41 within incorporated areas are represented by the respective municipal governments and the  
 42 populations within the unincorporated areas are represented by the respective county  
 43 governments.

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1 Section IV

2  
3 In witness whereof, the parties of this Memorandum of Understanding have been authorized  
4 by appropriate and proper resolutions to sign the same, the City of Durham by its Mayor, the  
5 Town of Chapel Hill by its Mayor, the Town of Carrboro by its Mayor, the Town of Hillsborough  
6 by its Mayor, Durham County by its Chair, Orange County by its Chair, Chatham County by its  
7 Chair, Triangle Transit by its Chair, and the Secretary of Transportation on behalf of the  
8 Governor of the State of North Carolina and the North Carolina Department of Transportation,  
9 this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

10  
11 (Seal) City of Durham  
12  
13  
14  
15 \_\_\_\_\_ By \_\_\_\_\_  
16 Clerk Mayor

17  
18 (Seal) Town of Chapel Hill  
19  
20  
21  
22 \_\_\_\_\_ By \_\_\_\_\_  
23 Clerk Mayor

24  
25 (Seal) Town of Carrboro  
26  
27  
28  
29 \_\_\_\_\_ By \_\_\_\_\_  
30 Clerk Mayor

31  
32 (Seal) Town of Hillsborough  
33  
34  
35  
36 \_\_\_\_\_ By \_\_\_\_\_  
37 Clerk Mayor

38  
39 (Seal) County of Durham  
40  
41  
42  
43 \_\_\_\_\_ By \_\_\_\_\_  
44 Clerk Chair

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(Seal) County of Orange

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal) County of Chatham

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal) Triangle Transit

\_\_\_\_\_  
Clerk By \_\_\_\_\_  
Chair

(Seal) North Carolina Department of  
Transportation

By \_\_\_\_\_  
Secretary



**COUNTY COMMISSIONERS**

Walter Petty, *Chair*  
Brian Bock, *Vice Chair*  
Mike Cross  
Sally Kost  
Pam Stewart

**COUNTY MANAGER**

Charlie Horne

Established 1771

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

September 6, 2013

101 City Hall Plaza, 4th Floor  
Durham, NC 27701

Dear Mr. Nwoko,

During the August 19<sup>th</sup> meeting of the Chatham County Board of Commissioners, our Board reviewed the draft DCHC MPO MOU and is unanimously opposed to the weighted voting provision proposed within the document.

The Board also expresses concern about the 20% local match, citing the population differences between the urbanized area and the planning area of the MPO boundary within Chatham County. Please accept this letter Chatham County's comments on the draft DCHC MPO MOU.

Contact Hillary Pace, Planner II, at 919-542-8276 if you should have any additional questions.

Sincerely,

Brian Bock, Vice Chair  
Chatham County Board of Commissioners

cc: Walter Petty, Chair, Chatham County Commissioners  
Charlie Horne, Chatham County Manager

## McKeel, Dale

---

**From:** Tom Altieri <taltieri@orangecountync.gov>  
**Sent:** Friday, September 06, 2013 1:27 PM  
**To:** Nwoko, Felix; Ahrendsen, Mark  
**Cc:** Craig Benedict; Bret A. Martin  
**Subject:** OC BOCC Mtg Follow-up on Draft MOU

Mark and Felix,

Thank you again for joining us last night. Below is a quick advanced summary of the few comments that the BOCC provided. I'll check with Craig on anything that might be submitted more formally.

Also, if helpful, the video of the meeting is online and can be accessed via the following link. BOCC discussion of this item begins at 2:51 (Hr:Minute)

<http://www.co.orange.nc.us/occlerks/granicus.asp>

--P.7, #10., the last few words of the 1<sup>st</sup> paragraph – “of the transportation study” needs further description or clarification. What transportation study?

--p.9, The Municipalities and the Counties, beginning of 4<sup>th</sup> paragraph – “Failure to pay the approved share of costs...” needs clarification. The members share? The subscribing agencies share?

--Concern over Triangle Transit becoming a voting member of the MPO Board.

Have a good weekend.

**Tom Altieri, AICP**

Comprehensive Planning Supervisor  
Orange County Planning Department  
131 W. Margaret Lane, Suite 201  
P.O. Box 8181  
Hillsborough, NC 27278  
Phone: (919) 245-2579  
Fax: (919) 644-3002  
<http://www.orangecountync.gov>  
[taltieri@orangecountync.gov](mailto:taltieri@orangecountync.gov)



## McKeel, Dale

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**From:** David Bonk <[dbonk@townofchapelhill.org](mailto:dbonk@townofchapelhill.org)>  
**Sent:** Friday, September 13, 2013 1:26 PM  
**To:** McKeel, Dale; Tom Altieri ([taltieri@orangecountync.gov](mailto:taltieri@orangecountync.gov)); Jeff Brubaker  
**Cc:** Beckmann, Ellen; Nwoko, Felix; Henry, Andrew  
**Subject:** RE: MOU Comments

Dale,

See comments below.

David

- On page 9, last paragraph we suggest modifying sentence, in red, as follows, “ The municipalities and the counties will participate in funding the portion of the costs of the MPO’s work program not covered by federal or state funding as **reflected in the annual Planning Work Program** approved by the MPO Board.”
- The remainder of Section II, on page 10, attempts to deal with the recently established requirement that local governments provide a portion of the local match required to support MPO staff activities. While the local governments and MPO have agreed to establish an oversight committee that will develop the annual work program and related annual budget Chapel Hill believes the MOU does not address the issue of potential disagreements between the member jurisdictions and the MPO staff over the budget and related local payments. This section needs some improvement.

---

**From:** McKeel, Dale [<mailto:Dale.McKeel@durhamnc.gov>]  
**Sent:** Friday, September 13, 2013 8:20 AM  
**To:** Tom Altieri ([taltieri@orangecountync.gov](mailto:taltieri@orangecountync.gov)); David Bonk; Jeff Brubaker  
**Cc:** Beckmann, Ellen; Nwoko, Felix; Henry, Andrew  
**Subject:** MOU Comments

Dear Tom, David, and Jeff:

Felix has asked me to compile the comments on the draft DCHC MOU for the next TCC meeting.

If you have already sent in comments, could you resend them? I do not have a copy.

If you have not sent comments, could you send them to me today?

Thanks.

\*\*\*\*

**Dale McKeel, AICP**  
*Bicycle & Pedestrian Coordinator*  
*Department of Transportation*  
City of Durham/DCHC MPO  
101 City Hall Plaza, 4th Floor  
Durham, NC 27701  
P 919-560-4366. ext. 36421  
F 919-560-4561



# TOWN OF CARRBORO

NORTH CAROLINA

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TCC 9/25/2013 Attachment 6E

September 10, 2013

Felix Nwoko, PhD  
Transportation Planning Manager – Durham DOT  
Administrator – Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO)  
101 City Hall Plaza, 4th Floor  
Durham, NC 27701

Dear Mr. Nwoko:

The Town of Carrboro appreciates the opportunity to review and provide initial comments on the proposed changes to DCHC-MPO's Memorandum of Understanding.

Town staff have met with the Town's representative and alternate on the Transportation Advisory Committee to discuss the proposed changes. Accordingly, the TAC representatives have the following comments (with page numbers referring to the marked-up version):

1. On p. 6, the minimum number of weighted votes for all parties should be two (2), except for the N.C. Board of Transportation and Triangle Transit, who should receive one (1) weighted vote. This reflects the fact that the N.C. Board of Transportation and Triangle Transit are distinct from the other parties in that they are represented by appointed, and not elected, officials.
2. On p. 9, in the "The Municipalities and the Counties" section, language should be added establishing an oversight process for activities conducted under the MPO's work plan, as has been agreed to by MPO staff and member jurisdiction staff.
3. On p. 9, a limitation on the percent annual increase in the UPWP budget should be added.
4. On p. 10, in "Section III", the written notice period for termination of participation in the transportation planning process should be changed from thirty (30) days to ninety (90) days.

We understand that the revisions will eventually be presented to all governing bodies of the various MPO members for review and consideration of approval. The Town looks forward to continuing to coordinate with the MPO on this matter.

Please let me know if you have any questions or need additional information.

Sincerely,

David Andrews  
Town Manager

Cc: Arche McAdoo, Finance Director  
Patricia McGuire, Planning Director  
Christina Moon, Planning Administrator  
Jeff Brubaker, Transportation Planner

DLA/jsb

**RESOLUTION TO MODIFY THE 2012-2018 TRANSPORTATION  
IMPROVEMENT PROGRAM FOR THE DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING AREA**

**AMENDMENT #12  
October 9, 2013**

A motion was made by TAC Member \_\_\_\_\_ and seconded by TAC Member \_\_\_\_\_ for the adoption of the following resolution, and upon being put to a vote, was duly adopted.

**WHEREAS**, the Metropolitan Transportation Improvement Program (MTIP) is a staged multiple year listing of all federally funded transportation projects scheduled for implementation within the Durham-Chapel Hill-Carrboro Metropolitan Planning Area which have been selected from a priority list of projects; and

**WHEREAS**, the document provides the mechanism for official endorsement of the program of projects by the Transportation Advisory Committee (TAC); and

**WHEREAS**, the inclusion of the TIP in the transportation planning process was first mandated by regulations issued jointly by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and no project within the planning area will be approved for funding by these federal agencies unless it appears in the officially adopted TIP; and

**WHEREAS**, the procedures for developing the MTIP have been modified in accordance with certain provisions of the SAFETEA-LU Federal Transportation Act and guidance provided by the State; and

**WHEREAS**, projects listed in the MTIP are also included in the State TIP (STIP) and balanced against anticipated revenues as identified in the STIP; and

**WHEREAS**, the North Carolina Department of Transportation and the Transportation Advisory Committee have determined it to be in the best interest of the Urban Area to amend the FY 2012-2018 Metropolitan Transportation Improvement Program as described in the attached sheets; and

**WHEREAS**, there has been no change in the MTIP project schedule or project design concept and scope with regard to the air quality conformity finding made by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Transportation Advisory Committee on May 8, 2013; and

**WHEREAS**, the DCHC MPO certifies that this MTIP amendment is consistent with the intent of the DCHC MPO 2040 Metropolitan Transportation Plan (MTP); and

**BE IT THEREFORE RESOLVED** that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Transportation Advisory Committee hereby amends the FY 2012-2018 Metropolitan Transportation Improvement Program of the Durham-Chapel Hill-Carrboro Urban Area, as approved by the TAC on September 14, 2011, and as described in the “Attachments to Resolution for Amendment #11 to DCHC 2012-2018 MTIP” provided here on this, the 9th day of October, 2013.

---

Ellen Reckhow, TAC Chair

Durham County, North Carolina

I certify that Ellen Reckhow personally appeared before me this day acknowledging to me that she signed the forgoing document.

Date: October 9, 2013

---

Frederick Brian Rhodes, Notary Public  
My commission expires: May 10, 2015

## REVISIONS TO THE 2012-2018 TIP

Addition - Funded will use 2014 Section 5339					
IDNUM	SYSTEM	DESCRIPTION	FUNDING		
			SOURCE	FUNDING	FY14
TG-5227	CHAPEL HILL	Routine Capital - Purchase bus stop shelters, benches, shop equip., spare parts, engines, farebox, support vehicles, replace/repair shop lifts	5339	FBUS	235,392
				L	58,848

## MEMORANDUM

**To:** Technical Coordinating Committee (TCC) - Subcommittee  
DCHC MPO

**From:** DCHC MPO Lead Planning Agency

**Date:** September 19, 2013

**Subject:** **FY 2012-2013 STP-DA Project Change Requests**

---

### TCC Subcommittee Action:

Several STP-DA projects programmed in FY 2012 and FY 2013 have not been obligated and require an extension to FY 2014. Any STPDA funding that is not obligated by the FY 2014 deadline will be redistributed through the next Call for Projects. No projects are currently programmed beyond FY 2014.

Each member agency has provided an update and explanation on the status of their projects. The TCC recommendation is to allow projects to advance if the obligation of funding is expected to occur by the end of FY 2014 (**Interim STPDA Allocation Guidance** approved 11/28/12).

### Town of Carrboro STPDA Project Change Request

TIP No	T-2	Project Description	Federal Funding	Amount Obligated	Project Phase	Org. Year	Ext. Year
U-4726	DF	Bicycle Loop Detectors	\$30,000	\$6,000	Construction	2011	2012
EL-4828		Morgan Creek Greenway –Carrboro	\$396,636	\$0	Construction	2007	2013
U-4726	DE	Bolin Creek Greenway - Carrboro (Homestead to Chapel Hill HS Greenway)	\$723,184	\$0	Construction	2008	2013
U-4726	DD	Rogers Road- Sidewalk (Homestead to Meadow Run)	\$363,960	\$0	Construction	2010	2013

#### **U-4726DF Bicycle Loop Detectors - \$6,000 Obligated for Construction**

Preliminary engineering (PE) is underway and preliminary plans have been submitted for NCDOT review. NCDOT submitted comments to the Town of Carrboro and all but two revisions have addressed (still pending). The construction timeline is contingent upon NCDOT review of the revised Plans, Specifications, and Estimates (PS&E).

#### **EL-4828 Morgan Creek Greenway - \$0 Obligated for Construction**

PE is underway, however the project has been delayed due to lengthy contract amendment revisions

and the NCDOT/Town of Carrboro review period. PE is expected to be completed in early 2014 and construction authorization is expected in Spring 2014.

**U-4726DE Bolin Creek Greenway - \$0 Obligated for Construction**

The project is expected to be under construction by Fall 2013.

**U-4726DD Rogers Road Sidewalk - \$0 Obligated for Construction**

Construction for the project is expected to be completed in early 2014.

The Town of Carrboro has reported that two projects **may not** meet the FY 2014 obligation deadline. The TCC may need to provide a recommendation on the projects below.

TIP No	T- 2	Project Description	Federal Funding	Amount Obligated	Project Phase	Org. Year	Ext. Year
U-4726	Dx	South Green St. - Sidewalk	\$46,640	\$0	Construction	2012	2012
EL-4828	Dx	Bel-Arbor Plantation Acres Multi-use Path	\$67,000	\$0	Construction	2013	n/a

**U-4726Dx South Green St. Sidewalk - \$0 Obligated for Construction**

Local matching funds for this project have yet to be established and obligation by the FY2014 is uncertain.

**EL-4828Dx Bel-Arbor Plantation Acres Multi-use Path - \$0 Obligated for Construction**

Obligation by FY 2014 is uncertain.

**Chapel Hill Transit STPDA Project Change Request**

TIP No	T-2	Project Description	Federal Funding	Amount Obligated	Project Phase	Org. Year	Ext. Year
T-5109		NC-86/US 15-501 BRT improvements	\$452,000	\$0	Construction	2010	2013

Chapel Hill Transit (CHT) has reported that the T-5109 project can be obligated by FY 2014. CHT has not advanced the project because the Town of Chapel Hill made signal improvements throughout the Town in 2013. Town officials have decided to wait and provide more implementation time for the new system before executing the signal priority project. Additionally, CHT will be undertaking an Alternatives Analysis project over the next 18 months that will help determine the type(s) of technology necessary to meet the transit needs in the NC 86/15-501 corridor.

**Town of Chapel Hill STPDA Project Change Request**

TIP No	T- 2	Project Description	Federal Funding	Amount Obligated	Project Phase	Org. Year	Ext. Year
U-4726	Ix	NC-86/Other Locations of Pedestrian Safety Improvements	\$150,00	\$0	Construction	2009	2013
U-4726	Ix	CH- Chapel Hill Sidewalks	\$320,000	\$0	Construction	2007	2012

The Town is reassessing sidewalk the priority list and status of local matching funds prior to selecting projects for implementation. Both projects are likely to be obligated by FY 2014.

**City of Durham STPDA Project Change Request**

TIP No	T-2	Project Description	Federal Funding	Amount Obligated	Project Phase	Org. Year	Ext. Year
SR-5001	C	Fayetteville Road (Cornwallis to Nelson bicycle lanes and sidewalks)	\$200,800	\$0	Construction	2009	2013
U-4726	HL	Barbee Road (Orindo to Pearsontown Elementary) Sidewalk	\$15,680	\$0	Construction	2009	2013

**SR-5001C Fayetteville Road Bicycle Lanes & Sidewalks - \$0 Obligated for Construction**

The project design is complete. The Categorical Exclusion (a required environmental document) and right-of-way certification are complete. Currently, City staff are acquiring temporary construction easements for the project. It is anticipated that the PS&E package will be submitted to NCDOT for review by January 2014, and that construction will be completed by December 2015.

**U-4726HL Barbee Road Sidewalk - \$0 Obligated for Construction**

The project design is complete. The PS& E package was submitted to NCDOT and review comments have been received. Discussions are underway between NCDOT staff and the City Attorney's office regarding contract language. When these items have been resolved, it is anticipated that the project can be put out to bid for construction by September 30, 2013 and that construction will be completed by September 30, 2014.

**MEMORANDUM**

**To:** Technical Coordinating Committee  
DCHC MPO

**From:** DCHC MPO Lead Planning Agency

**Date:** November 28, 2012

**Subject:** **Interim STPDA Allocation Guidance**

---

Typically, the MPO programs STPDA funding for a set number of future years (last time it was for FY 2009-2015) based on our unobligated balance and estimated future allocations. If the MPO obligates more funding now, the unobligated balance will decrease and thus there will be fewer funds to allocate to future projects. Based on our adopted STPDA distribution formula, the impact will be distributed proportionately across all funding categories and jurisdictions.

The TCC TIP/STPDA Subcommittee recommends that we delay the next STPDA Call for Projects until fall 2013. The MPO has 26 projects programmed for obligation in FY 2012 through 2015. Many of these projects have been delayed by one or more years. With so many projects currently behind schedule, the MPO would like our member jurisdictions to focus on obligating projects over the next couple of years before we start to program future funding. By fall 2013, the MPO will have a better idea of which projects have been able to move forward, which projects may need to be cancelled due to inactivity, and which projects may still be desired but need additional funding. In addition, with the changes in the local programs management process, member jurisdictions are learning which projects are best to pursue with federal funding and which are better done with local funds. Delaying the call for projects will allow local jurisdictions more time to consider which of their priorities are better suited for federal funding and which are better done with local funding.

Furthermore, an issue with the current STPDA program and allocation process is that local jurisdictions have difficulty anticipating their needs far out into the future. This has resulted in many projects being delayed, cancelled, or funding reassigned. It increases the amount of TIP amendments necessary and LPA Staff oversight to track funding. For the next call for projects, the MPO may want to limit the allocation to a shorter, more immediate time period (maybe two years only) so jurisdictions only program projects that are able to meet their anticipated schedules. Similarly, some STPDA funding is allocated to routine and special planning projects. The LPA is also better able to anticipate our planning needs on a shorter term basis.

In the interim until the next Call for Projects is held, LPA staff realizes that project circumstances may require additional funding. Over the past year, additional funding requests approved by the TAC have included:

- Additional funding for the American Tobacco Trail project by the City of Durham when project bids exceeded the available funding. \$2,791,377
- Additional funding for the Wilson Park multi-use path by the Town of Carrboro when project estimates rose from the original request made in 2007. \$25,303 (15% of the original allocation)
- Additional funding for the Old Durham-Chapel Hill Road project by the City of Durham when project estimates rose \$2,781,291
- Additional funding for sidewalks associated with U-4716B, the Hopson Road project. \$36,000

Since the MPO has a high unobligated balance of STPDA funding and NCDOT staff has confirmed that we can over-obligate funding in the short-term as needed, the TIP/STPDA Subcommittee recommends continuing to support additional allocations of funding to projects subject to the following conditions:

- The local jurisdiction should first consider if funding programmed for current projects will be needed. If any project won't be obligated by FY 2014, funding should be reassigned from that project.
- The local jurisdiction should be encouraged to apply for federal grant opportunities before requesting additional STPDA.
- Up to 15% additional funding for existing STPDA funded projects will be recommended for approval to reflect inflation and other cost increases that may have occurred since the original cost estimates were developed.
  - In the original 2009-2015 STPDA Call for Projects, 15% of funding was set aside for the Annual Reserve category. Cost overruns and small projects were to be considered for Annual Reserve funding. As such, the MPO had said that we would limit funding for cost overruns by a maximum of 15% of our total STPDA allocation. Thus, limiting current request for additional funding to 15% is somewhat consistent with this previous policy.
- Over 15% additional funding for existing STPDA funded projects should be carefully considered by the TCC and TAC. If the project is of regional significance and the justification for the increase is deemed reasonable, the request will be recommended for approval.
  - Regional projects are being emphasized in order to try to maintain some consistency with the original allocation of funding in the Local Discretionary category. Allowing large cost increases for local projects would lead us to be inconsistent with the original allocation to each jurisdiction. In addition, LPA staff recommends starting to increase emphasis on regional projects for the use of federal transportation funding.
- NCDOT managed highway projects that require "betterment" costs for sidewalks, landscaping, and aesthetic treatments should be considered by the TCC and TAC. LPA staff strongly supports the use of STPDA funding to help make sidewalks more affordable to the local jurisdiction. Landscaping and aesthetic treatments are lower priority for the use of STPDA funds, but may still be considered.
  - Under the NCDOT sidewalk policy, if STPDA funds are not used, NCDOT and the local jurisdiction would share costs – up to 50/50. When STPDA funds are used, NCDOT policy says that other state funding cannot be used to provide the local match. While

the use of STPDA funds decreases the local contribution to 20 percent, NCDOT benefits even more as their contribution is decreased to zero.

- LPA staff would like NCDOT to change this policy to allow the use of NCDOT controlled federal funding to provide the local match. We will request a change to this policy through the NC Statewide Bicycle and Pedestrian Plan.
- Local jurisdictions can propose to shift STPDA funds between existing STPDA funded projects as needed. Shifts that do not require an increase in total funding for the jurisdiction will be recommended for approval.
- LPA staff does not recommend approval of funding for new locally managed projects that have not previously been allocated STPDA funding.
- LPA staff does not recommend making allocation changes to projects until the project has met all federal funding requirements and the project is near ready to be put out for bid. Additional funding is expected to be obligated in the current fiscal year.
- If the additional STPDA funding approved for a project does not end up being needed, the funding returns to the MPO's total allocation. The local jurisdiction cannot shift the funds to another project.

Before the next Call for Projects, LPA staff will examine how the actual obligation of funding to STPDA projects compares to the original vision for the distribution of STPDA funding across project types and jurisdictions. If there is an imbalance, LPA staff will take this into consideration in the Next Call for Projects. In other words, there will be balancing to make sure that if a jurisdiction exceeded its allocation by a significant amount, they will have a corresponding decrease in funding for the next Call for Projects.

## MEMORANDUM

**To:** Transportation Advisory Committee (TAC)  
DCHC MPO

**From:** DCHC MPO Lead Planning Agency

**Date:** September 11, 2013

**Subject:** **Lead Planning Agency (LPA) Staff Report**

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This memorandum provides a summary status of tasks for projects in the FY 2013-2014 Unified Planning Work Program.

- Indicates that task is ongoing and not complete.
- ✓ Indicates that task is complete.

### **FY 2013-2014 Unified Planning Work Program (UPWP) – Projects**

#### **Comprehensive Transportation Plan (CTP)**

- ✓ Draft CTP –December 2012
- CTP Report and Maps – December 2013
- MPO Adopt CTP – June 2014
- NCDOT BOT – December 2014

#### **MPO Community Viz. Scenarios Planning and Visualization -2.0**

- ✓ Funding for local Community Viz 2.0 preparatory work – July 2013
- Work Plan for Community Viz 2.0 – 2014
- Community Viz 2.0 completed – 2015

#### **Update of the MPO Public Involvement Policy**

- Update of the MPO Public Involvement to reflect Map 21

#### **MPO Title VI/Environmental Justice (EJ)/Limited English Proficiency (LEP) Plan**

- Update of Title VI/ LEP/EJ plans

#### **SE Data Update – Employment /Housing/Population Verification**

- 2013 Base Year Population and Employment – January 2014
- SE Data Forecasts – 2014

#### **Base Year Data Collection (Traffic/Travel Time/Crash/Transit)**

#### **GIS Online/Data Management**

#### **MPO Congestion Management Process CMP**

**MPO Website Update**

**Triangle Regional Model Update**

**Map-21 Performance Measurement**

<b>Contract Number:</b> C201994	<b>Route:</b> NC-147
<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 15	<b>TIP Number:</b> U-4763B
<b>Length:</b> 4.2 miles	<b>Federal Aid Number:</b> TIFIA-540(2)
<b>Resident Engineer:</b> D. Brian Harrington, PE	<b>RE Phone Number:</b> (919)836-4873
<b>Location Description:</b> TRIANGLE PARKWAY FROM NC-540 IN WAKE CO TO I-40 IN DURHAM CO	
<b>Type of Work:</b> GRADING, DRAINAGE, PAVING, SIGNALS, TOLL FACILITIES & STRS.	
<b>Contractor Name:</b> S. T. WOOTEN CORPORATION	
<b>Contract Amount:</b> \$137,446,000.00	<b>Cost Overrun/Underrun:</b>
<b>Availability Date:</b> 9/19/2008	<b>Letting Date:</b> 8/5/2008
<b>Completion Date:</b> 7/1/2011	<b>Work Began:</b> 8/3/2009
<b>Revised Completion Date:</b>	<b>Estimated Completion:</b>
<b>Last Estimate Thru:</b>	<b>Scheduled Progress:</b>
<b>Last Estimate Paid:</b>	<b>Actual Progress:</b>

<b>Contract Number:</b> C202436	<b>Route:</b> US-70, SR-1322
<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 5	<b>TIP Number:</b> B-3638, R-5164F
<b>Length:</b> 1.233 miles	<b>Federal Aid Number:</b> BRSTP-70B(2)
<b>Resident Engineer:</b> Mark W. Luther, PE	<b>RE Phone Number:</b> (919)220-4680
<b>Location Description:</b> BRIDGE OVER CAMPUS DR AND APPROACHES ON US-70 BUS AND US-70 BUS (MAIN ST) FROM NINTH ST TO BUCHANAN ST.	
<b>Type of Work:</b> GRADING, DRAINAGE, PAVING, SIGNALS AND STRUCTURE.	
<b>Contractor Name:</b> DEVERE CONSTRUCTION COMPANY, INC	
<b>Contract Amount:</b> \$1,969,734.20	<b>Cost Overrun/Underrun:</b> 5.31%
<b>Availability Date:</b> 7/30/2012	<b>Letting Date:</b> 6/19/2012
<b>Completion Date:</b> 3/18/2014	<b>Work Began:</b> 9/17/2012
<b>Revised Completion Date:</b>	<b>Estimated Completion:</b> 3/18/2014
<b>Last Estimate Thru:</b> 7/31/2013	<b>Scheduled Progress:</b> 64%
<b>Last Estimate Paid:</b> 8/6/2013	<b>Actual Progress:</b> 67.61%

<b>Contract Number:</b> C202507	<b>Route:</b> I-540
<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 15	<b>TIP Number:</b> R-2635, U-4763B
<b>Length:</b> 18.8 miles	<b>Federal Aid Number:</b> TIFIA-540(2)
<b>Resident Engineer:</b> George C. Gibson, PE	<b>RE Phone Number:</b> (919)836-4873
<b>Location Description:</b> NC-540 FROM NC-55 NEAR APEX TO NC-54 NEAR RTP AND NC-147 FROM I-40 TO NC-540.	
<b>Type of Work:</b> DESIGN-BUILD LANDSCAPING.	
<b>Contractor Name:</b> SOUTHERN GARDEN, INC.	
<b>Contract Amount:</b> \$4,800,000.00	<b>Cost Overrun/Underrun:</b>
<b>Availability Date:</b> 8/15/2011	<b>Letting Date:</b> 4/21/2011
<b>Completion Date:</b> 7/1/2015	<b>Work Began:</b> 8/15/2011
<b>Revised Completion Date:</b>	<b>Estimated Completion:</b>
<b>Last Estimate Thru:</b>	<b>Scheduled Progress:</b>
<b>Last Estimate Paid:</b>	<b>Actual Progress:</b>

<b>Contract Number:</b> C202875	<b>Route:</b> I-540
<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 5	<b>TIP Number:</b> I-5307, I-5310
<b>Length:</b> 17.133 miles	<b>Federal Aid Number:</b> IM-0540(23)
<b>Resident Engineer:</b> Michelle H. Gaddy	<b>RE Phone Number:</b> (919)840-0914
<b>Location Description:</b> I-540 FROM I-40 OVERPASS TO TRIANGLE TOWN BLVD, AND TRIANGLE TOWN BLVD FROM I-540 TO NEW ASPHALT PAVEMENT JOINT.	
<b>Type of Work:</b> MILLING, RESURFACING, SHOULDER RECONST, AND STR REHAB.	
<b>Contractor Name:</b> FSC II LLC DBA FRED SMITH COMPANY	
<b>Contract Amount:</b> \$8,384,157.45	<b>Cost Overrun/Underrun:</b> -3.82%
<b>Availability Date:</b> 2/27/2012	<b>Letting Date:</b> 1/17/2012
<b>Completion Date:</b> 11/15/2012	<b>Work Began:</b> 2/27/2012
<b>Revised Completion Date:</b> 4/4/2013	<b>Estimated Completion:</b> 6/30/2013
<b>Last Estimate Thru:</b> 6/22/2013	<b>Scheduled Progress:</b> 100%
<b>Last Estimate Paid:</b> 6/27/2013	<b>Actual Progress:</b> 98.14%

<b>Contract Number:</b> C202995	<b>Route:</b> NC-56, NC-96, US-15 US-158, SR-1103, SR-1127 SR-1135, SR-1192, SR-1671 SR-1675
<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 5	<b>TIP Number:</b>

**Length:** 0 miles  
**Federal Aid Number:**  
**Resident Engineer:** Mark W. Luther, PE  
**RE Phone Number:** (919)220-4680  
**Location Description:** BRG# 195 SR-1675, 16 US-15, 35 US-158, 43 SR-1103, 44 NC-96, 45 NC-56, 50 SR-1127, 54 SR-1135, 57 SR-1192 & 193 SR-1671.  
**Type of Work:** BRIDGE PRESERVATION  
**Contractor Name:** NHM CONSTRUCTORS, LLC  
**Contract Amount:** \$3,034,500.45  
**Cost Overrun/Underrun:** 3.47%  
**Availability Date:** 10/1/2012  
**Letting Date:** 4/17/2012  
**Completion Date:** 7/21/2013  
**Work Began:** 10/1/2012  
**Revised Completion Date:**  
**Estimated Completion:** 9/21/2013  
**Last Estimate Thru:** 8/15/2013  
**Scheduled Progress:** 98%  
**Last Estimate Paid:** 8/21/2013  
**Actual Progress:** 96.62%

**Contract Number:** C203128  
**Route:** SR-1978  
**Physical Division:** 5  
**County:** Durham  
**Administrative Division:** 5  
**TIP Number:** U-4716, U-4716A, U-4716B, U-4716C  
**Length:** 4.203 miles  
**Federal Aid Number:** FRA-FR-HSR-0006-10-01-00  
**Resident Engineer:** Michelle H. Gaddy  
**RE Phone Number:** (919)840-0914  
**Location Description:** CLEGG PASSING SIDING & HOPSON RD GRADE SEPARATION AND CLOSING OF AT-GRADE RR CROSSINGS.  
**Type of Work:** GRADING, DRAINAGE, PAVING, STRUCTURE & TRACKBED.  
**Contractor Name:** FSC II LLC DBA FRED SMITH COMPANY  
**Contract Amount:** \$10,900,447.15  
**Cost Overrun/Underrun:** 3.06%  
**Availability Date:** 12/31/2012  
**Letting Date:** 11/20/2012  
**Completion Date:** 12/28/2015  
**Work Began:** 1/30/2013  
**Revised Completion Date:**  
**Estimated Completion:** 12/28/2015  
**Last Estimate Thru:** 8/7/2013  
**Scheduled Progress:** 47.5%  
**Last Estimate Paid:** 8/15/2013  
**Actual Progress:** 30.1%

**Contract Number:** C203188  
**Route:** US-158, SR-1318, SR-1333, SR-1336, SR-1504, SR-1542, SR-1556, SR-1605, SR-1729, SR-1737  
**Physical Division:** 5  
**County:** Durham  
**Administrative Division:** 5  
**TIP Number:**  
**Length:** 30.21 miles  
**Federal Aid Number:**  
**Resident Engineer:** Mark W. Luther, PE  
**RE Phone Number:** (919)220-4680  
**Location Description:** US-158 FROM OLD DURHAM RD TO SR-1576, AND 10 SECTIONS OF SECONDARY ROADS.  
**Type of Work:** MILLING, RESURFACING, AND SHOULDER RECONSTRUCTION.  
**Contractor Name:** CAROLINA SUNROCK LLC  
**Contract Amount:** \$3,899,875.03  
**Cost Overrun/Underrun:** 7.91%  
**Availability Date:** 3/11/2013  
**Letting Date:** 11/20/2012  
**Completion Date:** 8/12/2013  
**Work Began:** 3/18/2013  
**Revised Completion Date:**  
**Estimated Completion:** 8/12/2013  
**Last Estimate Thru:** 7/31/2013  
**Scheduled Progress:** 96%  
**Last Estimate Paid:** 8/6/2013  
**Actual Progress:** 99.03%

**Contract Number:** C203220  
**Route:** NC-54, US-70, SR-1002, SR-1101, SR-1445, SR-1451, SR-1453, SR-1628, SR-1670, SR-1940, SR-1954, SR-2028  
**Physical Division:** 5  
**County:** Durham  
**Administrative Division:** 5  
**TIP Number:**  
**Length:** 21.88 miles  
**Federal Aid Number:**  
**Resident Engineer:** Michelle H. Gaddy  
**RE Phone Number:** (919)840-0914  
**Location Description:** US-70 FROM SR-1815 TO SR-1959, NC-54 FROM I-40 TO ORANGE COUNTY LINE AND 11 SECTIONS OF SECONDARY ROADS.  
**Type of Work:** MILLING, RESURFACING, AND SHOULDER RECONSTRUCTION.  
**Contractor Name:** CAROLINA SUNROCK LLC  
**Contract Amount:** \$4,789,367.50  
**Cost Overrun/Underrun:** 0.02%  
**Availability Date:** 3/18/2013  
**Letting Date:** 12/18/2012  
**Completion Date:** 10/18/2013  
**Work Began:** 7/12/2013  
**Revised Completion Date:**  
**Estimated Completion:** 10/18/2013  
**Last Estimate Thru:** 7/31/2013  
**Scheduled Progress:** 17%  
**Last Estimate Paid:** 8/6/2013  
**Actual Progress:** 18.53%

**Contract Number:** C203273  
**Route:**

<b>Physical Division:</b> 5	<b>County:</b> Durham
<b>Administrative Division:</b> 5	<b>TIP Number:</b>
<b>Length:</b> 1.189 miles	<b>Federal Aid Number:</b>
<b>Resident Engineer:</b> E. Boyd Tharrington, PE	<b>RE Phone Number:</b> (919)562-7000
<b>Location Description:</b> REPLACEMENT OF 4 BRIDGES IN DURHAM CO, 3 BRIDGES IN GRANVILLE CO AND 1 BRIDGE IN VANCE CO.	
<b>Type of Work:</b> DESIGN BUILD.	
<b>Contractor Name:</b> FSC II LLC DBA FRED SMITH COMPANY	
<b>Contract Amount:</b> \$8,800,000.00	<b>Cost Overrun/Underrun:</b> 0%
<b>Availability Date:</b> 4/29/2013	<b>Letting Date:</b> 3/19/2013
<b>Completion Date:</b> 9/30/2016	<b>Work Began:</b> 4/29/2013
<b>Revised Completion Date:</b>	<b>Estimated Completion:</b> 9/30/2013
<b>Last Estimate Thru:</b> 7/31/2013	<b>Scheduled Progress:</b> 2.95%
<b>Last Estimate Paid:</b> 8/14/2013	<b>Actual Progress:</b> 2.95%

<u>Let (B)</u>	<u>TIP Sub No.</u>	<u>Div</u>	<u>County</u>	<u>Let Type</u>	<u>Description</u>
09/13	U-4726HL	5	DURHAM	NON - DOT LET (Local)	DURHAM - SIDEWALK ON BARBEE STREET BETWEEN THE EXISTING SIDEWALK AT PEARSONTOWN ELEMENTARY SCHOOL AND ORINDO DRIVE; ANDSIDEWALK IN FORMER FAYETTEVILLE STREET RIGHT OF WAY TO CONNECT THE DURHAM AREA TRANSIT AUTHORITY (DATA) ADMINISTRATIVEOFFICES WITH GEER STREET
04/14	U-0071	5	DURHAM	Raleigh Letting (LET)	DURHAM - EAST END CONNECTOR FROM NC 147 (BUCK DEAN FREEWAY)TO NORTH OF NC 98
06/14	W-5205N	5	DURHAM	Division POC Let (DPOC)	US 15/501 (UNIVERSITY DRIVE) AT SUMMIT STREET/FORESTWOOD DRIVE
09/14	C-4928	5	DURHAM	NON - DOT LET (Congestion Mitigation)	DURHAM - MORREENE ROAD FROM NEAL ROAD TO ERWIN ROAD
09/14	C-5178	5	DURHAM	NON - DOT LET (Congestion Mitigation)	DURHAM - CAMPUS WALK AVENUE, MORREENE ROAD TO LASALLE STREET AND LASALLE STREET, KANGAROO DRIVE TO ERWIN ROAD CONSTRUCTSIDEWALKS
09/14	EB-4707A	5	DURHAM	Division Design Raleigh Let (DDRL)	DURHAM/CHAPEL HILL FROM US 15/501 IN ORANGE COUNTY TO SR 1113 (POPE ROAD) IN DURHAM COUNTY BICYCLE, PEDESTRIAN AND TRANSIT IMPROVEMENTS
09/14	EB-4707B	5	DURHAM	Division Design Raleigh Let (DDRL)	DURHAM/CHAPEL HILL - SR 2220 (OLD DURHAM CHAPEL HILL ROAD) FROM SR 1113 (POPE ROAD) TO SR 1116 (GARRETT ROAD)
09/14	U-4724	5	DURHAM	NON - DOT LET (Bicycle and Pedestrian)	DURHAM - CORNWALLIS RD FROM SOUTH ROXBORO RD TO UNIVERSITY DR
01/15	EB-5514	5	DURHAM	NON - DOT LET (Bicycle and Pedestrian)	NC 751 /SR 1183-2220/ NON-SYSTEM (UNIVERSITY DRIVE) FROM SR1116 (GARRETT ROAD) TO SR 1158 (CORNWALLIS ROAD)
04/15	U-3308	5	DURHAM	Raleigh Letting (LET)	DURHAM - NC 55 (ALSTON AVENUE) FROM NC 147 (I. L. "BUCK" DEAN FREEWAY) TO US 70 BUSINESS - NC 98 (HOLLOWAY STREET)
06/15	U-5517	5	DURHAM	Raleigh Letting (LET)	NC 54 FROM SR 1110 (FARRINGTON ROAD) TO I-40 EASTBOUND ENTRANCE RAMP IN DURHAM
09/15	C-5182	5	DURHAM	NON - DOT LET (Congestion Mitigation)	DURHAM - HOPE VALLEY ROAD CONSTRUCT SIDEWALKS AND BIKE LANES BETWEEN MARTIN LUTHER KING, JR. BOULEVARD PARKWAY AND US 15-501 BUSINESS
09/15	C-5183A	5	DURHAM	NON - DOT LET (Congestion Mitigation)	DURHAM - CONSTRUCT SIDEWALKS
09/15	C-5183B	5	DURHAM	NON - DOT LET (Congestion Mitigation)	DURHAM - CONSTRUCT SIDEWALKS
11/15	U-5516	5	DURHAM	Raleigh Letting (LET)	FROM US 501 (ROXBORO ROAD) TO SR 1448 (LATTA ROAD) / SR 1639 (INFINITY ROAD) IN DURHAM
08/16	I-5331	5	DURHAM	Division POC Let (DPOC)	INTERSTATE PREVENTATIVE MAINTENANCE (IPPM) I-85 FROM NORTH OF MP 183 TO THE GRANVILLE COUNTY LINE
03/17	I-5334	5	DURHAM	Division Design Raleigh Let (DDRL)	I-85 FROM SOUTH OF US 15-501 TO NORTH OF US 70
06/17	B-4943	5	DURHAM	Raleigh Letting (LET)	RELPACE BRIDGE 20 OVER DIAL CREEK ON SR 1616
05/14	Small Constr.	5	DURHAM	Division POC Let (DPOC)	Barbee Rd at Herndon Rd - RBT
10/14	SS-4905BI	5	DURHAM	Division POC Let (DPOC)	SR 1004 (Old Oxford Road) at SR 1648 (Danube Lane)
11/14	SS-4905BM	5	DURHAM	Division POC Let (DPOC)	Carver St. (SR 1407) at Broad St./Kenan Rd. - Mini-Roundabout
07/14	EB-4411D	5	DURHAM	Division POC Let (DPOC)	Paved Shoulders on Barbee Chapel Rd, Farrington Rd, & Stagecoach Rd w/ left-turn lane at Farrington Mill Rd.
	SS 4906BP 43696.1.1 43696.3.1	5	DURHAM	Division annual needs contract	Upgrade SR 1327 (Gregson St) at Club Blvd replace existing ped heads, add flashing yellow arrows, remove concrete island in NW quadrant, cut back islands on north and west legs

<u>Let (B)</u>	<u>TIP Sub No.</u>	<u>Div</u>	<u>County</u>	<u>Let Type</u>	<u>Description</u>
	SS 4905BR 43781.1.1 43781.3.1	5	DURHAM	Division annual needs contract	Upgrade NC 55 (Alston Ave) at NC 147 NB Off Ramp/Gann St with flashing yellow arrows for NBLT onto Gann St and SBLT from NC 55 onto NC 147 SB on ramp
	SS 4905BI 43567.1.1 43567.3.1	5	DURHAM	Division annual needs contract	Install traffic signal and construct left turn lanes on SR 1004 (Old Oxford Rd)
	SS 4905BT 43783.1.1 43783.3.1	5	DURHAM	Division annual needs contract	Upgrade traffic signal to flashing yellow arrow on EB Club Blvd and install pedestrian accommodations on all legs of the intersection

**NCDOT DIV 7 ACTIVE PROJECTS LOCATED IN DCHCMPO**

TCC 9/25/2013 Attachment 11

TIP/WBS #	Description	Let Date	Completion Date	Contractor	Status	Cost	Comments
U-0624 C203175 34762.3.4	Widening , Grading, Drainage, Paving & Signals on NC 86 (S. Columbia St.) From SR -1906 (Purefoy Rd) to SR 1902 (Manning Dr) in <b>Chapel Hill</b> .	10/16/2012	12/28/2014	Triangle Grading and Paving	58% Complete 33% Schedule	\$4,565,147	TIP
U-2803 C203028 34860.3.1	Widening of SR 1919 (Smith Level Road) from Rock Haven Road to Bridge # 88 over Morgan Creek in <b>Carrboro</b>	12/18/2012	5/14/2015	Yates Construction	27% Complete 27% Schedule	\$4,946,197	TIP
U-3306 C202266 34913.3.ST1	Grading, Drainage, Paving, Signals, Curb, and Gutter and Retaining Walls on SR 1733 (Weaver Dairy Road) From NC 86 to Old Sterling Road in <b>Chapel Hill</b>	7/20/2010	Anticipated 11/30/13	Yates Construction	91% Complete 100% Schedule	\$9,584,886	ARRA / TIP
W-5318 C203193	Geometric Improvement, Paved Shoulders, Resurfacing and Rumble Strips on NC 86 from NC 57 to Caswell Co. line	2/19/2013	10/31//13	Carolina Sunrock	Contract Awarded; Start July 15, 4% complete	\$4,750,000	High Hazard Safety
43745	Installation of a traffic signal on SR 1750 (Estes Drive) at Library Drive (non system) in <b>Chapel Hill</b>		4/1/13	NCDOT forces	<b>Complete except Ped. Movements - provided by comp. of SW project 3607.3.09</b>	\$75,000	Small Construction Funds

**NCDOT DIV 7 FUTURE PROJECTS LOCATED IN DCHCMPO**

TIP/WBS #	Description	Let Date	Completion Date		Status	Cost	Comments
I-5312	Mill & Resurface I-85 from east of I-40 to the Durham County Line.	10/15/2013	9/1/2014		Contract documents pending	\$4,300,000	TIP
W-5207E 45337.1.5	Installation of a roundabout on SR 1734 (Erwin Rd.) and SR 1791 (Mt. Moriah Rd.) near <b>Chapel Hill</b>	10/17/2013	TBD		R/W acquisition in progress	\$450,000	High Hazard Safety
W-5207I 45337.1.9	Funds for preliminary engineering on SR 1005 (Jones Ferry Road) and Davie Street) in <b>Carrboro</b>	Spring 2014	TBD		Design in progress. Addressing town comments.	\$50,000	High Hazard Safety
SS -4907V 42423.3 42423.1	Realign intersection of SR 1005 (Old Greensboro Rd.) @ SR 1951 (White Cross Rd.)	6/15/2014	TBD		Alternate Design in progress	\$198,000	Spot Safety-State

**NCDOT DIV 7 FUTURE PROJECTS LOCATED IN DCHCMPO**

TCC 9/25/2013 Attachment 11

TIP/WBS #	Description	Let Date	Completion Date		Status	Cost	Comments
SS-4907AP 43640.1.1 43640.2.1 43640.3.1	SS-4907AP - Orange - NC 86 (Martin Luther King Jr., Blvd.) and SR 1750 (Estes Drive) in <b>Chapel Hill</b> . Improve sight distance by cutting back the bank in the northeast quadrant of the intersection. Cyclists cannot see the cars at the stop bar and the motorists cannot see the cyclists.		8/30/2013		District Design / Construction by NCDOT Work Forces, Started July 29	\$25,600	Spot Safety
43687	Town of Carrboro - Radius improvements, high visibility crosswalks and pedestrian refuge island at the intersection of SR 1009 (Hillsborough Road), James Street (non system) & Quail Roost Drive (non system) in <b>Carrboro</b> .		8/15/2013		District Design / Construction by NCDOT Work Forces, Started July 30	\$40,000	Small Construction Funds

**ACTIVE NCDOT PROJECTS IN DCHCMPO**

TCC 9/25/2013 Attachment 11

Map #	TIP/WBS #	Description	Let Date	Completion Date	Status	Cost	Contractor	Comments
	W-5208G/ 4 5338.3.7	SR-1717 (Jack Bennett Rd), Chatham Co. Realign horizontal curve	<b>April 2014</b>	Not Available	Awaiting plans from DDC; RW is being acquired	\$803K	Not Available	Let date revised from 6/13 to 4/14
	C-5176	American Tobacco Trail (Chatham Co.) - New Hope Church Road Trail Head Park & Ride Lot	September 2013	Not Available	Funding agreement between NCDOT & Town of Cary has been signed; Project on schedule to be let in September	\$1.2M	Holmes Contracting, INC	Congestion Mitigation & Air Quality Project administered by the Town of Cary.

**SURFACE TREATMENT PROJECTS IN DCHCMPO**

Map#	TIP/WBS #	Description	Let Date	Completion Date	Status	Cost	Comments
<b>SURFACE TREATMENT</b>							
<b>RESURFACING</b>							
24	8C.20191.20	SR 1730 Wake Rd/Grandale Dr From Durham County Line to Wake County Line (0.494 miles) - Asphalt Surface Course	7/1/13	6/30/14	Work to begin 9/3/13	\$2.9M	Patch resurfacing Chatham resurfacing package