

**NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION
EXECUTIVE BOARD/FULL COMMISSION MEETING
Thursday, July 21, 2016, 9:00 A.M.
NIRPC Lake Michigan Room
6100 Southport Road, Portage, IN**

DRAFT AGENDA

- I. Call to Order and Pledge of Allegiance – Jim Ton, Chair
- II. Approval of Minutes of June 16, 2016 Executive Board Meeting Pages 1-6
- III. Report of the Chair – Jim Ton
 - a) Technical Planning Committee Request by Transit Operators
- IV. Report of the Executive Director – Ty Warner
 - a) Staff Service Award
- V. Environmental Management Policy Committee – Geof Benson Pages 7-10
- VI. Technical Planning Committee – Michael Griffin Pages 11-29
 - a) New TPC: Roles and Decision Making – Mitch Barloga
 - b) Resolution 16-25, Amendment #26 to the FY 2016-2019
Transportation Improvement Program Pages 15-21
 - c) Resolution 16-26 Amendment #27 to the FY 2016-2019
Transportation Improvement Program Pages 22-25
 - d) Resolution 16-27 Amendment #28 to the FY 2016-2019
Transportation Improvement Program Pages 26-29
- VII. Finance & Personnel Committee – Diane Noll Pages 30-44
 - a) Resolution 16-24 Conflict of Interest Pages 33-43
 - b) Procurement Recommendation Page 44
- VIII. INDOT, Rick Powers, La Porte District Deputy Commissioner
- IX. Other Business
- X. Public Comment
- XI. Announcements
- XII. Adjournment

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NIRPC Executive Board Meeting
NIRPC Office, Lake Michigan Room
6100 Southport Road, Portage, IN
June 16, 2016
Minutes

Chairman Jim Ton called the meeting of the Executive Board to order at 9:10 a.m. with the Pledge of Allegiance.

Executive Board members present included Jim Ton, Geof Benson, Kevin Breitzke, Dave Decker, Michael Griffin, Tom McDermott, Blair Milo, Diane Noll, Ed Soliday and Greg Stinson.

Other Commission members present included Mary Brown, Bob Carnahan, Bill Emerson, Jr., Will Farrellbegg, Roger Miller, Lori Reno, Tom Schmitt, Dave Shafer, and George Topoll.

Guests present included Rick Powers, Matt Deitchley, Dean Button, Eric Zosso, Linda Graff, Don Oliphant, Lindsay Quist, Lauren Varga, David Wright and Andrew Steele.

Staff present included Ty Warner, Steve Strains, Dave Hollenbeck, Angie Hayes, Kathleen Honl, Kelly Wenger, Jody Melton, Kathy Luther, Belinda Petroskey, Gabrielle Biciunas, Gary Evers, Scott Weber, Sarah Geinosky, Eman Ibrahim, Stephen Sostaric, James Winters, Amanda Pollard and Mary Thorne.

Presentation: Eric Zosso and Linda Graff presented on the Google eCity Award. This award recognizes the strongest online business community in each of the 50 states. These cities' businesses are using the web to find new customers, connect with existing customers and fuel their local economies. In January, the City of Valparaiso was presented with the 2015 eCity Award for Indiana.

Dave Hollenbeck announced a letter of appointment was received appointing Mary Brown as the representative for the City of Gary.

Approval of Minutes: On a motion by Geof Benson and a second by Greg Stinson, the minutes of the May 19, 2016 Full Commission meeting were approved as presented.

Report of the Chair – Jim Ton

- Jim Ton thanked the Chairs of the new committees. Michael Griffin commented that the last meeting of the Transportation Policy Committee was held on June 14 and the new Technical Planning Committee will hold their first meeting on July 12 at 9 a.m.
- Jim Ton said the transit operators are discussing issues to consider. In the new paradigm there is a shift in voting membership. Not all of the transit operators are now voting members. There is an allotment of one transit representative per county, and then the directly funded transit operators, of which there are three, have in the past had a vote on the former TPC. The transit operators have requested Gary Public Transit Corporation and Michigan City Transit have a vote on the committee. NICTD is a direct recipient and has a vote on the new committee. Jim Ton said that as the committee structure was voted on by the Full Commission, it will be an item on the

agenda for discussion at their July meeting. Dave Decker moved to add the committee structure to the July full Commission agenda, and Geof Benson seconded the motion. The Executive Board voted unanimously to bring the request to the next meeting of the Full Commission. In response to a request for clarification by Tom McDermott on the voting makeup of the Technical Planning Committee, Jim Ton explained that the transit operators' vote would be reduced from 10 to one per county plus NICTD. Under the old TPC, voting was of the majority regardless of how many or how few attended. Geof Benson added that the restructuring was an effort to get more Commissioners involved in the committees involving monetary decisions. On the new committee, there are four commissioners from each county who expressed their desire to serve, one transit operator sub-recipient from each county, one person from the Northwest Indiana Forum, one INDOT representative, one representative from NICTD and non-voting representation from FHWA and FTA. Michael Griffin added that there was a desire to establish structure and consolidate two large parts of our function, the decision-making that goes into transportation funding and insuring consistency with our 2040 Plan. It is no longer a transportation policy committee. Tom McDermott commented that NIRPC can call for a weighted vote, but the new TPC did not have that option in place. Blair Milo commented that through the new TPC, there is a balance for equal representation of all communities.

Report of the Executive Director – Ty Warner

- Ty Warner reported that NIRPC is getting electric vehicle charging stations installed as a part of a program from NIPSCO and South Shore Clean Cities. A celebratory event will be held regionally in July.
- The final planning regulation interpreting MAP-21 and the FAST Act was recently issued and was published in the Federal Register dated May 27, 2016. Interpretation is being explored by staff with assistance from USDOT. There is increased emphasis on performance-based planning and programming for quantifiable planning measures. Another important item is the composition of the NIRPC Commission. The Legislative Committee was in discussion on this back in 2012. A concern of MPOs across the country was that what was being suggested flew in the face of the concept of what the Council of Governments is. All commissioners are an elected official responsible to their constituency. The feedback from MPOs across the county was heard and the interpretation was that as elected officials you are engaged in activities occurring in your communities and can represent those activities to the Board. As such, there would be no change to the representation on the Board.
- The FY 2017-2018 Unified Planning Work Program went out for a 30-day public comment and is available on NIRPC's website.

Environmental Management Policy Committee:

Geof Benson reported that the next meeting will be held on July 7 at 9 a.m. in the Lake Michigan Room at NIRPC.

Transportation Policy Committee:

Geof Benson reported that the Transportation Policy Committee met on June 14th. The Committee heard a presentation from staff on the new overall committee structure, in particular the Technical Planning Committee which is a merge between the Transportation Policy Committee and the Pathway to 200 Implementation Committee.

- Amanda Pollard reported that the Public Comment Period on the FY 2017-2018 Unified Planning Work Program ran for thirty days beginning May 18 and no comments have been received.
- The first action for approval was Resolution 16-21, the adoption of the FY 2017-2018 Unified Planning Work Program. Eman Ibrahim said that the work program, funded through the Federal Highway Administration, the Federal Transit Administration, the US Environmental Protection Agency, foundations and NIRPC's local funds from each of the three member counties is required as part of the metropolitan area transportation planning process. The new planning emphasis areas for 2016 are Title VI, performance-based planning measures and targets, Ladders of Opportunity program and Highway Safety Improvement Program funds. A new safety project added is for the I-65/US 30 corridor. There is an emphasis on improvement of the urban core communities. In answer to a question regarding the "pending other" column in the budget tables, Angie Hayes responded that those numbers represent other funding sources for the local match. The Transportation Policy Committee recommended action on Resolution 16-21. On a motion by Geof Benson and a second by Kevin Breitzke, the Executive Board voted to approve Resolution 16-21, the FY 2017-2018 Unified Planning Work Program.
- The second action was the approval of Resolution 16-22, the twenty-fourth amendment to the FY 2016-2019 Transportation Improvement Program. Belinda Petroskey described the amendment, adding operating assistance Section 5307 projects for North Township, Porter County Aging and Community Services and South Lake County Community Services. The Transportation Policy Committee recommended action on Resolution 16-22, Amendment #24 to the FY 2016-2019 Transportation Improvement Program. Geof Benson motioned to approve, seconded by Dave Decker. Bob Carnahan commented that Margot Sabato abstained from the vote at the TPC meeting as they are getting a large amount of money. The Executive Board voted to approve Resolution 16-22, the amendment 24 to the FY 2016-2019 Transportation Improvement Program.
- The final action was the approval of Resolution 16-23, the twenty-fifth amendment to the FY 2016-2019 Transportation Improvement Program. Gary Evers described the amendment adding 16 new INDOT projects or project phases. The Transportation Policy Committee recommended action on Resolution 16-23. On a motion by Geof Benson, seconded by Greg Stinson, the Commission voted to approve Resolution 16-23, Amendment #25 to the FY 2016-2019 Transportation Improvement Program.
- The first meeting date of the new Technical Planning Committee is scheduled for Tuesday, July 12th at 9 a.m. at the NIRPC office.

Finance & Personnel Committee:

Diane Noll reported that the committee met this morning and there are two items being brought to the Executive Board today.

- The first is the proposed budget amendment for \$10,000 additional local funds to be spent on the Greenways & Blueways 2020 Plan. On a motion by Diane Noll and a second by Geof Benson, the Executive Board approved the 2016 budget amendment for the Greenways & Blueways 2020 Plan.
- The second is the basic agreement between the Northwestern Indiana Regional Planning Commission and the Indiana Dunes Environmental Learning Center, Inc. for propane fuel. On a motion by Diane Noll and a second by Dave Decker, the Executive Board voted to approve the

agreement between NIRPC and the Dunes Environmental Learning Center by a vote of nine, with one abstention by Geof Benson, who cited appearance of conflict.

Indiana Department of Transportation:

- Rick Powers reported that construction and maintenance work is heavily underway throughout the entire state. There will be a lot of congestion on I-94 over the July 4th holiday weekend and drivers need to slow down and be alert and aware to avoid accidents. Jim Ton commented that queuing has affected SR 49 and other roads. This is done purposely for the drivers' safety. INDOT has been very open in communications with the Town of Chesterton. Geof Benson commented that signs are up that US Highway 12 will be closed from SR 520 to SR 49 on Wednesday and Thursday next week. Kevin Breitzke commented that INDOT has been very innovative and just completed the first J-turn on US 41.
- The application deadline for the Community Crossings matching grant program has been extended to July 29. The decision deadline is also extended.
- Ed Soliday reported that a memorandum came out from the Department of Local Government Finance (DLGF) that local governments can now match with almost anything. If you transfer money into the Rainy Day fund, you can match it. The program will continue at \$100 million per year. The 64 smallest counties will get 50%. There is better data on road conditions as asset management plans kick in. Ed Soliday gave Ty Warner a spreadsheet from INDOT which delineates where every dollar of state money is allocated by capita and road miles. Northwest Indiana is not being cheated. I-94 and 80/94 have some of the state's highest maintenance costs, along with I-70. The new automated systems will help a lot with truck weights. The permitting costs about \$20,000 per year per truck. Rick Powers added that INDOT has an online tool of spending by county.

Public Comment on Agenda Items:

David Wright, GPTC, thanked the Executive Board for recommending to the Full Commission for a decision the Technical Planning Committee makeup issue with regard to transit operators. There are nine fixed route and demand response transit operators in the region. 52% of the transit ridership are on the GPTC system. Combined with NICTD, the total percentage of transit ridership is 86%. CMAQ funding is under the auspices of the Surface Transportation Committee. As of now, no transit operators are allowed a seat on that committee. GPTC would like consideration of transit membership on that committee as well. A large part of the CMAQ funds are going to GPTC for the Broadway Rapid Transit. Tom McDermott commented that they are asking to sit on a board that budgets money to GPTC and he did not think that was appropriate. David Wright replied that transit operators were always allowed a vote on the former TPC. GPTC should be allowed a seat on the committee as well as Michigan City.

David Wright said the final rule released within the last week or two did try to clarify what they called a need to be a bit more multimodal with respect to representation on MPO policy boards, which would be NIRPC's Commission. David Wright read the rule: The final rule establishes that "every MPO that serves an area designated as a transportation management area (TMA) must include an official (or officials) who is formally designated to represent the collective interests of the operators of public transportation in the metropolitan planning area (MPA) and will have equal decision-making rights and authorities as other officials on its policy board. Related to this requirement, FHWA and FTA did not

include the proposed definitions for “local official” and “major modes of transportation” in the final rule. With respect to “major modes of transportation,” FHWA and FTA concur with comments that the definition is overly broad and could be read to include all forms of transportation, including non-major modes, and that MPOs are in the best position to define what constitutes a major mode of transportation.”

David Wright said GPTC and NICTD are the largest designated recipients and the only agencies that have planning projects that are so regionally significant that they are in the Congestion Management Plan. GPTC requests a meeting with NIRPC staff and the FTA to determine how to interpret that rule.

Ty Warner responded that this issue has been discussed in the Legislative Committee since 2012. Other MPOs and regional Councils of Government have the same concerns. Not every MPO is a council of government or a regional council. Councils of government are designed to have elected officials at the table so that everyone responsible for a constituency has a vote at the table. There are about six pages that discuss this issue in the federal regulations. The final rule reads “Representatives of an operator of public transportation may also serve as a representative of a public municipality.” FHWA indicated it is the MPO’s decision whether to include all operators of public transportation.” The final rule also provides for “flexibility for the MPOs to determine how best to include representation by operators of public transportation.”

Geof Benson added that NIRPC has Commissioners who wear two hats. They serve on the NIRPC board as well as the NICTD board, so NICTD has representation here as do some of the sub-recipients. Who on the GPTC board is an elected official? Perhaps the Mayor of Gary could serve on the GPTC Board which seems to be the easiest fix. David Wright asked if the two-hat rule applies after the final rule has been issued by USDOT? Jim Ton commented that since NIRPC is both a council of governments and a metropolitan planning organization, he thought the two-hat rule would apply. David Wright asked that GPTC be provided with the interpretation either by Ty Warner or Dave Hollenbeck.

Announcements:

- Bob Carnahan announced Cedar Lake’s four-day Summerfest begins July 1 with fireworks on July 3. Brochures were available.
- Roger Miller asked for help for Pottawattamie Park which is replacing its sewer system. Any information on grants or other funding opportunities would be appreciated.
- Jody Melton announced that the Kankakee River was designated a National Water Trail with help from the Northwest Indiana Paddling Association and the Kankakee River Basin Commission.
- Dave Decker attended a rail conference in Chicago yesterday. With the opening of the Panama Canal, the population center will shift for the United States right into our area from Chicago straight down. The future of multimodal transportation will explode in the next 30 years.

Hearing no other business, on a motion by Blair Milo and a second by Greg Stinson, Jim Ton adjourned the meeting at 10:35 a.m.

A Digital MP3 of this meeting is filed. Contact Mary Thorne at the phone or email below should you wish to receive a copy of it. DVD recordings will be available once they are received by NIRPC from the videographer.

For requests for alternate formats, please contact Mary Thorne at NIRPC at (219) 763-6060 extension 131 or at mthorne@nirpc.org. Individuals with hearing impairments may contact us through the Indiana Relay 711 service by calling 711 or (800) 743-3333.

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ENVIRONMENTAL MANAGEMENT POLICY COMMITTEE

NIRPC- Lake Michigan Room

May 5, 2016

Members/Guests: Geof Benson, Susan Mihalo, Brenda Scott Henry, Deb Backhus, Kaitlyn McClain, Mike Molnar, Maggie Byrne, Dorreen Carey, Richard Morrisroe, Michelle Caldwell, Ashley Snyder, Beth Jacobson, Colin Highlands, Catherine Yoder, George Malis, Natalie Johnson, John Hardwick, Kris Krouse, Jennifer Gadzala, Kevin Breitzke, Kay Nelson, Tim Kingsland

NIRPC Staff: Kathy Luther, Joe Exl, Gabrielle Biciunas, Meredith Stilwell

Call to order and Pledge of Allegiance

Chairman Benson called the meeting to order at 9:04 a.m. with the Pledge of Allegiance and self-introductions.

Approval of April 7, 2016 EMPC Minutes

On motion by Tim Kingsland and second by Susan MiHalo, the April 7, 2016 EMPC meeting minutes were unanimously approved as presented.

Presentations:

- a. **Gary Green Infrastructure Efforts** – *Brenda Scott Henry, Director - Green Urbanism & Environmental Affairs, Gary Stormwater Management District*

The City of Gary's Green Urbanism division is relatively new and incorporates sustainable development practices into planning and implementation. The City has 12 neighborhoods with an abundance of natural and transit assets, over 50 parks and three major waterbodies. Some of the challenges faced in revitalization efforts include climate change, combined sewer overflow (CSO), urban run-off, degradation of water bodies, toxic air pollution, divested neighborhoods and dated land use policies and plans.

A climate readiness project grant was received from Great Lakes St. Lawrence Cities Initiative. An increase of wet weather events has been observed and there a lot of challenges still faced by the floods of 2007 and 2008. Many homes and businesses never recovered and have been abandoned. 97% of the area is a CSO which allows both wastewater and stormwater to go through the system, overtaxing it. With many building and impervious surfaces, urban runoff has caused eroded shorelines and waterways. The primary goal of the Green Stormwater Infrastructure Project centers on vacant land reuse that incorporates green infrastructure practices in the City's overall planning and development processes. Since most green infrastructure grants require work be done on City owned property, it is challenging because there are currently over 7,000 abandoned properties and the City does not own all of the abandoned parcels. Some of the integrated neighborhood planning and strategies include Strong Communities, Strong Cities Designation; Gary Northside Redevelopment Project; Lakefront Development; Creating Livable Centers Planning Development; Choice

Neighborhoods Initiative; FHWA Bike and Pedestrian Study and Green Infrastructure Project. Along with increased land values, livability and cost savings, reduced energy costs and local flood protection are some green storm water management benefits.

Partnership for green infrastructure projects is important. Many avenues of funding have been explored and received for various projects. A \$6.6m grant received by the redevelopment department for demolition and end-uses for abandoned properties, however that is only enough money for about 400 homes. To complete the end-use portion of the grant a 3”–4” depression and low-mow grasses are used to keep stormwater on site and not runoff into the CSO. The \$1.3 Gary Green Link Trail Phase 2 is beginning and will run from 2nd and Polk to Broadway. The goal is to eventually connect to the Indiana Dunes Lakeshore Trail.

The structure of how a green infrastructure projects happens was discussed, beginning with site selection, design, construction and monitoring continuing through civic engagement and volunteerism to job creation and long term maintenance. Some projects were highlighted. The preliminary concept of the Grey to Green – City Centre Plaza project was shown and includes the area where the Sheraton was before demolition in 2014. The Mayor and Secretary of HUD were present for the demolition activities kickoff and a charrette activity was held with EPA and ideas were given for ways to renovate the area. The Aetna Stormwater Parks area is on a former dilapidated residential facility site. A community engagement process was held to identify how the desired space would look and now is a beautiful area for the residents to enjoy. Green infrastructure street designs are also being developed and rain gardens installed throughout the City using native plants. Some of the Green Stormwater Infrastructure Project outcomes include installing 43,200 square feet of infrastructure; removing 22,950 square feet of impervious surface; planting 85 native trees; adding 1.4 million gallons of stormwater retention within the Grand Calumet Area of Concern and increasing public awareness of stormwater management issues. USGS and the Cleveland Botanical Garden have installed stormwater monitoring equipment and a planning and evaluation project team to monitor sites and evaluate the projects.

b. Indiana Children’s Nature Park Program – *John Hardwick PE*

John is a retired utility director from the City of Valparaiso and has been a member of the Nature Conservancy for many years. One of the major projects developed as part of the Indiana bicentennial year is the Indiana Children’s Nature Park located in Centerville Indiana. The Park will open June 18, 2016 and was created for 1.1m Indiana children ages K-12 with the idea to get children back in nature. Libraries, schools, museums, YMCAs and Boys and Girls Clubs with outdoor programming are being targeted to join the efforts. A website is being developed for the Park and will be online June 18th as well. Children will get a deed for a parcel of land within the park and can visit the parcel in person or on the website. John or Melissa Moran may be contacted for more information.

NIRPC Business:

Kathy Luther informed the group that a survey was sent out to determine what is being done regarding urban forestry in the communities. Joe Exl commented that the survey is intended to refine what is needed, and a GLRI/US Forest Service grant application is going to be submitted to establish a regional urban forestry plan.

Kathy stated that in partnership with the City of Portage and NIPSCO, paperwork has been signed for an EV charging station to be installed at NIRPC. Two carpool spots will be replaced with EV station installations most likely before the end of May.

Kathy announced the Deep River-Portage Burns Waterway Watershed Restoration and Management Plan was approved by the NIRPC board at their April meeting.

a. Solar Project Wrap-up – Kathy Luther, NIRPC

The two-year Solar Ready project with the National Association of Regional Councils has been completed and there is 74 kW of new solar capacity in the region as a direct result from the Solarize campaign or earned media. The cities of Gary, Hobart, Valparaiso and Dyer committed to implementing additional solar BMPs. Over 19 municipalities participated in training events and/or had a solar installation. Kathy thanked South Shore Clean Cities for their in-kind match. As a result of the City of Gary's solar program, Brenda Scott Henry stated she now will be going to the White House to talk about clean energy. Moving forward, the Department of Energy will now be focusing more on a technical support/recognition program for local communities can apply to become a SPARK community. More information will be distributed at a later date. It was noted that Tri Creek School District (Lowell) is trying to go to all renewable energy and have a team working on the efforts.

Public Comment:

- George Malis commented on the Great Lakes Basin Transportation Inc. proposal to build a 278 mile rail line part of which will run through the region. He indicated his desire for NIRPC to consider the positive and negative aspects of the line and asked for the EMPC to address the proposal on an upcoming agenda to be discussed and investigated. Chairman Benson stated that the project was discussed at the NIRPC Executive Board meeting and since it has been stated that this is a privately funded project and is not using federal funds does not fall under NIRPC's jurisdiction. Since the proposal is in the early scoping phase and is not yet in the environmental impact study it is a good time to ask questions and oppose the project if individuals want. Chairman Benson pointed out that while the project is proposed not to use federal funds, the line would cross many roads that receive federal transportation dollars and would have an impact on the roads NIRPC does have jurisdiction over. If the project moves forward there will need to be a discussion regarding those impacts. There is a project website that allows for comments to be submitted. The comment period for the draft scope of study for the environmental impact study (EIS) has been extended until June 15.

Announcements:

- Natalie Johnson announced that revisions were received from the National Park Service on the environment assessment on the east branch of the Little Calumet River and are currently being taken care of. The final public comment meeting will be held in June. She also commented that a celebration of the River is being talked about for some time in August. More information will follow.
- Dan Plath announced that a Chi Cal grant was awarded to build two public access sites on the East Branch in Chesterton, one of which will be ADA compliant as a Shirley Heinze Little Cal Wetland Site. The Northwest Indiana Paddling Association (NWIPA) received a grant from NIPSCO to help hire a contractor for chainsaw work to clear the area. Dan announced NWIPA also received a \$25k grant from the Legacy Foundation to install an ADA launch at Marquette Park. \$32k is needed and the Rotary Club has offered to match any dollars raised for the project. Several applications have been submitted for more funding. Dan asked for suggestions for funding sources. The City of Hobart has two launches slated for installation this year, an ADA launch on Deep River in June and a launch on Lake George later in the summer. By year end there should be five ADA compliant launches in the region.
- Kay Nelson gave updates on several upcoming retirements which included Vince Griffin (IN Chamber), Bruce Palin (IDEM), and Roy Duff (Corps of Engineers). Kay announced that she is one of the workgroup members of the above ground storage tank rulemaking process. 10 entities, 6 from northwest Indiana, have submitted reports to IDEM for the reporting deadline. She also commented on her attendance in Chicago for the Waukesha Wisconsin diversion application discussion under the Great Lakes Compact. Many questions and concerns were raised and the Wisconsin representative will have to respond. The meeting was suspended and will reconvene May 10 and 11, but the process will still not be in a position for a vote to be held. The biggest issue is the expansion of the water service area in the original application.
- Additional meeting, event and funding announcements will be forwarded to the Committee by email.

When asked if there was any discussion regarding lead and water quality in reference to the issue that occurred in Flint Michigan, Kathy Luther remarked that while the EMPC has not had the discussion, the Purdue Water Institute held a World Water Day panel with IDEM, Citizens Energy, Senator Charbonneau, and Indianapolis Water on the issue and very few people attended. Kay Nelson stated the Great Lake Commission is working on a resolution that the State of Michigan asked for with regards to Flint Michigan. The resolution is focused more on the need to create a national process to upgrade water infrastructure. There is currently not a funding source for this and there are serious concerns from communities. Creating local outreach and education is desired.

Meeting adjourned at 10:39 a.m.

Transportation Policy Committee Meeting

NIRPC Lake Michigan Room
6100 Southport Road, Portage

June 14, 2016

MINUTES

Members Present

Geof Benson, Bob Carnahan, Art Biciunas, Julie Ritzler, Carl Lisek, David Wright, Joe Crnkovich, Taylor Wegrzyn, William Allen, Dean Button, Tom MacLennan, H. Dean Johnson, Craig Phillips, Jeff Huet, Teri Dixon, Don Parker, La’Kisha Girder, Frank Rosado, Jr., Phil Gralik, Claudia Taylor, Margot Sabato, Bruce Lindner, Bruce Spires, Mike Yacullo, Joe Crnkovich, Spike Peller, Susan Orona and Jerry Siska.

Guests

Kevin Breitzke, Will Farrellbegg, Jeff Sheridan, Andy Hensen, Clay Cates, Jill Murr, Bill Troe, Mark Gordish, Ismail Attallah, Jarvis Joiner, Andrew Steele, Jake Dammarell, Salvatore DiBernardo, John Talbot, Chris Moore, Jack Eskin, Alex Koerner, Craig Hendrix and Al Walus.

NIRPC Staff

Steve Strains, Gary Evers, Eman Ibrahim, Sarah Geinosky, Scott Weber, James Winters, Gabrielle Biciunas, Katherine Honl, Amanda Pollard, Mary Thorne and Stephen Sostaric.

1. Call to Order, Opening and Announcements

- a) Geof Benson acted as Chair and called the meeting to order at 9:00 a.m. with the Pledge of Allegiance and self-introductions.
- b) The INDOT voluntary participation survey was available for attendees to complete.
- c) On a motion by Dean Button and a second by Joe Crnkovich, the minutes of the May 10, 2016 meeting were approved as presented.

- 2. Presentation:** Steve Strains presented on the new overall committee structure at NIRPC, adopted in May of 2015, in accordance with MAP-21 and the FAST Act and new planning regulations issued May 27, 2016. Steve cited Page 34150 of the new regulations in the Federal Register under §450.316: Interested Parties, Participation and Consultation, saying that there are several ways to participate in the transportation planning process at NIRPC. A “committee on committees” was formed to review and overhaul the committee structure to better improve decision-making adherence to the 2040 Plan. Several topical committees are in place for public participation, as outlined in the graphic on page 5 of the agenda. The Transportation Policy Committee will be combined with the Pathway to 2040 Implementation Committee to form a new Technical Planning Committee. According to the adopted structure, membership will consist of 12 NIRPC Commissioners (four from each county); one Northwest Indiana Forum representative; one INDOT representative; one NICTD representative; three transit operators (one per county) of eligible federal transportation funding recipients; and non-voting representatives of FHWA/FTA. The committee will receive funding requests for review and recommendation, provide TIP change recommendations, review projects to insure support of

the 2040 vision, review applications for funding solicitations and advise NIRPC as to policies and programs related to federal transportation funding and set categorical funding targets and priorities. The first meeting of the new Technical Planning Committee, chaired by Michael Griffin, will be held on July 12 at 9 a.m. in the Lake Michigan Room at NIRPC.

David Wright commented that GPTC provided comments to Ty Warner, Belinda Petroskey and Blair Milo, which took issue with several items: the selection process and structure in that the transit operators will not be represented and the marked diminishing in voting transit operators. GPTC is a designated recipient and carrier of more than 50% of bus transit rides in the region. The new TPC should include GPTC as a voting member of the committee, along with NICTD. Additionally, federal rules came out last week about transit membership to the NIRPC board. The GPTC interpretation is that NICTD and GPTC should be made members of the NIRPC Board.

Discussion followed. It was noted that transit representation is accomplished by some of the commissioners who wear two hats – they serve on the NIRPC commission as well as a transit board or represent a community that has public transportation. Geof Benson added that it's also complicated in that NIRPC is the only MPO in the state whose membership is mandated in state statute by the legislature. Steve Strains also noted that the new TPC is a planning committee and no longer a "policy" committee; Commissioners can send proxies to the committees. He also mentioned that a lot of the work being done by the former TPC relative to highways will be done in the new Surface Transportation Committee. David Wright said he will present the GPTC position during the public comment portion of the Executive Board meeting on Thursday.

3. Planning

- a) Stephen Sostaric said that no comments were received during the public comment period which will end June 16 on the FY 2017-2018 Unified Planning Work Program. The report is in the packet.
- b) Eman Ibrahim described the FY 2017-2018 Unified Planning Work Program, which will include federal planning emphasis areas of Title VI, performance-based planning measures and targets, ladders of opportunity, and highway safety improvement funds. The budget is \$2.5 million per year. On a motion by David Wright, seconded by Don Parker, the committee voted to recommend the FY 2017-2018 Unified Planning Work Program to the NIRPC Board for adoption.

4. Programming

- a) Belinda Petroskey presented Amendment #24 adding Section 5307 operating assistance transit projects for North Township, Porter County Aging and Community Services and South Lake County Community Services. On a motion by La'Kisha Girder and a second by Don Parker, the committee voted, with one abstention by Margot Sabato, to recommend Amendment #24 to the FY 2016-2019 Transportation Improvement Program.
- b) Gary Evers presented Amendment #25, adding 16 INDOT projects to the FY 2016-2019 Transportation Improvement Program. The public comment period runs through tomorrow. On
- c) a motion by Dean Button and a second by Phil Gralik, the Committee voted to recommend Amendment #25 FY 2016-2019 Transportation Improvement Program to the Commission for adoption contingent upon receiving no adverse public comments.

- d) Gary Evers reported that the 2016 FHWA federal aid funds were close out. All but 44 cents in the Lake & Porter Urbanized Area and \$15 in the Michigan City Urbanized Area were expended. Over \$1.8 million in Chicago Urbanized Area FHWA federal funds were transferred to FTA. In the Michigan City Urbanized Area, about \$1.0 million was transferred to FTA—where the transfer represented about one-third of all available FHWA funds.

5. Indiana Department of Transportation

Julie Ritzler reported on the INDOT lettings through July.

6. Transit Operators Reports

- a) **Valpo VLine and Chicago Dash** – Taylor Wegrzyn reported that TV commercials about the transit services are going to be shown on Comcast.
- b) **GPTC** – David Wright reported that March ridership was up 5.37% over March 2015 and increased over 6% for 2016 to date. The design contract was close to being awarded for the Metro Center rehabbing with \$1 million focused on stormwater improvements and circulation improvements to reduce flooding as well as technology upgrades. Additional enhancements are being made to the Bus Rapid Transit (BRT).
- c) **NICTD** – Joe Crnkovich reported that May ridership was up about one-tenth of 1% over May 2015 with problems seen with mid-day and weekend ridership. The crossover track project was the biggest one and some disruptions occurred. Crossover replacements will be done on Carroll Street in Hammond, and the one west of Ogden Dunes station, as well as Clark Road in Gary. Service disruptions were caused by a train derailment near Roosevelt and our train could not get in to the station. Bridge rehab work continues through the end of the year. Nicole Barker was hired by NICTD and will work on environmental issues. The Bikes on Trains program will be suspended for major events, including the Chicago Blues Festival, the Taste of Chicago and the Air & Water Show.
- d) **Opportunity Enterprises** – Claudia Taylor reported that they are waiting for two new replacement vehicles.
- e) **Porter County Aging and Community Services** – Bruce Lindner reported that service remains constant.

7. Regional Transportation Partners –

- a) **South Shore Trails** – Don Parker said they are participating in Chicago Bike Week with the Active Transportation Alliance and are working on the Air Show and Pierogifest.
- b) **South Shore Clean Cities** – Carl Lisek reported on the various funding opportunities and events. Contact them for more information.

8. Federal Highway Administration and Federal Transit Administration –

FTA – Susan Orona from the FTA Region 9 office, reported that they were at MACOG in South Bend last week for a triennial review, and got to see the cooperation with MPOs, particularly NIRPC.

9. Planning Neighbors –

Chicago Metropolitan Agency for Planning – Teri Dixon reported that they are moving forward with their long-range plan *On to 2050* with workshops, strategy and solicitation of public opinions.

10. Public Comment on Agenda Items – There were no requests for public comment.

11. Other Business, Staff Announcements and Upcoming Meetings

a) Other Business – Bob Carnahan said today is the U.S. flag’s 239th birthday. Cedar Lake is holding a program tonight at 6 p.m. which is the time of the national pledge of allegiance.

b) Staff Announcements –

- Belinda Petroskey introduced Bill Troe, consultant to the transit feasibility study projects in Portage and Hobart. Public comments on alternatives will be accepted through the end of June.

c) Upcoming Meetings at NIRPC –

- The Full Commission/Executive Board will meet on Thursday, June 16 at 9 a.m. in the NIRPC Lake Michigan Room.
- The Environmental Management Policy Committee will meet on July 7 at 9 a.m. in the NIRPC Lake Michigan Room.

The new Technical Planning Committee will meet on July 12, 2016 at 9 a.m. in the NIRPC Lake Michigan Room.

On a motion by Don Parker and a second by Phil Gralik, Geof Benson adjourned the meeting at 10:08 a.m.

A Digital MP3 of this meeting is filed. Contact Mary Thorne at the phone number or email below should you wish to receive a copy or a portion of it.

For requests for alternate formats, please contact Mary Thorne at NIRPC at (219) 763-6060 extension 131 or at mthorne@nirpc.org. Individuals with hearing impairments may contact us through the Indiana Relay 711 service by calling 711 or (800) 743-3333.

The Northwestern Indiana Regional Planning Commission (NIRPC) prohibits discrimination in all its programs and activities on the basis of race, color, sex, religion, national origin, age, disability, marital status, familial status, parental status, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.

RESOLUTION 16-25

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION AMENDING THE 2016-2019 TRANSPORTATION IMPROVEMENT PROGRAM FOR LAKE, PORTER, AND LAPORTE COUNTIES, INDIANA AMENDMENT NO. 26

July 21, 2016

WHEREAS, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "the Commission", being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission performs the above activities to satisfy requirements of the Fixing America's Surface Transportation (FAST) Act of 2015 (PL 114-94), applicable portions of all prior federal transportation program authorizing legislation, as well as other federal, state, and local laws mandating or authorizing transportation planning activities; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is a product of a multi-modal, 3-C transportation planning process, compatible with regional goals and objectives and socio-economic and demographic factors used to form the *2040 Comprehensive Regional Plan (CRP), as amended*; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is an implementation of the *2040 Comprehensive Regional Plan (CRP), as amended*; is fiscally constrained, and is consistent with the State Implementation Plan for Air Quality; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is developed by the Commission in coordination and cooperation with local elected and appointed highway and transit officials, special interest and service organizations, including users of public transit, the Indiana Department of Transportation, the Indiana Department of Environmental Management, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the U. S. Environmental Protection Agency; and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were reviewed by the Air Quality Conformity Task Force's Interagency Consultation Group (ICG); and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were subjected to public comment in the manner prescribed by the 2014 Public Participation Plan with no comments received; and

WHEREAS, the Technical Policy Committee (TPC) has recommended that the Northwestern Indiana Regional Planning Commission make these changes to the 2016-2019 Transportation Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby amends the 2016-2019 Transportation Improvement Program by adding the new projects and making other changes as shown on the attachment to this resolution.

Duly adopted by the Northwestern Indiana Regional Planning Commission this twenty-first day of July, 2016.

James G. Ton
Chairperson

ATTEST:

Geof R. Benson
Secretary

2016-2019 Transportation Improvement Program for Lake, Porter, and LaPorte Counties, Indiana
Amendment #26 July 2016

New Highway Safety Improvement Program (HSIP) Projects Authorized by Resolutions 15-18, 15-29, and 16-08

DES	Sponsor	Project	Action Requested	Federal			Funds		
				Funds	Phase	Year	Total	Federal	Non-Federal
1601156	Lake County	109th Ave Intersection Improvements at US 41/231	Add New Phase	HSIP	PE	2017	\$ 78,000	\$ 70,200	\$ 7,800
			Add New Phase	HSIP	RW	2019	\$ 73,000	\$ 65,700	\$ -

CN in 2020. Cost to Complete: \$625,000.

1601157	Crown Point	109th Ave Safety Improvements (Delaware Pkwy to SR 53)	Add New Phase	HSIP	PE	2017	\$ 175,000	\$ 157,500	\$ 17,500
			Add New Phase	HSIP	RW	2018	\$ 125,000	\$ 112,500	\$ 12,500

CN in 2020. Cost to Complete: \$1520,000. Length: 0.29 miles.

1601158	Crown Point	109th Ave Intersection Improvements at Iowa St (Roundabout)	Add New Phase	HSIP	PE	2018	\$ 230,000	\$ 207,000	\$ 23,000
			Add New Phase	HSIP	RW	2019	\$ 70,000	\$ 63,000	\$ 7,000

CN in 2021. Cost to Complete: \$1,565,000.

1601159	Valparaiso	Ransom Rd Safety Improvements [from CR 50W (Froberg Rd) to CR 150W (Lake Meadow Drive)]	Add New Phase	HSIP	PE	2018	\$ 56,700	\$ 51,030	\$ 5,670
			Add New Phase	HSIP	RW	2019	\$ 26,000	\$ 23,400	\$ 2,600

CN in 2021. Cost to Complete: \$548,500. Length: 1 mile.

DES	Sponsor	Project	Action Requested	Federal			Funds			
				Funds	Phase	Year	Total	Federal	Non-Federal	
1601160	Valparaiso	Citywide Traffic Signal Timing Adjustment	Add New Phase	HSIP	PE	2017	\$ 90,000	\$ 81,000	\$ 9,000	

Non-construction project.

1601161	Kouts	Sign Head Replacement: Regulatory & Warning Signs	Add New Phase	HSIP	PE	2017	\$ 10,000	\$ 9,000	\$ 1,000
			Add New Phase	HSIP	CN	2018	\$ 45,000	\$ 40,500	\$ 4,500

1601162	Kouts	Pavement Marking Project	Add New Phase	HSIP	PE	2017	\$ 2,500	\$ 2,250	\$ 250
			Add New Phase	HSIP	CN	2018	\$ 13,000	\$ 11,700	\$ 1,300

Kouts has about 10.7 centerline miles of streets.

1601163	Hammond	173rd Ave Pedestrian Island Construction (at Purdue NW Campus)	Add New Phase	STBG	PE	2017	\$ 150,000	\$ 120,000	\$ 30,000
			Add New Phase	STBG	RW	2019	\$ 50,000	\$ 40,000	\$ 10,000

Construction in 2020. Cost to Complete: \$1,050,000.

DES	Sponsor	Project	Action Requested	Federal			Funds		
				Funds	Phase	Year	Total	Federal	Non-Federal
1601164	Hammond	Install HAWK Signal Devices at: 150th St @ Grand Marquette Trail, Douglas St @ Erie-Lackawanna Trail; and 173rd St @ Erie-Lackawanna Trail.	Add New Phase	HSIP	PE	2017	\$ 111,112	\$ 100,001	\$ 11,111
			Add New Phase	HSIP	CN	2018	\$ 258,750	\$ 232,875	\$ 25,875

1601165	Gary	Sign Head Replacement: Regulatory & Warning Signs	Add New Phase	HSIP	PE	2017	\$ 68,826	\$ 61,943	\$ 6,883
			Add New Phase	HSIP	CN	2019	\$ 500,000	\$ 450,000	\$ 50,000

Changes to Existing Projects

DES	Sponsor	Project	Action Requested	Federal			Funds		
				Funds	Phase	Year	Total	Federal	Non-Federal
1401028	LaPorte (City)	Construct Chessie Greenway P1 Bike/Ped Trail (Truesdell Ave to E Shore Pkwy to Pine Lake)	Add New Phase	CMAQ	PE	2017	\$ 25,675	\$ 20,540	\$ 5,135

RW Engineering. Construction in 2018. Cost to Complete: \$1,638,275.

1592640	LaPorte (City)	Construct Sidewalks at various locations in City of LaPorte.	Increase Award	STBG	CN	2017	\$ 485,000	\$ 388,000	\$ 97,000
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DES	Sponsor	Project	Action Requested	Federal			Funds		
				Funds	Phase	Year	Total	Federal	Non-Federal
1382601	Valparaiso	Silhavy Rd Roundabout at LaPorte Ave.	Add New Phase	STBG	RW	2017	\$ 1,000,000	\$ 800,000	\$ 200,000
			Increase Award	STBG	CN	2019	\$ 3,587,600	\$ 2,870,080	\$ 717,520

Reflects \$900,000 additional funds authorized by NIRPC Resolution 16-08.

1382660	Gary	Construct Sidewalks near Jacques Marquette Elementary School.	Change Year	TAP	CN	2017	\$ 66,698	\$ 53,359	\$ 13,340
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Project let March 2, 2016. Funds shown match our Letting Concurrence Letter dated March 10, 2016.

0900080	Portage	Willowcreek Rd Intersection Improvement at Central Ave.	Add New Phase	CMAQ	PE	2017	\$ 139,050	\$ 111,240	\$ 27,810
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Supplemental Award. Total Contract Amt: \$298,475. Cost to Complete: \$1,785,675.

1600580	Gary (for GPTC)	Bus Passenger Shelters	Change Year	STBG	CN	2017	\$ 500,000	\$ 400,000	\$ 100,000
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1401032	Gary	SR 53 Crosswalk Improvements I-80/94 and 35th Ave. Includes Lighting. HSIP & STBG	Increase Award	HSIP & STBG	CN	2017	\$ 2,200,000	\$ 1,980,000	\$ 220,000
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These projects are a part of and will be let with INDOT Project 1006636 (SR 53 HMA Overlay, Functional).

1500221	Hammond	Reconstruct relinquished SR 312 from IN/IL State Line to Marble St. Phase 1. Additional LID.	Increase Award	STBG	RW	2017	\$ 592,650	\$ 474,120	\$ 118,530
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Cost to Complete: \$16.3 Million. Length: 1.0 miles.

DES	Sponsor	Project	Action Requested	Federal			Funds			
				Funds	Phase	Year	Total	Federal	Non-Federal	
1401027	LaPorte County	Replace Otis Rd Bridge over Little Calumet River. Demo IN047	Increase Award	Demo	PE	2016	\$ 217,650	\$ 174,120	\$ 43,530	
				Demo	PE	2017	\$ 67,500	\$ 54,000	\$ 13,500	
			Change Year; Decrease Award	Demo	RW	2017	\$ 14,850	\$ 11,880	\$ 2,970	

Located in unincorporated LaPorte County. Construction in 2018. Cost to Complete: \$1,661,949.

1500346	LaPorte County	County Bridge Inspections	Change Year; Decrease Award	Bridge	PE	2017	\$ 138,000	\$ 110,400	\$ 27,600
						2018	\$ 6,948	\$ 5,558	\$ 1,390
						2019	\$ 154,901	\$ 123,921	\$ 30,980

1382092	Porter County	County Bridge Inspections	Add New Phase	Bridge	PE	2017	\$ 15,053	\$ 12,042	\$ 3,011
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1401030	Crown Point	125th Ave Safety Improvements	Add New Phase	HSIP	PE	2017	\$ 35,100	\$ 31,590	\$ 3,510
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Cost to Complete: \$2.1 million. (Prior PE Obligated: \$233,363). Length: 0.5 miles.

RESOLUTION 16-26

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION AMENDING THE 2016-2019 TRANSPORTATION IMPROVEMENT PROGRAM FOR LAKE, PORTER, AND LAPORTE COUNTIES, INDIANA AMENDMENT NO. 27

July 21, 2016

WHEREAS, Northwest Indiana's citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as "the Commission", being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission performs the above activities to satisfy requirements of the Fixing America's Surface Transportation (FAST) Act of 2015 (PL 114-94), applicable portions of all prior federal transportation program authorizing legislation, as well as other federal, state, and local laws mandating or authorizing transportation planning activities; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is a product of a multi-modal, 3-C transportation planning process, compatible with regional goals and objectives and socio-economic and demographic factors used to form the *2040 Comprehensive Regional Plan (CRP), as amended*; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is an implementation of the *2040 Comprehensive Regional Plan (CRP), as amended*; is fiscally constrained, and is consistent with the State Implementation Plan for Air Quality; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is developed by the Commission in coordination and cooperation with local elected and appointed highway and transit officials, special interest and service organizations, including users of public transit, the Indiana Department of Transportation, the Indiana Department of Environmental Management, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the U. S. Environmental Protection Agency; and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were reviewed by the Air Quality Conformity Task Force's Interagency Consultation Group (ICG); and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were subjected to public comment in the manner prescribed by the 2014 Public Participation Plan with no comments received; and

WHEREAS, the Technical Policy Committee (TPC) has recommended that the Northwestern Indiana Regional Planning Commission make these changes to the 2016-2019 Transportation Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby amends the 2016-2019 Transportation Improvement Program by adding the new projects and making other changes as shown on the attachment to this resolution.

Duly adopted by the Northwestern Indiana Regional Planning Commission this twenty-first day of July, 2016.

James G. Ton
Chairperson

ATTEST:

Geof R. Benson
Secretary

2016-2019 Transportation Improvement Program for Lake, Porter, and LaPorte Counties, Indiana
Amendment #27 July 2016

New Congestion Mitigation/Air Quality (CMAQ) Projects Authorized by Resolution 15-18

DES	Sponsor	Project	Action Requested	Federal		Year	Funds		Federal	Non-Federal
				Funds	Phase		Total			
1601145	Hammond	Construct Marquette Greenway Trail (MQGW-HA2016) from State St at Rabin Plaza to Toll Road overpass at Kosciusko St)	Add New Phase	CMAQ	PE	2017	\$ 400,000	\$ -	\$ 400,000	
			Add New Phase	CMAQ	RW	2019	\$ 450,000	\$ 360,000	\$ 90,000	
CN in 2021. Cost to Complete: \$2,350,000. Length: 2.11 miles.										
1601146	East Chicago	Construct Marquette Greenway Trail (MQGW-EC2016) from Toll Road overpass at Kosciusko St to US 20/SR 152)	Add New Phase	CMAQ	PE	2018	\$ 309,800	\$ 247,840	\$ 61,960	
			Add New Phase	CMAQ	RW	2019	\$ 30,000	\$ 24,000	\$ 6,000	
CN in 2020. Cost to Complete: \$1,374,800. Length: 0.7 miles.										
1601147	Burns Harbor	Construct Marquette Greenway Trail (MQGW-BH2016) from SR 49 to Babcock Rd (CR 200W).	Add New Phase	CMAQ	PE	2018	\$ 302,582	\$ 242,066	\$ 60,516	
			Add New Phase	CMAQ	RW	2019	\$ 15,000	\$ 12,000	\$ 3,000	
CN in 2021. Cost to Complete: \$1,565,000. Length: 1.4 miles. Construction will take place on National Lakeshore property.										
1601148	New Chicago	Purchase Alternative Fuel: E-85	Add New Phase	CMAQ	PE	2017	\$ 18,893	\$ 15,114	\$ 3,779	
1601149	Cedar Lake	Purchase Alternative Fuel: E-85	Add New Phase	CMAQ	PE	2017	\$ 90,000	\$ 72,000	\$ 18,000	
1601150	LaPorte (City)	Purchase Alternative Fuel: Propane	Add New Phase	CMAQ	PE	2017	\$ 59,808	\$ 47,846	\$ 11,962	
1601151	Crown Point	Purchase Alternative Fuel: E-85	Add New Phase	CMAQ	PE	2017	\$ 120,000	\$ 96,000	\$ 24,000	

Non-construction project.

DES	Sponsor	Project	Action Requested	Federal Funds	Phase	Year	Funds Total	Federal	Non-Federal
1601152	Portage	Public-Private Partnership: Install One CNG Fuel Station at Family Express.	Add New Phase	CMAQ	PE	2017	\$ 1,088,125	\$ 870,500	\$ 217,625
1601170	NIRPC	School Bus Heater Installation (50 Buses)	Add New Phase	CMAQ	PE	2018	\$ 127,356	\$ 101,885	\$ 25,471

RESOLUTION 16-27

**A RESOLUTION OF THE NORTHWESTERN INDIANA
REGIONAL PLANNING COMMISSION AMENDING THE
2016-2019 TRANSPORTATION IMPROVEMENT PROGRAM FOR LAKE,
PORTER, AND LAPORTE COUNTIES, INDIANA
AMENDMENT NO. 28**

July 21, 2016

WHEREAS, Northwest Indiana’s citizens require a safe, efficient, effective, resource-conserving regional transportation system that maintains and enhances regional mobility and contributes to improving the quality of life in Northwest Indiana; and

WHEREAS, the Northwestern Indiana Regional Planning Commission, hereafter referred to as “the Commission”, being designated the Metropolitan Planning Organization (MPO) for the Lake, Porter and LaPorte County area, has established a regional, comprehensive, cooperative, and continuing (3-C) transportation planning process to develop the unified planning work program, a transportation plan, and a transportation improvement program to facilitate federal funding for communities, counties, and transit operators, and to provide technical assistance and expertise to regional transportation interests; and

WHEREAS, the Commission performs the above activities to satisfy requirements of the Fixing America's Surface Transportation (FAST) Act of 2015 (PL 114-94), applicable portions of all prior federal transportation program authorizing legislation, as well as other federal, state, and local laws mandating or authorizing transportation planning activities; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is a product of a multi-modal, 3-C transportation planning process, compatible with regional goals and objectives and socio-economic and demographic factors used to form the *2040 Comprehensive Regional Plan (CRP), as amended*; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is an implementation of the *2040 Comprehensive Regional Plan (CRP), as amended*; is fiscally constrained, and is consistent with the State Implementation Plan for Air Quality; and

WHEREAS, the FY 2016-2019 Transportation Improvement Program is developed by the Commission in coordination and cooperation with local elected and appointed highway and transit officials, special interest and service organizations, including users of public transit, the Indiana Department of Transportation, the Indiana Department of Environmental Management, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the U. S. Environmental Protection Agency; and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were reviewed by the Air Quality Conformity Task Force's Interagency Consultation Group (ICG); and

WHEREAS, the changes to the FY 2016-2019 Transportation Improvement Program brought about by this amendment were subjected to public comment in the manner prescribed by the 2014 Public Participation Plan with no comments received; and

WHEREAS, the Technical Policy Committee (TPC) has recommended that the Northwestern Indiana Regional Planning Commission make these changes to the 2016-2019 Transportation Improvement Program.

NOW, THEREFORE, BE IT RESOLVED that the Northwestern Indiana Regional Planning Commission hereby amends the 2016-2019 Transportation Improvement Program by adding the new projects and making other changes as shown on the attachment to this resolution.

Duly adopted by the Northwestern Indiana Regional Planning Commission this twenty-first day of July, 2016.

James G. Ton
Chairperson

ATTEST:

Geof R. Benson
Secretary

2016-2019 Transportation Improvement Program for Lake, Porter, and LaPorte Counties, Indiana
Amendment #28 July 2016

New or Significantly Modified INDOT Projects/Project Phases

DES	Sponsor	Project	Action Requested	Federal Funds	Phase	Year	Funds Total	Federal	Non-Federal
1600500	INDOT	SR 249 New Bridge Over US 12, 2 RR, and 2 Port Roads, 2.0mi N of I-94	Add New Phase	NHPP Non Interstate	PE	2018	\$ 1,600,000	\$ 1,280,000	\$ 320,000

Structure is the SR 249 Bridge leading to the Port at Burns Harbor. Cost to complete: \$2,538,015. Construction in 2020.

1296990	INDOT	US 20 Bridge Deck Replacement. Over Amtrak and Chandler Rd, 0.88 miles E. of SR 520	Add New Phase	NHPP Non Interstate	PE	2017	\$ 25,000	\$ 20,000	\$ 5,000
			Change Year		PE	2018	\$ 250,000	\$ 200,000	\$ 50,000
			Change Year; Increase Award		CE	2018	\$ 165,000	\$ 132,000	\$ 33,000
					CN	2018	\$ 3,756,771	\$ 3,005,417	\$ 751,354

Located in unincorporated Porter County near the Town of Pines.

1296981	INDOT	SR 51 Bridge Replacement. NB Bridge over Burns Ditch, 0.55 miles S of US 20	Change Year	NHPP Non Interstate	PE	2017	\$ 131,900	\$ 105,520	\$ 26,380
			Increase Award		CN	2018	\$ 2,681,955	\$ 2,145,564	\$ 536,391

Located in City of Lake Station.

1006756	INDOT	SR 51 Bridge Replacement. SB Bridge over Burns Ditch, 0.55 miles S of US 20	Add New Phase	NHPP Non- Interstate	PE	2017	\$ 103,900	\$ 83,120	\$ 20,780
			Change Year		CE	2018	\$ 335,000	\$ 268,000	\$ 67,000
			Change Year		CN	2018	\$ 2,314,937	\$ 1,851,950	\$ 462,987

Located in City of Lake Station.

DES	Sponsor	Project	Action Requested	Federal Funds	Phase	Year	Funds Total		Federal	Non-Federal		
1296364	INDOT	SR 49 Bridge Painting. (Over Amtrak, 0.33 miles N of I-94)	Add New Phase	NHPP	PE	2017	\$	100,000	\$	80,000	\$	20,000
			Change Year		Non-Interstate	CE	2018	\$	130,000	\$	104,000	\$
			Change Year		CN	2018	\$	331,290	\$	265,032	\$	66,258

Located within the Town of Chesterton.

1592856	INDOT	US 6 HMA Overlay/Preventive Maintenance. From SR 49 to SR 39	Add New Phase	NHPP Non-Interstate	PE	2017	\$	445,000	\$	356,000	\$	89,000
			Add New Phase		CE	2018	\$	400,000	\$	320,000	\$	80,000

Located in unincorporated Porter and LaPorte Counties and the Town of Westville. Length: 6.64 miles Porter County & 11.14 miles LaPorte County.

Cost to Complete: \$4.1 million

1600406	INDOT	SR 912 HMA Overlay, Preventive Maintenance. From 0.1 Mile North of Highway Ave to Ridge Rd	Add New Phase	NHPP	PE	2017	\$	40,000	\$	32,000	\$	8,000
			Add New Phase		Non-Interstate	CE	2018	\$	30,000	\$	24,000	\$
			Add New Phase		CN	2018	\$	203,000	\$	162,400	\$	40,600

Located on the Griffith/Highland corporate limit. Length: 0.35 miles.

FINANCE AND PERSONNEL COMMITTEE

**Meeting Agenda
Thursday
July 21, 2016
8:00 a.m.
NIRPC Office
Portage, Indiana**

- 1. Call to Order**
- 2. Meeting Minutes of June 16, 2016**
- 3. Review of Financial Status**
- 4. Approval of Claims Register**
- 5. 2016 Budget Amendment Within Category**
- 6. Procurement Recommendation**
- 7. Conflict of Interest Resolution**
- 8. Other Business**
- 9. Adjournment**

The Northwestern Indiana Regional Planning Commission (NIRPC) prohibits discrimination in all its programs and activities on the basis of race, color, sex, religion, national origin, age, disability, marital status, familial status, parental status, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.

Requests for alternate formats please contact Angie Hayes at (219) 763-6060 extension 104 or ahayes@nirpc.org. Individuals with hearing impairments may contact us through the Indiana Relay 711 service by calling 711 or (800) 743-3333.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

FINANCE AND PERSONNEL COMMITTEE

**June 16, 2016
NIRPC Dune Room
Portage, Indiana**

Members Present

Robert Carnahan
Dave Decker
Diane Noll - Chair
Dave Shafer
Greg Stinson

Members Absent

Christine Cid
Anthony Copeland
Richard Hardaway
Ron Meer

Staff and Others Present

Ty Warner
Angie Hayes
Kelly Wenger
Kathleen Honl
David Hollenbeck
Geof Benson
George Topoll

Call to Order

The meeting was called to order at 8:00 a.m. by Diane Noll.

Approval of Minutes

Upon a motion by Greg Stinson, seconded by Dave Decker, the Committee approved the minutes of the May 19, 2016 meeting.

Review of Financial Status

Angie Hayes presented the financial report. At this time there are no cash issues to report. It was noted that the Indiana State Board of Accounts has begun the NIRPC audit and it is to be completed by July 14th. The Budget to Actual reports were presented to the Committee. The total expenditures of the General Fund for the period ending May 31, 2016 are at 24.69%.

Approval of Claims Register

Kelly Wenger presented the claims register to the Committee for approval. Upon a motion by Greg Stinson, seconded by Dave Shafer, the Committee approved the claims register.

FTA Conflict of Interest Draft

Angie Hayes presented to the Committee a draft conflict of interest policy. This policy would apply to all federally funded projects and includes disciplinary action the Committee would have to implement. The final policy will be presented at the July Committee meeting.

2016 Budget Amendment

Angie Hayes presented budget amendment four to the Committee. This amendment adds an additional \$10,000 local funds to the Environmental Department communication budget for the printing of the Greenways & Blueways 2020 plan. Upon a motion by Dave Decker, seconded by Robert Carnahan, the Committee recommended the budget amendment for approval by the executive board.

Alternative Fuel CMAQ Agreement

Geof Benson presented the agreement with the Indiana Dunes Environmental Learning Center, Inc. for propane fuel to the Committee. The Learning Center is a non-profit that has been awarded CMAQ funding for the reimbursement of propane fuel for the National Parks shuttle busses through NIRPC. Upon a motion by Dave Shafer, seconded by Greg Stinson, the Committee recommended the agreement for approval by the executive board.

Other Business

Ty Warner spoke with the Committee regarding the Human Resources Consultant. He has reached the end of his contracted amount and there is still more work NIRPC would like for him to complete. A budget amendment will be presented in July to make this possible.

Also, due to a date conflict with a National Area Regional Councils meeting NIRPC has forgone hosting the State Metropolitan Planning Organization annual conference for 2016 and will instead host it on September 26th through the 28th in 2017.

Adjournment

There being no further business, the meeting adjourned at 8:37 a.m.

RESOLUTION 16-24

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION TO ESTABLISH THE CONFLICT OF INTEREST WRITTEN CODE OF STANDARDS AND CONDUCTS FOR FEDERAL PROCUREMENTS

WHEREAS, the Northwestern Indiana Regional Planning Commission (The Commission) is a designated recipient of federal grant funding for federal projects; and

WHEREAS, the Commission conducts procurements for itself and its subrecipients; and

WHEREAS, the Commission needs to establish a written code of conduct for all federally funded procurements; and

WHEREAS, the U.S. Department of Transportation prohibits organizational conflicts of interest that are restrictive of competition as discussed in 49 CFR § 18.36(c)(v) and 49 CFR § 19.43; and Federal Transit Administration, Circular 4220.1F, Chapter 3.1, requires that grant recipients must maintain a written code of standards and conduct governing the performance of employees engaged in the award and administration of contracts; and 40 CFR § 30.42 states that the U.S. Environmental Protection Agency shall maintain written standards of conduct governing the performance of employees engaged in the award and administration of contracts; and

BE IT FURTHER RESOLVED by the Commission that the Conflict of Interest Written Code of Standards and Conducts for Federal Procurements is hereby adopted as official policy to be followed by the Commission and its designated subrecipients for all federal procurements.

Duly adopted by the Northwestern Indiana Regional Planning Commission this 21st day of July 2016.

Jim Ton, Chairman

ATTEST:

Geof Benson, Secretary

**NORTHWESTERN INDIANA
REGIONAL PLANNING
COMMISSION**

Conflict of Interest
Written Code of Standards and Conducts for
Federal Procurements

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1. REGULATIONS

49 CFR § 18.36(b)(3) establishes for the U.S. Department of Transportation the government-wide requirement that state and local government grant recipients must have written standards of conduct for procurement personnel. Northwestern Indiana Regional Planning Commission (NIRPC) agrees to adhere to the following Standards and Conducts for all federal procurements:

A. 49 CFR § 18.36(c)(v) and 49 CFR § 19.43 U.S. Department of Transportation

49 CFR § 18.36(c)(v) and 49 CFR § 19.43 for the U.S. Department of Transportation prohibits organizational conflicts of interest as restrictive of competition. Section 19.43 further states as follows:

All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. The grant recipient shall be alerted to organizational conflicts of interest as well as noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids and/or requests for proposals shall be excluded from competing for such procurements. Awards shall be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to the recipient, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by the recipient. Any and all bids or offers may be rejected when it is in the recipient's interest to do so.

B. Federal Transit Administration Circular 4220.1F, Chapter 3.1

FTA Circular 4220.1F, Chapter 3.1 implements this requirement that Federal Transit Administration (FTA) grant recipients shall maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer, agent, immediate family member, or board member of grant recipients shall participate in the selection, award, or administration of a contract supported by FTA funds if a conflict of interest, real or apparent, would be involved.

Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

1. The employee, officer, agent, or board member,
2. Any member of his/her immediate family,
3. His or her partner, or
4. An organization that employs, or is about to employ, any of the above.

Grant recipients, officers, employees, agents, or board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Grant recipients may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.

C. Section 3(a) FTA Master Agreement

As an ethics requirement, Section 3(a) of the FTA Master Agreement requires the written standards of conduct to encompass both personal and organizational conflicts of interest and defines them as follows:

1. *Personal Conflicts of Interest.*

The recipient's code or standards of conduct shall prohibit the grant recipient's employees, officers, board members, or agents from participating in the selection, award, or administration of a third party contract or sub-agreement supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the entity selected for award: (a) an employee, officer, board member, or agent; (b) any member of his or her immediate family; (c) his or her partner; or (d) an organization that employs, or intends to employ, any of the above.

2. *Organizational Conflicts of Interest.*

The grant recipient's code or standards of conduct must include procedures for identifying and preventing real and apparent organizational conflicts of interest. An organizational conflict of interest exists when the nature of the work to be performed under a proposed third party contract or sub-agreement may, without some restrictions on future activities, result in an unfair competitive advantage to the third party contractor or sub-recipient or impair its objectivity in performing the contract work.

3. *Gifts*

Gifts include gratuities, favors, or anything of monetary value. The grant recipient's officers, employees, board members, or agents may not solicit or accept anything of monetary value (gifts) from a present or potential third party participant of any type. The grant recipient may permit its officers, employees, board members, or agents to accept a gift, however, provided that:

1. The financial value of the gift is insubstantial, or
2. The gift is an unsolicited item of nominal intrinsic value

D. 40 CFR § 30.42 U.S. Environmental Protection Agency

The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to subagreements. However, recipients may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient.

2. OUTLINE OF STEPS TO PREVENT AND RESOLVE A CONFLICT OF INTEREST.

The following is an outline of the steps that NIRPC will take before and during the procurement process and during project administration.

1. The Accounting and Procurement Coordinator or qualified personnel will identify potential conflicts at all stages of the procurement process.
2. Once a conflict is identified, the Accounting and Procurement Coordinator will review the conflict and determine a resolution.
 - a. Mitigating measures may include:
 - i. Recusal
 - ii. Limit on scope of participation
 - b. Typical situations that may warrant measures:
 - i. Situations that may warrant advance restrictions
 - A contract for procurement evaluation services;
 - A contract for advice on competing approaches;
 - A contract for technical review and project oversight services; or
 - ii. Situations that may warrant other conflict-mitigation measures, or even a possible waiver, rather than a prohibition against a contractor's participation in the project
 - Complex design of integrated elements of a structure, piece of equipment, or system; or
 - Successive development/design phases of innovative equipment or systems.
 - iii. Signed Conflict of Interest Certification with a Request for Conflict of Interest Determination
3. The Accounting and Procurement Coordinator or qualified personnel will resolve and approve the conflict resolutions.

3. NIRPC PROCEDURES TO PREVENT AND RESOLVE A CONFLICT OF INTEREST FOR FEDERAL PROCUREMENTS

A. The Pre-Contracting Phase

3. Prepare Written Codes of Standards of Conduct

NIRPC requires that each of its subrecipients maintain a written code of standards of conduct applicable to its employees (including contractor employees), officers, board members, and agents (including outside consultants) involved in the selection, award or administration of federal funded procurements. The NIRPC code of conduct complies with all requirements as set forth in Section 1 of this document. These federal requirements are incorporated into the NIRPC policies and procedures, including the Conflict of Interest Written Code of Standards and Conduct.

4. Conflict of Interest Certifications

NIRPC is an oversight agency and requires evaluation and awarding committees members (officers, board members, agents, etc., as applicable) to submit a "Conflict of Interest"

Certification on a project-by-project basis before that person commences work on the selection, award or administration of a contract. This certification states that neither the committee member (etc.) nor any member of his or her immediate family has a financial or employment interest in any of the relevant bidders, offerors, or contractors for the procurement in question. If the employee identifies a real or apparent conflict of interest, then NIRPC will take action to mitigate it.

5. Prepare Written Procedures for Addressing Personal and Organizational Conflicts of Interest.

Once a personal conflict has been identified, mitigating measures to allow the committee member back into the process, may include creation of blind trusts, recusal or limit on scope of participation.

B. The Proposal Stage

1. Define the Project to Avoid Potential Conflicts.

NIRPC attempts to recognize and anticipate potential conflicts in procurements.

- a. NIRPC does not allow a company that prepares the specifications for procurement to supply the products.
- b. NIRPC attempts to structure all projects as to avoid conflicts among contractors and subcontractors.

2. Advance Restrictions.

When the grantee awards separate contracts on related procurements, the grantee might consider placing notice of an advance restriction in the solicitation where a conflict may arise. Prime contractors are required to inform prospective subcontractors (and to give evidence that they have done so) that the subcontractors also could be subject to the restrictions in future contracting. When an advance restriction is desired, the solicitation will include:

- An explanation of the conflict or potential conflict;
- The nature of the proposed restriction upon future contractor activities; and
- The terms of any proposed clause and whether those terms are negotiable, depending on the nature of the acquisition.

3. For Environmental Impact Statement Contracts, Comply with CEQ Regulations.

Regulations promulgated by the Council on Environmental Quality require each contractor who develops an environmental impact statement to sign a disclosure statement certifying that it has no financial or other interests in the outcome of the proposed project. This requirement is intended to prevent contractors who are hired to study alternatives and potential environmental impacts of proposed projects from presenting and profiting from biased recommendations. Pursuant to the regulations, grantees must require the submission of a disclosure statement in request for proposals for consulting services so that such conflicts can be identified early in the contracting process. The grantee also must comply with 40 CFR § 1506.5 and "Guidance Regarding NEPA Regulations," 48 Fed. Reg. 34263 (July 18, 1983).

4. Consult With Legal Counsel.

When necessary, before defining the scope of a project or publishing any document describing the project, such as a statement of work, NIRPC shall ask its counsel to review the project and any descriptive documentation for compliance with conflict rules.

C. The Selection and Award Phase

1. Obtain Conflict of Interest Certifications from employees, board members, agency personnel, evaluation and awarding committee members, as required.

Each committee member who will be assigned to work on the procurement should submit his or her certification to the NIRPC Accounting and Procurement Coordinator before the selection process begins. If a committee member fails to submit the required no-conflict certification, then NIRPC should direct the Accounting and Procurement Coordinator to evaluate and resolve the committee member's ability to sit on the committee.

D. The Administration Phase

1. Monitor Contract Staff/Contractor Compliance with Conflicts Rules.

During the administration phase of a project, NIRPC should require each of its employees (etc.) involved in the project to report any changes in his or her financial holdings or other interests that might cause a conflict of interest. Similarly, NIRPC should require the contractor to report any changes in the company's financial holdings, newly developed contractual or other relationships, or those of its parents, subsidiaries, and affiliates. In this way, the grantee can monitor the situation and address personal or organizational conflicts that might arise during the administration phase of the project.

2. Obtain Certifications from Contractor Personnel Governed by Professional Codes of Responsibility.

Before a contractor begins work on a project, NIRPC may request a written statement from any contractor personnel working on the project whose conduct is governed by a professional code of responsibility, in each case identifying any relevant code and certifying that he or she will comply with its rules on all grantee-related work.

3. Disciplinary Action for Violation of Conflict of Interest

Any NIRPC employee (including contractor employee) that knowingly violates the Conflict of Interest Written Code of Standards and Conducts for Federal Procurements shall be disciplined according to the NIRPC employee handbook.

Any officer, board member, or agent (including outside consultant) that knowingly violates the Conflict of Interest Written Code of Standards and Conducts for Federal Procurements shall be brought before the NIRPC Finance & Personnel Committee for disciplinary action.

E. Throughout the Entire Process

1. Consult with Legal Counsel.

NIRPC will work with legal counsel throughout the entire process, as deemed necessary, to review all situations that appear to have the potential for a conflict of interest. Counsel may also suggest that involvement by FTA Regional Counsel would be appropriate and solicit FTA Regional Counsel's advice when necessary.

2. Mitigate Conflicts.

As potential conflicts arise during the procurement process, NIRPC will take steps to avoid the conflict or, if that avoidance is not possible, mitigate its effects.

4. CONFLICT OF INTEREST CERTIFICATION

CONFLICT OF INTEREST CERTIFICATION
Northwestern Indiana Regional Planning Commission

PART I: INSTRUCTIONS	
<p>In accordance with the Northwestern Indiana Regional Planning Commission Conflict of Interest Written Code of Standards and Conducts, you are required to complete this certificate if you are designated as an evaluation and/or selection committee member for any federal procurements. Failure to complete this certificate as required will preclude you from serving as an evaluation and/or selection committee member. Carefully review and consider all statements before signing this document.</p> <p>Print this form and review all statements, If you have no conflict of interest, sign and date Part II and return certification to the Accounting and Procurement Coordinator at Northwestern Indiana Regional Planning Commission.</p> <p align="center">Return signed documents to khoni@nirpc.org or mail to :</p> <p align="center">Northwestern Indiana Regional Planning Commission 6100 Southport Road Portage, Indiana 46368 Attn: Kathleen Honi</p> <p>This signed form MUST be received by the Accounting and Procurement Coordinator before you can participate in any way regarding this procurement.</p> <p>If you have determined that you may have a conflict of interest, please complete Part III of this form and return immediately for review to the above email or address.</p>	
PART II: CERTIFICATION	
A.) NAME (Last, First, Middle Initial)	B.) TELEPHONE NUMBER
C.) AGENCY / ORGANIZATION	D.) EMAIL ADDRESS
E.) NAME OF SOLICITATION	F.) SOLICITATION NUMBER
<p>I understand that the Northwestern Indiana Regional Planning Commission (NIRPC) Conflict of Interest written Code of Standards and Conducts implements this requirement for federal grant recipients:</p> <p>No employee, officer, agent, immediate family member, or Board member of the grantee or benefiting agency shall participate in the selection, award, or administration of a contract supported by the federal funds if a conflict of interest, real or apparent would be involved.</p> <p>Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:</p> <ol style="list-style-type: none"> 1.) The employee, officer, agent, or board member, 2.) Any member of his/her immediate family, 3.) His or her partner, or 4.) An organization that employs, or is about to employ, any of the above. 	

The grantee's or benefiting agency officers, employees, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Grantees or benefiting agency may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.

BY SIGNING BELOW, I CERTIFY I HAVE REVIEWED THE FOREGOING AND UNDERSTAND THAT MY PERFORMANCE OF EVALUATION OR SELECTION COMMITTEE DUTIES FOR THIS PROCUREMENT COULD RESULT IN A CONFLICT OF INTEREST IN CIRCUMSTANCES SUCH AS THOSE DESCRIBED ABOVE. I CERTIFY THAT I DO NOT HAVE A CONFLICT OF INTEREST.

(Signature)

(Date)

PART III: REQUEST FOR CONFLICT OF INTEREST DETERMINATION

IF YOU HAVE A CONFLICT OF INTEREST BASED ON THE PRECEDING DOCUMENTED REGULATIONS, PROVIDE A DETAILED EXPLANATION OF YOUR CONFLICT FOR AGENCY DETERMINATION.

(Signature)

(Date)

PART IV: AGENCY DETERMINATION (FOR AGENCY USE ONLY)

No Conflict

Conflict

Corrective action required as follows:

(Signature)

(Title of NIRPC Representative)

(Date)

5. FEDERAL PROCUREMENTS CONFLICT OF INTEREST AGREEMENT

Procedures Overview:

Federal Procurements Conflict of Interest Agreement:

I hereby certify as a representative of the _____ (subrecipient), that by signing below, all federal procurements will comply with the Conflict of Interest Written Code of Standards and Conducts. These requirements are incorporated into the Northwestern Indiana Regional Planning Commission's policies and procedures whereby being adopted by Resolution Number 16-24. The Resolution shall be in full force and effect from and after its adoption. Passed this ____th day of _____, 2016.

Signature

Title

Print Name

Date

Procurement Recommendations

July 21st, 2016

Three (3) Replacement Vehicles – Procurement #15-21 (changed to #16-07)

- Purchase of:
 - One (1) vehicle replacement for Opportunity Enterprises
 - One (1) vehicle replacements for Porter County Aging and Community Services
 - One (1) vehicle replacement for South Lake County Community Services
- Paid with Federal Transit Administration Funds (85%) out of grant IN-90-X667-02 and the above listed agency (15%)
- Recommendation to approve project up to a total price of \$207,980.