

# Bay-Lake Regional Planning Commission 2022 Regional Transportation Work Program

Commission Adopted: October 29, 2021

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# Introduction

## Creation and Authority

By Executive Order 35, Governor Lucey created the Bay-Lake Regional Planning Commission in 1972 under Section 66.945 of the Wisconsin Statutes (now re-titled Section 66.0309, under Chapter 66 General Municipality Law, Subchapter III, Intergovernmental Cooperation of the 99-00 Wis. Stats.) as the official areawide planning agency for northeastern Wisconsin, at the request of seven county boards within the region. In December 1973, Florence County joined the Commission, bringing the total number of counties to eight (Map 1).

## Area Served

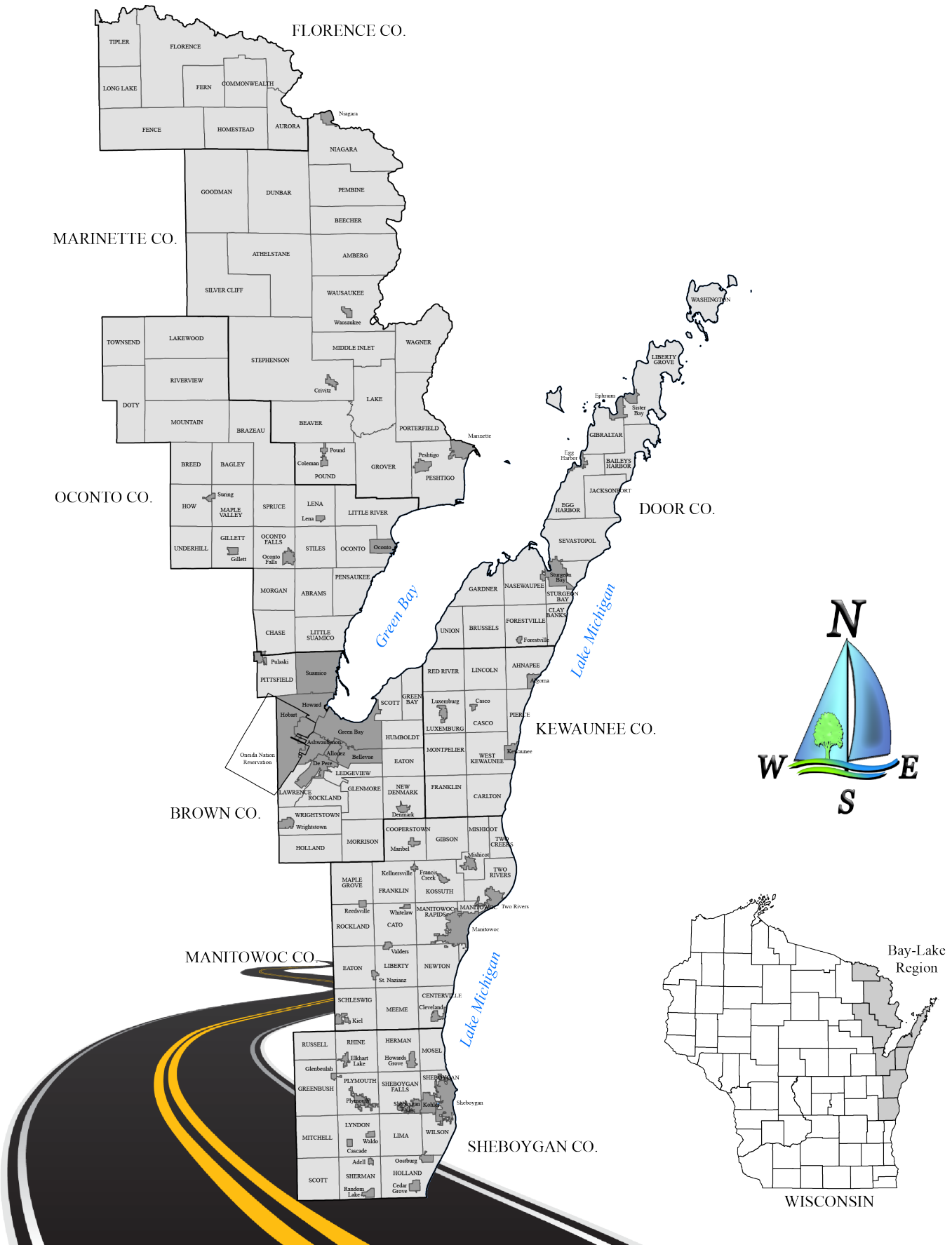
The Commission serves a region in northeastern Wisconsin consisting of the counties of Brown, Door, Florence, Kewaunee, Manitowoc, Marinette, Oconto and Sheboygan. The Bay-Lake Region is comprised of eight counties, 17 cities, 40 villages, 119 towns, and the Oneida Nation of Wisconsin, for a total of 185 local units of government. The total area of the region is 5,433 square miles, or 9.7 percent of the area of the State of Wisconsin. The region has over 400 miles of coastal shoreline along Lake Michigan and Green Bay, and contains 12 major watershed areas that drain into the waters of Green Bay and Lake Michigan. The Wisconsin Department of Administration's Demographic Services Center's preliminary 2021 population estimate of the region is 603,180 persons, or approximately 10.2 percent of the population estimate of 5,900,750 for the State of Wisconsin.

# Organization

The composition of the Governing Board (Commissioners) of the Commission is as follows: (1) One Commissioner appointed by the county board of each member and non-member county (Note: non-member counties do not have voting privileges); and (2) Two Commissioners from each member county appointed by the Governor, with one of those Commissioners selected from a list of persons submitted to the Governor by the county board. Currently, there are 18 Commissioners (three from each member county).

The Commission holds eight meetings per year (four full Commission meetings and four Executive Committee meetings) and elects a Chairperson, a Vice-Chairperson, and a Secretary-Treasurer each year at its September Annual Meeting of the full Commission. The Commission has an Executive Committee, comprised of one Commissioner from each of the eight counties and is "empowered to act on behalf of the full Commission with the exception of approval of the annual budget, approval of comprehensive plan elements, and revisions to the Commission's bylaws." In addition, the Commission has two other standing committees: the Finance and Personnel Committee and the Nominating Committee.

**Map 1: Location Map, Bay-Lake Region**



# Regional Transportation Work Program

Since the mid-1970s, the Bay-Lake Regional Planning Commission (BLRPC), with the support of the Wisconsin Department of Transportation (WisDOT), has provided regional transportation planning in northeastern Wisconsin that focuses on state, regional, and local issues. The following is the Commission's 2022 Regional Transportation Work Program (RTWP).\*

\* Please note that the information contained in this RTWP is subject to change based on final disposition of the federal transportation reauthorization law, the FAST Act.

## Funding Source

The annual RTWP is funded by the Federal Highway Administration (FHWA), the Wisconsin Department of Transportation (WisDOT), and matching funds from the counties that financially participate in the Bay-Lake Regional Planning Commission, as can be seen in Table 1. A breakdown of cost share distribution by county for BLRPC members can be seen in Table 2.

**Table 1: Regional Transportation Funding Sources – 2022**

	AGENCY			
	Federal	State	Local	Total
Work Program Element	FHWA	WisDOT	BLRPC	Funds
Regional Transportation Work Program	\$58,031.20	\$7,253.90	\$7,253.90	\$72,539.00
Program Administration	\$2,705.12	\$338.14	\$338.14	\$3,381.40
Public Participation	\$3,268.38	\$408.55	\$408.55	\$4,085.48
Regional Transportation Planning	\$27,476.90	\$3,434.61	\$3,434.61	\$34,346.12
Specialized Transportation Planning	\$2,096.26	\$262.03	\$262.03	\$2,620.32
Local Assistance Planning	\$20,051.64	\$2,506.46	\$2,506.46	\$25,064.56
State and Federal Assistance & Coordination	\$2,432.90	\$304.11	\$304.11	\$3,041.12

Source: Bay-Lake Regional Planning Commission, 2021.

**Table 2: Cost Share Distribution of BLRPC Member Counties – 2022**

Local Unit of Government	2022 Cost Share
Brown County*	\$-
Door County*	\$-
Florence County	\$185.90
Kewaunee County	\$475.90
Manitowoc County	\$1,584.00
Marinette County	\$1,084.15
Oconto County	\$1,151.10
Sheboygan County	\$2,772.85
Total	\$7,253.90

Source: Bay-Lake Regional Planning Commission, 2021

\*Brown and Door Counties do not participate in the RTWP.

# 2022 Work Program Activities

Please note that the work program activities in **bold** identify the 2022 RTWP considerations as listed in WisDOT's RTWP kickoff letter.

## 1110 Program Administration

- Prepare and submit bimonthly invoices and progress reports to the central office of the Wisconsin Department of Transportation, along with the preparation of the *2023 Regional Transportation Work Program*.
- **Participation in quarterly FHWA/RPC/WisDOT meetings to discuss transportation planning, policy, financial, and technical issues and questions.**

## 1120 Public Participation

- Draft the Regional Transportation section of the Commission's *2021 Annual Report*.
- Write updates to the Commission's Quarterly Activity Reports provided to the Governing Board (Commissioners) of the Commission.
- Provide transportation-related articles for the Commission's monthly E-newsletters.
- Participate in and provide assistance to WisDOT staff, as requested, in the planning, coordinating and hosting of public forums and meetings associated with ongoing state transportation planning efforts.
- Explore the creation of an online portal for easy access to project information for the public and stakeholders.

## 1130 Regional Transportation Planning

### 1131 Transportation and Economic Development Planning

- Collect and analyze transportation information and data for inclusion in the Commission's *Comprehensive Economic Development Strategy (CEDS)*.
- **Provide assistance as requested by WisDOT staff to coordinate regional transportation and economic development studies (especially for TEA-eligible projects) and assisting local communities in the application process.**
- Assist WisDOT and local officials, as requested, related to the economic, social, environmental, and land use impacts of proposed community bypass facilities in the region.

### 1132 Regional Comprehensive Plan - Transportation Element

- Maintain an inventory of all major transportation facilities (airports, commercial shipping ports and recreational boating facilities, rail facilities, and bicycle/recreational trails); public transit; transportation for the elderly and disabled; and intermodal facilities within the region as part of the *Bay-Lake 20-Year Regional Comprehensive Plan*. This updated inventory will assist with planning efforts with the goal to **achieve a resilient and reliable transportation system** in the region.

### 1133 Bicycle and Pedestrian Planning

- Provide technical assistance to counties and local units of government seeking to implement the bicycle facility planning recommendations within their respective comprehensive plans.



- Assist Sheboygan County, as requested, with implementation of its Non-Motorized Transportation Program (NOMO) to maintain and improve bicycle and pedestrian transportation facilities.
- Update the inventory of the *Regional Bicycle and Pedestrian Plan for Northeast Wisconsin*, as needed.
- **Spearhead development of countywide or sub-regional bikeway facility and suitability plans, as requested.**
- Create a map to show regional connectivity of bicycle infrastructure.

### 1134 Railroad Planning

- Monitor the regional impacts of local rail acquisition proceedings, rail abandonment proceedings, and other related rail activities.
- Assist, as requested, with planning and public outreach through the Northwoods Rail Transit Commission.
- Participate in meetings that encourage the maintenance and expansion of rail lines and services in the region.

### 1135 Corridor Planning and Environmental Feasibility Studies

- Prepare, as requested, highway corridor overlay “zoning” plans for those communities located adjacent to major highways.
- **Participate in statewide and regional major corridor planning and environmental feasibility studies, as coordinated by WisDOT.**

### 1136 Airport Planning

- Review and comment on the expansion and development of existing public and private airports.

### 1137 Port and Harbor Planning

- Conduct studies for the region’s smaller port communities, including the cities of Marinette, Manitowoc, and Sturgeon Bay, as requested.
- Participate in discussions regarding the development of the M-90 Transbay Freight Service Project. This project will be the first in the American Marine Highway Program intended to divert the transportation of large vessel modules and material-handling equipment from the highways to the waterways among Marinette/Menominee, Sturgeon Bay, and Green Bay.
- Update the Port, Harbor, and Recreational Marina Study for the Bay-Lake Region, as needed.
- Refer to the policies and strategies of the *Wisconsin State Freight Plan* when assisting communities with port/harbor planning activities.

## 1140 Specialized Transportation Planning

### 1141 Specialized Transportation Planning

- Assist public and special transportation service providers with review of Wisconsin Department of Transportation Section 85.21 grant applications for financial assistance that supports elderly and disabled transportation in the Bay-Lake Region, as requested.
- Assist WisDOT with the review of Section 5310 grant applications, as requested. The Section 5310 - Enhanced Mobility of Seniors and Individuals with Disabilities program is a federal/state grant program providing 80 percent of the cost to purchase vehicles for the transportation of elderly and disabled populations.

### 1142 Transit Planning

- Assist public transportation service providers with review of Wisconsin Department of Transportation (Section 85.20) and Federal Transit Administration – Rural Area Formula (Section 5311) grant applications for financial assistance to develop and operate public transit services, as requested.
- Assist member counties with development of projects funded through Federal Transit Administration Section 5310 projects.
- Continue to assist the City of Marinette with the administration of the city's Shared-Ride Taxi Program.
- Prepare and submit the City of Marinette's 2023 application for State Aid (Section 85.20) and Federal Aid (Section 5311) for operation of the City's Shared-Ride Taxi transit services.

### 1143 Special Transportation Services Planning

- Assist counties and communities with coordination, planning, and implementation of elderly and disabled special transportation services and programs.
- **Provide assistance to Florence, Kewaunee, Manitowoc, Marinette, Oconto, and Sheboygan counties with updates/amendments to their public transit/human service transportation coordination plans, as requested.**
- Continue to participate in meetings of the *Northeast Wisconsin Transportation Committee (NEWTC)* for the purpose of coordinating and addressing access to transportation for at-risk populations with special needs in Oconto and Marinette counties.
- Provide assistance to communities applying for grants for capital improvements, equipment and operating expenses, as requested.
- Continue to participate in meetings of the *Northeastern Wisconsin Regional Access to Transportation Committee (NEWRTC)* for the purpose of coordinating and developing a regional committee to systematically address access to transportation for at-risk populations with special needs.

## 1150 Local Assistance

### 1151 Community Transportation Planning

- **Assist in the oversight/development, as requested, of transportation and land use elements for regional, county, and local comprehensive plan updates pursuant to s. 66.1001, Wis. Stats.**
- Assist with zoning ordinances to implement county and local comprehensive plans, as requested.
- **Provide technical advice and guidance in conducting air quality planning for rural, isolated non-attainment counties for regional emissions and conformity analyses, where applicable.**
- **Assist communities with Transportation Alternatives Program activities as requested, including preparation of Safe Routes to School plans and/or the administration of program funds.**
- **Coordinate with WisDOT, counties, and local jurisdictions on efforts that will reduce or mitigate storm water impacts of surface transportation.**

### 1152 Pavement Management Surveys

- Assist communities, as requested, with road pavement data or other products, utilizing the Wisconsin Information System for Local Roads (WISLR).



### 1153 Grant Writing

- Assist local communities with the preparation and submittal of applications for Transportation Economic Assistance (TEA) grants; Transportation Alternatives Program (TAP) grants; Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) grants; Section 5311-Rural Area Formula grants; and other transportation-related grants.
- Provide review services, data, and letters of support to communities and organizations requesting transportation funding provided through state and federal programs.

## 1160 State and Federal Assistance and Coordination

### 1161 Technical and Policy Advisory Committees

- Facilitate and/or participate in advisory committees that address various modes of transportation.

### 1163 Development/Implementation of State Transportation Plans

- Work with WisDOT on the development of statewide Transportation Plans, including *Connect 2050* and *Wisconsin Rail Plan 2050* and potential planning efforts such as Transportation Demand Management (TDM) or new statewide bicycle and pedestrian plans.
- Review and comment on state transportation planning activities, as requested.
- Support WisDOT's long-range transportation planning efforts.
- Disseminate State transportation plan components to local units of government through newsletters, mailings, and social media.
- Discuss and coordinate MAP-21/FAST Act performance measures and establishment of State performance targets.

### 1164 Monitor State and Federal Legislation

- Continue to monitor and review pertinent transportation-related regulatory changes and responsibilities derived from the 1990 Clean Air Act Amendments; the Americans with Disabilities Act of 1990; and the Fixing America's Surface Transportation (FAST) Act.

### 1165 Workshops and Meetings

- Participate in meetings and workshops with local officials, staff, and other interested parties representing state, regional, county, and community transportation interests.
- Present ongoing work program progress and project reports to the Commissioners, as appropriate. (See Table 3).
- Attend statewide transportation planners' meetings and workshops.
- Facilitate coordination of transportation planning activities with other RPCs, WisDOT's Northeast and North Central Regions, and county planning agencies within the region.

**Table 3: Bay-Lake Regional Planning Commission Tentative Meeting Dates – 2022**

Meeting	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Bay-Lake RPC – Full Commission			11th			10th			9th			9th
Bay-Lake RPC – Executive Committee	28th			29th			29th			28th		

## Title VI Accomplishments - 2021

- Commission staff helped facilitate meetings and update the website of the Northeast Wisconsin Regional Access to Transportation Committee (NEWRATC). The charge of the committee is “to coordinate and develop a regional committee to systematically address access to transportation for at-risk populations with special needs.” Generally, counties covered by the Bay-Lake and East Central Wisconsin RPC regions are represented on this committee. Commission staff also chair this committee.
- Commission staff assisted with outreach efforts with the City of Marinette Transportation Coordination Committee to advocate for the interests of minority and low income populations for the City’s Shared Ride Taxi service in 2021.
- Commission staff assisted with quarterly meetings of the Northeast Wisconsin Transportation Committee (NEWTC). The charge of this committee is to coordinate and address access to transportation for at-risk populations with special needs in Oconto and Marinette counties.

## Program Budget and Schedule

Table 4 is the proposed budget for 2022 that is comprised of 80 percent Federal funds, 10 percent WisDOT funds, and 10 percent local match. Table 5 outlines the schedule of program activities and anticipated or tentative completion dates for specific elements of the Regional Transportation Work Program for 2022.

**Table 4: Regional Transportation Planning Budget – 2022**

I. Direct Salaries	
Planning Staff	\$31,002.59
II. *Employee Benefits (34.1%)	\$10,571.88
III. *Leave Additive (28.7%)	\$8,897.74
IV. *Indirect Expenses (69.0%)	\$21,391.79
V. Direct Expenses	
Travel/Supplies/Related Expenses	\$300.00
Workshops	\$200.00
Printing/Publications/Subscriptions	\$175.00
Total Expenses	\$72,539.00
FHWA Share	\$58,031.20
WisDOT Share	\$7,253.90
Local Share	\$7,253.90

Note: IV. Indirect Expenses include:

- Portion of Executive Director’s salary and benefits as well as accounting fees
- Office mortgage, utilities (gas and electric), and maintenance
- Postage meter and copier rental
- Phone, internet, and website maintenance
- Office and computer supplies
- Insurance (directors and officers, liability, auto, and property)
- Commissioner per diems and mileage

Source: Bay-Lake Regional Planning Commission, 2021

\*Reflects 2022 Estimated Rates

**Table 5: Regional Transportation Work Program Schedule – 2022**

Activity	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
PROGRAM ADMINISTRATION												
Prepare & Submit bimonthly invoices/progress reports to WisDOT	X		X		X		X		X		X	
PUBLIC PARTICIPATION												
Prepare Transportation Element for Annual Report				X	X							
Prepare updates to the Commission's Quarterly Activity Reports			X			X			X			X
Submit Transportation Articles for E-Newsletters	X	X	X	X	X	X	X	X	X	X	X	X
Attend Wisconsin Regional Transportation Planning Conferences									X			
REGIONAL TRANSPORTATION PLANNING												
Regional Comprehensive Plan – Transportation Element Update			X	X	-	-	-	-	-	-	-	-
Transportation and Economic Development Planning	-	-	-	-	-	-	X	X	-	-	-	
Bicycle and Pedestrian Transportation Planning	X	X	-	-	-	-	-	-	-	-	-	-
Update Regional Bicycle Plan Inventory					X	X	X	X	X	X		
Railroad Planning	-	-	-	-	-	-	-	-	-	-	-	-
Corridor Planning and Environmental Feasibility Studies	-	-	-	-	-	-	-	-	-	-	-	-
Airport Planning	-	-	-	-	-	-	-	-	-	-	-	-
Port and Harbor Planning	-	-	-	X	-	-	-	-	-	-	-	-
SPECIALIZED TRANSPORTATION PLANNING												
Development and Review of Section 85.21/5310 Applications						X	X	X	X	X		
Transit Planning		X		X		X		X		X		X
City of Marinette Shared-Ride Taxi 85.20 Application								X	X	X	X	X
City of Marinette Shared-Ride Taxi Program Administration	X			X			X			X		
Special Transportation Services Planning	-	-	-	-	-	-	-	X	X	X	X	-
LOCAL ASSISTANCE	-	-		-	-	-	-	-	-	-	-	-
Community Transportation Planning	-	-	-	-	-	-	-	-	-	-	-	-
Pavement Management Planning	-	-	-	-	-	-	-	-	-	-	-	
Transportation Grant Writing	-	-	-	-	-	-	-	X	X	X	X	X
STATE/FEDERAL ASSISTANCE and COORDINATION												
Development / Implementation of State Transportation Plans	-	-	-	-	-	-	-	-	-	-	-	-
Monitor State and Federal Legislation	-	-	-	-	-	-	-	-	-	-	-	-
Workshops and Meetings	-	-	-	-	-	-	-	-	-	-	-	-

## Appendix A: Regional Planning Commissions Self-Certification of Compliance with CFDA 20.205 Federal Funding Requirements

The Regional Planning Commissions (RPC) will formulate, and submit for annual approval, a Transportation Planning Work Program (TPWP), which identifies all transportation-related planning activities to be funded. In performing the activities and receiving Federal and State funding for the TPWP, the Regional Planning Commission hereby self-certifies their compliance with the following regulations, terms and conditions:

1. Catalog of Federal Domestic Assistance (CFDA) 20.205 Federal Funding Requirements.
2. The TPWP sets forth a description of the specific transportation planning activities and products to be completed each calendar year, the corresponding staff and budgetary requirements, and the allocation of the total costs between the participating agencies.
3. Upon adoption of the TPWP by the RPC and approval by WisDOT and by USDOT funding agencies, with authorization from WisDOT the RPC will proceed with the TPWP. The TPWP may be amended during the course of the year upon written request of the RPC subject to (1) the written concurrence of WisDOT and (2) the availability of funding, if applicable.
4. The RPC may enter into such institutional arrangements, service contracts or agency agreements as it deems necessary to carry out the scope of work in the TPWP with the understanding that the RPC shall remain accountable for completion of planning products in accordance with the TPWP. All such contracts, subcontracts, agreements or other written understandings for services shall conform to the appropriate provisions of 2 CFR 200 as supplemented by 23 CFR 420.119 issued by the Federal Highway Administration (FHWA); Federal Transit Administration (FTA) Circular 42201.E and any changes or revisions thereto; and other applicable guidance the FTA, FHWA or USDOT may issue.

When consultants are to be employed in accomplishing work under the TPWP, all parties providing funding or technical support for such work shall have the right to review and advise on basic study methods and procedures and to review and approve subcontracts.

WisDOT and USDOT, at all times during the effective period of the TPWP, will be accorded proper facilities for inspection of the transportation planning work activities and shall, in accordance with Article XI, have access to all data, information, records and documents pertaining to the work under the TPWP.

### **Work Product**

RPCs shall give WisDOT and applicable USDOT agencies reasonable opportunity to review and comment on their respective reports produced under the TPWP prior to publication of the final report.

All reports and documents published by all parties shall give credit to all other parties and to participating USDOT agencies and include appropriate disclaimer statements regarding representation of USDOT views or policies.

WisDOT and USDOT shall have the royalty-free nonexclusive and irrevocable right to reproduce, publish, distribute, or otherwise use, and to authorize others to use, the work produced under the TPWP for government purposes.

### **Prohibited Interest**

No member, officer or employee of the RPC or any state or local public body during his or her tenure or for one year thereafter may have or acquire any interest whatsoever, direct or indirect, in the TPWP proceeds thereof or any benefit arising therefrom.

No member of or delegate to the Congress of the United States of America may have or acquire any interest whatsoever, direct or indirect, in the TPWP proceeds thereof or any benefit arising therefrom.

### **Funding and Payment**

- A. Upon adoption of the TPWP by the RPC and approval by WisDOT and by USDOT funding agencies, this Self-Certification shall be deemed to be a part of the TPWP with respect to the scope of work and funding arrangements. Specific terms or conditions governing the financial aspects of the TPWP will be set forth in WisDOT's annual authorization letter.
- B. All costs incurred during the progress of the transportation planning work activities shall be shared by the RPC and the other participating agencies on the basis of the cost allocation schedule set forth in the approved TPWP.

WisDOT's share of program costs, together with any USDOT share, which is administered by WisDOT, will be paid to the RPC following the receipt of a properly executed invoice, and a detailed status of expenditures report.

Progress reports containing a narrative and financial account of the work accomplished to date shall be furnished by RPC to WisDOT at no greater than a quarterly interval. These reports shall be due 30 days after the end of the first, second and third quarters, and 60 days after the final quarter.

WisDOT may withhold or delay approval of invoices if the RPC fails to submit progress reports or scheduled products in a timely and satisfactory manner. WisDOT shall provide reimbursement to the RPC for the timely payment for all submitted and approved progress reports, finished products, and invoices.

### **Article IX: Cost Principles**

- A. Allowable Costs. Actual costs incurred by RPC under this TPWP shall be eligible for reimbursement provided the costs are:
  - 1. Verifiable from the RPC's records;
  - 2. Not included as match funds as prescribed by federal law or regulation for any other federally assisted program;
  - 3. Necessary and reasonable for proper and efficient accomplishment of the approved TPWP;
  - 4. In conformance with the standards for allowable costs set forth in 2 CFR 225 (Office of Management and Budget (OMB) Circular A-87, revised) and with applicable guidelines, regulations, or federal agreement provisions issued by FHWA or FTA.
  - 5. Not paid by the federal government under another assistance agreement unless authorized to be used as match funds under the other federal agreement and the laws and regulations governing such agreement; and
  - 6. Provided for in the approved TPWP.

No contributions where costs are not incurred, such as volunteer services or donated property, may be accepted as the non-federal share.

- B. Indirect Costs. RPC costs charged on an indirect basis shall be supported by an indirect cost allocation plan and indirect cost rate proposal. Such plans shall be submitted with certification to WisDOT and the host agency's cognizant federal agency for approval prior to recovering any indirect costs included under this TPWP.



### **Property Utilization and Management**

The RPC shall comply with the property management standards as set forth in 2 CFR 200, Subpart D, Property Standards.

### **Records and Audits**

- A. The RPC shall, for the program of transportation planning and programming activities maintain an accounting system that adequately accounts for all funds provided for, accruing to, or otherwise received from the federal, state and local units of government, or any other quasi-public or private source under this TPWP.
- B. All eligible costs, including paid services and expenses contributed by the RPC, shall be charged to the approved TPWP by the RPC and shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All accounting records and other evidence pertaining to the costs incurred by the RPC under this TPWP shall be maintained by the RPC and shall be clearly identified and readily accessible. WisDOT and USDOT shall have authority to audit, review, examine copy and transcribe any pertinent data, information, records or documents relating to this TPWP at any reasonable time. The RPC shall retain all records and documents applicable to this TPWP for a period of not less than three (3) years after final payment is made to WisDOT by the federal funding agencies.
- C. The RPC shall have a single, organization-wide financial and compliance audit performed by a qualified, independent auditor if required to do so under federal laws and regulations. (See 2 CFR 200 Subpart F Audit Requirements.). This audit shall be performed in accordance with 2 CFR 200, and state single, organization-wide audit guidelines issued by the Wisconsin Department of Administration (DOA). A copy of the audit shall be furnished to WisDOT.

### **Certification Regarding Lobbying**

- A. The RPC certifies, to the best of his or her knowledge and belief, that:
  - 1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
  - 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the RPC shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- C. The RPC also agrees by adopting this TPWP that it shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.



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