



Broward MPO

Joint Certification 2022

2/6/2023

Part 1 – Metropolitan Planning Organization

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Purpose

Each year, the District and the Metropolitan Planning Organization (MPO) must jointly certify the metropolitan transportation planning process as described in [23 C.F.R. §450.336](#). The joint certification begins in January. This allows time to incorporate recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions.

The certification package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than June 1.

Certification Process

Please read and answer each question using the checkboxes to provide a “yes” or “no.” Below each set of checkboxes is a box where an explanation for each answer is to be inserted. The explanation given must be in adequate detail to explain the question.

FDOT's [MPO Joint Certification Statement](#) document must accompany the completed Certification report. Please use the electronic form fields to fill out the document. Once all the appropriate parties sign the MPO Joint Certification Statement, scan it and email it with this completed Certification Document to your District MPO Liaison.

Please note that the District shall report the identification of, and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board.

Part 1

Part 1 of the Joint Certification is to be completed by the MPO.

Part 1 Section 1: MPO Overview

1. Does the MPO have up-to-date agreements such as the interlocal agreement that creates the MPO, the intergovernmental coordination and review (ICAR) agreement; and any other applicable agreements? Please list all agreements and dates that they need to be readopted. The ICAR Agreement should be reviewed every five years and updated as necessary. Please note that the ICAR Agreement template was updated in 2020.

Please Check: Yes No

Yes, the Broward MPO has the agreements listed in this question and they are provided as follows:

- (1) Interlocal Agreement for the Creation of Metropolitan Planning Organization: execution date - July 1977–March 2000; 1st amendment - February 2001; 2nd amendment – December 2002; new Interlocal Agreement – November 2003; amendment to add City of West Park – June 2005; amendment to increase the MPO Board membership from nineteen (19) to twenty-five (25) members – February 2016. This agreement will be amended as needed.
- (2) Interlocal Agreement Between the Broward MPO and the City of Fort Lauderdale for Administrative Services to the MPO: execution date - October 8, 2015; amended October 17, 2017; amended August 3, 2022. This agreement is in effect until July 31, 2023.
- (3) ICAR (TP # 525-010-03) between the Florida Department of Transportation, the Broward MPO, Broward County Board of County Commissioners, the South Florida Regional Planning Council and the South Florida Regional Transportation Authority: execution date – November 20, 2007. Based on the information in the question above from FDOT, the Broward MPO is aware that there is a new template for this Agreement and staff will work with our partners to update the current Agreement as part of the next Metropolitan Transportation Plan (MTP) update.
- (4) Tri-county Interlocal Agreement for the Creation of the Southeast Florida Transportation Council for Regional Transportation Planning and Coordination in South Florida: execution date – January 2006; amendment – September 2009; amendment – July 2011. This agreement will be amended as needed and does not expire without a consensus by the parties to the agreement.
- (5) Metropolitan Planning Organization Agreement (G2913): effective July 1, 2022 through June 30, 2024. This agreement expires and is replaced every two years and is for the allocation of Federal Highway Administration/PL and STP/STBG/SU funds to the MPO and was last amended in December of 2022.
- (6) Public Transportation Grant Agreement (G2167), execution date – February 1, 2022; effective until December 31, 2025. This agreement is for the allocation of 5305d funds to the MPO.
- (7) Florida Commission for the Transportation Disadvantaged Planning Agreement: Executed annually on July 1 and effective until June 30. This agreement is for the allocation of Transportation Disadvantaged funds to the MPO.

(8) Interlocal Agreement for Transportation Surtax Services between the Broward MPO and Broward County Board of County Commissioners: executed April 25, 2019; amended June 24, 2019; amended September 19, 2019; amended March 22, 2021; effective until December 31, 2024. This agreement is for the allocation of Surtax Funds to the MPO to cover surtax services provided to the County.

2. Does the MPO coordinate the planning of projects that cross MPO boundaries with the other MPO(s)?

Please Check: Yes No

The Southeast Florida Transportation Council (SEFTC) was created by the three MPOs (Broward, Palm Beach, and Miami-Dade) to specifically address and coordinate regional transportation issues on behalf of the residents of this large and complex region. SEFTC facilitates transportation planning by engaging the public and fostering strong partnerships between the three MPOs with other agencies, local governments, and communities. One of SEFTC’s most important responsibilities is developing and implementing its Regional Transportation Plan (RTP) in coordination with other regional and local plans, while moving toward an agreed-upon vision for transportation in South Florida. This Plan is updated every five years to adapt to population and other changes in or affecting the region. The responsibility for administering the RTP rotates between the three MPOs that make up SEFTC. For this cycle, the Broward MPO has led and managed the 2045 RTP to successful adoption in August 2020. In 2021 the SEFTC led a regional workshop to examine the implementation of a coastal link commuter rail to tie all three counties together. The 2050 RTP has rotated to the Miami-Dade Transportation Planning Organization. To prepare for the 2050 RTP, the Broward MPO participated in scope development, procurement, and consultant negotiations. Additionally, the Broward MPO is leading regular coordination meetings for the region’s respective Metropolitan Transportation Plans/Long Range Transportation Plans.

3. How does the MPOs planning process consider the 10 Federal Planning Factors ([23 CFR § 450.306](#))?

Please Check: Yes No

The Broward MPO planning process considers the following 10 Planning Factors: (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency; (2) Increase the safety of the transportation system for motorized and non-motorized users; (3) Increase the security of the transportation system for motorized and non-motorized users; (4) Increase accessibility and mobility of people and freight; (5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns; (6) Enhance the integration and connectivity of

the transportation system, across and between modes, for people and freight; (7) Promote efficient system management and operation; (8) Emphasize the preservation of the existing transportation system; (9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and (10) Enhance travel and tourism. All 10 of these Planning Factors are considered in the MPO's approved Unified Planning Work Program.

4. How are the transportation plans and programs of the MPO based on a continuing, comprehensive, and cooperative process?

Please Check: Yes No

The Broward MPO pursues a strong working relationship with all its transportation partners, following the three C's of transportation planning. The MPO cooperates with Federal Highway Administration and FDOT to guide its comprehensive approach to transportation planning, communicating on a continuing basis the expectations for the organization at the Federal and State level.

At the local level, the Broward MPO seeks to engage its member governments, which include Broward County, in several ways. Agenda items that go to the MPO Board are previously on the agenda for the Technical Advisory Committee (TAC) and Citizens' Advisory Committee (CAC) to give the opportunity for technical staff and community representatives to provide feedback to the elected officials before they take formal actions.

With the development of the MPO's Unified Planning Work Program (UPWP), in addition to presentations to the TAC and CAC members for input, MPO staff implemented a formal "call for plans and studies" process and works directly with key partners to ensure their Federally funded planning efforts are represented in the UPWP as required. In addition, MPO staff continues the tradition of organizing one-on-one meetings with elected officials and staff from nearly all its member governments (Broward County and its municipalities) to coordinate on projects, ensure understanding of requirements, and identify local needs during updates to plans such as the Metropolitan Transportation Plan (MTP), Complete Streets projects or competitive grant programs, such as the Complete Streets and other Localized Initiatives Program, to name a few.

MPO staff also continues its recently established annual evaluation cycle for MTP amendments and works with MPO advisory committees, the MPO Board, and planning partners to communicate deadlines and coordinate proposed amendments. Finally, on an ongoing basis through meetings, conference calls, e-mails, etc., MPO staff coordinates with local and regional partners (including Broward County) on a daily basis to ensure the timely delivery of complete streets and other transportation improvement projects.

5. When was the MPOs Congestion Management Process last updated?

Please Check: Yes No N/A

The MPO's Congestion Management Process (CMP) was updated in 2022. For this update the Broward MPO followed the Federally mandated process and completed the first six steps required of the eight-step model used to develop a regional congestion management and mitigation process. These are: Develop Regional Objectives for Congestion Management, Define CMP Network, Develop Multimodal Performance, Collect Data/Monitor System Performance, Analyze Congestion Problems and Needs, and Identify and Assess Strategies.

Staff and others have defined the network, analyzed congestion problems specific to Broward, and have identified strategies that have proven successful elsewhere. The CMP update included internal and external working groups to review the new methodical approach, analyze the most congested corridors in Broward, and assess their associated causes. Staff are currently reviewing the outcomes from the developing process and will be recommending integrating CMP strategies into existing projects as well as adding new projects in the next long-range transportation plan, the Metropolitan Transportation Plan Route to 2050.

6. Has the MPO recently reviewed and/or updated its Public Participation Plan (PPPs)? If so, when? For guidance on PPPs, see the Federal Highway Administration (FHWA) checklist in the [Partner Library](#) on the MPO Partner Site.

Please Check: Yes No

The MPO's Public Participation Plan (PPP) was fully updated and was made available for public comment which closed on January 4, 2023. It was reviewed and approved by the MPO's Technical Advisory Committee and Citizens' Advisory Committee at their January 25, 2023 meetings, and is anticipated to be approved by the MPO Board at their next meeting on February 9, 2023. Any feedback or comments received will be addressed. The MPO's PPP provides guidelines for achieving optimum public participation. Public participation begins early in the planning process and continues throughout each of the planning stages, helping to avoid, minimize and mitigate impacts while providing the best solutions.

7. Was the Public Participation Plan made available for public review for at least 45 days before adoption?

Please Check: Yes No

To ensure all interested persons residing in Broward had the opportunity to review and comment on the MPO's Public Participation Plan (PPP), a public comment period of more than 45 days was provided. The comment period opened on November 17, 2022 and closed January 4, 2023. The PPP reviewed and approved by the MPO's Technical Advisory Committee and Citizens' Advisory Committee at their January 25, 2023

meetings, and is anticipated to be approved by the MPO Board at their next meeting on February 9, 2023. The draft PPP was posted on the Broward MPO website and advertised in three local newspapers: South Florida Times, Sun Sentinel and El Sentinel.

Part 1 Section 2: Finances and Invoicing

1. How does the MPO ensure that Federal-aid funds are expended in conformity with applicable Federal and State laws, the regulations in 23 C.F.R. and 49 C.F.R., and policies and procedures prescribed by FDOT and the Division Administrator of FHWA?

The MPO has implemented processes and procedures to ensure compliance with proper management of federal, state and local funds. Based on the various laws and regulations, costs are eligible when they are in accordance with the approved Unified Planning Work Program (UPWP), incurred subsequent to the authorization date of the Federal Highway Administration (FHWA), and are attributable to the project. To aid in compliance, the agency has integrated an Enterprise Resource Planning financial management system to track all expenditures by grant, and allows for a multi-step approval process prior to payment disbursement. Additionally, the FDOT Program Management Handbook is used extensively during the biennial UPWP development and approval process, and for proper invoicing. Further, if MPO staff feels unsure about an expenditure, we will reach out to our federal and state partners for feedback and direction. To date, we have not had issues identified by the Division Administrator of FHWA.

2. How often does the MPO submit invoices to the District for review and reimbursement?

The Broward MPO currently submits invoices on a monthly basis.

3. Is the MPO, as a standalone entity, a direct recipient of federal funds and in turn, subject to an annual single audit?

The Broward MPO is a standalone entity, a direct recipient of Federal funds and is subject to an annual single audit. The most recent annual audit did not identify any findings and is anticipated to go before the MPO Board for approval on March 9, 2023. To view the MPO's audit reports, please see <https://browardmpo.org/core-products/unified-planning-work-program-upwp-budget>.

4. How does the MPO ensure their financial management system complies with the requirements set forth in [2 C.F.R. §200.302?](#)

The Broward MPO financial management systems are in compliance with the requirements set forth in 2 C.F.R. Part 200.302. The Enterprise Resource Planning system is GAAP compliant. Thus, system accounts are properly identified detailing Federal award revenues and expenditures, which allows information gathering and reporting for financial statement results, budgeted to actual expenditures and year-end audit reporting. The systems are designed to ensure that expenditures comply with Federal and State requirements in accordance with cost principles. They also ensure that expenditures are properly accounted for to the level of detail necessary to determine the grants charged, and that those charges are in accordance with the grant terms and conditions. The systems include the handling of financial records, accounting systems and financial reporting, internal controls, records retention and other written procedures.

5. How does the MPO ensure records of costs incurred under the terms of the MPO Agreement maintained and readily available upon request by FDOT at all times during the period of the MPO Agreement, and for five years after final payment is made?

The aforementioned Enterprise Resource Planning system collects all costs in separate account records in the system. That information can be accessed at any time. Additionally, records of costs detailing all expenditures are created at the time of submission of monthly reimbursement documents to FDOT. These documents are maintained electronically and are accessible at any time, as evidenced by the recent FDOT request and MPO submittal for this request in advance of the due date. These records are maintained on the MPO's servers for a minimum of seven years.

6. Is supporting documentation submitted, when required, by the MPO to FDOT in detail sufficient for proper monitoring?

Yes. The detailed supporting documentation contains all sources and backup data for the expenditures submitted for reimbursement.

7. How does the MPO comply with, and require its consultants and contractors to comply with applicable Federal law pertaining to the use of Federal-aid funds and applicable State laws?

The MPO complies with applicable Federal law pertaining to the use of Federal-aid funds as described in question one of this section. The MPO requires its consultants and contractors to comply with the same law through the inclusion of the necessary Federal compliance language in all MPO solicitation packages. It is a requirement that this language be agreed to by any proposer prior to final selection.

The following language is included in contracts: 2-12 FEDERAL TRANSIT ADMINISTRATION REQUIRED PROVISIONS This Project may be funded with assistance from the Federal Transit Administration (“FTA”). If so, the BMPO will follow, and require the Successful Proposer(s) to comply with, all applicable 3rd party procurement policies in accordance with FTA Circular C4220.1f (Third Party Contracting Guidance). Proposers are hereby advised that the applicable FTA required contractual provisions set forth in Exhibit “C-1” to the Sample Contract shall be set forth in any Contract resulting from this RFP. By submitting a Proposal, Proposers acknowledge and agree that the Successful Proposer(s) shall be required to comply with the provisions in Exhibit “C-1” of the Sample Contract if awarded the Contract. 2-13 FEDERAL HIGHWAY ADMINISTRATION REQUIRED PROVISIONS This Project may be funded with assistance from the Federal Highway Administration (“FHWA”). If so, the BMPO will follow, and require the Successful Proposer(s) to comply with, all applicable 3rd party procurement policies in accordance with the Regulations of the U.S. Department of Transportation Title 49, Code of Federal

Regulations, Part 21, as they may be amended from time to time. Proposers are hereby advised that the applicable FHWA required contractual provisions set forth in Exhibit “C- 2” to the Sample Contract shall be set forth in any Contract resulting from this RFP. By submitting a Proposal, Proposers acknowledge and agree that the Successful Proposer(s) shall be required to comply with the provisions in Exhibit “C-2” of the Sample Contract if awarded the Contract. These Federal law requirements are incorporated into the official standard written agreement.

8. Does the MPO have an existing negotiated indirect cost rate from the Federal government or use the de minimis rate (currently set at 10% of modified total direct costs which may be used indefinitely [\(2 C.F.R. 200.414\(f\)\)](#)?

In general, only those MPOs that are hosted by agencies that receive direct Federal funding in some form (not necessarily transportation) will have available a Federally approved indirect cost rate. If the MPO has a staffing services agreement or the host agency requires the MPO to pay a monthly fee, the MPO may be reimbursed for indirect costs.

Please Check: Indirect Rate De Minimis Rate N/A

- a. If the MPO has an existing negotiated indirect cost rate, did the MPO submit a cost allocation plan?

Broward MPO invoices are based on actual cost. Thus, no indirect cost rate is used.

Part 1 Section 3: Title VI and ADA

1. Has the MPO signed an FDOT Title VI/Nondiscrimination Assurance, identified a person responsible for the Title VI/ADA Program, and posted for public view a nondiscrimination policy and complaint filing procedure?"

Please Check: Yes No

Yes, this Assurance is annually updated. Carl Ema currently serves as the Organization's Title VI Coordinator. The Assurance and complaint filing procedure is posted to our website for public view.

2. Do the MPO's contracts and bids include the appropriate language, as shown in the appendices of the [Nondiscrimination Agreement](#) with the State?

Please Check: Yes No

The MPO solicitation packages and contracts have the appropriate language as shown in the appendices of the Nondiscrimination Agreement. Further, the MPO requests and receives a signed, notarized document of the nondiscrimination affidavit from all consultants and contractors.

3. Does the MPO have a procedure in place for the prompt processing and disposition of Title VI and Title VIII complaints, and does this procedure comply with FDOT's procedure?

Please Check: Yes No

The MPO has a procedure in place, which complies with the Department's procedure, and is laid out in the MPO's Title VI Discrimination Complaint Procedures in English and Spanish in the "Important Links" call-out box on the MPO website at <https://browardmpo.org/title-vi-dbe1>.

The Procedures match (in both procedure and format) with that of FDOT. As part of our triennial update to our Title VI Program, MPO staff brings the Program to the MPO's Technical Advisory Committee (TAC) and Citizens' Advisory Committee (CAC) who review, provide feedback and advise the Broward MPO Board who must ultimately vote on its approval. FDOT is represented on the TAC and is a non-voting member of the MPO Board, and as such is a part of the official process. Currently, the MPO is required to list a Federal Highway Administration civil rights contact for any complaints as part of the Title VI Program, but would be happy to coordinate with an FDOT District Four contact if there is someone functioning in that capacity.

4. Does the MPO collect demographic data to document nondiscrimination and equity in its plans, programs, services, and activities?

Please Check: Yes No

The MPO developed and uses a demographic profile for the years 2015 and 2045 for its Metropolitan Transportation Plan (MTP). The 2015 profile is based on US Census data and the 2045 profile is based on estimates developed by the Bureau of Economic and Business Research at the University of Florida. These demographic profiles are used to inform our travel demand forecasts for the year 2045 and are one of the tools used to assess the need for transportation investments throughout our planning area. The Broward MPO has introduced an online map application which visualizes the above demographic information and makes this data accessible to both the public and technical staff. The Interactive Transportation Analysis Zones Viewer can be found at: <https://reports.mysidewalk.com/246ec5165b>.

In order to enhance our equity analyses, the MPO has developed a process to more consistently and comprehensively evaluate its plans and programs in conjunction with Federal Environmental Justice and Title VI regulations. This process is known as Transportation Planning Equity Assessment and is recognized by our Federal partners as a best practice. The Broward MPO’s 2045 MTP update was the first of the MPO’s plans and programs to utilize this tool as part of the needs assessment and cost feasible plan evaluation. The MPO uses the Transportation Planning Equity Assessment tool and maps to develop other MPO core products and plans including the Transportation Improvement Program , Public Participation Plan, Complete Streets and other Localized Initiatives Program, Mobility Hub Program, and the Complete Streets Master Plan.

The Transportation Planning Equity Assessment has been updated to reflect the most recent 2020 American Community Survey Five-Year Estimates. For more information, refer to the Transportation Planning Equity Assessment page on our website at <https://browardmpo.org/data/title-vi-transportation-planning-equity-assessment>.

5. Has the MPO participated in any recent Title VI training, either offered by the State, organized by the MPO, or some other form of training, in the past three years?

Please Check: Yes No

In addition to including a refresher on Title VI and the MPO’s Transportation Planning Equity Assessment at an all-staff lunch/retreat on September 8, 2022, a number of MPO staff attended an online FDOT Title VI Training that was hosted by the Center for Urban Transportation Research on November 10, 2022. This training featured a Federal Transit Administration representative who provided the historical foundation, intent, and benefits of the Title VI legislation and demonstrated the responsibilities of FDOT recipients and sub-recipients including implementation strategies and methods

to support ongoing compliance. The three-hour training was intended to support public and human service organizations by introducing strategies to implement and maintain Title VI plans. The training provided resources and assistance to achieve and maintain service that addresses the intent and purpose of the Title VI laws.

6. Does the MPO keep on file for five years all complaints of ADA noncompliance received, and for five years a record of all complaints in summary form?

Please Check: Yes No

The MPO keeps a spreadsheet of Title VI/ADA complaints filed. There have been no complaints filed since October 2013.

Part 1 Section 4: MPO Procurement and Contract Review and Disadvantaged Business Enterprises

1. Is the MPO using a qualifications based selection process that is consistent with [2 C.F.R. 200.320 \(a-c\)](#), [Appendix II to Part 200 - Contract Provision](#), and [23 C.F.R. 172](#), and Florida statute as applicable?

Please Check: Yes No

The Broward MPO utilizes and adheres to methods of procurement identified in 2 C.F.R. 200.320. Depending on the amount of the procurement, the MPO chooses the best option of the following methods:

Method (a): micro-purchases are used for procurement of supplies or services. This purchasing method is validated by purchase orders or purchase cards. Even though the requirements for micro-purchases are more relaxed when compared to other purchase types, the MPO understands the importance and keeps the records of these purchases well documented.

Method (b): small purchases are relatively simple procurements used for securing office supplies, services or other materials. A small purchase may include competitive quotations from qualified sources (typically three quotes). Unlike with micro-purchases, small purchases require that a price or cost analysis is used to determine the award and to ensure that the proposed price is fair and reasonable.

Method (c): procurement by sealed bids (formal advertisement) is a competitive bidding process that utilizes a written solicitation to request and receive sealed bids. Bids are evaluated against terms and conditions.

Method (d): procurement by competitive proposals is a process of requesting and receiving two or more proposals. This method utilizes written competitive sealed proposals and various combinations, version of services may be proposed by a responsive vendor to meet the terms and conditions of the solicitation document.

Method (e) procurement by noncompetitive proposal is a process exempt from competitive bid and proposal requirements. This method may be used only in an emergency or when the services provided by a single vendor are not available from any other vendor. In 2022, procurement methods (a), (b), (d) and (e) were utilized.

2. Does the MPO maintain sufficient records to detail the history of procurement, management, and administration of the contract? These records will include but are not limited to: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price, contract, progress reports, and invoices.

Note: this documentation is required by [2 C.F.R. 200.325](#) to be available upon request by the Federal awarding agency, or pass-through entity when deemed necessary.

Please Check: Yes No

The history and records are maintained in an electronic procurement and contract folder. These records include, but are not limited to, rationale for the method of procurement, official contract agreements, advertisement notices, written proposals and oral presentation handouts, public meeting notes of the selection process, written questions and solicitation amendments posted to website, contractor selection or rejection notices and e-mail correspondence.

3. Does the MPO have any intergovernmental or inter-agency agreements in place for procurement or use of goods or services?

Please Check: Yes No

The Broward MPO has several intergovernmental or inter-agency agreements with Broward County and various municipalities/agencies. Examples of some of the agreements in place are as follows: City of Hollywood Mobility Hub Subrecipient Agreement for Hollywood Boulevard/State Road 7 Mobility Hub, City of Fort Lauderdale Downtown Mobility Hub Subrecipient Agreement and Interlocal Agreement for Administrative Services, Downtown Fort Lauderdale Transportation Management Association Agreement for Administrative Services, Palm Beach Transportation Planning Agency Interlocal Agreement for Administrative Services, Interlocal Agreements for Transportation Planning Services with member municipalities, and the South Florida Regional Transportation Authority Subrecipient Agreement for the Fare Interoperability Project.

4. What methods or systems does the MPO have in place to maintain oversight to ensure that consultants or contractors are performing work in accordance with the terms, conditions and specifications of their contracts or work orders?

Please Check: Yes No

Each month consultants and contractors are expected to submit standardized invoices for the services provided. This invoice lists the tasks related to the respective contract's scope of work and the amount invoiced to each task for the billing period along with a summary of progress and deliverables from the consultant or contractor. Supporting documentation is also included to justify direct or other expenses. This invoice and summary is then used by the Broward MPO project manager to compare with the actual work performed and delivered per the terms, conditions and specifications of their contracts. Once the Broward MPO project manager is satisfied that all requirements have been met, they will approve the invoice to recommend payment. This invoice is then reviewed by appropriate division directors and financial staff to ensure other related requirements are being met. When the MPO receives the invoices they are entered into the MPO's Financial Management System – BS&A. The System allows for electronic tracking of the invoice from receipt to check disbursement. As noted above, the approval process is

multilevel, and includes review and approval of the Project Manager, Deputy Director, Finance, Procurement, and Executive Director.

5. Does the MPO's contracts include all required federal and state language from the MPO Agreement?

Please Check: Yes No

The MPO agreements have the appropriate language as required by the Federal government and State. Further, the MPO also includes all appropriate language in its solicitation packages.

6. Does the MPO follow the FDOT-approved Disadvantaged Business Enterprise (DBE) plan?

Please Check: Yes No

The MPO follows the guidelines outlined in the FDOT DBE Program for any projects or initiatives that use Federal Transit Administration (FTA) or Federal Highway Administration (FHWA) funds. As a direct recipient of FTA funds, the MPO updated its DBE Program in 2020 and it is under review by the FTA. Additionally, the MPO is currently updating the DBE program for 2023. The DBE Plan can be found on the MPO website at <https://browardmpo.org/title-vi-dbe1>. The website clearly states the MPO utilizes two DBE Goals: one for FHWA funded projects and one for projects that use FTA funds.

7. Are the MPOs tracking all commitments and payments for DBE compliance?

Please Check: Yes No

The MPO tracks participation by receipt of completed forms requested during the solicitation process and participation data is updated in our Bidders Opportunity List. DBE payments and compliance is monitored by staff continuously throughout the contract term. The MPO provides a DBE participation report for Federal Highway Administration-funded projects directly to FDOT on a bi-annual basis as required. The MPO staff has signed up as users in the Equal Opportunity Compliance system and is awaiting updates and training from FDOT to utilize the system. Additionally, for Federal Transit Administration-funded projects, the MPO continuously tracks DBE payments and reports DBE participation bi-annually in TrAMS as required.

8. The MPO must be prepared to use the Grant Application Process (GAP) to record their professional services contract information starting on July 1, 2022. Has the MPO staff been trained on the GAP system? If yes, please provide the date of training. If no, please provide

the date by when training will be complete (Recordings are available on the FDOT Local Programs [webpage](#)).

Please Check: Yes No

MPO staff attended the following training on June 9, 2021: "Florida Department of Transportation Grant Application Process 'GAP' System Training." MPO staff also attended "MPO GAP Training" on January 25, 2022.

9. Does the MPO include the DBE policy statement in its contract language for consultants and subconsultants?

Please Check: Yes No

MPO contracts have the following DBE policy language in contracts:

"Disadvantaged Business Enterprise (DBE) Program. The contractor, sub-recipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of FTA-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deem appropriate. The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment the prime contract receives from The BMPO. The prime contractor agrees further to return retainage payments to each subcontractor within 30 days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the BMPO. This clause applies to both DBE and non-DBE subcontracts. The following language is also included in contracts: D. Disadvantaged Business Enterprise. To the extent authorized by Federal law, the Contractor agrees to facilitate participation by Disadvantaged Business Enterprises (DBEs) in the Project and assures that each subcontractor, lessee, third party contractor, or other participant at any tier of the Project will facilitate participation by DBEs in the Project to the extent applicable as follows: (1) The Contractor agrees and assures that it shall comply with section 1101(b) of SAFETEA-LU, 23 U.S.C. § 101 note, and U.S. DOT regulations, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," 49 C.F.R. Part 26. (2) The Contractor agrees and assures that it shall not discriminate on the basis of race, color, sex, or national origin in the award and performance of any subagreement, lease, third party contract, or other arrangement supported with Federal assistance derived from U.S. DOT in the administration of its DBE program and shall comply with the requirements of 49 C.F.R. Part 26. The Contractor agrees to take all necessary and reasonable steps as set forth in 49 C.F.R. Part 26 to ensure nondiscrimination in the award and administration of all subagreements, leases, third party contracts, and other

arrangements supported with Federal assistance derived from U.S. DOT. As required by 49 C.F.R. Part 26, the Contractor's DBE program approved by U.S. DOT, if any, is incorporated by reference and made part of the Grant Agreement or Cooperative Agreement for the Project. The Contractor agrees that it has a legal obligation to implement its approved DBE program, and that its failure to carry out that DBE program shall be treated as a violation of the Grant Agreement or Cooperative Agreement for the Project and the Master Agreement. Upon notification by U.S. DOT to the Contractor of the Contractor's failure to implement its approved DBE program, U.S. DOT may impose the sanctions as set forth in 49 C.F.R. Part 26 and may, in appropriate cases, refer the matter to the appropriate Federal authorities for enforcement under 18 U.S.C. § 1001, or the Program Fraud Civil Remedies Act, 31 U.S.C. §§ 3801 et seq., or both."

10. Are the MPO procurement packages (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contracts free from geographical preferences or bidding restrictions based on the physical location of the bidding firm or where it is domiciled?

Please Check: Yes No N/A

11. Are the MPO procurement packages (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contracts free of points or award preferences for using DBEs, MBEs, WBEs, SBEs, VBEs or any other business program not approved for use by FHWA or FDOT?

Please Check: Yes No N/A

12. Please identify all locally required preference programs applied to contract awards by local ordinance or rule that will need to be removed from Federal-Aid solicitations and contract.

- a) Minority business
- b) Local business
- c) Disadvantaged business
- d) Small business
- e) Location (physical location in proximity to the jurisdiction)
- f) Materials purchasing (physical location or supplier)
- g) Locally adopted wage rates
- h) Other: _____

13. Do the MPO contracts only permit the use of the approved FDOT race-neutral program?

Please Check: Yes No N/A

14. Do the MPO contracts specify the race neutral or 'aspirational' goal of 10.65%?

Please Check: Yes No N/A

15. Are the MPO contracts free of sanctions or other compliance remedies for failing to achieve the race-neutral DBE goal?

Please Check: Yes No N/A

16. Do the MPO contracts contain required civil rights clauses, including:

- a. Nondiscrimination in contracting statement (49 CFR 26.13)
- b. Title VI nondiscrimination clauses Appendices A and E (DBE Nondiscrimination Assurance & 49 CFR 21)
- c. FDOT DBE specifications

Please Check: Yes No N/A

Part 1 Section 5: Noteworthy Practices & Achievements

One purpose of the certification process is to identify improvements in the metropolitan transportation planning process through recognition and sharing of noteworthy practices. Please provide a list of the MPOs noteworthy practices and achievements below.

Over the past year, the Broward MPO has advanced many noteworthy practices from past years and continually improves upon them to maximize benefits to communities. Other noteworthy practices have been added this year. The following highlights the many Broward MPO premier events and noteworthy practices, some of which are recognized nationally.

Public Outreach and Engagement Initiatives

Engaging those who live, work and play in Broward is the cornerstone of all MPO plans, projects and initiatives. Public outreach is more than holding the obligatory public meetings for projects, as public meetings are notorious for having poor attendance. For the Broward MPO, public outreach focuses on utilizing a toolbox of different engagement methods and approaches (1) to teach about the role of the MPO, (2) receive extensive feedback from residents and businesses to inform its plans, programs, and projects, and to (3) truly engage our communities on their terms, on their turf, and in a way that is most meaningful to them.

Public Engagement Efforts

The Broward MPO's grassroots public engagement initiative, also known as Speak Up Broward, continues a dialogue with the public to educate South Florida communities about the importance the transportation system has on quality of life. This multi-faceted initiative is nationally recognized and seeks to bring the message of the MPO beyond the walls of the office.

In an effort to use different tools and techniques, the MPO has successfully released a series of podcasts titled "Let's Talk Transportation" over the past year with approximately 150 downloads (for the podcasts, please visit <https://browardmpo.org/podcasts>). Topics range from the purpose of the MPO, highlighting what the MPO does, to project specific subjects. The efforts reach Broward residents and beyond and are another avenue to educate and engage stakeholders. Maintaining that conversation about transportation in Broward is one of the key goals of Speak Up Broward.

This past year, we continued our education efforts including virtual and in-person outreach on Broward Complete Streets projects, which helped to promote a better understanding of how these projects are improving quality of life for those who live, work, and play in Broward. We also conducted outreach for deliverables like the MPO's core products and the MPO's visioning plan: Vision 2100. Speak Up Broward continued its

Think Like A Planner workshops with students from New Renaissance Middle School in October. The Broward MPO's student outreach efforts create the pipeline from the classroom into the field for the next generation of transportation professionals.

While the MPO's approach to social media continues to be recognized nationally as a best practice (MPO staff presented at national peer exchanges on effective and innovative social media engagement, including at the Association of Metropolitan Planning Organization's annual conference in October 2022). Social media posts focus on MPO operations and active transportation messaging. MPO news and updates focus on MPO core products, initiatives, and projects. As of January 25, 2023, we have 7,298 followers on Facebook, 2,418 followers on Instagram, and 1,823 followers on LinkedIn. Instagram has seen extensive growth in followers over the past year and the public has been engaged with all platforms.

2023 Board Engagement Forum

As part of the Broward MPO's ongoing efforts to inform the public and MPO Board on current initiatives and projects, the MPO planned over the course of several months a virtual Board Engagement Forum held on January 12, 2023. The Forum was attended by several Board Members and newly appointed Board Members. The Board Engagement Forum consisted of in-depth sessions related to the new Strategic Business Plan and a session to receive direction, among other current topics.

Metropolitan Transportation Plan (MTP) Initiatives

This past year, the MPO processed amendments submitted by the MPO's partner agencies and MPO staff based on project updates using the MPO's newly adopted annual MTP amendment process – <https://browardmpo.org/amendments>. The amendments consisted of updates to FDOT's Strategic Intermodal System Cost Feasible Plan projects, the Port Everglades Master Plan list of projects, advancing funds for Tri-Rail Rolling Stock, and minor changes to the MTP needs/unfunded list of projects. Staff met one-on-one with each agency, presented each proposed MTP amendment to the MPO advisory committees and MPO Board, and processed each amendment based on Federal and State guidelines relating to fiscal constraint and public notice/comment periods.

The MPO also drafted a scope of work for its 2050 MTP which included many of the State and Federal emphasis areas: Safety, Resiliency, Emerging Technologies (Automated, Connected, Electric, Shared Vehicles; Smart City technology; etc.), and Housing. This scope was advertised and a consultant was selected to assist MPO staff with this effort. The new 2050 MTP has been named "Route to 2050" as a way to link the MPO's existing vision document (Path to 2100) which was developed to serve as a guide

for future MTP updates. Work on the 2050 MTP began in October 2022 with the development of a Countywide “Call for Projects” process. This will allow each one of the MPO’s partner agencies to submit transportation projects to the MPO for consideration in the 2050 MTP and meet with MPO staff to discuss these projects and ensure they are viable projects for inclusion in the needs assessment process.

Vision 2100

The MPO’s Vision 2100 plan builds off of the foundation set in the Commitment 2045 Metropolitan Transportation Plan (MTP) and seeks to outline a vision for Broward out to 2100. The Vision includes a robust discussion on land use, transportation, technology, and resiliency and how to address these elements in our future plans, programs, and policies. The 2045 MTP helped to create a transit network for 2100 that was not cost constrained and took into account future potential transit markets and available technologies. The intent of the Vision 2100 plan is to establish a guiding document for future MTP updates to ensure consistency in the investment and identification of transportation projects. This plan will be used as a foundation for the upcoming 2050 MTP update.

The MetroLAB at Florida Atlantic University, in partnership with the Broward MPO and the South Florida Business & Wealth Magazine, conducted a second series of three panels in 2022 about Vision 2100 on June 7, July 27, and September 14, 2022. This past year we were able to hold an in-person session at the Tower Club in Fort Lauderdale where close to 100 people attended. Other events included virtual panel discussions with a moderator. 463 RSVPs were received for the virtual events.

Metropolitan Transportation Plan (MTP) Safety Studies

In 2021, the Broward MPO developed an off-system Roadway Safety Audit (RSA) framework to analyze and identify safety countermeasures for crash hot spots on Broward's off-system roadway network. The annual process will allow the MPO to develop projects with countermeasures that specifically address the safety needs at signalized intersections, unsignalized intersections, and corridor segments based on crash severity as identified in the 2045 MTP. A broad array of stakeholders will be included in this process, including Broward County, FDOT and local municipalities, who will help the MPO review problematic crash sites and guide projects through the RSA and project design process. The framework established an RSA template to enable the Broward MPO to leverage SU, TAP, and HSIP funding using data driven metrics such as benefit/cost ratio and net present value for all identified improvements.

A pilot project along Royal Palm Boulevard (from University Drive to Riverside Drive) was completed in 2022 using the RSA framework. The RSA successfully analyzed the prevailing crash factors along the corridor and identified multiple countermeasures to

address these crash trends. The countermeasures were vetted with stakeholders including the City of Coral Springs, Broward County, and FDOT which served as the basis for the project's scope of work.

Resiliency Studies

The MPO continues to focus efforts on resiliency and sustainability. The 2045 Metropolitan Transportation Plan (MTP) incorporated resiliency into transportation decision-making and included resiliency in the Vision, Goals and Objectives, and as a factor in project selection and prioritization. The 2045 MTP also identified eight priority corridors for resiliency improvements.

In 2022, the MPO staff developed the Transportation Resiliency Framework in coordination with FDOT, Broward County, the South Florida Water Management District, municipal stakeholders and others. The Framework proposes a holistic approach to address resiliency vulnerabilities in the transportation network and serves as a bridge between the MPO and future FDOT studies. The MPO has started the process to apply the Framework methodology to Hollywood Boulevard, the first of the eight priority corridors from the 2045 MTP. The MPO will work with local municipalities and partners to identify a solution set of on and off-system corridor improvements and utilize this corridor study as a prototype to calibrate the Framework methodology.

In addition to the Framework, the MPO has coordinated with FDOT and partner agencies to plan and encourage the installation of electric vehicle charging stations and has begun to develop a carbon reduction strategy as laid out in the Infrastructure Investment and Jobs Act.

Quiet Zone Safety Program

With the announcement of Brightline, residents along the Florida East Coast Rail (FEC) corridor became concerned about the frequency and intensity of train horns as rail traffic would quintuple. The Broward MPO's two-year effort to create a quiet zone – a segment of rail where the engineer does not have to regularly sound the horn at rail grade crossings – culminated in 2017. During the COVID-19 lockdown, Brightline suspended service for nearly two years. Once service resumed, a pattern of train incidents arose.

Once again, the Broward MPO stepped in to fill a need in both education and infrastructure. The MPO leveraged its partners in law enforcement to examine data and the causes behind these accidents. Based on the data, the Broward MPO has created an ad campaign to educate the public on the dangers of not adhering to railway safety infrastructure.

In parallel to the education campaign, the MPO partnered with Brightline to lead the application for the Railroad Crossing Elimination Program. If successful, this grant will fund the highest level of railroad safety equipment at crossings along the corridor. The Broward MPO held one-on-one meetings with the eight cities along the corridor, as well as Broward County government, to review and discuss the proposed safety improvements and to garner commitments of local match for the grant.

Grants Coordination Meetings

The passage of the Bipartisan Infrastructure Law expanded and created discretionary grant programs. These grant opportunities encourage regionalism and cooperation. As the only forum for our municipal partners to collaborate, the Broward MPO seized the opportunity to form a recurring working group focused on grant applications. These meetings provided partners an open forum to share potential projects which can then be combined to create a stronger grant applications. These meetings also encourage cooperation by preventing partners from competing for the same grant.

One such instance of this was with the Safe Streets and Roads for All grant application. Many partners saw an opportunity for apply for a small sum of funding to support their own unique needs. However, the Broward MPO coordinated publicly with Broward County Government to submit a joint application which encompassed the entirety of the County. These grant coordination meetings prevented our partners from cannibalizing the application.

Resiliency and Affordable Housing Committee (RAHC)

In April 2021, the Broward MPO authorized the formation of the RAHC, an advisory committee to the Broward MPO Board. The membership is comprised of two local elected officials, two former elected officials and three agency staff at the County and municipal levels.

The RAHC meets every two months to review policies, procedures, ordinances, and land development regulations and then recommend actions or incentives to encourage or facilitate affordable/attainable housing and transportation to improve the Broward region's resilience. During the next two years, the RAHC will play a key role in the development of the resiliency component of the 2050 Metropolitan Transportation Plan and the Housing Coordination Plan.

Implementing Complete Streets and Improving Safety

The Broward MPO continues to be a leader in promoting and implementing Complete Streets and promoting safety in Broward. The vision for Complete Streets is to create a safe and efficient transportation network that promotes the health and mobility of all citizens and visitors by providing high-quality pedestrian, bicycle, transit and automobile access to various everyday destinations while prioritizing historically disenfranchised and underserved communities throughout Broward.

Complete Streets Master Plan (CSMP)

In 2019, the Broward MPO Board unanimously approved the CSMP that included a prioritized list of projects based on an equity and demand analysis. Also in 2019, the 2045 Metropolitan Transportation Plan identified funding for the implementation of the CSMP projects in the Financially Constrained (Cost Feasible) Plan. Essential to this process is meeting the “program-ready” requirements that the MPO established to ensure projects have the necessary political and public support to move forward into the Multimodal Priority List (MMPL) for programming. The program-ready requirements are: scope of work, cost estimates, political and public support, and partner collaboration. To date, the Broward MPO has advanced the program-ready status of 25 CSMP projects to prepare them for inclusion in the MMPL. When the projects move from the MMPL to the Transportation Improvement Program, MPO staff continues to be involved in the implementation process (design and construction). This includes the “third year check” process, where MPO staff meets with local governments and FDOT staff prior to securing the services of a design consultant to ensure the programmed project still has the support needed to move forward. MPO staff continue to coordinate with FDOT and the local partners to ensure the projects delivery is in accordance with the direction from the MPO Board.

Since 2020, the Broward MPO has continued to move forward with the implementation of projects despite the conditions caused by the COVID-19 pandemic. The pandemic had minor impacts on construction projects. However, all projects were able to move forward with FDOT, MPO, County and local agency coordination.

Complete Streets Initiatives and Education

The Safe Streets Summit continues to be a noteworthy MPO practice to promote Complete Streets concepts, educate local public officials, provide municipal technical staff with the necessary tools to implement Complete Streets, and highlight the Broward MPO’s and its partners’ ongoing efforts. The event features nationally recognized experts and panelists who speak on the economic, health, and safety benefits of streets designed for all users. For several years, the Broward MPO collaborated with its partners at the Palm Beach Transportation Planning Agency and Miami-Dade Transportation Planning Organization to organize and host the Summits. This year, the Broward MPO is leading 2023 Safe Streets Summit that marks the tenth anniversary of the first Summit.

The Broward MPO received the 2021 Roadway Safety Award for the Complete Streets Master Plan and its implementation from the Roadway Safety Foundation and the Federal Highway Administration (FHWA). This coveted award recognizes agencies throughout the country who are leading in the implementation of projects or programs that are creating safer streets for all users of the road.

As a national leader in the implementation of Complete Streets, MPO staff, once again, were invited to present at an FHWA-hosted national conference: Every Day Counts Safety Summit. At this conference, MPO staff presented the overall Complete Streets Initiative highlighting education and training, community engagement and implementation. MPO staff also presented at the 2021 Association of Metropolitan Planning Organizations national conference, sharing best practices and lessons learned with participants.

Local and Regional Freight Initiatives

The safe and efficient movement of freight is key to our local economy. The Broward MPO is a recognized leader in its comprehensive approach to addressing issues affecting freight transportation within Broward and the State. To accomplish this, the Broward MPO's Freight Transportation Advisory Committee (FTAC) is tasked with promoting the importance of freight mobility and ensuring that freight priorities are represented in the MPO's Metropolitan Transportation Plan (MTP) and Transportation Improvement Program. The FTAC is comprised of members that are directly involved in the movement, storage and distribution of freight. The FTAC was integral in the development of the MPO's MTP and continues to provide the MPO with much needed input from the freight and logistics community, particularly in light of the COVID-19 pandemic.

Further, the Broward MPO continues to lead an effort through the Florida Metropolitan Planning Organization Advisory Council (MPOAC) to identify and promote high-priority, freight-related projects within each of the 27 Florida MPOs that will improve the movement of goods throughout the State. This effort ensures that these high-priority freight projects satisfy localized planning processes and are consistent, repeatable and well-documented. Through the Freight Prioritization Program (FPP), every MPO in Florida is afforded an opportunity to submit their highest priority freight related transportation projects to the MPOAC who in turn assembles a statewide MPO priority list and shares it with FDOT for funding consideration. Based on input from our partner MPOs, the Broward MPO is currently leading an effort to update the FPP to include additional modes. The additional modes would include rail and non-State highway projects.

Non-traditional MPO Initiatives

The Broward MPO seeks to be in the forefront of everything we do. We strive to go beyond an MPO's traditional transportation planning responsibilities. The following describes some of Broward MPO's unique initiatives and noteworthy practices which will have a positive impact on the transportation systems of Broward.

Regional Transportation Plan (RTP) and Southeast Florida Transportation Council (SEFTC)

SEFTC was created by the three MPOs (Broward, Palm Beach, and Miami-Dade) to specifically address and coordinate regional transportation issues on behalf of the residents of this large and complex region. SEFTC facilitates transportation planning by engaging the public and fostering strong partnerships between the three MPOs with other agencies, local governments, and communities. One of SEFTC's most important responsibilities is developing and implementing the RTP in coordination with other regional and local plans, while moving toward an agreed-upon vision for transportation in South Florida. This Plan is updated every five years to adapt to population and other changes in or affecting the region. The responsibility for administering the RTP rotates between the three MPOs that make up SEFTC. The Broward MPO has led and managed the 2045 RTP to successful adoption in August 2020. In 2021, the SEFTC led a regional workshop to examine the implementation of a coastal link commuter rail to tie all three counties together. The 2050 RTP has rotated to the Miami-Dade Transportation Planning Organization. To prepare for the 2050 RTP, the Broward MPO participated in scope development, procurement, and consultant negotiations. Additionally, the Broward MPO is leading regular coordination meetings for the region's respective Metropolitan Transportation Plans/Long Range Transportation Plans.

Mobility Hub Development Initiatives

The Broward MPO continues to advance the planning and implementation of Mobility Hubs. In 2021, the Broward MPO introduced the Mobility Hubs Program, a competitive application process for local partners to request Mobility Hub Master Plans and funding for design and implementation of Mobility Hubs. Staff developed policies for the Program and an Evaluation Tool to objectively analyze and rank the applications. After the Board approved the Program, the initial application cycle opened in December 2021 and closed in February 2022. The MPO received one application for the Coconut Creek Main Street Mobility Hub Master Plan. MPO staff collaborated with City staff to develop the scope and conduct the consultant selection process. The MPO Board approved the funding for the Master Plan in December 2022 and work began.

In July 2022, the City of Fort Lauderdale celebrated the opening of the Downtown Fort Lauderdale Mobility Hub Streetscape project that addresses transportation connectivity and safety with \$3.5 million in improvements. The City of Hollywood has completed design work and began construction on the \$1 million Mobility Hub at Hollywood Boulevard and State Road 7. The MPO is working with the City of Pembroke Pines to

begin the implementation of their Mobility Hub transit improvements around City Center, Pines Boulevard, and Washington Street.

Renovated Multimodal Priorities List (MMPL)

The Broward MPO's MMPL serves as a bridge between the MPO's Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). This List sets priorities for Federal and State funds.

In order to guarantee that the transportation investments are balanced among the transportation modes, percentages agreed upon in the 2045 MTP by the MPO Board were used to distribute revenue among the six programs from the MTP (Complete Streets and other Localized Initiatives Program, Complete Streets Master Plan, Mobility Hubs, Roadway, Systems Planning/Safety, and Transit). To accommodate the six programs, the MPO introduced an innovative new format for the MMPL that emphasizes transparency and program readiness. Utilizing Microsoft Access's report function, user-friendly reports are customized to provide Board Members, the general public, and planning partners with critical and clear information. As a result, it supports decision-makers in making informed decisions and facilitates FDOT to program projects.

In order to increase transparency, project information is categorized under six sections: 1. Priority (Current Priority, Prior Year Priority) 2. Project Characteristics (Project Name with Limits, Type of Work, Description, Project Sponsor, Proposed Study, City, Facility Ownership) 3. Financial (Phase, Year, Amount Funded, Funding Needed, Total Project Cost) 4. Funding Source 5. Program Readiness 6. MTP Reference (MTP Page Number, MTP Timeframe). The MMPL highlights funding sources with different colors representing State, Federal, Local, or any combination of the three, for each prioritized project. This ensures both project priority and funding allocation is conveyed as part of the programming process. MPO and FDOT staff continue to work on improving the MMPL and Draft Tentative Work Program (DTWP) development process to ensure MPO priorities are accurately reflected through the work program development cycle.

This past year, a separate MMPL webpage (<https://browardmpo.org/core-products/multimodal-priorities-list>) was developed to highlight this core product and the supporting documentation (project resolutions).

Coordination with FDOT District Four Planning Team

The Broward MPO programming team continues to meet weekly with FDOT District Four planning staff to address programming issues related to the Multimodal Priorities List (MMPL)/List of Priority Projects, Draft Tentative Work Program (DTWP), and the Transportation Improvement Program (TIP). This past year, MPO and FDOT staff worked closely to develop the MMPL and ensure projects were programmed based on

Metropolitan Transportation Plan rank and identified funding source. The team also utilized these meetings to address funding allocation discrepancies identified in the fiscal year 2024 DTWP and is currently using this platform to develop a coordination plan for future programming cycles in an effort to improve communication and preserve MPO Board priorities. Broward MPO staff also proposed a new TIP amendment template for FDOT District Four staff review in an effort to streamline the TIP amendment process, ensure TIP amendment thresholds are met, and the required information is provided for TIP amendment requests from FDOT District Four.

Virtual Meetings

In response to the unusual circumstances brought on by the COVID-19 pandemic, MPO staff worked hard over the past couple years to ensure that the quality and integrity of virtual board/committee meetings were held to the highest standard. Challenges such as State and Federal regulations, ADA compliance, and public involvement were researched and overcome to enable the Organization to host online virtual meetings. Staff studied the distinctions between the available technology, created manuals for board/committee members and presenters, and provided detailed user manuals and training for staff on virtual public meeting guidelines. The MPO also began conducting regular dry run sessions prior to meetings to help prepare presenters and familiarize them with the technology and meeting layout. When the State of Emergency was lifted for Florida and meetings were transitioned from an online-only setting to a hybrid, or partially virtual, setup, the established procedures continued to be followed. Following an MPO Rules change that took place in 2021, hybrid meetings are now a permanent feature at the MPO going forward provided in-person quorum requirements are still met.

In late 2021/early 2022, in an effort to further improve the hybrid meeting experience, the MPO initiated a second phase of upgrades to the Board Room technology that will allow virtual meeting participants to sign into a web-based version of the voting system that fully integrates with the one currently installed in the MPO's Board Room. Once signed in, members attending virtually will be able to view the agenda, request to speak, and vote as if they were physically present. With testing complete, MPO staff utilized this system for the first time during the January 25, 2023 Technical Advisory Committee meeting and will continue to work with the vendor to make improvements as this technology gets utilized with other boards/committees.

Fare Interoperability

The FTA provided funding to the Broward MPO for the implementation of Fare Interoperability. The intent of the program is to provide a seamless transportation experience for transit riders to plan a trip, pay for fares and reload value on a mobile

device. The interoperable component seeks to facilitate transit transfers and the payment of fares among the multiple transit systems in South Florida.

After closing out the subrecipient agreement with Broward County Transit, the Broward MPO is using the remaining funds from the grant to advance fare interoperability in coordination with the South Florida Regional Transportation Authority (SFRTA). In October 2021, the MPO Board approved a subrecipient agreement with SFRTA to increase the mobile ticketing and interoperable capacity of their fare collection and payment systems. SFRTA is currently advancing the three primary tasks: Update and Redesign of Tri-Rail MTS App, Implementation of Mobile Ticketing Back Office Solution, and Regional Mobile Ticketing Solution.

Collaborative Planning With Partner Governments

The MPO established its City Services section to collaborate with its partner governments in their efforts to plan, prioritize and fund diverse transportation options. These locally developed, coordinated transportation plans identify transportation needs at the community level. The MPO's City Services staff work together with partners and the community to develop strategies and improvements for meeting local needs that support regional initiatives. These community-level plans also identify practical candidate projects for the 2050 Metropolitan Transportation Plan (MTP) "call for projects" and other funding opportunities, which will ensure that local plans and the MTP follow a consistent and coherent direction.

In 2022, the MPO completed the following planning efforts with our local partners:

- In partnership with the City of Tamarac, the MPO prepared a plan to identify bicycle and pedestrian deficiencies to access transit and compliance with the ADA at community shuttle bus stops, and identified improvements and a path forward for implementation.
- The MPO and the plan's sponsor, the City of Lauderdale Lakes, partnered with Broward County and the cities of Fort Lauderdale, Oakland Park, Tamarac, and Pompano Beach to develop the Northwest 31st Avenue Mobility Plan. The Plan identified improvements and strategies that safely support movement and connectivity for Northwest 31st Avenue's future evolution and growth. This will be achieved by improving safety for all ages and abilities and enhancing connectivity.
- The MPO prepared the Northwest 55th Avenue Mobility Plan for the City of Lauderdale to improve safety and multimodal connectivity for all roadway users and ensure compliance with the ADA for the eight City community shuttle bus stops located on the corridor.

Also in 2022, the MPO kicked off the following plans that are currently underway:

- The MPO is providing technical assistance to the City of Plantation for the development of a citywide multimodal master transportation plan. The plan will address current and future needs for all roadway users, particularly pedestrians, bicyclists, and transit riders.
- The MPO, in collaboration with FDOT, Broward County, Broward County Transit, and the cities of Oakland Park and Wilton Manors, is developing a First and Last Mile Connection Plan for the proposed commuter rail station (Florida East Coast rail corridor) and bus rapid transit (Oakland Park Boulevard). The Plan aims to maximize ridership by enhancing access, improving safety, and multimodal connectivity. This effort complements the efforts of the Broward Commuter Rail project and the Broward County Premium Mobility Plan (PreMo).

Metro Transportation Engineering & Construction Cooperative (MTECC)

What is MTECC?

MTECC is a self-governed and self-funded cooperative created by local municipalities to facilitate the planning, design, and construction of transportation related projects throughout Broward County. Annual dues from participating municipalities cover overhead while projects costs are covered through Federal project awards.

At the first Mayor's and Elected Officials Roundtable hosted by the Broward MPO, a need to oversee the implementation of Federally awarded off-state highway projects was identified. The award of transportation funding to any given municipality is not frequent enough to justify permanent resources. With 31 municipalities within Broward County, many of the smaller municipalities face a greater relative burden while also having some of the greatest transportation needs.

Why MTECC?

The delivery of Federally funded off-state highway system projects using the Local Agency Program (LAP) means that municipalities will require significant technical resources and specialized administrative knowledge to navigate Federal and State reporting requirements. There is a high cost and complexity of LAP delivery to individual municipalities.

The Broward MPO performed a study to assess its member governments' ability to apply for and administer Federal discretionary transportation grant awards, as well as administer and implement LAP projects. This study identified deficiencies across member governments both large and small in their abilities to apply for and administer Federal grants and LAP projects. No single city indicated that they could provide 100% of the required capabilities in either focus area.

MTECC will provide:

- Centralized engineering expertise with design, bid package preparation, construction oversight, inspection, right of way, etc.
- Centralized procurement. Efficient and timely project delivery.
- Centralized public involvement team
- City only buys services necessary without need to maintain staff

Authorized Activities of MTECC:

Federal Aid Project Administration

- LAP Certification
- Liability of the Parties for Federal Aid Project Completion

Local Project Administration

- Provision of Services to Municipal Members
- Payment for Services
- Selection of Services

Transportation Planning Equity Assessment Updates

The Broward MPO's Transportation Planning Equity Assessment (<https://browardmpo.org/data/title-vi-transportation-planning-equity-assessment>) was developed in 2018 in order to more consistently and comprehensively evaluate its plans and programs in conjunction with Federal Environmental Justice (EJ) and Title VI regulations. The Assessment has been showcased at many state and national conferences and the MPO has incorporated the Assessment into most of its plans and programs including the Transportation Improvement Program, the Metropolitan Transportation Plan, the evaluation criteria for the Complete Streets and other Localized Initiatives Program, the update to the Complete Streets Master Plan, and the MPO's public outreach efforts.

Over the past year, the Broward MPO utilized the latest 2020 American Community Survey Five-Year Estimates published by the U.S. Census to update its Transportation Planning Equity Assessment using the methodology developed in-house. This included calculating a new average score for each of the indicators included in the Assessment and computing an overall composite score for each census block group in the County. The Broward MPO published the updated Transportation Planning Equity Assessment as a StoryMap (<https://storymaps.arcgis.com/stories/7b81b04ead3b4d5c9aae8735e3b48434>) in an effort to make the information more public-friendly and engaging and have been presenting this material to the MPO's boards/committees in an effort to share this resource with our member governments and other partners.

Part 1 Section 6: MPO Comments

The MPO may use this space to make any additional comments or ask any questions, if they desire. This section is not mandatory, and its use is at the discretion of the MPO.

Please note that due to the format of the current document we were unable to respond to Part 1 Section 4: question 12. Our response would have been: the MPO does not use preference programs.



Broward MPO

Joint Certification 2022

2/16/2023

Part 2 – FDOT District

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Purpose

Each year, the District and the Metropolitan Planning Organization (MPO) must jointly certify the metropolitan transportation planning process as described in [23 C.F.R. §450.336](#). The joint certification begins in January. This allows time to incorporate recommended changes into the Draft Unified Planning Work Program (UPWP). The District and the MPO create a joint certification package that includes a summary of noteworthy achievements by the MPO and, if applicable, a list of any recommendations and/or corrective actions.

The Certification Package and statement must be submitted to Central Office, Office of Policy Planning (OPP) no later than June 1.

Certification Process

Please read and answer each question within this document.

Since all of Florida's MPOs adopt a new Transportation Improvement Program (TIP) annually, many of the questions related to the TIP adoption process have been removed from this certification, as these questions have been addressed during review of the draft TIP and after adoption of the final TIP.

As with the TIP, many of the questions related to the Unified Planning Work Program (UPWP) and Long-Range Transportation Plan (LRTP) have been removed from this certification document, as these questions are included in the process of reviewing and adopting the UPWP and LRTP.

Note: This certification has been designed as an entirely electronic document and includes interactive form fields. Part 2 Section 10: Attachments allows you to embed any attachments to the certification, including the [MPO Joint Certification Statement](#) document that must accompany the completed certification report. Once all the appropriate parties sign the MPO Joint Certification Statement, scan it and attach it to the completed certification in Part 2 Section 10: Attachments.

Please note that the District shall report the identification of and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board.

The final Certification Package should include Part 1, Part 2, and any required attachments and be transmitted to Central Office no later than June 1 of each year.

Risk Assessment Process

Part 2 Section 1: Risk Assessment evaluates the requirements described in [2 CFR §200.332 \(b\)-\(e\)](#), also expressed below. It is important to note that FDOT is the recipient and the MPOs are the subrecipient, meaning that FDOT, as the recipient of Federal-aid funds for the State, is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations.

(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:

- (1) The subrecipient's prior experience with the same or similar subawards;*
- (2) The results of previous audits including whether the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;*
- (3) Whether the subrecipient has new personnel or new or substantially changed systems; and*
- (4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).*

(c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.208.

(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

- (1) Reviewing financial and performance reports required by the pass-through entity.*

(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.

(3) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521.

(4) The pass-through entity is responsible for resolving audit findings specifically related to the subaward and not responsible for resolving crosscutting findings. If a subrecipient has a current Single Audit report posted in the Federal Audit Clearinghouse and has not otherwise been excluded from receipt of Federal funding (e.g., has been debarred or suspended), the pass-through entity may rely on the subrecipient's cognizant audit agency or cognizant oversight agency to perform audit follow-up and make management decisions related to cross-cutting findings in accordance with section §200.513(a)(3)(vii). Such reliance does not eliminate the responsibility of the pass-through entity to issue subawards that conform to agency and award-specific requirements, to manage risk through ongoing subaward monitoring, and to monitor the status of the findings that are specifically related to the subaward.

(e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

(1) Providing subrecipients with training and technical assistance on program-related matters; and

(2) Performing on-site reviews of the subrecipient's program operations;

(3) Arranging for agreed-upon-procedures engagements as described in §200.425.

If an MPO receives a Management Decision as a result of the Single Audit, the MPO may be assigned the high-risk level.

After coordination with the Office of Policy Planning, any of the considerations in 2 CFR §200.331 (b) may result in an MPO being assigned the high-risk level.

The questions in Part 2 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO’s supporting documentation for their invoices is reviewed by FDOT MPO Liaisons for the upcoming year. The Risk Assessment Scoring Sheet is available [here](#) on the MPO Partner Library. The frequency of review is based on the level of risk in **Table 1**.

Table 1. Risk Assessment Scoring

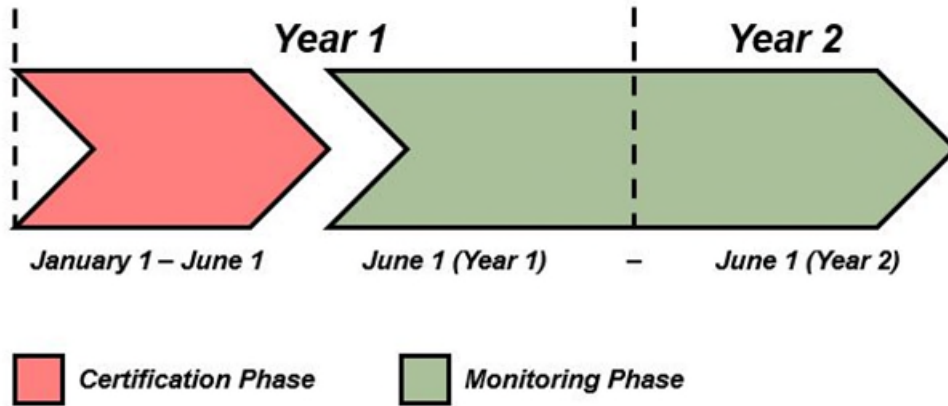
Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

The Risk Assessment that is part of this joint certification has two main components – the Certification phase and the Monitoring phase – and involves regular reviewing, checking, and surveillance.

1. Certification phase: the first step is to complete this Risk Assessment during the joint certification review, which runs from January 1 to June 1 (*The red arrow in **Figure 1***). During this 6-month period, a Risk Assessment is performed assessing the previous calendar year.
2. Monitoring phase: After the joint certification review has been completed, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for a 12-month period starting on June 1 (*The green arrow, Year 1 in **Figure 1***) and ending on June 1 of the following year (*The green arrow, Year 2 in **Figure 1***).

This process takes 18 months in total. On January 1 of each year, the new Certification phase will begin, which will overlap with the previous year’s Monitoring phase. **Figure 1** shows the timeline of Risk Assessment phases.

Figure 1. Risk Assessment: Certification and Monitoring Phases



Part 2

Part 2 of the Joint Certification is to be completed by the District MPO Liaison.

Part 2 Section 1: Risk Assessment

MPO Invoice Submittal

List all invoices and the dates that the invoices were submitted for reimbursement during the certification period in **Table 2** below.

Table 2. MPO Invoice Submittal Summary

Invoice #	Invoice Period	Date the Invoice was Forwarded to FDOT for Payment	Was the Invoice Submitted More than 90 days After the End of the Invoice Period? (Yes or No)
G1057-17	11/01/21-11/30/21	02/25/2022	No (86)
G1057-18	12/01/21-12/31/21	03/18/2022	No (76)
G1057-19	01/01/22-01/31/22	04/12/2022	No (70)
G1057-20	02/01/22-03/31/22	06/08/2022	No (68)
G1057-21	04/01/22-05/31/22	07/05/2022	No (34)
G1057-22	06/01/22-06/30/22	08/04/2022	No (34)
G1057-23 (Closeout)	03/01/22-06/30/22	11/29/2022	No (151 - FHWA 60-day extension requested)
G2913-01	07/01/22-07/31/22	08/30/2022	No (29)
G2913-02	08/01-22-08/31/22	10/11/2022	No (40)
G2913-03	09/01/22-09/30/22	11/01/2022	No (31)
G2913-04	10/01/22-10/31/22	12/19/2022	No (48)
MPO Invoice Submittal Total			
Total Number of Invoices that were Submitted on Time			11
Total Number of Invoices Submitted			11

MPO Invoice Review Checklist

List all MPO Invoice Review Checklists that were completed in the certification period in **Table 3** and attach the checklists to this risk assessment. Identify the total number of materially significant finding questions that were correct on each MPO Invoice Review Checklist (i.e. checked yes). The MPO Invoice Review Checklist identifies questions that are considered materially significant with a red asterisk. Examples of materially significant findings include:

- Submitting unallowable, unreasonable or unnecessary expenses or corrections that affect the total amounts for paying out.
- Exceeding allocation or task budget.
- Submitting an invoice that is not reflected in the UPWP.
- Submitting an invoice that is out of the project scope.
- Submitting an invoice that is outside of the agreement period.
- Documenting budget status incorrectly.

Corrections or findings that are not considered materially significant do not warrant elevation of MPO risk. Examples of corrections or findings that are not considered materially significant include:

- Typos.
- Incorrect UPWP revision number.
- Incorrect invoice number.

Table 3. MPO Invoice Review Checklist Summary

MPO Invoice Review Checklist	Number of Correct Materially Significant Finding Questions
G1057-17	7/7
G1057-18	7/7
G1057-19	7/7
G1057-20	7/7
G1057-21	7/7

G1057-22	7/7
G1057-23	7/7
G2913-01	7/7
G2913-02	7/7
G2913-03	7/7
G2913-04	7/7
MPO Invoice Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	77/77

**Note: There are 7 materially significant questions per MPO Invoice Review Checklist.*

MPO Supporting Documentation Review Checklist

List all MPO Supporting Documentation Review Checklists that were completed in the certification period in **Table 4** and attach the checklists and supporting documentation to this risk assessment. Identify the total number of materially significant finding questions that were correct on each MPO Supporting Documentation Review Checklist (i.e. checked yes). The MPO Supporting Documentation Review Checklist identifies questions that are considered materially significant with a red asterisk. Examples of materially significant findings include:

- Submitting an invoice with charges that are not on the Itemized Expenditure Detail Report.
- Submitting an invoice with an expense that is not allowable.
- Failing to submit supporting documentation, such as documentation that shows the invoice was paid.
- Submitting travel charges that do not comply with the MPO's travel policy.

Table 4. MPO Supporting Documentation Review Checklist Summary

MPO Supporting Documentation Review Checklist	Number of Correct Materially Significant Finding Questions
FHWA-G2913-01	17
MPO Supporting Documentation Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	17/17

**Note: There are 25 materially significant questions per MPO Supporting Documentation Review Checklist.*

Technical Memorandum 19-04: Incurred Cost and Invoicing Practices

Were incurred costs billed appropriately at the end of the contract period?

Please Check: Yes No N/A |

Risk Assessment Score

Please use the Risk Assessment worksheet to calculate the MPO’s risk score. Use **Table 5** as a guide for the selecting the MPO’s risk level.

Table 5. Risk Assessment Scoring

Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

Risk Assessment Percentage: 100%

Level of Risk: **Low** |

Part 2 Section 2: Long-Range Transportation Plan (LRTP)

Did the MPO adopt a new LRTP in the year that this certification is addressing?

Please Check: Yes No |

If yes, please ensure any correspondence or comments related to the draft and final LRTP and the LRTP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

N/A

Part 2 Section 3: Transportation Improvement Program (TIP)

Did the MPO update their TIP in the year that this certification is addressing?

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft and final TIP and the TIP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

- FM #449523-1, FM #449282-1, FM #435808-5, FM #450451-1, FM #450454-1, FM #450474-1 FY 22-26 TIP Amendment Package.pdf – 03/10/2022
- FM #413729-3 FY 22-26 TIP Modification (5305d FTA).pdf– 05/17/2022
- TIP FY 23-27 Final Draft.pdf – 06/01/2022
- Broward MPO FY 23-27 TIP Checklist.docx – 06/01/2022
- Final TIP FY 23-27.pdf – 07/14/2022
- FM #437832-4 FY 22-26 Administrative TIP Amendment.pdf – 07/20/2022
- 2022/2023 Roll Forward Report – 09/09/2022
- FM #202300-3, FM #202300-4, FM #202300-5 FY 23-27 TIP Modification.pdf – 09/20/2022
- FM #202300-2 FY 23-27 TIP Amendment Broward County Transit (BCT).pdf – 10/13/2022
- FM #436564-1 FY 23-27 TIP Amendment.pdf – 12/8/2022

Part 2 Section 4: Unified Planning Work Program (UPWP)

Did the MPO adopt a new UPWP in the year that this certification is addressing?

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft and final UPWP and the UPWP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

- UPWP FY 2020/21-2021/22 Revision 6 – 02/08/2022
- Draft FY 2022/23-2023/24 UPWP – 02/22/2022
- Final Draft FY 2022/23-2023/24 UPWP – 05/12/2022
- UPWP FY 2020/21-2021/22 Revision 7 – 05/18/2022
- FINAL FY 2022/23-2023/24 UPWP – 05/25/2022
- FHWA-FTA Approval Letter FY 2022/23-2023/24 UPWP – 06/14/2022
- Broward Federal Review UPWP Draft Comments
- Broward MPO Draft UPWP Checklist – FDOT Comments
- UPWP FY 2022/23-2023/24 Revision 1 – 10/11/2022

The District understands that the Broward MPO has identified projects and work tasks in the UPWP for FY23/24 to support the additional funding .

Part 2 Section 5: Clean Air Act

The requirements of [Sections 174](#) and [176 \(c\) and \(d\)](#) of the Clean Air Act.

The Clean Air Act requirements affecting transportation only applies to areas designated nonattainment and maintenance for the National Ambient Air Quality Standards (NAAQS). Florida currently is attaining all NAAQS. No certification questions are required at this time. In the event the Environmental Protection Agency issues revised NAAQS, this section may require revision.

Title(s) of Attachment(s)

N/A

Part 2 Section 6: Technical Memorandum 19-03REV: Documentation of FHWA PL and Non-PL Funding

Did the MPO identify all FHWA Planning Funds (PL and non-PL) in the TIP?

Please Check: Yes **No** **N/A** |

Part 2 Section 7: MPO Procurement and Contract Review

To evaluate existing DBE reporting requirements, choose one professional services procurement package and contract between the MPO and a third party to answer the following questions. If the answer to any of the questions is no, there is no penalty to the MPO. FDOT is using this information to determine technical support and training for the MPOs. Any new procurements after July 1, 2022 must be compliant with the existing DBE reporting requirements.

1. Are the procurement package (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contract free from geographical preferences or bidding restrictions based on the physical location of the bidding firm or where it is domiciled?

Please Check: Yes **No** **N/A** |

2. Are the procurement package (Project Advertisements, Notices to Bidders, RFP/RFQs, contract templates and related documents) and contract free of points or award preferences for using DBEs, MBEs, WBEs, SBEs, VBEs or any other business program not approved for use by FHWA or FDOT?

Please Check: Yes **No** **N/A** |

3. Does the contract only permit the use of the approved FDOT race-neutral program?

Please Check: Yes **No** **N/A** |

4. Does the contract specify the race neutral or 'aspirational' goal of 10.65%?

Please Check: Yes **No** **N/A** |

5. Is the contract free of sanctions or other compliance remedies for failing to achieve the race-neutral DBE goal?

Please Check: Yes **No** **N/A** |

6. Does the contract contain required civil rights clauses, including:
- a. Nondiscrimination in contracting statement (49 CFR 26.13)
 - b. Title VI nondiscrimination clauses Appendices A and E (DBE Nondiscrimination Assurance & 49 CFR 21)
 - c. FDOT DBE specifications

Please Check: Yes No N/A |

Part 2 Section 8: District Questions

The District may ask up to five questions at their own discretion based on experience interacting with the MPO that were not included in the sections above. Please fill in the question(s), and the response in the blanks below. This section is optional and may cover any topic area of which the District would like more information.

1. The Florida Transportation Plan (FTP) embraces a vision of how our transportation system meets the changing needs of our state. It also focuses on how we can work together to accomplish these seven goals: 1) safety for all modes of transportation; 2) maintaining infrastructure; 3) enhance mobility; 4) expand transportation choices; 5) invest in the economy; 6) support quality places and communities; all while 7) minimizing impacts on the environment. In CY 2022, explain how and where the following were addressed and incorporated:
 - Safety
 - Enhanced Mobility
 - Resilience and Sustainability
 - Autonomous, Connected, Electric, and Shared (ACES) mobility opportunities and impacts.

How did the MPO work with their partners to address/incorporate the four (4) above goals?

The MPO's 2045 Metropolitan Transportation Plan (MTP) included significant new funding for both on and off-system safety projects consistent with the MPO and FDOT vision zero Safety Performance Measures. The Plan conducted a countywide safety analysis of on and off-system signalized intersections, unsignalized intersections, and corridors with high crash severity to begin programming safety studies and capital projects to address these areas. In addition, the 2045 MTP identified new safety funding from the 10% State Arterial funding eligible for off-system improvements to address the mutual performance measure targets of the MPO and FDOT. MPO staff is actively coordinating with FDOT staff from the safety office to identify on-off safety system projects and seek ways to involve local planning partners in this process. The MPO has coordinated with FDOT staff to program funding for off-system safety projects as part of the Multimodal Priorities List (MMPL) and annual Work Program/Transportation Improvement Program (TIP) development cycle. During calendar year (CY) 2022, MPO staff developed an off-system Roadway Safety Audit (RSA) process to review high-crash locations identified in the MTP, conduct roadway safety audits, and develop projects for inclusion in the MMPL and, ultimately, the TIP. A pilot project on Royal Palm Boulevard in the City of Coral Springs was completed in CY 2022 using the final RSA framework. The MPO plans to follow this process annually and will work closely with the FDOT District

Four safety office to ensure the requirements for HSIP funding are met (in addition to leveraging other MPO attributable funds for these projects).

The MPO continues to focus efforts on resiliency and sustainability. The MPO staff developed the Transportation Resiliency Framework in 2022 in coordination with FDOT, Broward County, South Florida Water Management District, municipal stakeholders and others. The Framework proposes a holistic approach to address resiliency vulnerabilities in the transportation network and serves as a bridge between the MPO and future FDOT studies. The MPO has started the process to apply the Framework methodology to Hollywood Boulevard, the first of the eight priority corridors from the 2045 MTP. The MPO will work with local municipalities and partners to identify a solution set of on and off-system corridor improvements and utilize this corridor study as a prototype to calibrate the Framework methodology. In addition to the Framework, the MPO has coordinated with FDOT and partner agencies to plan and encourage the installation of electric vehicle charging stations and has begun to develop a carbon reduction strategy as laid out in the Infrastructure Investment and Jobs Act.

With regard to ACES, the MPO has set a framework for smart and connected cities in its 2045 MTP and included strategies in its vision document (known as Vision 2100) that seek to leverage emerging technologies through Smart Cities/Corridors. These strategies incorporate the use of smart infrastructure improvements to lay the foundation for ACES. Further, with input from the MPO Board at the 2020 Board Engagement Forum, staff has expanded the MPO's Strategic Business Plan to include Visionary Opportunities, a new section that looks at emerging issues in the industry and opportunities to lead the way by establishing National Best Practices by looking into areas such as: linking affordable housing to transportation, preparation for an autonomous future, data collection for SMART decision making, integrating SMART solutions (e.g., communications between vehicles and infrastructure), advocating for seamless transferability and interoperability between regional transportation networks, and incorporating an Intergovernmental Partnership Model. The Forum also highlighted the Smart Cities Infrastructure concept working in conjunction with consultant support from Deloitte who worked with the MPO in 2019 to develop the Smart Pilot Corridor along Hollywood/Pines Boulevard. This effort brought together partners from FDOT, Broward County Traffic Engineering, and Broward County Transit to build smart infrastructure capacity for the future. Additionally, the MPO applied for a Federal SMART grant in 2022 which focused on the development of a regional governance structure for data stewardship, and the development of a "digital twin" regional model for future scenario planning and simulation exercises.

Other ACES-related efforts included the development of the "emerging technologies" emphasis area for the upcoming 2050 MTP scope of work. This task will focus on conducting a network analysis for an ACES "readiness" assessment and include coordination with FDOT and Broward County on existing efforts to expand ACES technology throughout the network (TSM&O Master Plan, Broward County EV Master Plan, etc.). The MPO will also conduct a nationwide best practices review to understand how to best position itself to facilitate the implementation of ACES infrastructure and standards.

2. How will the MPO plan and partner with FDOT in identifying state/on-system facility needs, to develop projects, and incorporate them into the variety of MPO planning documents (i.e.: LRTP, LOPP, TIP, etc.)?

The MPO has begun the update process for the 2050 Metropolitan Transportation Plan (MTP) known as Route to 2050 and plans to coordinate with all partner agencies as part of this process, including FDOT. The MTP needs assessment will begin with a “Call for Projects” effort working with all 31 Broward municipalities, Broward County, the South Florida Regional Transportation Authority, and FDOT. Partners are encouraged to identify transportation needs on and off the state highway system, meet with MPO staff, and submit the projects through a formal submission tool. All on-state projects will be reviewed directly with FDOT for any potential fatal flaws prior to inclusion in the needs assessment and project prioritization for the 2050 MTP. Additionally, MPO staff will coordinate directly with FDOT to identify needs on the state highway system for inclusion in the needs assessment and will also work with the Department to include the Strategic Intermodal System in the final cost feasible plan for the MTP. The final, ranked list of projects for the 2050 MTP will become the foundation for the MPO’s Multimodal Priorities List (MMPL)/List of Priority Projects (LOPP).

The MMPL/LOPP is produced annually and includes the ranked list of projects from the MTP by funding program. The documents provide the following project information: priority, funding program, project name, limits, description, type of work, roadway ownership, lead agency, program-ready status, LAP designation (Y/N), MTP page reference, total project cost, existing five-year funding applied to project (by phase), funding needed (by phase), and requested funding type (Federal, State, Local). The MPO coordinates closely with FDOT (as part of the MPO’s weekly coordination meetings) on the development of the MMPL and provides a draft version of the document by the 1st of March each year. The final document is approved each year at the June MPO Board meeting. The MMPL serves as a guide to the Department for programming new fifth-year funds in the annual Transportation Improvement Program.

3. Describe the MPO’s relationship between FDOT and other partner agencies, such as Broward County, Broward Transit, SFRTA, Local Municipalities, etc., over the past year (2022). What collaboration efforts have taken place? What is working well? What areas have been improved from the previous year? What ideas/coordination could be identified to enhance the relationships?

Aside from the ongoing collaboration that takes place as part of regular board, committee, and project meetings, the MPO has collaborated and sought to enhance relations with its various partners in a number of other ways over the past year. Starting with FDOT, the MPO has started meeting weekly with the District Four planning team to identify and resolve programming issues, improve communication, and work on efforts to streamline processes such as Transportation Improvement Program amendments. The

MPO and FDOT also organized a meet-and-greet event where staff from both agencies were able to come together, understand the departments and teams that make up each organization, and establish relationships between folks that up until recently only knew each other through a computer screen. A greater mix of MPO staff have also begun to attend the quarterly Florida Metropolitan Planning Partnership meetings which allows relationships to be strengthened with Central Office, Federal Highway Administration, and Federal Transit Administration staff as well. This increased communication across the board is welcome and no doubt helps us all work more efficiently, avoid misunderstandings, and fosters greater collaboration in pursuit of shared objectives.

When it comes to our other local partners, the MPO has made great strides in establishing relationships with the new Broward County leadership, has worked together with County staff on the development of a Resiliency Framework (mentioned in response above), and has collaborated on grant applications. The MPO continues to give individualized attention to each of our member governments through our annual one-on-one meetings for the Complete Streets and other Localized Initiatives Program and will be adopting the same approach for the update of the 2050 Metropolitan Transportation Plan. Finally, the MPO has begun a regular series of virtual meetings on grant opportunities to which all our partners are invited. These meetings seek to share information about upcoming discretionary grant opportunities, gauge interest in these opportunities, and collaborate on efforts to pursue them. This enhanced cooperation between local partners has already borne fruit, with a \$5 million Safe Streets and Roads for All Grant being awarded to the MPO and Broward County. Going forward, the MPO will continue to work with its partners at FDOT, Broward County, and others to further promote cross-agency relations and identify opportunities for collaboration.

4. How will the MPO ensure the accuracy and consistency of the invoicing process? What tools or processes have been implemented and/or can be implemented to reduce the turnaround time between first invoice submittal and final invoice payout?

The MPO ensures the accuracy and consistency of the invoicing processing by reconciling the amounts requested with the Grant Activity Report generated from the accounting systems. The Grant Activity Report is a detailed report of each transaction that is charged to the grants during a specific period. The invoice is also fully supported with backup information such as a copy of the invoice, check number and date paid, and explanation for any adjustments made.

To reduce the turnaround time between first invoice submittal and final invoice payout, the MPO has added an additional level of invoice package review for accuracy, expediting the FDOT review and speeding up the reimbursement payment process. In addition, communication between the FDOT reviewer and MPO has been enhanced to notify either party of the submission and progress of the invoice processing through payment by FDOT Financial Services.

Part 2 Section 9: Recommendations and Corrective Actions

Please note that the District shall report the identification of and provide status updates of any corrective action or other issues identified during certification directly to the MPO Board. Once the MPO has resolved the corrective action or issue to the satisfaction of the District, the District shall report the resolution of the corrective action or issue to the MPO Board. The District may identify recommendations and corrective actions based on the information in this review, any critical comments, or to ensure compliance with federal regulation. The corrective action should include a date by which the problem must be corrected by the MPO.

Status of Recommendations and/or Corrective Actions from Prior Certifications

1. During the 2021 State Certification, the Department recommended that the MPO will only submit a single invoice or UPWP modification for review/approval and once approved the related document or subsequent document will be submitted for review, approval, and processing. The MPO has submitted one single invoice or UPWP modification for review/approval as recommended in the last certification. This has ensured accuracy of the information and has eliminated further delays in processing invoices or UPWP modifications.

Recommendations

1. The Department acknowledges and values the Broward MPO's coordination with the Department. More specifically, the coordination in processing invoices and UPWP modifications. The Department also appreciates the flexibility Broward MPO has shown in their willingness to adjust their schedule for board meetings to accommodate the short DTWP cycle. The Department recommends that the Broward MPO continue the coordination with the Department to streamline processes.
2. The Department emphasizes the importance of meeting collectively to find the best solution to accurately account for regional activities within the UPWP and ultimately with invoice processing. We recommendations meeting with FDOT-D4, Palm Beach TPA, and Miami-Dade TPO prior to the development of the next UPWP to work through the necessary details.

Corrective Actions

N/A

Part 2 Section 10: Attachments

Please attach any documents required from the sections above or other certification related documents here or through the [MPO Document Portal](#). Please also sign and attached the [MPO Joint Certification Statement](#).

Title(s) and Date(s) of Attachment(s) in the MPO Document Portal

N/A

FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION STATEMENT

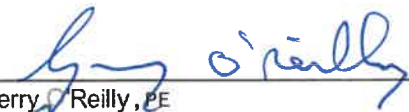
525-010-05c
POLICY PLANNING
02/18

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Broward MPO with respect to the requirements of:

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

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on February 16, 2023.

Based on a joint review and evaluation, the Florida Department of Transportation and the Broward MPO recommend that the Metropolitan Planning Process for the Broward MPO be certified.


Name: Gerry Reilly, PE
Title: District Secretary (or designee)

6-1-23
Date


Name: Frank C. Ortis
Title: MPO Chairman (or designee)

May 11, 2023
Date

FLORIDA DEPARTMENT OF TRANSPORTATION
**UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES**

525-010-08
POLICY PLANNING
05/18

DEBARMENT and SUSPENSION CERTIFICATION

As required by the USDOT regulation on Governmentwide Debarment and Suspension at 49 CFR 29.510

- (1) The Broward MPO hereby certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in paragraph (b) of this certification; and
 - (d) Have not, within a three-year period preceding this certification, had one or more public transactions (federal, state or local) terminated for cause or default.
- (2) The Broward MPO also hereby certifies that if, later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above, it will promptly provide that information to the U.S.D.O.T.



Name: Frank C. Ortis
Title: MPO Chairman (or designee)

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LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

In accordance with Section 1352 of Title 31, United States Code, it is the policy of the Broward MPO that:

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Broward MPO, to any person for influencing or attempting to influence an officer or employee of any Federal or state agency, or a member of Congress or the state legislature in connection with the awarding of any Federal or state contract, the making of any Federal or state grant, the making of any Federal or state loan, extension, continuation, renewal, amendment, or modification of any Federal or state 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 undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Broward MPO shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts and subcontracts under grants, subgrants, loans, and cooperative agreement), which exceeds \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- (4) 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 Section 1352, Title 31, U.S. Code. 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 failure.



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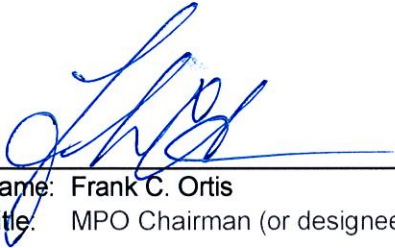
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DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

It is the policy of the Broward MPO that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise Program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The Broward MPO, and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the Broward MPO, in a non-discriminatory environment.

The Broward MPO shall require its consultants to not discriminate on the basis of race, color, national origin and sex in the award and performance of its contracts. This policy covers in part the applicable federal regulations and the applicable statutory references contained therein for the Disadvantaged Business Enterprise Program Plan, Chapters 337 and 339, Florida Statutes, and Rule Chapter 14-78, Florida Administrative Code



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TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Broward MPO assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Broward MPO further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.



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APPENDICES A and E

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.

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- (6) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- (7) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)