

OVERALL WORK PROGRAM

Process and Procedures

Approved by the OahuMPO Policy Board on
September 21, 2015



Prepared by

OAHU METROPOLITAN PLANNING ORGANIZATION

Table of Contents

Overview	4
Federal Requirements.....	4
The Basic Process	4
Planning Priorities.....	5
Planning Factors.....	6
Funding	7
Annual Schedule.....	8
Phase 1: Call for Candidate Work Elements.....	10
Phase 2: Drafting the OWP.....	12
Phase 3: Public and Intergovernmental Review	14
Phase 4: Approving the OWP.....	14
Phase 5: Project Progress and Expenditure Reporting	19
Revisions to the OWP.....	20
Attachment A	21
Attachment B	23

Overview

The purpose of this document is to outline and describe the procedures for the development of the annual Overall Work Program (OWP) by the Oahu Metropolitan Planning Organization (OahuMPO) and its participating agencies. The OahuMPO's participating agencies include the State of Hawaii (State), the Honolulu Authority for Rapid Transportation (HART), and the City and County of Honolulu (City).

Federal Requirements

Federal regulations require the development of a Unified Planning Work Program, which is called the Overall Work Program ("OWP") in Hawaii, to document planning activities performed with funds provided under Title 23 United States Code ("U.S.C.") and Title 49 U.S.C.¹ Federal regulations also require² that the OWP include:

- Discussion of the planning priorities facing the metropolitan planning area;
- Identification of the work proposed for the next one- or two-year period by major activity and task in sufficient detail to indicate:
 - Who (MPO, State, public transit operator, local government, or consultant) will perform the work;
 - The schedule for completing the work;
 - The resulting products;
 - The proposed funding by activity/task;
 - A summary of the total amounts and sources of Federal and matching funds

The OWP and the work elements it contains must also comply with the requirements of 2 Code of Federal Regulations ("CFR") §200 which establish the rules and regulations for the expenditure of Federal grant monies.

The Basic Process

The tasks and activities in the OWP are called "work elements". The OWP is approved annually by the OahuMPO Policy Board, ensuring that the studies and activities contained therein are consistent with the planning priorities and goals of the OahuMPO.

Funding for the work elements is provided by planning grants from the United States Department of Transportation ("USDOT") and local matching funds from OahuMPO's participating agencies. Typically, eighty-percent of the funding for a work element is provided by Federal grant, while twenty-percent is provided by local funds. Occasionally, the local portion is larger, but funding from sub-recipients can never be less than twenty-percent. The amount of funding provided annually to OahuMPO by each of the three participating agencies is established in a Finance Supplemental Agreement, with each participating agency providing an equal share of funds. The local funds are then pooled together and budgeted in the OWP to support the approved work elements.

¹ 23 CFR 450.308(b)

² 23 CFR 450.308(c)

The OWP is intended to serve two purposes. The first is to provide information to government officials, local communities, and the general public about major surface-transportation planning work elements being undertaken on Oahu. The second is to provide complete information to Federal, State, and City officials about the management and expenditure of Federal funds for those work elements being carried out under this program.

The process for developing the OWP consists of five basic phases:

- 1. Call for candidate work elements.** The OahuMPO staff begins the development of the OWP by soliciting ideas for transportation-related candidate projects and work elements from the OahuMPO Citizen Advisory Committee (“CAC”). This is followed by a call for candidate work elements to the participating agencies and the Policy Board members.
- 2. Drafting the OWP.** OahuMPO staff reviews and evaluates progress reports from previously programmed work elements, and prioritizes new candidate work elements based on the approved planning priorities (see below). OahuMPO staff then begins an extensive and interactive process of estimating available financial resources and staff time and creates scopes-of-work and budgets for new candidate work elements. The result is a prioritized, fiscally- and time-constrained work plan.
- 3. Public and Intergovernmental Review.** OahuMPO staff seeks input from the public (including the CAC), intergovernmental agencies, and the OahuMPO Technical Advisory Committee (“TAC”) on the draft OWP documents. OahuMPO’s goal is to provide at least 60 days for public and intergovernmental comments.
- 4. Approving the OWP.** With consideration given to all comments received, the final draft is developed for consideration by the CAC, TAC, and Policy Board. Upon receiving the endorsement of the Policy Board, the OWP is submitted to the Federal Highway Administration (“FHWA”) and Federal Transit Administration (“FTA”) for approval.
- 5. Project progress and expenditure reporting.** In order to provide appropriate management and fiscal oversight, the OahuMPO staff and each of its participating agencies submit progress and expenditure reports that provide the current status of the projects that are underway. These updates form the basis for the OahuMPO’s semi-annual reports to FHWA and FTA, the project status section of the OWP, and the processing of reimbursement requests.

Planning Priorities

The OahuMPO Policy Board has approved the use of the following criteria – shown in descending order of importance – when evaluating candidate work elements for possible inclusion in the OWP. This is to ensure that scarce resources are prudently and effectively allocated among competing work elements.

1. Work elements that fulfill requirements under metropolitan transportation regulations set forth in 23 CFR Subpart C.
2. Work elements that are necessary to enable the OahuMPO and its participating agencies to support the metropolitan transportation planning process or fulfill other Federal, State, or City regulations applicable to this process.

3. Work elements that support planning efforts for projects identified in the *Oahu Regional Transportation Plan (ORTP)*³.
4. Work elements that support planning efforts consistent with the direction set forth in other planning documents adopted by the OahuMPO, the State, the City, and/or HART.
5. Work elements that support planning efforts to enable the State, City, and HART to meet other needs that support Oahu's integrated, multimodal transportation system.

Candidate work elements that are consistent with more than one planning priority are evaluated at the highest planning priority they meet.

In addition, the commitment of local matching funds for a candidate work element, other than the annual dues which are provided via the Finance Supplemental Agreement, can elevate a work element two priority levels. For example, a candidate work element to support planning efforts for a project which is in a Sustainable Communities Plan would normally be identified as a Priority 4 project. But, the commitment of local matching funds (other than dues) sufficient to support the project to completion would elevate that project to a Priority 2 work element.

These planning priorities allow OahuMPO staff to make recommendations to the Policy Board based on established goals, but the final decision to program work elements is the Policy Board's.

Planning Factors

Additionally, in accordance with Federal law⁴, the OahuMPO carries out a continuous, cooperative, and comprehensive intermodal metropolitan transportation planning process that provides for consideration and implementation of projects, strategies, and services that address the following eight factors:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
2. Increase the safety of the transportation system for motorized and non-motorized users;
3. Increase the security of the transportation system for motorized and non-motorized users;
4. Increase the accessibility and mobility of people and freight;
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
6. Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;
7. Promote efficient system management and operation; and
8. Emphasize the preservation of the existing transportation system.

These Federal planning factors help to inform the development of objectives, descriptions, and products or outcomes of the work elements programmed in the OWP.

³ See <http://www.oahumpo.org/wp-content/uploads/2013/01/11.1.2AdoptedPlan20110411.pdf>

⁴ 23 U.S.C. §134, as amended

Funding

All of the work elements identified in the OWP receive funding assistance from the USDOT through either the FHWA or the FTA, or a combination of FHWA and FTA funds. That funding is matched with non-Federal local dues provided by the participating agencies. The ratio of Federal to local funding is typically 80:20. The amount of dues provided by each of OahuMPO's participating agencies – the State, the City, and HART – is established in a Finance Supplemental Agreement⁵. The dues are generally supplied in three equal shares by each of the three participating agencies. However, the OahuMPO Policy Board can and does approve work elements for which the local matching funds are provided by a single source beyond the participating agency dues.

The following Federal monies are typically used to fund the various studies identified in the OWP:

- **Title 49 U.S.C. 5303 and 5304.** These programs provide funding to support cooperative, continuous, and comprehensive planning for making transportation investment decisions in metropolitan areas and statewide. FTA 5303 funds are used for Metropolitan Planning, while 5304 funds are used for statewide planning. The Federal-local matching ratio can be no less than 80:20; metropolitan transportation planning activities using these funds must be programmed in the OWP. While, the HDOT is the recipient of these monies, the OahuMPO is the sub-recipient and the expending agency.⁶
- **Title 49 U.S.C. 5307.** These FTA funds are typically used for capital, operating, and maintenance costs of mass transit projects, but can also be used for planning. If these monies are used for planning purposes, the Federal-local matching ratio can be no less than 80:20; and the associated planning activities must be programmed in the OWP. The City's Department of Transportation Services ("DTS") is the designated recipient of funds apportioned to the Honolulu and Kailua-Kaneohe urbanized areas.
- **Title 23 U.S.C. 104(f) FHWA-Planning ("PL").** FHWA PL funds can only be used for planning projects that address intermodal and transportation planning issues. The Federal-local matching ratio can be no less than 80:20; activities using these funds must be programmed in the OWP. The HDOT receives these monies and passes them through to the OahuMPO as the expending agency.⁷
- **Other Categories.** There are two broad funding categories – National Highway Performance Program ("NHPP") and Surface Transportation Program ("STP") – which are generally used for highway or transportation projects. Although they may be used to conduct metropolitan transportation planning initiatives, it is seldom done due to the large transportation infrastructure needs of Oahu's roadway system.
- **CMAQ.** The focus of FHWA's Congestion Mitigation and Air Quality Improvement Program ("CMAQ") is remediation projects in Clean Air Act non-attainment areas for ozone and carbon monoxide. Since there are no air quality non-attainment areas in Hawaii, these funds are used to support projects that contribute to air quality improvements and

⁵ http://www.oahumpo.org/wp-content/uploads/2013/02/OahuMPO_Finance_Supplemental_Agreement_20150720-Signed.pdf

⁶ Section 5304 funding may be used by the HDOT for planning studies outside of the metropolitan planning area. In such cases, the HDOT is the expending agency.

⁷ Title 23 U.S.C. 104(d)(1)(A) requires that federal-aid monies apportioned to a state for MPO functions "shall be made available by the state to the metropolitan planning organization responsible for carrying out section 134 [of Title 23] in the state."

provide congestion relief. Planning study activities using CMAQ funds must appear in the OWP. However, like STP funds, it is seldom done due to the large transportation infrastructure needs of Oahu’s roadway system.

Annual Schedule

The schedule for the OWP development activities is shown in Table 1.

Phase	Month(s)	OahuMPO Staff Activities	Reporting Cycle for Existing OWP Work Elements
Call for Candidate Work Elements	August-September	OahuMPO staff: <ul style="list-style-type: none"> • solicits early input regarding candidate work elements from the CAC; and • solicits lists of planning studies from other agencies for regional planning coordination. 	
	September – October	OahuMPO staff: <ul style="list-style-type: none"> • provides the CAC’s candidate work elements to the Policy Board members and participating agencies; and • issues a call for candidate work elements to the Policy Board members and participating agencies 	An Annual Progress Report, as of September 30 th , is due by October 31 st . See <i>Attachment B</i> .
Drafting the OWP	November-December	OahuMPO staff: <ul style="list-style-type: none"> • receives Annual Progress Reports from all previously obligated projects and evaluates; • accounts for previously obligated work elements and deducts staff time or funding from available resources as warranted; • prioritizes all first-time candidate work elements; • develops a first-draft list of work elements proposed for programming in the OWP; and • presents the first-draft list to the CAC, TAC, and the Policy Board for comments and feedback; this is the last opportunity for new candidate work elements to be identified for evaluation and possible inclusion in the OWP 	OahuMPO staff prepares annual progress report; submits to the TAC, CAC, and Policy Board, and USDOT

	January-March	<p>OahuMPO staff:</p> <ul style="list-style-type: none"> • considers the feedback and comments received on the first-draft list of work elements; • develops the Public Review Draft of the OWP; and • presents Public Review Draft to the TAC and CAC for review and comment prior to releasing it for general public and intergovernmental review. 	
Phase	Month(s)	OahuMPO Staff Activities	Reporting Cycle for Existing OWP Work Elements
Public and Intergovernmental Review	March – May	<p>OahuMPO staff:</p> <ul style="list-style-type: none"> • releases the Public-Review Draft OWP for 60 days of general public and intergovernmental review and comment; • notifies CAC, TAC, Policy Board, intergovernmental review list, and interested parties of the release of draft OWP; and • posts Public Review Draft to the OahuMPO website and provides instructions for submitting comments. 	A Semi-Annual Progress Report, as of March 31 st , is due by April 30 th . See <i>Attachment B</i> .
	May	<p>OahuMPO staff:</p> <ul style="list-style-type: none"> • considers comments received on the Public Review Draft; • documents all comments received and their final disposition in the OWP; and • develops Final Draft OWP. 	OahuMPO staff prepares semi-annual progress report; submits to the TAC, CAC, and Policy Board, and USDOT
Approving the OWP	June	<p>OahuMPO staff:</p> <ul style="list-style-type: none"> • presents Final Draft OWP to the TAC and CAC for recommendation to the Policy Board; and • presents the Final Draft OWP to the Policy Board along with recommendations of the advisory committees. 	

	<p>July-September</p>	<p>OahuMPO staff:</p> <ul style="list-style-type: none"> • submits Policy Board endorsed OWP to FHWA/FTA for approval; and • sends invoices to participating agencies for annual dues (i.e., local match). <p>HDOT staff:</p> <ul style="list-style-type: none"> • submits grant applications to appropriate Federal agencies <p>Federal agencies:</p> <ul style="list-style-type: none"> • award grants 	
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Table 1. Annual schedule for OWP-related activities.

Phase 1: Call for Candidate Work Elements

Identification of New Candidate Work Elements

The CAC is given the opportunity to identify and prioritize OWP candidate work elements for consideration by the OahuMPO Policy Board and/or one or more of its participating agencies. This is the CAC’s opportunity to notify OahuMPO and its participating agencies of transportation- and planning-related issues and needs in their communities.

The CAC’s prioritized recommendations are forwarded to the Policy Board and the participating agencies at the same time as the OahuMPO staff issues its call for projects to the Policy Board and the participating agencies. It is the responsibility of the OahuMPO staff and/or the participating agencies to: 1) evaluate the feasibility and merit of the CAC’s prioritized recommendations; and 2) either include them among the studies being proposed for the OWP or provide the OahuMPO staff with an explanation of why the recommended study or studies will not be pursued at the current time.

The submittal for each candidate work element shall include the following information⁸ using the form provided as Attachment A:

1. **Agency, Coordinator, and Position.** Identifies agency and division or office, and staff person responsible for the candidate work element along with the work element title.
2. **Period of Performance.** Both start and end dates are required. By law, the period of performance may be extended, one time, by up to 12 months⁹. When the end date of the period of performance is reached, the Federal funds for the project will be de-obligated if they have not already been.
3. **Work element information:**
 - a. **Objectives.** Briefly describe the objectives of the proposed work element.
 - b. **Project Description.** Explain the work to be undertaken. Describe the specific tasks, their time frame, products and deliverables, and the agency and division or office responsible for each task associated with the proposed work item. Tasks must be linked to work item tasks and schedule table in Part 5. If out-year activities will

⁸ As per 23 CFR §450.308(c)

⁹ 2 CFR §200.308(d)(2)

be proposed, explain the importance and need for future action with this proposal. Include any out-year activities and associated budget estimates in the table in Part 5.

- c. **Work Products/Outcomes.** Identify the expected product, result, or outcome of the effort. Be as specific as possible. Also identify how the product will help achieve the project objectives.
 - d. **Project justification.** Identify the reason and need for the project, and how it relates to the overall mission and goals of the agency; and include information on how the work item builds on or supplements other work being undertaken by other units in the agency, if applicable. Cite Federal, State, and/or City regulatory requirements, if any.
 - e. **Previous or ongoing work related to work item.** Identify any existing activities associated with the proposed work item; and include prior year-funded OWP activities (with project number(s)) and directly relevant activities not funded by OWP (identify program).
4. **Staff Labor Commitment to the Work Element.** If your agency desires to be reimbursed for 80% of the staff labor committed to directly supporting the work element, the staff hours and budget must be identified for each position associated with the work element. The staff labor budget shown here should match the staff labor budget in Part 5.
5. **Work item budget:**
- a. **Staff labor tasks.** If the proposing department or agency desires to be reimbursed for 80% of the staff costs directly attributable to support of the work element, they should identify estimated staffing hours and labor expenses by task for the project.
 - b. **Consultant services tasks.** Identify consultant services by task. Agencies are required to identify, at minimum, the products expected, estimated contract amount, and anticipated project schedule.
 - c. **Other costs.** Identify, for pre-approval, any travel¹⁰ to be done by department or agency staff as part of the project along with any supplies or other resources needed for the project.

Some work elements are mandatory and re-occur every year in the OWP. They are identified as Series 300 work elements, such as 301.01 Program Administration & Support, or 301.05 Single Audit. These work elements are a given and are programmed regardless of whether they are identified in the Phase 1 Call for Candidate Work Elements or not."

Third Party In-Kind Services

For Federal grants, all contributions, including cash and third-party, in-kind (non-cash) contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when the contributions meet all of the following criteria¹¹:

1. They are adequately documented and verifiable based on records;
2. They are not included as a contribution for any other Federal award;
3. They are necessary and reasonable for accomplishment of the project or program objectives;

¹⁰ 2 CFR 200.474

¹¹ 2 CFR 200.306(b)

4. They are allowable under Federal cost principles;
5. They are not paid by the Federal government under another Federal award; and
6. They are provided for in the approved work element budget.

However, the use of third party in-kind services as local match introduces an element of risk. For example, when developing a work element budget, OahuMPO staff might estimate \$5,000 worth of in-kind services to be provided in support of the project by a third-party. But if, by the end of the project, the third-party has only contributed \$3,000 worth of in-kind services, or can only verify \$3,000 worth of in-kind services, the project is in trouble. Without additional cash match or in-kind services, the project may not be completed, and (worse case) the sub-recipient may have to pay back the Federal funds it received for the project. There is also a significant amount of work that must be done to accurately document the value of the in-kind service when it is provided. Therefore, OahuMPO's policy is to discourage and minimize third party in-kind contributions as a source of local match for Federal grants.

Regional Planning Coordination

In order to better understand recent and current planning efforts that are occurring outside of OahuMPO's planning process and to better leverage the limited resources of OahuMPO, OahuMPO staff annually solicits a list of recently completed or currently active planning studies from its participating agencies and other stakeholders. The complete list of studies is published in the final OWP, and it is considered when OahuMPO staff is evaluating candidate work elements. A candidate work element that duplicates effort or closely matches an existing or recent study from another department may not be recommended for programming by OahuMPO staff. Alternatively, a candidate work element that supports or is consistent with a recent or on-going study can move to a higher prioritization level (see Planning Priority #4 on page 7).

Phase 2: Drafting the OWP

Evaluation of Active Work Elements

Annual progress reports for all previously obligated work elements are due to OahuMPO staff by October 31st each year, which will be used to inform the development of any new OWP.. One of the functions of the OWP is to provide a status update on these previously obligated work elements. In addition, any work element that has been obligated for more than 24 months, but for which the funding is not yet encumbered, will be subject to additional scrutiny and examination. The purpose, need, and priority of the work element will be re-evaluated and its Federal funding may be subject to de-obligation. Project managers are strongly encouraged to procure any necessary consultant services and complete the tasks of the work element in as short a time as prudence will allow.

Required, Re-Occurring Work Elements

As noted above, some work elements are required by law, regulation, or operations, and re-occur annually in the OWP. These work elements are identified as Series 300 work elements. Among these Series 300 work elements, there will be the Federally-required core deliverables, which include:

- The Oahu Regional Transportation Plan (ORTP);
- The Transportation Improvement Program (TIP);
- The Overall Work Program (OWP);

- The Public Participation Plan (PPP); and
- The Congestion Management Process (CMP)

In addition, these work elements will include discussion of their purpose and regulatory compliance.

Prioritization of New Candidate Work Elements

OahuMPO staff will determine the eligibility of each proposed candidate work element for Federal funding and eliminate from further consideration any that are not eligible. Using the approved planning priorities (see pages 6 and 7), the remaining candidate work elements are evaluated and assigned to one of the five priority levels. The results of this prioritization process are included in the final OWP. If estimated work element budgets are not provided by the proposer, they are developed by OahuMPO staff. Then, estimations of OahuMPO financial resources and available staff time are developed, allowing for staff to spend some portion of their time on previously obligated but unfinished work elements.

First-Draft List of Work Elements

All work elements on which OahuMPO staff expects to expend time or financial resources shall be shown in the OWP, including work elements obligated in prior years. Previously obligated and active projects are considered first, deducting from the available pool of resources any staff time or additional funding that may be needed by the work elements. For new candidate work elements, starting with those identified as Priority 1 work elements, the estimated time and money needed to support each candidate work element is deducted from the pool of available resources. If resources remain, Priority 2 candidate work elements are considered, and so on, until all available resources are budgeted. Extraordinary circumstances are also considered, such as a candidate work element that duplicates a recently completed planning study, or a previously obligated work element that has been idle for more than 24 months. This list of prioritized and constrained work elements is presented to the TAC and CAC for review and comment, along with all of the proposed candidate work elements. This round of review is the final opportunity for the identification of candidate work elements to be considered in the development of that OWP for the next fiscal year. If new candidate work elements are introduced at this stage, they must be prioritized alongside all other new candidate work elements, and evaluated for possible inclusion in the Public Review Draft of the OWP.

Public Review Draft of the OWP

This second-draft of the OWP is a more complete draft, consisting not only of the prioritized list of all proposed candidate work elements and the list of work elements proposed for programming, but also a draft executive summary, a process overview, a discussion of regional planning issues facing Oahu, sources of funding, and most of the other chapters and sections of the final OWP. New candidate work elements that are proposed for programming are fully described, including objectives, expected outcomes, periods of performance, and detailed budgets. The most recent information on previously obligated work elements is also included, though the details for any work element may change before the final OWP is drafted and approved. This Public Review Draft is presented to the TAC and CAC for comments and feedback before it is released to the general public for review.

Phase 3: Public and Intergovernmental Review

The Public Review Draft of the OWP is released for public and intergovernmental review, ideally for a period of at least 60 days, though this may be modified to meet financial needs and schedules. OahuMPO staff will notify the Policy Board, TAC, and CAC of the release and provide the final Public Review Draft to the members. Additionally, persons on the intergovernmental review list and interested parties list will also be notified of the release and the deadline for submitting comments. OahuMPO will post the final Public Review Draft to its website for download and viewing by the general public.

All comments received will be documented in the final OWP, along with the disposition of the comments. All comments will be considered in the development of the Final Draft OWP.

Phase 4: Approving the OWP

After reading and considering all comments made on the Public Review Draft, OahuMPO staff will update the document to a Final Draft OWP, which will be presented to the CAC and TAC for their recommendation to the Policy Board. The Final Draft OWP will also be presented to the Policy Board along with the recommendations from the CAC and the TAC.

Once endorsed by the Policy Board, the endorsed OWP will be forwarded to FHWA and FTA for their joint approval. Once approved, OahuMPO staff will invoice the participating agencies for their annual dues, based upon the approved Finance Supplemental Agreement, and request obligation of the funds by HDOT. OahuMPO staff will also send copies of the final approved OWP to the State and City participating agencies, members of the Policy Board, the CAC, and TAC. The OahuMPO staff will post the final OWP to the OahuMPO Website.

Calculating Dues

The Financial Supplemental Agreement sets the annual base dues amount from each of the participating agencies. By terms of the Comprehensive Agreement, any unencumbered local funds from previous years are used to offset the amount of dues owed in the current fiscal year. In addition, any interest earned on deposited local funds is similarly deducted from the amount of dues owed in the current fiscal year. The total deductions are applied equally to the participating agencies.

Dues calculation example:

	State	City	HART	Total
Base Dues (from Finance Agreement)	\$125,000	\$125,000	\$125,000	\$375,000
Unencumbered Local Dues from Previous Years				\$70,000
Interest Earned on Deposits				\$20,000
Total Credits				\$90,000
Credit Apportionment	-\$30,000	-\$30,000	-\$30,000	-\$90,000
Dues Invoiced to Participating Agencies	\$95,000	\$95,000	\$95,000	\$285,000

OWP Process Overview

The tasks associated with the development of the OWP are shown in Figures 1 and 2, below.

Figure 1. Overall Work Program Scheduled Tasks for New Work Elements.

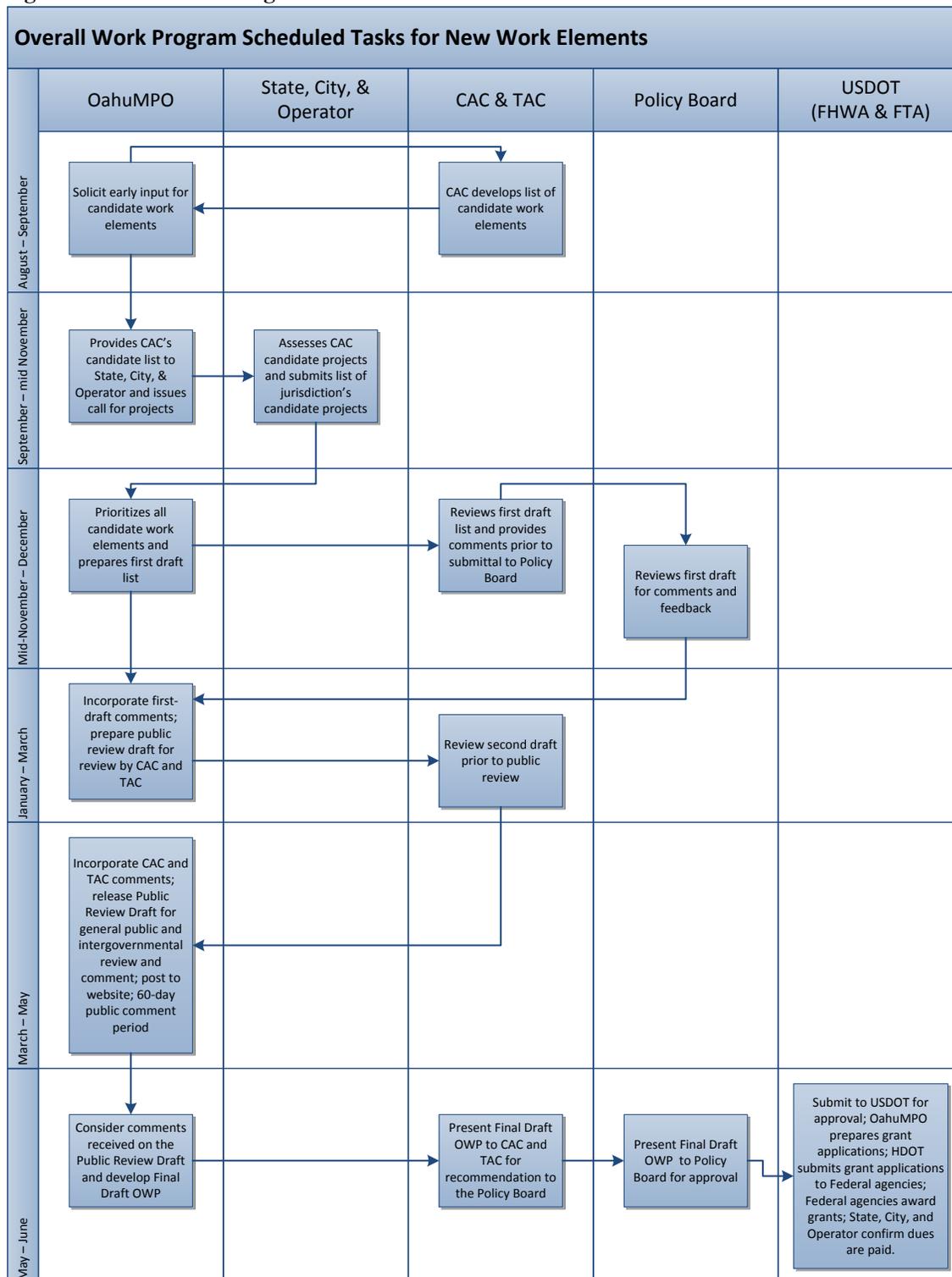
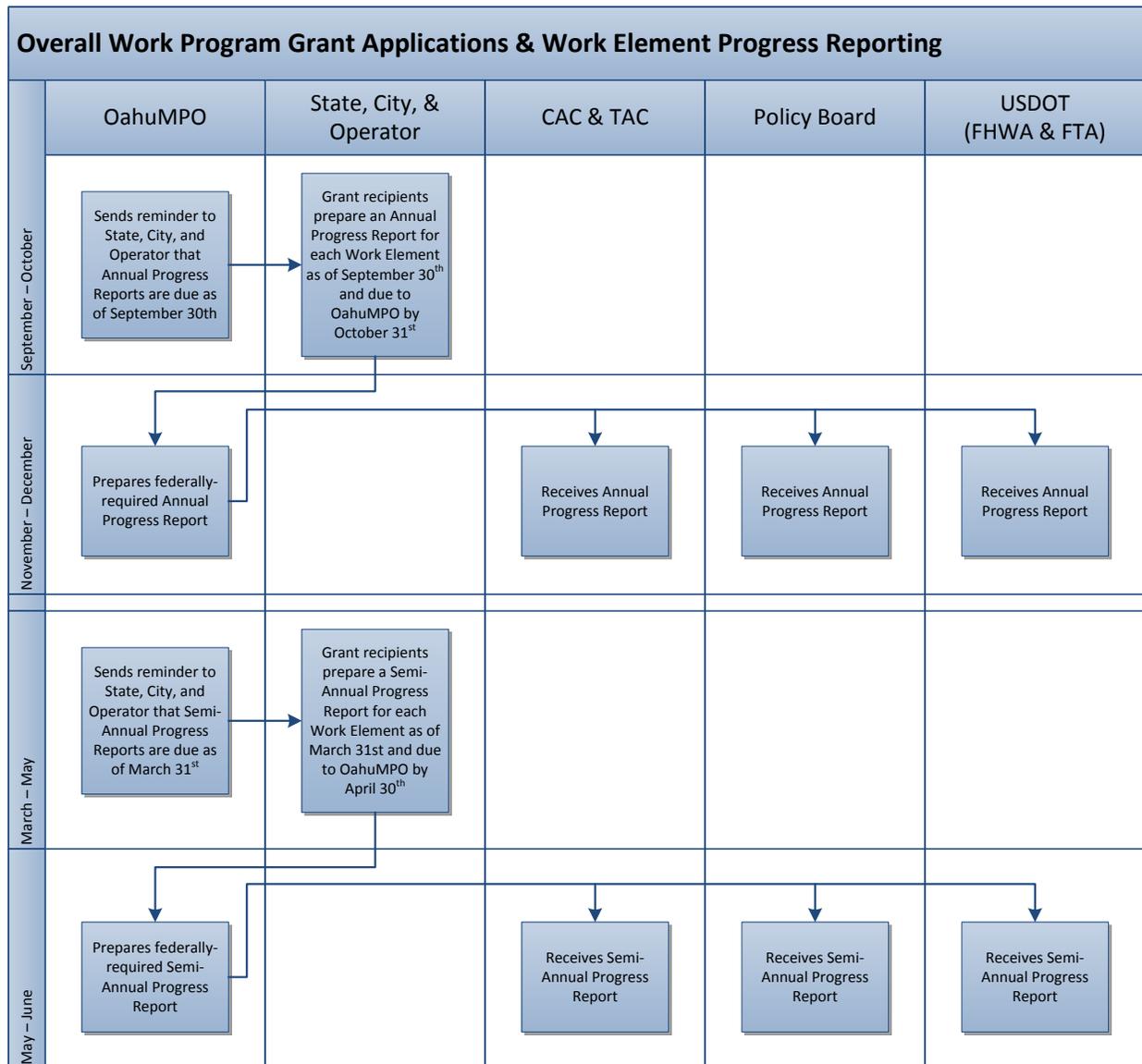


Figure 2. Tasks Associated with Work Element Progress Reporting.



Sub-Recipient Responsibilities

OahuMPO staff will perform a risk assessment for each sub-recipient prior to the awarding of funds to determine specific requirements. Please see OahuMPO's *Sub-Recipient Award and Monitoring Document* for more details on both the risk assessment and the sub-recipients responsibilities. In general, the participating agencies that are awarded planning funds through the OWP are responsible for:

1. **Submitting an OWP Candidate Work Element Form for each new proposed work element.** The required form is provided in *Attachment A*.
2. **Sign a Sub-Award Agreement.** OahuMPO staff will prepare a sub-award agreement for each work element that is funded through the OWP on behalf of a sub-recipient. The agreement will specify:
 - a. The sub-recipient's name;
 - b. The sub-recipient's DUNS number;
 - c. The Federal Award Identification Number;
 - d. The Federal award date;
 - e. The sub-award period of performance (beginning and end dates);
 - f. Amount of Federal funds obligated by the work element;
 - g. Total amount of Federal funds obligated to the sub-recipient;
 - h. Total amount of the Federal award;
 - i. Federal award project description;
 - j. Name of the Federal awarding agency and pass-through entity, and contact information for the awarding official;
 - k. CFDA number and name; the dollar amount made available under each Federal award and the CFDA number at the time of disbursement;
 - l. Identification of whether the award is for Research & Development;
 - m. Indirect cost rate for the Federal award (if applicable);
 - n. All requirements imposed on the sub-recipient by OahuMPO;
 - o. Requirements imposed on the sub-recipient in order for OahuMPO to meet its own responsibilities to the Federal awarding agency, including any required financial and performance reports;
 - p. A requirement that the sub-recipient permit OahuMPO's auditors to have access to the sub-recipient's records and financial statements as necessary for OahuMPO to meet its audit requirements; and
 - q. Appropriate terms and conditions concerning closeout of the sub-award
3. **Conforming to Federal procurement requirements.** In some cases, Federal requirements may not match State requirements, so the sub-recipient must use the more restrictive requirement in order to comply with both. Prior to solicitation, the sub-recipient must perform a cost or price analysis in connection with every procurement action in excess of

\$150,000.¹² The sub-recipient must make OahuMPO staff a non-voting member of any selection or evaluation committee. The project contract must be consistent with the scope and tasks identified in the work element as it appears in the approved OWP. A copy of the final draft contract and negotiated scope-of-work must be provided to OahuMPO staff for a consistency determination prior to the execution of the contract. The sub-recipient must take all necessary affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible.¹³ The sub-recipient must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where a cost analysis was performed.¹⁴

4. **Managing the work element(s).** This includes working cooperatively with OahuMPO staff for the monitoring of all work tasks; completing and delivering all project reports and work products, including drafts, databases, and shapefiles; and preparing the project status reports by the milestone deadline. The Progress and Expenditure Report form is provided in *Attachment B*. Because the work element is funded, in part, by Federal monies, the work must comply with all Federal requirements. OahuMPO is the pass-through agency for the Federal funds and is responsible for ensuring that Federal requirements are met.
5. **Maintaining records.** The sub-recipient must maintain and make readily available to the OahuMPO staff upon request records sufficient to detail the history of procurement, including, but not necessarily limited to¹⁵:
 - a. Rationale for the method of procurement;
 - b. Selection of contract type;
 - c. Contractor selection or rejection; and
 - d. The basis for the contract price.

The sub-recipient may use a time and materials type contract only after a determination that no other contract is suitable and only if the contract includes a ceiling price¹⁶. All sub-awards from OahuMPO are not-to-exceed amounts. Any costs overruns incurred beyond the award limit are the responsibility of the sub-recipient.

6. **Requesting prior approval for changes.** The participating agency must request and receive prior approval¹⁷ from OahuMPO staff for one or more of the following reasons:
 - a. Change in scope or objective of the project or program (even if there is no associated budget revision);
 - b. Change in a key person (usually the project manager) specified in the approved OWP work element;
 - c. Disengagement from the project for more than three months, or a twenty-five-percent reduction in the time devoted to the project, by the project manager;
 - d. The inclusion of new costs or funds;

¹² 2 CFR §200.323(a)

¹³ 2 CFR §200.321(a)

¹⁴ 2 CFR §200.323(b)

¹⁵ 2 CFR §200.318(i)

¹⁶ 2 CFR §200.318(j)

¹⁷ 2 CFR §200.308(c)

- e. A reduction or transfer of funds originally budgeted for support costs of the participating agency;
- f. New sub-awards, transferring, or contracting out of any work under the Federal award; and
- g. Changes in the amount of approved cost-sharing or matching provided by the participating agency.

In some instances, the requested change will require a formal amendment to the OWP, including a public and intergovernmental review period. Sub-recipients are encouraged to request change approvals from OahuMPO staff as soon as possible to prevent unnecessary delays or work stoppage while the OWP amendment is processed.

7. **Submitting reimbursement requests.** Requests for reimbursement must be submitted to the OahuMPO staff through the participating agencies' fiscal offices. Each reimbursement request must include the monthly Disadvantaged Business Enterprise (DBE) payment certification. Travel reports, consultant invoices, staff time sheets (when applicable), related receipts, and supporting documentation for allowable costs must also accompany reimbursement requests. **The OahuMPO staff will not process an agency's reimbursement request without that agency having filed a current Progress and Expenditure Report as of the most recent reporting period (i.e., either September 30th or March 31st). Other requirements may apply.**
8. **Completing the work element within the specified period of performance.** Federal regulations allow the period of performance to be extended only once, by up to 12 months¹⁸.
9. **Submitting draft work products and final reports.** Along with reimbursement requests, the agency must provide an electronic version of the work products and final report via email or on CD, DVD, or other acceptable media, along with two printed copies of the project's final report. Deliverables need to include all databases, shapefiles, and other materials used in the development of the final product. Project close-out cannot occur until the consultant's final DBE report and Hawaii Compliance Express compliance certificate and final DBE report has been provided to OahuMPO. **See OahuMPO's *Sub-Recipient Award and Monitoring* document for more details and copies of the required forms.**
10. **Retaining Records.** Financial records, supporting documents, and all other records pertinent to the award must be retained for no less than three (3) years from the date of submission of the final expenditure report¹⁹. The records must be made available to OahuMPO's auditor upon request.

Failure to meet one or more of these requirements may result in the loss of continued funding for the work element and subject the sub-recipient to greater scrutiny under OahuMPO's risk assessment methodology. The sub-recipient may also be required to payback any Federal funds used in support of the work element.

Phase 5: Project Progress and Expenditure Reporting

The OahuMPO provides program oversight and monitors the performance and budgetary expenditures for each OWP work element, as is required by 23 CFR 420.117.

¹⁸ 2 CFR §200.308(d)(2)

¹⁹ 2 CFR §200.333

At a minimum, to assist in the monitoring of the OWP, both a Semi-Annual and Annual Progress Report (Attachment B) are required to be submitted to the OahuMPO staff by each agency based on the schedule contained in Table 2 above. Additional requirements may be included as part of the Sub-Award Agreement, based on the risk assessment of the sub-recipient.

Revisions to the OWP

Revisions may be made to the OWP in one of two ways:

Administrative Modifications

The OWP may be modified by means of an administrative modification²⁰ and the budgeted dollar amounts may be transferred administratively among the work elements if:

- The amount of money to be transferred does not exceed \$100,000 per transfer and – cumulatively – changes do not exceed 10% of the total approved budget for that OWP year; and
- The tasks and/or objective of the work element are unchanged.

Additionally, for previously obligated projects, adjusting the tables in the OWP indicating the amount of funds to carry-over or roll-over from one-year to the next is an Administrative Modification.

An Administrative Modification does not require Federal or Policy Board approval. Notification will be given to awarding agency or agencies (FTA, FHWA), the Policy Board, and the advisory committees; and the changes to the work element will appear in the next fiscal year's OWP.

No public, CAC, intergovernmental, TAC, or Policy Board reviews are required.

Amendments

The OWP should be amended if:

- The amount of money being transferred between work elements is in excess of \$100,000 or the cumulative budget revisions exceed 10% of the total approved OWP budget amount for the fiscal year;
- The objective and/or tasks of the work element have changed; and/or,
- A new work element is added; and/or
- A work element is deleted.²¹

An amendment to the OWP must go out for review by the CAC, general public, interested parties, intergovernmental review, and TAC. It must be approved by the Policy Board. The approved amendment must be sent to the awarding agency or agencies for its acceptance prior to incorporation into the work program.

²⁰ 23 CFR 420.115 and 49 CFR 18.30.

²¹ The agency responsible for the work element being deleted must submit a letter to the OahuMPO, requesting that it be deleted from the OWP. This deletion needs to be noted in the next fiscal year's OWP. After the work element is deleted, OahuMPO can reprogram the monies in the next OWP.

Attachment A

Project Title

WE Number	(assigned by OahuMPO)	Period of Performance	mm/dd/20yy – mm/dd/20yy
Agency		Phone Number	
Coordinator		Fax Number	
Position		Email Address	

Objectives:

Project Description:

Work Products/Outcomes:

Project Justification:

Previous or Ongoing Work Related to Proposed Planning Study or Project:

FY 201X Preliminary Staff Labor Commitment to the Work Element

Task #	Position/Agency	Staff Labor (Hours)	Staff Labor Budget
1			
2			
3			
4			
5			
STAFF LABOR SUB-TOTAL EXPENDITURES			

FY 201X Preliminary Work Element Tasks & Budget

Task #	Staff Labor Commitment	Estimated Completion Date	Task Budget
1			
2			
3			
4			
5			
STAFF LABOR SUB-TOTAL EXPENDITURES			
Task #	Consultant Services		
6			
7			
8			
9			
10			
CONTRACT SERVICE SUB-TOTAL EXPENDITURES			
Other Costs (e.g., software, travel, equipment, etc.)			
OTHER COSTS SUB-TOTAL EXPENDITURES			
TOTAL WORK ELEMENT COST			

Prepared by:

Date:

Approved by:

Date:

Attachment B

Oahu Metropolitan Planning Organization Overall Work Program

Progress and Expenditure Report
For the Period Ending _____ (mm/yy)

I. Identification				
WE Number		Period of Performance	Start:	End:
WE Name				
Agency		Phone Number		
Coordinator		Fax Number		
Position		E-mail address		

II. Work in Progress
For the time period, describe the work products produced, task(s) completed, other accomplishments, and work currently in progress. <i>Note: Two (2) copies of all draft and final work products must be submitted in printed format and one in electronic format to OahuMPO prior to publication.</i>

III. Work Completed					
A.	List all tasks identified in the approved work element and identify the percentage of work completed to date.				
Task No.	Original Completion Date (Mo/Yr)	Actual Completion Date (Mo/Yr)	Task(s)	% Complete to Date	Total Cost
1					\$
2					\$
3					\$
4					\$
5					\$

B.	If the tasks for the time period have not been completed as scheduled in the approved work element submittal, explain the reason(s) for delay and action(s) taken to get the task back on schedule.

C.	Describe any problems or issues encountered and corresponding corrective actions.

D.	Describe work efforts by staff in terms of accomplishments, work products, and areas where improvements and/or corrective actions were undertaken.

E.	Describe progress in contracting consultant services during this period and/or consultant performance in terms of accomplishments, products, improvements and/or corrective actions undertaken.

F.	Describe lessons learned, best practices employed, and recommendations for both potential follow-on planning studies and improving future activities, including scoping, consultant management, and scheduling.

IV. Financial Summary (Cumulative – all time periods)

Contract Services	Total	FTA 5303	FHWA-PL	Local Match	Supplemental Match
Contract Services Funding Programmed					
Contract Services Funding Expended					
Contract Services Funding Balance					
Staff Labor					
Staff Labor Funding Programmed					
Staff Labor Funding Expended					
Staff Labor Funding Balance					
Total					
Total Funding Programmed					
Total Funding Expended					
Total Funding Balance					

Prepared by: _____

Date: _____

Approved by: _____

Date: _____