

**Minor Amendment #1
to the
2021-2024 Transportation Improvement Program
for the
Green Bay Urbanized Area**



**Brown County Planning Commission/
Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area
January 2021**



U.S. Department
of Transportation
**Federal Highway
Administration**



U.S. Department
of Transportation
**Federal Transit
Administration**



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

A full copy of the TIP and subsequent amendments and/or administrative modifications can be found on the Brown County Planning Commission website at <http://www.co.brown.wi.us/>. Click on Departments, Planning, Transportation, and Transportation Improvement Program (TIP) for the Green Bay Urbanized Area.



The Brown County Planning Commission/Metropolitan Planning Organization (MPO) for the Green Bay Urbanized Area invites you to follow us on Facebook at: <https://www.facebook.com/pages/Brown-County-Planning-Commission-Green-Bay-MPO/751165931582219> or on Twitter at <https://mobile.twitter.com/BCPCGreenBayMPO>.

RESOLUTION NO. 2021-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BROWN COUNTY PLANNING COMMISSION APPROVING
MINOR AMENDMENT #1 TO THE
2021-2024 TRANSPORTATION IMPROVEMENT PROGRAM
FOR THE GREEN BAY URBANIZED AREA**

WHEREAS, U.S. Department of Transportation (DOT) regulations require the development and annual endorsement of a Transportation Improvement Program (TIP) for each urbanized area by the Metropolitan Planning Organization (MPO); and

WHEREAS, In accordance with 23 CFR 450.334(a) the Brown County Planning Commission (BCPC) hereby certifies that the metropolitan transportation planning process is addressing major issues facing the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d-1) and 49 CFR part 21;
3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, and national origin, in employment or business opportunity;
4. Sections 1101(b) of the FAST Act (P.L. 114-357) and 49 CFR Part 26 regarding the involvement of Disadvantaged Business Enterprises in the US DOT funded projects;
5. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of title 23, U.S.C regarding the prohibition of discrimination based on gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR 27 regarding discrimination against individuals with disabilities

WHEREAS, the BCPC is the designated MPO for the Green Bay Urbanized Area with responsibility for carrying out an urban transportation planning program; and

WHEREAS, the BCPC Board of Directors is the Green Bay MPO's policy board; and

WHEREAS, the COVID-19 pandemic has altered the provision of transportation services to vulnerable populations including seniors and persons with disabilities; and

WHEREAS, Curative Connections has a long history of providing over 60,000 demand-response transportation trips each year to seniors and persons with disabilities throughout Brown County; and

WHEREAS, Curative Connections has experienced a loss of fare revenue and an increase in operating expenses due to the COVID pandemic; and

WHEREAS, Curative Connections will no longer utilize previously-awarded FTA Section 5310 Program funds from project number 158-20-505 (2020) in the amount of \$50,400 Federal/\$12,600 Local to purchase a replacement bus; and

WHEREAS, Curative Connections will utilize the Section 5310 funds from project number 158-20-505 (2020) in the amount of \$50,400 Federal/\$50,400 Local on operating assistance for the period of January 1, 2020-September 30, 2020; and

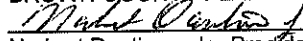
WHEREAS, Curative Connections has confirmed they have the required local share for the operating assistance.

THEREFORE, BE IT RESOLVED, that the BCPC Board of Directors approves Minor Amendment #1 to the 2021-2024 Transportation Improvement Program for the Green Bay Urbanized Area.

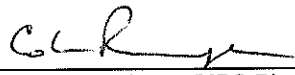
NOW, BE IT FURTHER RESOLVED that the MPO planning process is compliant with the requirements of the Fixing America's Surface Transportation Act (FAST Act) and that the BCPC certifies that the urban transportation planning process certification requirements of 23 CFR 450.114 (c) are satisfied.

Dated at Green Bay, Wisconsin, this 6th day of January 2021.

BROWN COUNTY PLANNING COMMISSION


Norbert Dantine, Jr., President

ATTEST:


Cole Runge, Planning Director/MPO Director

Introduction

The Federal Section 5310 program provides funding for transportation-related services and equipment that assist seniors and people with disabilities. Eligible recipients can include:

- Private, non-profit organizations
- Local public bodies
- Operators of public transportation services

The Wisconsin Department of Transportation (WisDOT) manages the program on behalf of the Federal Transit Administration. However, the four urbanized areas in Wisconsin that exceed 200,000 people, including the Green Bay Urbanized Area, are required to administer the program locally.

The BCPC is the entity designated with project approval authority for the Green Bay Urbanized Area. The BCPC has a history of successfully awarding funding to various transportation programs in Brown County.

Curative Connections Transportation Program

Curative Connections offers demand-response transportation services to seniors and individuals with qualifying disabilities with use of a small or medium bus, van, or sedan in all of Brown County.

In 2019, Curative Connections was awarded \$50,400 in FFY 2020 and \$50,400 in FFY 2021 Section 5310 funds to offset the cost of two medium buses to be used for its transportation program.

Request made by Curative Connections – November 23, 2020

Due to increases in operating expenses and loss of fare revenue due to COVID-19, Curative Connections staff requested that one of its two capital awards be converted to an operating grant.

At the time, the Federal Transit Administration (FTA) would not allow the conversion of the FFY 2020 grant since the statutorily set “period of availability” was about to close.

Therefore, at its December 2nd, 2020 meeting, the Brown County Planning Commission Board of Directors approved the conversion of the FFY 2021 capital award to an operating award.

Shortly thereafter, FTA announced that the period of availability for the FFY 2020 Section 5310 grant was extended to September 30, 2021.

Request made by Curative Connections - December 10, 2020

Because the period of availability for the FFY 2020 Section 5310 grant has been extended, Curative Connections is now requesting that the FFY 2020 Section 5310 capital grant also be converted to an operating grant to cover increases in operating expenses and loss of fare revenue due to COVID-19.

Curative Connections’ written request and justification can be found in Appendix A

Table II-3 of the 2021-2024 TIP
Specialized Transportation Programming
Minor Amendment #1
January 6, 2021

Project Sponsor	Project Description	Program	January 1, 2020 - September 30, 2020			
			Federal	State	Local	Total
Curative Connections	Transportation Service for seniors & individuals w disabilities Operating	OPERATING	50,400	50,400	0	100,800
		TOTAL	50,400	50,400	0	100,800
158-20-505 (2020)			Section 5310			

TIP Amendment Requirement

The conversion of funds from capital to operating necessitates a Minor Amendment to the 2021-2024 TIP. Minor Amendments require Policy Board action but do not require a formal public review period or public hearing. However, comments will be accepted by staff prior to the meeting and the public may be called upon during the BCPC Board of Directors meeting.

Please note that per FTA and WisDOT recommendation, the 2020 conversion of funds will be addressed in the 2021-2024 TIP.

Staff Recommendation

MPO staff recommends approval of the request.

Brown County Planning Commission Board of Directors Action

The Brown County Planning Commission Board of Directors approved the amendment on January 6, 2021 by a vote of 23-0.

Fiscal Constraint Demonstration

Minor Amendment #1 to the 2021-2024 Transportation Improvement Program for the Green Bay Urbanized Area is fiscally constrained as demonstrated below and per federal requirements.

**Summary of Federal Funding
Fiscal Constraint Demonstration – Four Year Requirement
2021-2024**

Funding Source		Programmed Expenditures					Estimated Available Funding				
Agency	Program	2021	2022	2023	2024	Total	2021	2022	2023	2024	Total
FHWA	STBG (MPO Allocation)	\$4,824,000	\$3,104,000	\$0	\$5,271,000	\$13,199,000	\$4,824,000	\$3,104,000	\$0	\$5,271,000	\$13,199,000
	BUILD	\$1,040,000	\$0	\$1,024,000	\$0	\$2,064,000	\$1,040,000	\$0	\$1,024,000	\$0	\$2,064,000
	STBG (WisDOT)	\$854,000	\$854,000	\$854,000	\$854,000	\$3,416,000	\$854,000	\$854,000	\$854,000	\$854,000	\$3,416,000
	HSIP	\$340,000	\$1,295,000	\$564,000	\$240,000	\$2,439,000	\$340,000	\$1,295,000	\$564,000	\$240,000	\$2,439,000
	NHPP	\$592,000	\$560,000	\$24,824,000	\$3,186,000	\$29,162,000	\$592,000	\$560,000	\$24,824,000	\$3,186,000	\$29,162,000
	TA - STBG Set-Aside	\$0	\$947,000	\$0	\$0	\$947,000	\$0	\$947,000	\$0	\$0	\$947,000
	Total	\$7,650,000	\$6,760,000	\$27,266,000	\$9,551,000	\$51,227,000	\$7,650,000	\$6,760,000	\$27,266,000	\$9,551,000	\$51,227,000
FTA	Section 5307	\$2,308,000	\$0	\$0	\$0	\$2,308,000	\$2,308,000	\$0	\$0	\$0	\$2,308,000
	Section 5310	\$178,000	\$128,000	\$0	\$0	\$306,000	\$178,000	\$128,000	\$0	\$0	\$306,000
	Section 5339	\$440,000	\$0	\$0	\$0	\$440,000	\$440,000	\$0	\$0	\$0	\$440,000
	Total	\$2,926,000	\$128,000	\$0	\$0	\$3,054,000	\$2,926,000	\$128,000	\$0	\$0	\$3,054,000

* Several projects were approved under MAP-21 and will be implemented under FAST Act. STP renamed Surface Transportation Block Grant Program in Fast Act.

Appendix A

Letter Received from Curative Connections Requesting Conversion of Awarded Capital Funds to Operating Funds Due to COVID-19

December 10, 2020

Cole Runge, Planning Director/MPO Director
Brown County Planning Commission/Green Bay MPO
305 E. Walnut Street Room 320
PO Box 23600
Green Bay, WI 54305-3600



Dear Cole:

Per Lisa Conard's email to me that you were copied on December 7, this letter describes the circumstances that led to the early depletion of the grant funds the county uses to reimburse Curative Connections for specialized transportation services for older adults and people with disabilities.

The general explanation is entirely related to COVID-19's impact on ridership, but following are the details.

- Through November, ridership is down 55 percent, 34,210 trips in 2020 versus 62,399 at the same time in 2019. More of this year's rides were at the \$3 self-pay rate; there were fewer at the \$17 Family Care rate due to clients remaining quarantined in their residential settings.
- That reduction and change in mix translates into a reduction in revenues of \$100,000, which, in effect, created higher monthly invoices from Curative.
- Nearly 50 of our volunteer drivers suspended their service with the program as a health precaution for themselves. This resulted in us having to hire an additional 1.4 FTE to make up for the lost capacity to transport people, which adds more expense.
- This year Curative's administrative expenses charged to Transportation are higher compared to the past two years. In actuality, Curative's total administrative expense is the lowest it has been in many years, but Curative Connections had to shift administrative expense to our capital campaign in 2018 and 2019 to comply with our cost allocation plan. That shift effectively reduced the administrative expenses passed onto all of Curative Connections' programs, including Transportation, for two years, making this year seem out of line. In actuality, our cost allocation plan is correctly applied to all programs.

All of those facts resulted in higher invoices to the county to reimburse Curative's expenses. If the Transportation Program's revenues and expenses would have been normal—i.e. if there were no pandemic—we would not be in this position.

To offset these losses, Curative is requesting that our 5310 vehicle funds for both Fiscal Year 2020 and 2021 be converted to 5310 operating grant funds. Thank you for your efforts to help ensure that Curative Connections does not have unreimbursed expenses, especially during this challenging time.

Sincerely,

Steve McCarthy
President and CEO

Appendix B

Self-Certification Summary

The BCPC Board of Directors (as the MPO's policy board) is charged with implementing the metropolitan planning process in accordance with applicable requirements of federal transportation legislation, the Clean Air Act, the Civil Rights Act, and the Americans with Disabilities Act. All agencies involved in the transportation planning process must also be held accountable to these federal requirements.

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

With the approval of the Self-Certification, the policy board is certifying that regulations and policies of the MPO as a sub-recipient of federal aid are in compliance with applicable federal and state employment opportunity laws and guidelines, affirmative action goals, equal employment opportunity requirements, employment practices, procurement activities, and transportation services.

The 10 requirements for self-certification are summarized below.

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart. These citations summarize the metropolitan planning requirements. This MPO is currently certified and has an approved Transportation Improvement Program, Long-Range Transportation Plan, Transportation Planning Work Program, and Public Participation Plan. This MPO also has the required interagency agreements, approved metropolitan area boundaries, and annual listings of obligated projects.

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

(2) In non-attainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR Part 93. State and local transportation officials take part in the 3C planning process to determine which planning elements will be implemented to improve air quality.

Green Bay MPO Compliance: This requirement does not currently apply to the Green Bay MPO because it is not within a non-attainment or maintenance area.

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

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020.

(4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises (DBEs) in US DOT-funded projects. The DBE program ensures equal opportunity in transportation contracting markets, and in the statute Congress established a national goal that 10% of federal funds go to certified DBE firms.

Green Bay MPO Compliance: The MPO will follow Brown County's DBE policy if outside contractors are hired to complete MPO projects using federal MPO planning funds.

(6) 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts.

Green Bay MPO Compliance: This requirement does not directly apply to the Green Bay MPO because it is not involved in federal or federal-aid highway construction contracts. However, the MPO follows Brown County's equal employment opportunity policy because the MPO is housed within the Brown County Planning Commission.

(7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38. Programs and activities funded with federal dollars are prohibited from discrimination based on disability.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission. In addition, the MPO's office and meeting facilities are accessible to people with disabilities.

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

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities.

Green Bay MPO Compliance: The MPO complies with this requirement through the policies identified in the Green Bay Metropolitan Planning Organization (MPO) Title VI and Non-Discrimination Program/Limited English Proficiency Plan Update that was approved by the Brown County Planning Commission Board of Directors (MPO Policy Board) on June 3, 2020. The MPO also follows Brown County's non-discrimination policy because the MPO is housed within the Brown County Planning Commission.

The Brown County Non-Discrimination Policy is as follows:

Brown County is committed to the equality of opportunity for all people. It is the policy of Brown County to provide equal employment opportunities for all individuals on the basis of the skills, abilities, and qualifications, without regard to race, color, national origin, religion, political affiliation, sex, age, disability, marital status, arrest or conviction record, sexual orientation, disabled veteran or covered veteran status, membership in the National Guard or any other reserve component of the United States or State military forces, use or non-use of lawful products off the employer's premises during non-working hours, or any other non-merit factors, except where such factors constitute a bona fide occupational qualification, and except where conviction and/or arrest record substantially relates to the circumstance of positions applied for.



Wisconsin Department of Transportation
Office of the Secretary
4822 Madison Yards Way, S903
Madison, WI 53705

Governor Tony Evers
Secretary Craig Thompson
wisconsindot.gov
Telephone: (608) 266-1114
FAX: (608) 266-9912
Email: sec.exec@dot.wi.gov

January 22, 2021

Glenn Fulkerson
Division Administrator
Federal Highway Administration
U.S. Department of Transportation
525 Junction Rd., Suite 8000
Madison, Wisconsin 53717

Kelley Brookins
Regional Administrator
Federal Transit Administration
U.S. Department of Transportation
200 W. Adams Street, Suite 320
Chicago, Illinois 60606

Dear Mr. Fulkerson and Ms. Brookins:

Under the authority delegated to me by Governor Tony Evers, I am hereby approving the Brown County Planning Commission's amendment to the 2021-2024 Transportation Improvement Program (TIP) for the Green Bay urbanized area. The amendment was approved and adopted by the Brown County Planning Commission on January 6, 2021. We will reflect by reference the 2021-2024 federal aid projects covered by this approval in our 2021-2024 Statewide Transportation Improvement Program (STIP).

Copies of the TIP Amendment 1 and Resolution Number 1 for the Brown County Planning Commission are enclosed. This TIP amendment represents a comprehensive, continuous, and cooperative effort between the MPO, local communities, affected transit operators, and the Wisconsin Department of Transportation (WisDOT), and is designed to meet the objectives of Title 23 USC 134 and 135 and their implementing regulations 23 CFR 450 and the MPO regional transportation system plan.

We have determined that the proposed amendment: 1) is consistent with the adopted Long Range Transportation Plan for the MPO, 2) conforms to this state's approved implementation plan under the federal Clean Air Act and 42 U.S.C. 7504, 7506 (c) and (d) and 40 CFR 93 (23 CFR 450.222(a)(7), and 3) ensures that the TIP remains fiscally constrained in that federal funding resources are sufficient to support the new or modified projects.

The TIP Amendment will be effective upon your approval of WisDOT's 2021 – 2024 STIP.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig Thompson".

Craig Thompson
Secretary

cc: Cole Runge, MPO Director
Mary Forlenza, FHWA
Mitch Batuzich, FHWA
William Wheeler, FTA
Brian Brock, WisDOT Northeast Region
Charles Wade, WisDOT Bureau of Planning and Economic Development