



COUNTY COMMISSION

BALDWIN COUNTY
312 Courthouse Square, Suite 12
BAY MINETTE, ALABAMA 36507
(251) 937-0264
Fax (251) 580-2500
www.baldwincountyal.gov

MEMBERS
DISTRICT 1. JAMES E. BALL
2. JOE DAVIS, III
3. BILLIE JO UNDERWOOD
4. CHARLES F. GRUBER

September 20, 2019

J. R. Wilburn & Associates, Inc.
411 James Store Road
Greenville, GA 30222
ATTN: James R. "Rod" Wilburn

REFERENCE: Request for Proposal (RFP) for Eastern Shore Metropolitan Planning Organization Long Range Transportation Plan for the Baldwin County Commission

Dear Mr. Wilburn:

The Baldwin County Commission during their regularly held meeting on September 20, 2019, *awarded* your firm the Request for Proposals for Eastern Shore Metropolitan Planning Organization Long Range Transportation Plan in the amount of **\$119,703.00**.

Enclosed is your copy of the fully execute Contract.

Please contact Sarah Hart Sislak, Metropolitan Planning Organization Coordinator at 251.990.4643 to coordinate this project.

If you have any questions, please contact the Purchasing Director, Wanda Gautney at (251) 580-2520.

Sincerely,

CHARLES F. GRUBER, Chairman
Baldwin County Commission

CFG:wg Item #BD6

Attachment

cc: Wanda Gautney, Purchasing Director
Sarah Hart Sislak, MPO Coordinator

WITNESSETH

THIS AGREEMENT, made and entered into effective as of the 20th day of September, 2019, by and between **Baldwin County serving as Administrator on behalf of the Eastern Shore MPO** (sometimes referred to herein collectively as Client), with address at 1100 Fairhope Avenue, Fairhope, Alabama 36532 (hereinafter referred to as the "Client"), and **J. R. Wilburn and Associates, Inc.**, with address at 411 James Store Road, Greenville, Georgia 30222 (hereinafter referred to as the "Consultant").

WHEREAS, the Client desires to engage a qualified and experienced Consultant to support MPO staff as part of developing the Eastern Shore MPO 2045 Long Range Transportation Plan; and

WHEREAS, the Consultant has represented to the Client that it is experienced and qualified to perform such services, and the Client has relied upon such representation; and

NOW, THEREFORE, the Client and the Consultant, in consideration of the mutual promises and obligations contained herein and under the conditions set forth, do agree as follows:

SECTION 1 – Employment of the Consultant

1.1 The Consultant, upon written authorization to proceed from the Client, agrees to perform such services as described in "Exhibit A – Scope of Services and Schedule".

SECTION 2 – Scope of Services

2.1 If authorized in writing by the Client, the Consultant shall furnish or obtain from others additional services not covered by this Agreement. Any such additional services furnished or performed by the Consultant shall be agreed upon by the Client and the Consultant prior to implementation.

2.2 Failure of the Consultant to secure written approval from the Client prior to furnishing any additional services beyond those described in "Exhibit A – Scope of Services and Schedule" shall relieve the Client of any financial obligation to pay for such services.

SECTION 3 – Period of Services

3.1 The effective date of this Agreement shall be _____, and continue until June 30, 2020. A project schedule is included in "Exhibit A – Scope of Services and Schedule." Should the Client request additional services of the Consultant which will require additional time for completion beyond the aforementioned period of services, a schedule extension will be determined through mutual agreement of the Client and the Consultant.

SECTION 4 – Compensation for Consultant Services

4.1 For each specific work task authorized under Section 2 above, the Client shall pay the Consultant on the basis of the percentage of completion of each task. The Consultant shall not be paid more than the specified maximum contract amount of **\$119,703** except by Client approval and authorization of an extension or supplement to this Agreement.

- 4.2 Direct expenses related to the project will be charged to the project based on the total actual cost of the direct expense, with no markup. Eligible expenses include, but are not necessarily limited to: preparation of documents and other materials, reproductions, photographic work, communications, supplies, equipment, traffic counting services, and transportation.
- 4.3 Subcontracted fees shall be billed per invoices submitted by approved subcontractors.
- 4.4 The Consultant shall be compensated in monthly installments as work is completed under terms of this Agreement, subject to approval by the Client of a progress report and invoice payment request from the Consultant specifying that the Consultant is entitled to receive the amount requisitioned. Progress reports and invoices shall reflect the percentage completion for each task, with invoiced amounts based on these percentages and the budget allocation for each task. It is agreed that monthly progress payments for fees earned under this Agreement are due and payable to the Consultant within thirty (30) days of submission by the Consultant of invoices approved by the Client. If the Client disputes any or all portion of an invoice, the Client shall so notify the Consultant within seven (7) calendar days following receipt of said invoice, identify the basis of disagreement, and pay when due that portion of the invoice, if any, not in dispute. Payments will be made in the amount earned, less any previous partial payments.
- 4.5 The Client agrees to pay the Consultant for services provided and direct expenses incurred by task as outlined in "Exhibit B – Project Budget" a total fixed fee not to exceed **One Hundred Nineteen Thousand Seven Hundred Three Dollars (\$119,703.00)**
- 4.6 Upon completion of all services outlined under Section 2 of this Agreement, including inspection and approval by an authorized representative of the Client and receipt of a detailed invoice, the Client will pay the Consultant a sum equal to 100 percent (100%) of the compensation as set forth herein, less the total of all previous partial payments paid or in the process of payment. The Consultant agrees that acceptance of this final payment shall be in full and final settlement of all claims arising against the Client for work done, materials furnished, costs incurred, or otherwise, arising out of this Agreement and shall release the Client from any and all further claims of whatever nature, whether known or unknown for or on account of said Agreement, and for any and all work done, and labor and materials furnished in connection with same.
- 4.7 The Client may terminate this Agreement in part or in whole upon seven (7) days written notice to the Consultant. In the event of such termination by the Client, the Consultant shall be entitled to compensation for approved and completed services provided under this Agreement up to the date of termination. In the event of termination, all finished or unfinished documents, maps, data, studies, work papers and reports prepared by the Consultant under this Agreement shall become the property of the Client.
- 4.8 The Client, upon mutual agreement of the Consultant, shall reserve the right to request additional Consultant services as an extension or supplement to this Agreement. Said additional services will be performed at unit costs to be negotiated between the Client and Consultant, based upon unit costs outlined in "Exhibit B - Project Budget", and reflecting any individual salary adjustments made by the Consultant during the course of

IN WITNESS WHEREOF, the parties hereto, acting through their duly authorized agents, have caused this Agreement to be signed, sealed and delivered.

For J. R. Wilburn and Associates, Inc.

James R. Wilburn

Typed Name

James R. Wilburn

Signature

President

Title

Date

Attest: *JRW*

Asst Treas

For Baldwin County

Charles F. Gruber

Typed Name

Charles F. Gruber

Signature

Chairman

Title

9/20/2019

Date

Attest: *[Signature]*

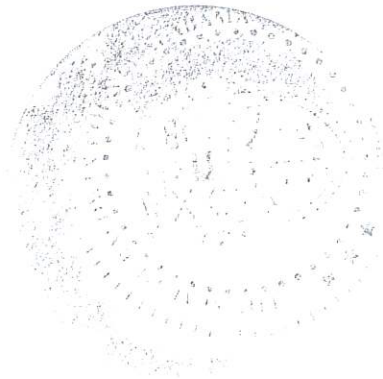


EXHIBIT A – SCOPE OF SERVICES AND SCHEDULE

The objective of the Eastern Shore Metropolitan Planning Organization (MPO) 2045 Long Range Transportation Plan (LRTP) is to update the existing 2040 LRTP to ensure that the region's current and future multimodal transportation operations, conditions and needs are identified and met. This occurs through an assessment process that determines where the region currently stands, where it needs to be going, and how best it can get there. A key element of the plan development process is updating the four-step travel demand model, which will utilize a base year of 2015 and forecast year of 2045.

Recommendations will identify projects and strategies to manage/mitigate/minimize congestion throughout the Eastern Shore area. Multimodal improvements for mixed-use, dense development and redevelopment activities, as well as access management principles and strategies, will be emphasized.

The LRTP is a major product of the metropolitan transportation planning process, and its success relies upon a close working relationship between the consultant and local staff. The primary focus of consultant activities will be on revising the MPO travel demand model to 2045 conditions and conducting an extensive public and stakeholder involvement program. Ensuring that the LRTP includes cost feasible projects to address future multimodal transportation needs in the Eastern Shore MPO area remains the purpose and goal of this effort. Consultant activities will be completed in conjunction with MPO staff.

As an update of the currently adopted LRTP, the existing Plan's format will be maintained to the greatest extent possible while also ensuring compliance with recent FHWA and ALDOT guidance. Should any additional FHWA guidance become known and required prior to acceptance of the LRTP product by the MPO Policy Committee or ALDOT, implications to the scope as set forth below may arise. Plan development and documentation will be accomplished through a joint effort by JRWA staff working in concert with MPO staff.

It is anticipated that the focus of any public involvement/outreach efforts will be on those methods and organizations, including environmental justice sources, traditionally used by the MPO in its ongoing work program efforts, and in accordance with the MPO's current Public Participation Plan (PPP). The LRTP update committee structure will rely on the existing MPO committee structure and membership, including the Policy Committee (the MPO), Technical Coordinating Committee (TCC), and Citizens Advisory Committee (CAC). To the extent possible, LRTP meetings with the committees will align with regularly scheduled bi-monthly meetings.

Public outreach and feedback is important throughout the plan development process. Public information meetings are proposed at three key milestones in the update process: early in the process during data collection, following completion of the existing conditions and needs assessment, and after development of the draft plan. The study schedule includes the required 30-day public review period prior to finalization of the draft plan and presentation to the MPO for adoption. Coordination with MPO staff will ensure meetings are scheduled for the most convenient times and locations to encourage broad participation. The MPO website will be utilized throughout the update process to distribute study related information, materials and documents. All public and committee meetings, activities and input/feedback will be documented throughout the study duration.

SCOPE OF SERVICES

Phase 1: Plan Initiation

Phase 1 forms the blueprint for LRTP development. Importantly, the 2045 LRTP will build from the currently adopted 2040 LRTP, updating key elements as plan development progresses. To begin, the study's approach, schedule, milestones and deliverables will be finalized during kickoff meeting discussions between JRWA and MPO staff. Meeting discussions will also address data sources, plans/studies for review, and transportation issues that have surfaced since the previous LRTP. Data sources and availability related to the travel demand model will also be determined. MPO staff will provide all necessary data for the 2045 LRTP. Plan goals and objectives, as well as performance measures for the plan and travel demand model, will be reviewed and revised as appropriate to reflect federal/state planning requirements and community expectations.

A public participation approach for the LRTP update will be presented. The public participation approach for the LRTP update will outline the committee structure/membership, public and stakeholder involvement opportunities and techniques, schedule, and reporting requirements. A record of all committee and public participation efforts conducted during preparation of the LRTP (activities, meetings and notes) will be included in the final documentation. As the update effort progresses, interim and final documentation will be prepared in a format suitable for general distribution via the MPO/City website. A presentation will be given to the MPO Committee(s) to lay the foundation for upcoming activities and expectations.

Activities

- 1.1—Kickoff meeting
- 1.2—Data collection and plan review
- 1.3—Model review
- 1.4—Plan goals and objectives
- 1.5—Performance measures
- 1.6—Community outreach and public participation approach
- 1.7—MPO Committee(s) meeting

Deliverables

- Updated goals, objectives and performance measures
- Public participation approach

Phase 2: Model Development and Update

The existing travel demand model will be evaluated and updated to reflect current conditions during Phase 2. As part of developing an updated model, the JRWA team will assist MPO staff in reviewing the current MPO travel demand model for errors/improvements, as well as in reviewing the available model input data to establish data needs and identify any information gaps. The model update activities will include review and development of the trip generation and trip distribution model, and trip assignment model prior to performing calibration and validation. Modeling work will be done at

MPO and JRWA team offices as appropriate, but with ongoing coordination and collaboration between MPO and JRWA team staff.

An integral part of the update process involves determining the planning context, which identifies the community's population and employment trends, land use and development characteristics, and travel patterns. The consultant will assist MPO staff in examining development patterns in the MPO area in order to identify ways to encourage more transit system usage, transit intensive corridors and Transit Oriented Development locations and cost estimates for solutions.

The first public meeting will introduce the study process and outcomes while also serving as an important opportunity to solicit input on transportation conditions, deficiencies, needs and possible projects. The second MPO Committee(s) meeting will focus on the travel demand model.

Activities

2.1—Planning context

2.2—Travel demand modeling

- a. Provide current model files (complete, correct and geocoded) (MPO)
- b. Review model and present update methodology (JRWA team)
- c. Develop/update 2015 and 2045 SE data (MPO)
- d. Review TAZ boundaries and modify as appropriate (JRWA team)
- e. Submit updated model and methodology to ALDOT for concurrence (JRWA team w/ MPO)
- f. Recalibrate/validate assignment process for 2015 and 2045 (JRWA team)

2.3—Transit opportunities

2.4—MPO Committee(s) meeting

2.5—Public/stakeholder meeting

Deliverables

- Updated 2045 travel demand model

Phase 3: Model Application and Documentation

A clear understanding of the existing conditions and future needs of the transportation system will result from Phase 3 activities. This phase will utilize the updated model to forecast travel demand and evaluate potential alternative transportation projects and strategies. The JRWA team will apply the updated model to analyze existing (2015) and future (2045 E+C) conditions, needs and deficiencies, and multimodal projects will then be developed to address the identified current and future deficiencies. Projects to be evaluated may originate from the current LRTP, other plan/study recommendations, or be developed as a part of this effort. The efficacy of the potential projects in addressing identified needs will be evaluated against the goals and performance measures determined at the study's outset. Travel demand model outputs and off-model assessments will be utilized in the evaluation. Off-model approaches will be used to assess those elements of the roadway system and other modes that are not addressed in the travel demand model. Recommended transportation

projects will be incorporated into the model and a 2045 Needs Plan model (maximum of two scenarios) will be run to test the degree to which identified deficiencies are addressed by proposed projects before their inclusion into the recommended 2045 LRTP. JRWA will also apply the most current Statewide Freight Model to identify/support the determination of locations where freight related improvements are needed. Finally, an intermediate period (10-year periods or horizon year mid-point) model will be developed, using linear interpolation, for MPO use in project prioritization.

The second public meeting and third MPO Committee(s) meeting(s) will focus on the data collection and modeling tasks. Results of the 2015 and 2045 E+C model runs will be available for review in graphic and tabular formats. Additional input related to potential projects for recommendation will also be solicited.

A draft technical memorandum on the travel demand model update and application activities will be prepared. After review by appropriate MPO staff, the tech memo and accompanying electronic files will be finalized for submittal to the MPO and ALDOT.

Activities

3.1—Conditions and needs by mode

- a. Roadway
- b. Safety
- c. Bridges
- d. Bicycle and pedestrian
- e. Transit
- f. Freight, rail and aviation

3.2—Project identification

- a. Establish evaluation methodology and sources
- b. Identify potential multimodal project recommendations
- c. Evaluate potential project recommendations using the model and off-model assessments

3.3—Travel demand modeling

- a. Run model for 2015 and 2045 E+C conditions/networks (JRWA team)
- b. Run model for 2045 Needs Plan (maximum of two scenarios) (JRWA team)
- c. Run Statewide Freight Model (JRWA team)
- d. Develop intermediate year model (JRWA team)
- e. Prepare draft/final travel demand modeling documentation (JRWA team)

3.4—MPO Committee(s) meeting(s)

3.5—Public/stakeholder meeting

Deliverables

- Summary of multimodal conditions, needs and deficiencies by model

- List of potential multimodal project recommendations
- 2015 and 2045 (E+C and Plan) travel demand model runs
- Draft/final travel demand modeling documentation

Phase 4: Plan Development

Phase 4 is the culmination of LRTP update activities, and JRWA will assist MPO staff in developing the draft and final 2045 LRTP recommendations and documentation. Recommended multimodal projects selected for inclusion in the 2045 LRTP will be prioritized into short, mid or long term phases based on the degree and timing of need, performance evaluation, estimated costs, anticipated funding availability, and other factors. Cost estimates will be prepared with the assistance of MPO staff. JRWA will investigate likely funding sources for use in preparing the financially constrained short-term program of projects. As needed, final 2045 Plan model run(s) will be completed to incorporate any revisions that occur as a result of Phase 3 committee/public/stakeholder reviews.

Final MPO Committee(s) and public/stakeholder meetings will be held to review the draft 2045 LRTP. A 30-day public review period will occur prior to finalization of the 2045 LRTP and its presentation for adoption.

JRWA will assist MPO staff with the production of a draft and final 2045 LRTP document for review. Within two weeks, JRWA will be notified of any recommended revisions, additions, or modifications to the draft and final 2045 LRTP document. JRWA will also prepare the summary and documentation of committee and public/stakeholder participation efforts.

Activities

- 4.1—Cost Estimates
- 4.2—Funding Sources (MPO)
- 4.3—Selection of 2045 LRTP Recommended Projects
- 4.4—Project Prioritization and Phasing
- 4.5—Final 2045 Plan model run(s) (as necessary)
- 4.6—LRTP Documentation
- 4.7—MPO Committee(s) meeting
- 4.8—Public/stakeholder meeting

Deliverables

- Draft and final 2045 LRTP documentation
- MPO Committee(s) and public/stakeholder participation documentation

SCHEDULE

This nine-month study will commence on August 1, 2019, with estimated completion by April 30, 2020.

Eastern Shore MPO 2045 Long Range Transportation Plan

EXHIBIT B - PROJECT BUDGET

The total not to exceed fee for this contract is \$119,703.00. The breakdown of staff labor and direct expenses by task is provided below.

Task Description	Budget Allocation by Task
Phase 1: Plan Initiation	\$15,085
Phase 2: Model Development and Update	\$32,462
Phase 3: Model Application and Documentation	\$36,410
Phase 4: Plan Development	\$35,746
TOTAL	\$119,703