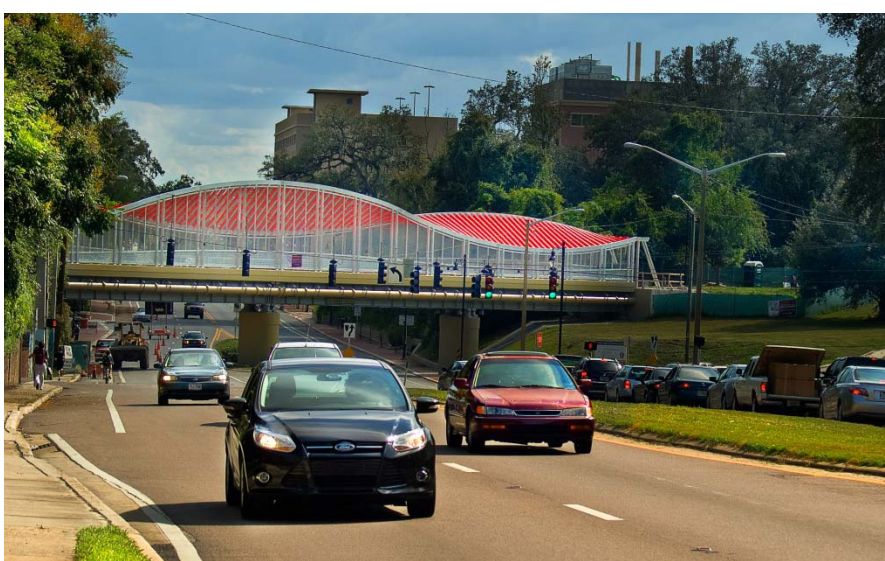


Meeting Packet

April 20, 2020

3:00 p.m.



Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area



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2009 NW 87th Place, Gainesville, FL 32653-1803 • 352.955.2200

April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: David Arreola, Chair

SUBJECT: **Meeting Announcement**

Due to the COVID-19 public health emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area will conduct a virtual meeting on **April 20, 2020 at 3:00 p.m.** The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area virtual public meeting will be via communications media technology.

Attached are copies of the meeting agendas.

If you have any questions concerning this matter, please contact Scott Koons, AICP, Executive Director, at 352.955.2200, extension 101.

Attachments

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AGENDA
METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA

Virtual Public Meeting
Via Communications Media Technology
Gainesville, Florida

3:00 p.m.
April 20, 2020

STAFF RECOMMENDATION

Page #3

**I. Approval of Meeting Agenda
and Consent Agenda Items**

APPROVE BOTH AGENDAS

The Metropolitan Transportation Planning Organization needs to approve the meeting agenda and the consent agenda items.

**Back
Cover**

II. Next Meeting

NO ACTION REQUIRED

The next Metropolitan Transportation Planning Organization meeting is scheduled for June 22, 2020 at 5:00 p.m.

III. Comments

- A. Metropolitan Transportation Planning Organization Members*
- B. Citizens Comments*

This agenda item provides an opportunity for citizens to address the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area on any matter not included on the agenda. The comment period is limited to three minutes for each individual.

- C. Chair's Report*

If you have any questions concerning agenda items, please contact Scott Koons, AICP, Executive Director, at 352.955.2200, extension 101.

*No backup material included with the attached agenda material.

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**CONSENT AGENDA
METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

**Virtual Public Meeting
Via Communications Media Technology
Gainesville, Florida**

**3:00 p.m.
April 20, 2020**

STAFF RECOMMENDATION

- | | | | |
|---|--------------|--|---|
| Page #7 | CA. 1 | Continuity of Operations - Virtual Meetings,
Emergency Authority and Public Participation | APPROVE RESOLUTIONS |
| <u>The COVID-19 public health emergency has impacted normal operations of the Metropolitan Transportation Planning Organization which necessitate alternative administrative and public meeting procedures.</u> | | | |
| Page #19 | CA. 2 | Fiscal Year 2019 Audit | ACCEPT AUDIT
AND APPROVE PAYMENT |
| <u>The Metropolitan Transportation Planning Organization needs to accept the audit report and approve payment of the invoice for auditor services.</u> | | | |
| Page #45 | CA. 3 | Safety Performance Measures and Targets | APPROVE STAFF
RECOMMENDATION |
| <u>The Metropolitan Transportation Planning Organization needs to set safety performance measures and targets.</u> | | | |
| Page #55 | CA. 4 | Certification - Metropolitan Transportation
Planning Process-Certification Statement | AUTHORIZE CHAIR
SIGNATURE |
| <u>Each year, the Metropolitan Transportation Planning Organization and the Florida Department of Transportation are required by federal law and regulation to jointly certify the transportation planning process.</u> | | | |
| Page #59 | CA. 5 | Federal Transit Administration
Section 5305(d) Grant Application | APPROVE STAFF
RECOMMENDATION |
| <u>The Metropolitan Transportation Planning Organization needs to approve a new Section 5305(d) Grant Application and Standard Assurances and Certifications in order to receive Federal Transit Administration planning funds for the first year (2020-21) of the Unified Planning Work Program.</u> | | | |

- Page #79 CA. 6 Unified Planning Work Program**
Fiscal Year 2020-21 and Fiscal Year 2021-22
APPROVE STAFF RECOMMENDATION
- This document contains the budget for Federal Highway Administration planning funds and Federal Transportation Administration planning funds, and identifies work tasks for the next two years
- Page #85 CA. 7 Joint Participation Agreement -**
Fiscal Year 2020-21 and Fiscal Year 2021-22
APPROVE STAFF RECOMMENDATION
- The Metropolitan Transportation Planning Organization needs to approve a new Joint Participation Agreement with the Florida Department of Transportation for the next two years.
- Page #103 CA. 8 Title VI/Nondiscrimination Policy Statement**
FOR INFORMATION ONLY
- On April 2, 2012, the Metropolitan Transportation Planning Organization authorized the Chief Staff Official to sign this policy statement each year.
- Page #107 CA. 9 Transportation Disadvantaged Program - Fiscal Year 2020-21**
Planning Grant Program Agreement Resolution
APPROVE RESOLUTION
- The Metropolitan Transportation Planning Organization needs to annually adopt a resolution authorizing the Chair to sign the Transportation Disadvantaged Program Planning Grant Agreement.
- Page #111 CA. 10 Transportation Disadvantaged Program -**
Alachua County Transportation Disadvantaged Board
Coordinating Board Membership Certification
AUTHORIZE CHAIR SIGNATURE
- The Metropolitan Transportation Planning Organization is required to annually certify the membership composition of the Transportation Disadvantaged Coordinating Board.
- Page #115 CA. 11 Transportation Disadvantaged Program -**
Alachua County Transportation Disadvantaged Board
Reappointments
REAPPOINT MR. HARRIS, MR. LINDEN AND MS. MCKENZIE
- Mr. Charles J. Harris has applied for reappointment as the alternate Florida Association for Community Action Representative. Mr. Albert H. Linden, Jr. has applied for reappointment as the voting Veterans Representative. Ms. Tiffany McKenzie has applied for reappointment as the voting Florida Association for Community Action Representative.
- Page #123 CA. 12 Transportation Disadvantaged Program -**
Status Report
FOR INFORMATION ONLY
- The Metropolitan Transportation Planning Organization has requested regular status reports concerning this program.

**CA.1**

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Continuity of Operations - Virtual Meetings, Emergency Authority and Public Participation

STAFF RECOMMENDATION

Approve attached Resolution No. 2020-01, Resolution No. 2020-02 and Resolution No. 2020-03 concerning continuity of operations for virtual meetings, emergency authority and public participation.

BACKGROUND

Due to the COVID-19 public health emergency, normal operations of the Metropolitan Transportation Planning Organization have been disrupted. In order to maintain continuity of operations that address federal and state requirements, the Metropolitan Transportation Planning Organization needs to address the following items.

Resolution No. 2020-01 - This resolution enables the Metropolitan Transportation Planning Organization to conduct public hearings, public meetings and workshops in a virtual meeting format via communications media technology. The resolution also enables its advisory committees, subcommittees and working groups to conduct public meetings in a virtual meeting format via communications media technology,

Resolution No. 2020-02 - This resolution enables the Metropolitan Transportation Planning Organization to maintain continuity of operations by granting emergency approval authority to the Executive Director, subject to concurrence by the Metropolitan Transportation Planning Organization Chair, to perform time sensitive administrative and programmatic activities by approving amendments and modifications to documents as required by the Federal Highway Administration and/or the Florida Department of Transportation.

Resolution No. 2020-03 - This resolution enables the Metropolitan Transportation Planning Organization to provide for public participation and outreach activities for any public hearing, public meeting and workshop in a virtual meeting format via communications media technology. This resolution also enables the Metropolitan Transportation Planning Organization public noticing of meetings in a virtual meeting format via communications media technology.

Attachments

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RESOLUTION NO. 2020-01

A RESOLUTION OF THE METROPOLITAN
TRANSPORTATION PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA APPROVING VIRTUAL
GOVERNMENT IN THE SUNSHINE MEETINGS THROUGH
THE USE OF COMMUNICATIONS MEDIA TECHNOLOGY;
REPEALING ALL RESOLUTIONS IN CONFLICT; AND
PROVIDING AN EFFECTIVE DATE

WHEREAS, Alachua County is under Federal, State, and Local States of Emergency for the COVID-19 virus pursuant to Executive Order Nos. 20-51 and 20-52 of the Governor for the State of Florida and Alachua County Proclamation No. 20-01, dated March 16, 2020, and renewed every seven days thereafter in accordance with law; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Florida State Department of Health recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing of at least six feet between persons in smaller gatherings; and,

WHEREAS, limitations on gatherings and the use of social distancing to prevent transmission of COVID-19 are especially important for people who are over 65 years old and people with chronic health conditions because those populations are at a higher risk of severe illness and death from COVID-19. However, it appears that everyone, regardless of age or health condition, is threatened by COVID-19; and,

WHEREAS, Article I, Section 24 of the Florida Constitution guarantees a right of public access to all meetings of any collegial public body of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area, and Section 286.011, Florida Statutes., commonly referred to as Florida's Sunshine Law, requires meetings of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area to be publically noticed in advance, open to the public, and documented by minutes that are promptly recorded; and

WHEREAS, the Sunshine Law is a polestar of local governance in Florida with the Florida Supreme Court stating that the Sunshine Law "was enacted in the public interest to protect the public from 'closed door' politics..." and as such, should be construed to frustrate all evasive devices; and

WHEREAS, recognizing the compelling need to protect life while at the same time maintaining the functioning and continuity of government, the Governor took the extraordinary measure of issuing Executive Order 20-69 , which suspends any statutory requirement that local governing bodies have a quorum physically present in a specific public place to conduct public meetings; and

WHEREAS, the Executive Order 20-69 specifically authorizes the use of communications media technology, as provided in Section 120.54(5)(b)2., Florida Statutes, to conduct meetings of local governing bodies; and

WHEREAS, Section 120.54(5)(b)2., Florida Statutes., may be interpreted to imply that local government bodies should provide, and publish notice of the location of, a communications media technology facility that may be used by those members of the public that wish to participate in such public meetings but do not have the communications media technology to do so; however, providing such a location, and encouraging members of the public to use said facility, would violate the spirit, intent and purpose of the Governor's subsequent Executive Order No. 20-91, which prohibits all persons in Florida from leaving their homes except to obtain or provide essential services or conduct essential activities; and

WHEREAS, Alachua County Emergency Order No. 20-10 specifically suspends any local law, ordinance, rule, charter provision or other regulations that requires a quorum to be physically present in a particular location, and authorizes the use of communications media technology for meetings of boards and committees; and

WHEREAS, the use of communications media technology during the declared state of local emergency due to COVID-19 to conduct meetings of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area and its committees will allow governance to continue while protecting the health and safety of elected officials, staff, and the general public; and

WHEREAS, neither Executive Order No. 20-69 nor this resolution suspend the requirements of Florida's public records laws in any way or the Sunshine Law beyond the specific, discrete parameters explicitly set forth in Executive Order No. 20-69 and this resolution.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. Findings. The above recitals are true and correct and are incorporated herein.
2. Applicability and Limitation. This resolution shall apply to all meetings of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area, and its committees which operate under the Sunshine Law. Public meetings will comply with all requirements of Section 286.011, Florida Statutes, which have not otherwise been suspended or waived pursuant to Executive order No. 20-69 and this resolution. Pursuant to Executive Order No. 20-69, any necessary quorum of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area and its committees may be established by members attending the meeting through communications media technology means. Communications media technology, for purposes of this resolution, shall include, but is not limited to, electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video which meet the intent of permitting attendance at public meetings.
3. Meetings via Communications Media Technology. Notice of Electronic Public Meetings.

The Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area will post notice of its electronic public meetings in a manner consistent with Section 286.011, Florida Statutes. Meeting notices will include instructions for interested members of the public to virtually attend via telephone, video conferencing or webinar technology utilized by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area. If a public meeting provides for the opportunity for public comment in general or on a specific item, the notice shall also include instructions regarding how members of the public may exercise their right to a reasonable opportunity to be heard.

a) Public Comment.

During communications media technology meetings, the public will be given a reasonable opportunity to be heard through communications media technology on propositions before the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee where official action will be taken except if the action is purely ministerial. Unless extended by the Chair of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee, for the period of public comment, each speaker will be limited to two minutes of comment and the public comment period will last no more than 30 minutes all together. The Chair of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee may refuse to introduce or may discontinue public comment which is irrelevant, impertinent or slanderous. Unless expanded or extended by the Chair of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee, one designated public comment period on issues not appearing on the agenda will be allowed for no more than 30 minutes at the close of all business on the agenda.

b) Voting.

All voting during communications media technology meetings will be taken by roll call vote. No member of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee may vote on a matter where he or she has a voting conflict. An official action requires a majority vote of all members present by communications media technology means and eligible to vote, unless an extraordinary majority or unanimous vote is required. In case of a tie vote, the action fails. In case a member refuses to vote, his or her vote will be counted as in support of the proposition

c) Disruptions and Adjournment.

If during the conduct of a communications media technology public meeting, the meeting is interrupted through disruptions or glitches in the technology, the Chair of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or committee shall recess the meeting until the interruption is resolved. If the interruption cannot be resolved in a reasonable amount of time, the meeting shall be adjourned. The temporary recess or termination of a meeting is to assure compliance with the Sunshine Law.

4. Public Education.

Due to the extraordinary nature of this resolution and the paramount right of the public to participate in the decision-making process of its local government, the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area will make reasonable efforts to publicize the subject matter being considered at its meetings and publicize the way that the public can participate in the meetings prior to the meetings.

5. Temporarily Superseding Rules of Procedure.

This resolution supersedes, to the extent it is inconsistent, any bylaws, rule of procedure or tradition of procedure of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or any other committee governed by this resolution, until the termination of this resolution.

6. Repealing Resolutions in Conflict.

All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

7. Effective Date and Termination.

This resolution will take effect upon adoption by the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area, and shall remain in effect until modified or terminated by subsequent action of the Metropolitan Transportation Planning Organization of the Gainesville Urbanized Area or until the Executive Order 20-69 expires or is rescinded.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

David Arreola, Chair

ATTEST:

Adrian Hayes-Santos, Secretary/Treasurer

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area

RESOLUTION NO. 2020-02

A RESOLUTION OF THE METROPOLITAN
TRANSPORTATION PLANNING ORGANIZATION OF
THE GAINESVILLE URBANIZED AREA AUTHORIZING
EMERGENCY APPROVALS UNDER A DECLARED
COUNTY, STATE OR FEDERAL STATE OF EMERGENCY
TO ENSURE COMPLIANCE WITH STATE AND FEDERAL
REQUIREMENTS FOR METROPOLITAN PLANNING
ORGANIZATIONS; REPEALING ALL RESOLUTIONS IN
CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes 339.175; 23 United States Code 134; and 49 United States Code 5303 require that an urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the designated urbanized area; and

WHEREAS, pursuant to 23 United States Code 134, 49 United States Code 5303, 23 Code of Regulations 450.310, and Section 339.175, Florida Statutes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for the Gainesville Urbanized Area as defined by the Metropolitan Planning Area; and

WHEREAS, pursuant to 23 United States Code 134, 23 Code of Regulations 450, and Section 339.175, Florida Statutes, require the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area and the Florida Department of Transportation to enter into an agreement clearly identifying the responsibilities for cooperatively carrying out the Federal Highway Administration portion of the metropolitan planning process and accomplishing the transportation planning requirements of state and federal law; and

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is required to develop and amend as appropriate, the plans and programs required by 23 Code of Regulations 450.300 through 450.324, including but not limited to the Unified Planning Work Program; Transportation Improvement Program, Public Involvement Plan and Long-Range Transportation Plan; and

WHEREAS, under the special circumstances occurring during a declared county, state or federal State of Emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area may be required to take immediate action to respond to urgent requests that cannot be delayed until a meeting and quorum can be established.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. While operating under a declared county, state or federal State of Emergency, the Executive Director of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, with the approval of the Chair of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area or Vice-Chair of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area in the absence of the Chair is hereby authorized to:

a. Amend a program document to maintain consistency with state or federal programs, or amend program or project funding if the time constraint is such that action at the next scheduled meeting of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area would significantly delay progress on a project previously supported by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area;

b. Approve the revision and submission of the Unified Planning Work Program and amendments to the Transportation Improvement Program, provided that the process for seeking approval of these actions shall follow all applicable procedures when the county, state or federal State of Emergency is suspended;

c. Submit information, reports, grant applications or documents on behalf of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area that is deemed essential by the Federal Highway Administration and/or the Florida Department of Transportation; and

d. Submit executed copies of this resolution to the Florida Department of Transportation; the Federal Transit Administration (through the Florida Department of Transportation); and the Federal Highway Administration (through the Florida Department of Transportation).

2. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

3. This resolution shall become effective upon adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

ATTEST:

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

Adrian Hayes-Santos, Secretary/Treasurer

David Arreola, Chair

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area

RESOLUTION NO. 2020-03

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA AUTHORIZING TEMPORARY PUBLIC PARTICIPATION AND OUTREACH ACTIVITIES UNDER A DECLARED COUNTY, STATE OR FEDERAL STATE OF EMERGENCY; GRANTING THE EXECUTIVE DIRECTOR OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA ADMINISTRATIVE AUTHORITY TO TEMPORARILY CONDUCT PUBLIC PARTICIPATION AND OUTREACH ACTIVITIES THAT DEVIATE FROM THE PUBLIC INVOLVEMENT PLAN IN ACCORDANCE WITH FEDERAL AND STATE REQUIREMENTS TO THE MAXIMUM EXTENT FEASIBLE; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as the designated Metropolitan Planning Organization, is required to conduct continuous, comprehensive and cooperative transportation planning for the Gainesville Metropolitan Area that includes public participation and outreach, including state and public transit operators, under Section 339.175, Florida Statutes;

WHEREAS, said public participation and outreach contributes to the development of transportation plans and programs for the Gainesville Metropolitan Area: that provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities; that utilize a process for developing such plans that provides consideration of all modes of transportation; that shall be continuing, cooperative and comprehensive, to the degree appropriate, based on the complexity of transportation problems to be addressed; that ensure that the process is integrated with the statewide planning process; and that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state and regional transportation functions, including those facilities on the Strategic Intermodal System as designated under Section 339.63, Florida Statutes; and

WHEREAS, normal administrative activities, including public notifications and conduct of public meetings of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, its advisory committees, subcommittees and working groups are disrupted by a declared county, state or federal state of emergency.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. That under a declared county, state or federal state of emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, in compliance with federal and state public participation requirements and any administrative guidance of the Federal Highway Administration and/or the Florida Department of Transportation that temporarily modify said federal and state requirements, may conduct temporary public participation and outreach, as follows:

- a. Provide for public notice of virtual public hearings, public meetings and workshops in a timely manner via virtual media;
- b. Provide for public notice of virtual public hearings, public meetings and workshops in a timely manner via print media;
- c. Maintain compliance with the Americans with Disabilities Act as related to conduct of virtual public hearings, public meetings and workshops; and

d. Waive posting of public notices of virtual public hearings, public meetings and workshops, and associated documents inside public buildings that are closed to public access.

2. That under a declared county, state or federal state of emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, in compliance with federal and state public participation requirements and any administrative guidance of the Federal Highway Administration and/or the Florida Department of Transportation that temporarily modify said federal and state requirements, may conduct virtual public hearings, meetings and workshops of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, its advisory committees, subcommittees and working groups.

3. That under a declared county, state or federal state of emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area will document administration of public notification of virtual public hearings, public meetings and workshops of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, its advisory committees, subcommittees and working groups for reporting to the Federal Highway Administration and Florida Department of Transportation.

4. That under a declared county, state or federal state of emergency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area will document conduct of virtual public hearings, meetings and workshops of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, its advisory committees, subcommittees and working groups for reporting to the Federal Highway Administration and the Florida Department of Transportation.

5. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

6. That this resolution shall take effect upon its adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

ATTEST:

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

Adrian Hayes-Santos, Secretary/Treasurer

David Arreola, Chair

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Fiscal Year 2018-19 Audit

RECOMMENDATION

Accept the audit report for Fiscal Year 2018-19 and approve the invoice for payment to the auditor as recommended by the Audit Review Committee.

BACKGROUND

Attached please find a copy of the auditor's report for the fiscal year ended September 30, 2019. In December 2019, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area appointed Commissioner Hayes-Santos and Commissioner Hutchinson to an Audit Review Committee. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area also decided to have Commissioner Hayes-Santos serve as Committee Chair.

First, it should be noted that the audit conforms to both federal regulations and the rules of the Auditor General of the State of Florida. Therefore, the auditor is required to take into account not only internal accounting controls, but administrative controls as well. In addition, the audit has been completed in compliance with Governmental Accounting Standards Board Statement 34 and 54 requirements.

More specific comments relating to the report are given in sequence as they appear in the document. On Page 5, you can see that the auditor's report indicates that the records audited "...present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as of September 30, 2019, and the changes in financial position and the respective budgetary comparisons for the year then ended in accordance with accounting principles generally accepted in the United States of America."

Pages 7 through 11 contain the "Management's Discussion and Analysis" that is intended to present easily understood analyses of the Metropolitan Transportation Planning Organization's financial activities, but technically is not a part of the audit. This expanded information gives a more detailed look at the financial position of the Metropolitan Transportation Planning Organization from a business perspective.

Pages 12 through 13 present the statements that were audited. In general, you will find that the information in each of these statements are fairly routine and report no unusual circumstances. In particular, page 12 presents the "Governmental Funds Balance Sheet."

Page 13 is a "Statement of Revenues, Expenditures and Changes in General Fund Balance." Please note that with respect to revenues collected versus those budgeted, revenues received were 0.02 percent more than budgeted amounts. With respect to expenditures, funds expended were (0.2) percent less than budgeted amounts. The difference in the revenues received and the expenditures made are reflected in the increase in the Metropolitan Transportation Planning Organization's "General Fund Balance" of \$1,554.

The auditor's notes begin on page 14 and include Note 1, Summary of Significant Accounting Policies and Note 2, Budgetary Process, Note 3, Concentration of Risk and Note 4, Contingent Liabilities.

The audit also contains various reports on compliance, internal control and management on Pages 20 through 26. In these reports, no material weaknesses or problems were cited. Consequently, there were no findings of non-compliance or reportable conditions (see Page 22).

Overall, management and financial staff are pleased with the audit report. If you would like additional information concerning the audit before the meeting, please do not hesitate to contact me.

Audit Review Committee Meeting

The Audit Review Committee met with the Auditor to review the audit and recommends to the Metropolitan Transportation Planning Organization acceptance of the audit report for Fiscal Year 2018-19 and approval of the invoice for payment in the amount of \$7,100 to the auditor.

Attachment

EXHIBIT 1

**METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA**

ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended September 30, 2019

**METROPOLITAN TRANSPORTATION PLANNING
ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA**

ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended September 30, 2019

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FINANCIAL SECTION



Powell & Jones
Certified Public Accountants

Richard C. Powell, Jr., CPA
Marian Jones Powell, CPA

1359 S.W. Main Blvd.
Lake City, Florida 32025
386 / 755-4200
Fax: 386 / 719-5504
admin@powellandjonescpa.com

INDEPENDENT AUDITOR'S REPORT

To Metropolitan Transportation
Planning Organization for the
Gainesville Urbanized Area
Gainesville, Florida

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization), as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the Organization's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

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We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the aggregate remaining fund information of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area as of September 30, 2019, and the changes in financial position and the respective budgetary comparisons for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 7 - 9 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

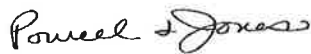
Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's basic financial statements. The schedule of expenditures of federal awards and state financial assistance is presented for purposes of additional analysis, and is not a required part of the basic financial statements.

The schedule of expenditures of federal awards and state financial assistance is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards and state financial assistance is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated April 6, 2020, on our consideration of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over financial reporting and compliance.



POWELL & JONES
Certified Public Accountants
April 6, 2020

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA
Management's Discussion and Analysis**

This discussion and analysis is intended to be an easily readable analysis of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's (the Organization) financial activities based on currently known facts, decisions or conditions. This analysis focuses on current year activities and should be read in conjunction with the financial statements that follow.

Report Layout

The Organization has implemented Governmental Accounting Standards Board (GASB) Statement 34, "Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments". This Statement requires governmental entities to report finances in accordance with specific guidelines. Among those guidelines are the components of this section dealing with management's discussion and analysis. Besides this Management's Discussion and Analysis (MD&A), the report consists of government-wide statements, fund financial statements, and the notes to the financial statements. The first two statements are condensed and present a government-wide view of the Organization's finances. Within this view, all the Organization's operations are categorized as applicable, and reported as either governmental or business-type activities. Governmental activities include basic planning related services and general administration. The Organization had no business-type activities in this fiscal year. These government-wide statements are designed to be more corporate-like in that all activities are consolidated into a total for the Organization.

Basic Financial Statements

The Statement of Net Position focuses on resources available for future operations. In simple terms, this statement presents a snap-shot view of the assets of the Organization, the liabilities it owes and the net difference. The net difference is further separated into amounts restricted for specific purposes and unrestricted amounts. Governmental activities are reported on the accrual basis of accounting.

- The Statement of Activities focuses gross and net costs of the Organization's programs and the extent, if any, to which such programs rely upon general revenues. This statement summarizes and simplifies the user's analysis to determine the extent to which programs are self-supporting and/or subsidized by general revenues.
- Fund financial statements focus separately on governmental and proprietary funds, as applicable. Governmental fund statements follow the more traditional presentation of financial statements. As stated above, the Organization has no proprietary funds and business-type activities.
- The notes to the financial statements provide additional disclosures required by governmental accounting standards and provide information to assist the reader in understanding the Organization's financial condition.
- The MD&A is intended to serve as an introduction to the Organization's basic financial statements and to explain the significant changes in financial position and differences in operations between the current and prior years.

Condensed Financial Information

Condensed financial information from the Statements of Net Position as of September 30, 2019 and 2018, follow:

	Governmental Activities	
	Total Government	
	September 30,	
	2019	2018
Assets:		
Cash	\$ 40,314	\$ 68,855
Receivables	222,726	187,505
Prepaid expenses	500	250
Total assets	263,540	256,610
Liabilities:		
Accounts payable	199,783	194,407
Total liabilities	199,783	194,407
Net Assets:		
Unrestricted	63,757	62,203
Total net assets	\$ 63,757	\$ 62,203

During the year ended September 30, 2019, there was an increase of \$1,554 in net position, due to normal operations during the year.

Condensed versions of the Statement of Activities for the years ended September 30, 2019 and 2018 follow:

	Governmental Activities	
	Total Government	
	Fiscal Year Ended September 30,	
	2019	2018
Revenues		
Program revenues		
Member dues	\$ 24,000	\$ 24,000
Operating grants	693,040	727,544
Contractual services	6,735	7,054
In-kind contributions	186,378	106,870
Total revenues	910,153	865,468
Expenses		
Transportation planning services	908,599	864,271
Total expenses	908,599	864,271
Change in net assets	1,554	1,197
Beginning net assets	62,203	61,006
Ending net assets	\$ 63,757	\$ 62,203

Governmental activities

Transportation planning program activities remained similar to the prior year except that total expenses increased approximately 5.13% and grant revenues decreased approximately 4.74%.

Capital Assets and Debt Administration

Capital Assets

At September 30, 2019, the Organization had no capital assets titled in its name. All of the capital assets utilized in the Organization's programs are owned by North Central Florida Regional Planning Council, its administering agency.

Debt Outstanding

At September 30, 2019, the Organization had no outstanding debt.

Financial Contact

The Organization's financial statements are designed to present users (citizens, taxpayers, customers, and creditors) with a general overview of the Organization's finances and to demonstrate the Organization's accountability. If you have questions about the report or need additional financial information, please contact the Organization's Executive Director at 2009 NW 67th Place, Gainesville, Florida 32653-1603.

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

STATEMENT OF NET POSITION

September 30, 2019

	<u>Governmental Activities</u>
ASSETS	
Current assets	
Cash	\$ 40,314
Accounts receivable	222,726
Prepaid expenses	500
Total assets	<u>\$ 263,540</u>
LIABILITIES	
Current liabilities	
Accounts payable	<u>\$ 199,783</u>
Total liabilities	<u>199,783</u>
NET POSITION	
Unrestricted	<u>63,757</u>
Total net position	<u>63,757</u>
Total liabilities and net position	<u>\$ 263,540</u>

See notes to financial statements.

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

STATEMENT OF ACTIVITIES

For the Fiscal Year Ended September 30, 2019

	<u>Expenses</u>	<u>Program Revenues Operating Grants and Contributions</u>	<u>Net Expenses and Change in Net Position Governmental Activities Total</u>
Governmental activities:			
General government			
Transportation planning services	\$ 908,599	\$ 886,153	\$ (22,446)
Total governmental activities	<u>\$ 908,599</u>	<u>\$ 886,153</u>	<u>(22,446)</u>
 General revenues:			
Member dues			<u>24,000</u>
			<u>24,000</u>
 Increase in net position			1,554
 Net position - October 1, 2018			<u>62,203</u>
 Net position - September 30, 2019			<u>\$ 63,757</u>

See notes to financial statements.

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

**BALANCE SHEET
GOVERNMENTAL FUND**

September 30, 2019

	<u>General Fund</u>
ASSETS	
Cash	\$ 40,314
Accounts receivable	222,726
Prepaid expenses	500
Total assets	<u>\$ 263,540</u>
 LIABILITIES	
Accounts payable	<u>\$ 199,783</u>
Total liabilities	<u>199,783</u>
 FUND BALANCE	
Nonspendable, prepaids	500
Unassigned	63,257
Total fund balance	<u>63,757</u>
 Total liabilities and fund balance	<u>\$ 263,540</u>

Total fund balance is the same as net position in the Statement of Net Position.

See notes to financial statements.

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

**GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL
For the Fiscal Year Ended September 30, 2019**

	Budgeted Amounts		Actual	Variance
	Original	Final	Amounts	Final Budget Positive (Negative)
REVENUES				
State of Florida, Department of Transportation grants and contracts	\$ 773,200	\$ 675,100	\$ 675,124	\$ 24
State of Florida, Transportation Disadvantaged Commission	24,000	24,600	24,651	51
Member dues - Alachua County	9,600	9,600	9,600	-
Member dues - City of Gainesville	14,400	14,400	14,400	-
In-kind contributions (FDOT)	128,300	186,300	186,378	78
Total revenues	949,500	910,000	910,153	153
EXPENDITURES				
Professional contractual services	809,200	714,000	712,718	1,282
Other	12,000	9,700	9,503	197
In-kind services (FDOT)	128,300	186,300	186,378	(78)
Total expenditures	949,500	910,000	908,599	1,401
Net change in fund balance	-	-	1,554	1,554
Fund balance, October 1, 2018	62,203	62,203	62,203	-
Fund balance, September 30, 2019	\$ 62,203	\$ 62,203	\$ 63,757	\$ 1,554

See notes to financial statements.

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

NOTES TO FINANCIAL STATEMENTS

September 30, 2019

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization), is a political subdivision created pursuant to provisions of Chapter 163, *Florida Statutes*. The Organization was established in 1977 by an Interlocal agreement between the City of Gainesville, Alachua County and Florida Department of Transportation. It is governed by a fourteen-member board, including the five members of the Alachua County Board of County Commissioners, the seven members of the City of Gainesville City Commission, and non-voting representatives of the University of Florida, and a rural advisor selected by the Alachua County League of Cities. The Organization is not currently subject to state or federal income taxes. Staff services are provided by the North Central Florida Regional Planning Council.

The financial statements of the Organization have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Government Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the Organization's accounting policies are described below:

A. Reporting entity - As required by generally accepted accounting principles, these financial statements present the Organization and any component units, entities for which the primary government is considered to be financially accountable. There are no entities that would be considered component units of the Organization.

B. Basic financial statements - Basic financial statements are presented at both the government-wide and fund financial level. Both levels of statements categorize primary activities as either governmental or business-type.

Government-wide financial statements report information about the reporting unit as a whole. For the most part, the effect of any interfund activity has been removed from these statements. These statements focus on the sustainability of the Organization as an entity and the change in aggregate financial position resulting from the activities of the year. These aggregated statements consist of the Statement of Net Position and the Statement of Activities.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function. Any other items not reported as program revenues are reported instead as general revenues.

Fund financial statements report information at the individual fund level. Each fund is considered to be a separate accounting entity. The Organization only reports a general fund which is a governmental fund.

C. Measurement focus, basis of accounting, and basis of presentation - The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. A 120 day availability period after year end is used for revenue recognition. Expenditures are recorded when the related fund liability is incurred.

The Organization reports unearned revenue as applicable on its governmental fund balance sheet. Deferred revenues arise when a potential revenue does not meet both the "measurable" and "available" criteria for recognition on the current period. In subsequent periods, when both revenue recognition criteria are met, the liability for deferred revenue is removed from the balance sheet and revenue is recognized.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board.

The Organization reports the following fund:

General Fund

This is the general operating fund of the Organization. It is used to account for all financial resources of the government, except those required to be accounted for in another fund.

D. Cash and cash equivalents - As applicable year to year, the Organization considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents.

E. Cash and Investments – Cash deposits are held by a bank qualified as a public depository under Florida law. All deposits are insured by Federal depository insurance and collateralized with securities held in Florida's multiple financial institution collateral pool as required by Chapter 280, *Florida Statutes*.

F. Pervasiveness of Estimates – The preparation of financial statements in conformity with generally accepted accounting principles required management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

G. Fund Balances – As of September 30, 2019, fund balances of the governmental funds are classified as follows:

Non-spendable – amounts that cannot be spent either because they are in non-spendable form or because they are legally or contractually required to be maintained intact.

Restricted – amounts that can be spent only for specific purpose because of constitutional provisions, charter requirements or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

Committed – amounts that can be used only for specific purposes determined by a formal action of the Governing Board. The Governing Board is the highest level of decision making authority for the Organization. Commitments may be established, modified or rescinded only through ordinances or resolutions approved by the Governing Board.

Assigned – amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes. Under the Organization's general policy, only the Governing Board may assign amounts for specific purposes.

Unassigned – all other spendable amounts.

As of September 30, 2019, fund balances are composed of the following:

Nonspendable, prepaids	\$ 500
Unassigned	63,257
Total fund balance	<u>\$ 63,757</u>

NOTE 2. BUDGETARY PROCESS

The Organization follows these procedures in establishing the budgetary data reflected in the financial statements:

- a. In March, staff members begin preparing a budget for the fiscal year commencing the following October 1, based on work outlined in the Unified Planning Work Program.
- b. In June, the Organization adopts and approves the budget.
- c. Actual contracts accepted by the Organization throughout the year necessarily have an impact on approved budget operating levels. Should any major changes be needed, due to unforeseen contracts or the need to appropriate additional funds, the budget is then redeveloped for consideration by the Organization.
- d. The budget is adopted on a basis consistent with generally accepted accounting principles. The legal level of budgeting control is the fund level.

NOTE 3. CONCENTRATION OF CREDIT RISK

Significant concentration of credit risk for financial instruments owned by the Organization are as follows:

- a. **Accounts and grants receivable** - Substantially all of the Organization's receivables are for amounts due from federal, state and local governmental agencies under cost reimbursement contracts. The Organization has no policy requiring collateral or other security to support its receivables.
- b. **Cash and cash equivalents** - At September 30, 2019, the carrying amount of the Organization's bank deposits was \$40,314. All deposits with financial institutions were 100% insured by federal depository insurance or by collateral provided by qualified public depositories to the State Treasurer pursuant to the Public Depository Security Act of the State of Florida. The Act established a Trust Fund, maintained by the State Treasurer, which is a multiple financial institution pool with the ability to assess its member financial institutions for collateral shortfalls if a member fails.

NOTE 4. CONTINGENT LIABILITIES

Amounts received or receivable from grantor agencies are subject to audit and adjustment by grantor agencies, principally the Federal government. Any disallowed claims, including amounts already collected, may constitute a liability to the Organization. The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time although the Organization expects such amounts, if any, to be immaterial.

COMPLIANCE SECTION

METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE
For the Fiscal Year Ended September 30, 2019

<u>Federal Grantor/Pass-Through Grantor/ State Grantor Program Title</u>	<u>CFDA/ CSFA Number</u>	<u>Grantor's Number</u>	<u>Program Award/Matching Amount</u>	<u>Received/ Reported Prior Year</u>	<u>Current Year Revenues</u>	<u>Current Year Expenditures</u>
FEDERAL AWARDS						
<i>U.S. Department of Transportation Passed through the State of Florida Department of Transportation: Highway Planning and Construction FPID # 439318-2-14-01 FAIN # 0241-056-M Grant award: 2018-19/2019-20 State Match: 2018-19/2019/20</i>	20.205	G0U69	\$ 1,332,674 293,248 <u>1,625,922</u>	\$ 118,613 106,870 <u>225,483</u>	\$ 479,676 186,378 <u>666,054</u>	\$ 479,676 186,378 <u>666,054</u>
<i>Federal Transit: Metropolitan Planning Grants FPID # 411762-3-14-19 Grant award State match</i>	20.505	G1456	173,732 21,717 <u>195,449</u>	170,092 21,261 <u>191,353</u>	173,732 21,716 <u>195,448</u>	173,732 21,716 <u>195,448</u>
Total Federal Awards			<u>1,506,406</u>	<u>288,705</u>	<u>653,408</u>	<u>653,408</u>
Total State Match			<u>314,965</u>	<u>128,131</u>	<u>208,094</u>	<u>208,094</u>
STATE FINANCIAL ASSISTANCE						
<i>State of Florida Department of Transportation Transportation Disadvantaged FPID # 432029-1-14-01 Grant award: 2019-20</i>	55.002	G1815	24,946	-	6,735	6,735
Total State Financial Assistance			<u>24,946</u>	<u>-</u>	<u>6,735</u>	<u>6,735</u>
Total federal and state financial assistance			<u>\$ 1,846,317</u>	<u>\$ 416,836</u>	<u>\$ 868,237</u>	<u>\$ 868,237</u>

**METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
FOR THE GAINESVILLE URBANIZED AREA**

Notes to Schedule of Expenditures of Federal Awards and State Financial Assistance

For the Fiscal Year Ended September 30, 2019

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies and presentation of the Schedule of Expenditures of Federal Awards and State Financial Assistance of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization) have been designed to conform to generally accepted accounting principles as applicable to governmental units, including the reporting and compliance requirements of the Audits of States, Local Governments, and Non-Profit Organizations and Office of Management and Budget *Uniform Guidance*.

A. Reporting Entity

This reporting entity consists of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area. The Organization includes a Schedule of Expenditures of Federal Awards and State Financial Assistance in the compliance Section for the purpose of additional analysis.

B. Basis of Accounting

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus.

The accrual basis of accounting is followed in the Schedule of Expenditures of Federal Awards and State Financial Assistance. Under the modified accrual basis, revenues are recognized when they become measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Organization considers revenues to be available if they are collected within 120 days after the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To Metropolitan Transportation Planning
Organization for the Gainesville Urbanized Area
Gainesville, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's basic financial statements, and have issued our report thereon dated April 6, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control. Accordingly, we do not express an opinion on the effectiveness of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

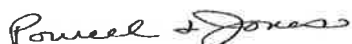
Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance

with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



POWELL & JONES
Certified Public Accountants
April 6, 2020

**INDEPENDENT AUDITOR'S MANAGEMENT LETTER REQUIRED BY
CHAPTER 10.550, RULES OF THE AUDITOR GENERAL**

To Metropolitan Transportation
Planning Organization for the
Gainesville Urbanized Area

We have audited the basic financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization) as of and for the year ended September 30, 2019, and have issued our report thereon dated April 6, 2020.

We have issued our Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*, dated January 10, 2020. Disclosures in that report, if any, should be considered in conjunction with this management letter.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* issued by the Comptroller General of the United States. Additionally, our audit was conducted in accordance with the provisions of Chapter 10.550, *Rules of the Auditor General*, which govern the conduct of local governmental entity audits performed in the State of Florida and require that the following items be addressed in this letter.

PRIOR YEAR FINDINGS – There were no reportable findings in the prior year.

CURRENT YEAR FINDINGS - There were no reportable findings in the current year.

FINANCIAL COMPLIANCE MATTERS

Financial Emergency Status – We determined that the Organization did not meet any of the conditions described in Section 218.503(1), *Florida Statutes*, that might result in a financial emergency.

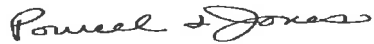
Financial Condition Assessment – As required by the *Rules of the Auditor General* (Sections 10.5447(c) and 10.556(7)), we applied financial condition assessment procedures. It is management's responsibility to monitor the entity's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information they provided.

We noted no deteriorating financial conditions as defined by Rule 10.544(2)(f).

Our audit did not disclose any further items that would be required to be reported under *Rules of the Auditor General* Chapter 10.550.

CONCLUSION

We very much enjoyed the challenge and experiences with this audit of the Organization. We appreciate the helpful assistance of the Organization staff in completing our audit and also the generally high quality of the Organization's financial records and internal controls.

A handwritten signature in cursive script, appearing to read "Powell & Jones".

POWELL & JONES
Certified Public Accountants
April 6, 2020

INDEPENDENT ACCOUNTANT'S REPORT

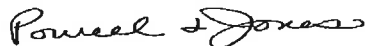
To Metropolitan Transportation
Planning Organization for the
Gainesville Urbanized Area

We have examined the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's compliance with Section 218.415, *Florida Statutes*, regarding the investment of public funds during the year ended September 30, 2019. Management is responsible for the Organization's compliance with those requirements. Our responsibility is to express an opinion on the Organization's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the Organization's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Organization's compliance with specified requirements.

In our opinion, the Organization complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2019.

This report is intended solely for the information and use of the Organization and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.



POWELL & JONES
Certified Public Accountants
April 6, 2020

Communication with Those Charged with Governance

To Metropolitan Transportation
Planning Organization for the
Gainesville Urbanized Area

We have audited the financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area for the year ended September 30, 2019. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Organization are described Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2019. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus.

All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There are no sensitive estimates affecting the Organization's financial statements.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. There are no sensitive disclosures affecting the financial statements.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. There were no such misstatements identified during our audit.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that

could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated April 6, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

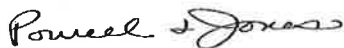
We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Information in Documents Containing Audited Financial Statements

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Governing Board and management of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,




POWELL & JONES
Certified Public Accountants
April 6, 2020



April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Safety Performance Measures and Targets

STAFF RECOMMENDATION

Approve the following Safety Performance Targets consistent with the Florida Department of Transportation Targets for resubmission to the Florida Department of Transportation.

Safety Topic	Performance Measure	Target
1	Fatalities	Zero
2	Serious Injuries	Zero
3	Non-Motorized Fatalities and Serious Injuries	Zero
4	Fatalities Per 100 Million Vehicle Miles Travelled	Zero
5	Serious Injuries Per 100 Million Vehicle Miles Travelled	Zero

BACKGROUND

The Moving Ahead for Progress in the 21st Century Act established performance measures for evaluation of effectiveness of expenditure of federal transportation funds. The subsequent Fixing America's Surface Transportation Act continues the implementation of the performance measures federal legislation. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is required to annually set safety targets for fatalities and serious injuries. The Metropolitan Transportation Planning Organization initially set safety targets for fatalities and serious injuries at its December 4, 2017 meeting.

Staff has been coordinating with the Florida Department of Transportation. Department staff requested modification to the Safety Target table formatting submitted in December 2019. Exhibit 1 includes excerpted pages from the Florida Department of Transportation 2018 Highway Safety Plan. A summary of the Florida Department of Transportation statewide safety targets is listed in the matrix above. Exhibit 2 is the Florida Department of Transportation notification of retaining target zero for fatalities and serious injuries.

Attachments

T:\Scott\SK20\MTPO\Memo\perf_target_safety_2019_mtpo_apr20.docx

EXHIBIT 1

TARGETS:

Florida shares the national traffic safety vision, "Toward Zero Deaths," and formally adopted our own version of the national vision, "Driving Down Fatalities," in 2012. FDOT and its traffic safety partners are committed to eliminating fatalities and reducing serious injuries with the understanding that the death of any person is unacceptable and based on that, zero deaths is our safety performance target. This target is consistent throughout our Strategic Highway Safety Plan, Highway Safety Improvement Program and Highway Safety Plan.

DATA FORECASTS:

Understanding that zero fatalities cannot be reached within the HSP 2018 year, Florida has developed data models to forecast the fatalities that are statistically expected to occur as we diligently strive to drive down fatalities and serious injuries with an ultimate vision of zero.

Florida's data forecasts have been established using an ARIMA Hybrid Regression Model $(0, 1, 1)(2, 0, 0)(12)$ with VMT. Nine independent variables were tested to assess correlations; only Vehicle Miles of Travel (VMT) and gas consumption have relatively high correlations with fatalities and serious injuries and of these two variables only VMT was useful in predicting future fatalities and serious injuries. The first three performance measures (number of fatalities, number of serious injuries, and fatality rate per 100M VMT) have been forecasted based on a five year rolling average and the remaining performance measures will be forecasted annually. The forecasts for 2017 and 2018 are based on monthly data from 2005 through 2016 using statistical forecasting methodologies.

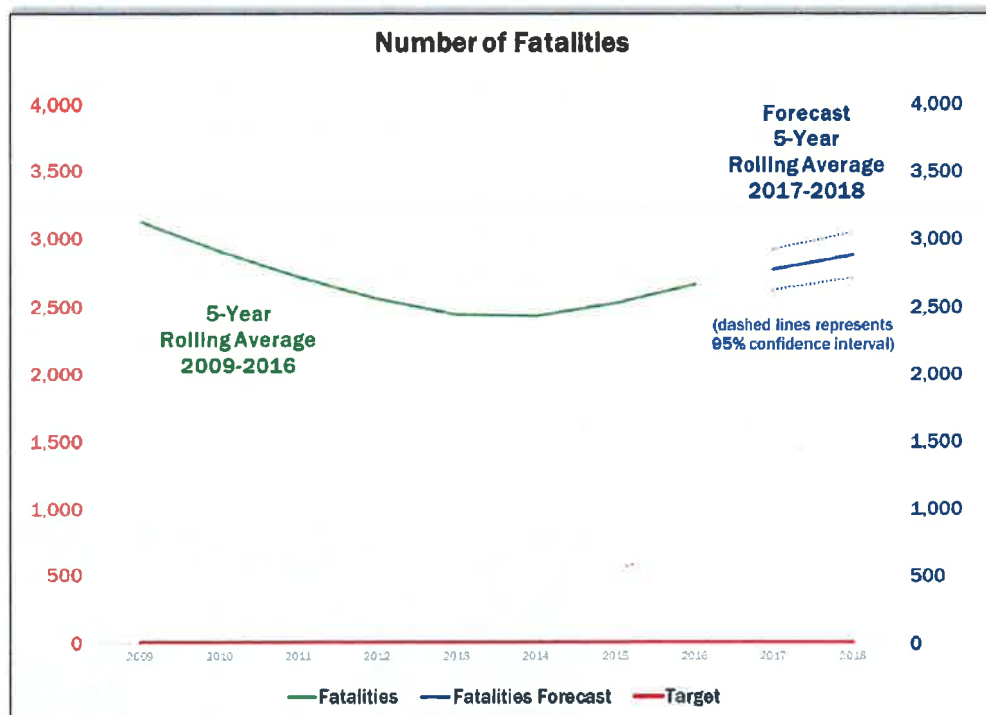


C1 - NUMBER OF FATALITIES:

The table below reflects the five year rolling average of traffic fatalities for each year and the data forecast for 2017 and 2018. Based on statistical forecasting, the five year rolling average for total fatalities on Florida's roads is forecasted to be between 2,716 and 3,052 in 2018. This forecast was made by combining FARS data with current state data from 2009 to 2016 to predict probable outcomes for 2017 and 2018.

Florida's target for fatalities is zero in 2018.

While the data forecast indicates Florida's five year rolling average for fatalities could continue to trend upward in 2017 and 2018, the FDOT State Safety Office expects the projects chosen for funding will mitigate the data forecast and ultimately reduce the number of traffic fatalities.

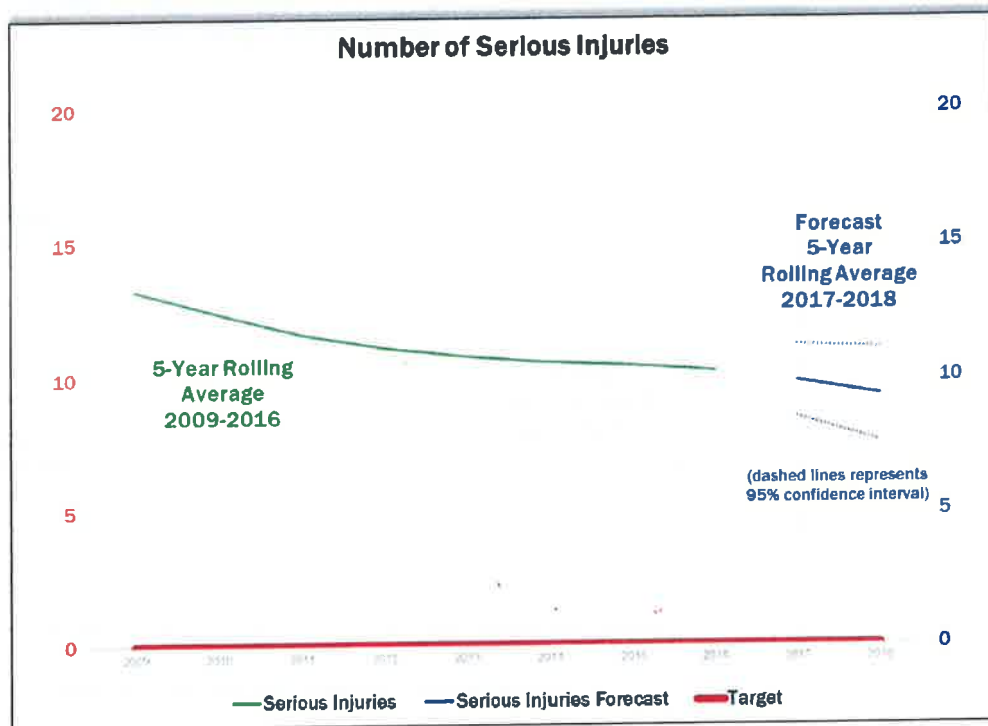


C2 - NUMBER OF SERIOUS INJURIES:

The table below reflects the five year rolling average of serious injuries for each year and data forecast for 2017 and 2018. Based on statistical forecasting, the five year rolling average for serious injuries on Florida's roads is forecasted to be between 18,831 and 20,861 in 2018. This forecast was made by combining FARS data with current state data from 2009 to 2016 to predict probable outcomes for 2017 and 2018.

Florida's target for serious injuries is zero in 2018.

The data forecast indicates Florida's five year rolling average of serious injuries will continue to trend downward in 2017 and 2018. The FDOT State Safety Office expects the projects chosen for funding will enhance this downward trend in the number of serious injuries on Florida's roads.

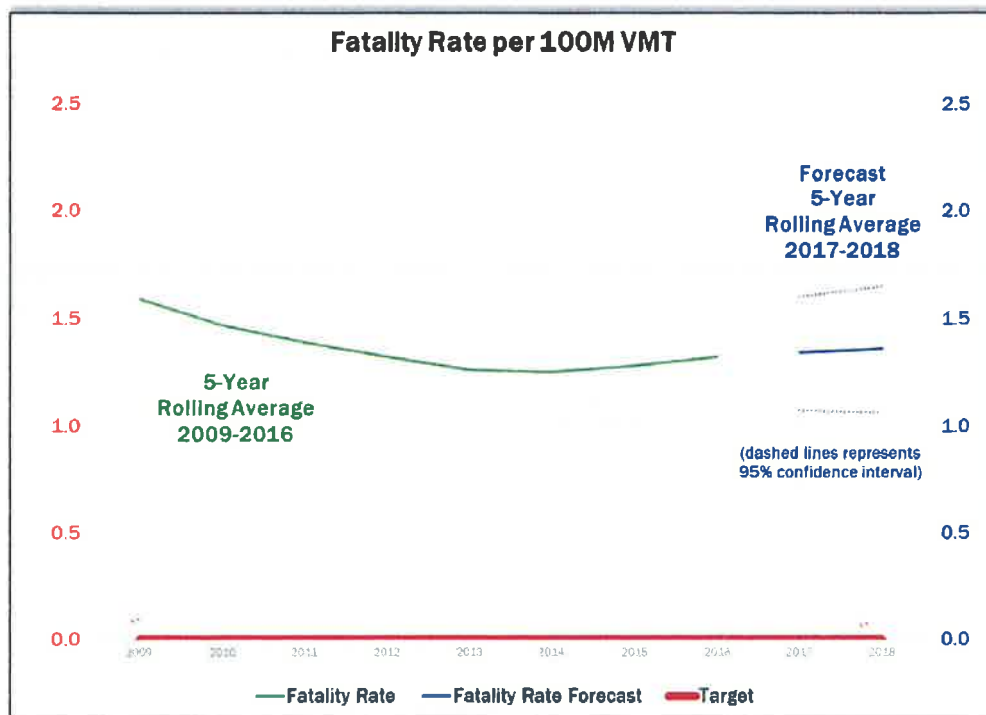


C3 - FATALITY RATE PER 100M VMT

The table below reflects the five year rolling average for fatality rate per 100 million vehicle miles traveled (VMT) for each year and the data forecasts for 2017 and 2018. Based on statistical forecasting, the five year rolling average for fatality rate per 100 million VMT on Florida's roads is forecasted to be between 1.06 and 1.65 in 2018. This forecast was made by combining FARS data with current state data from 2009 to 2016 to predict probable outcomes for 2017 and 2018.

Florida's target for fatality rate per 100 million VMT is zero in 2018.

While data forecast indicates Florida's fatality rate per 100 million VMT could continue to trend upward in 2017 and 2018, the FDOT State Safety Office expects the projects chosen for funding will mitigate the data forecast and ultimately reduce the fatality rate per 100 million VMT.

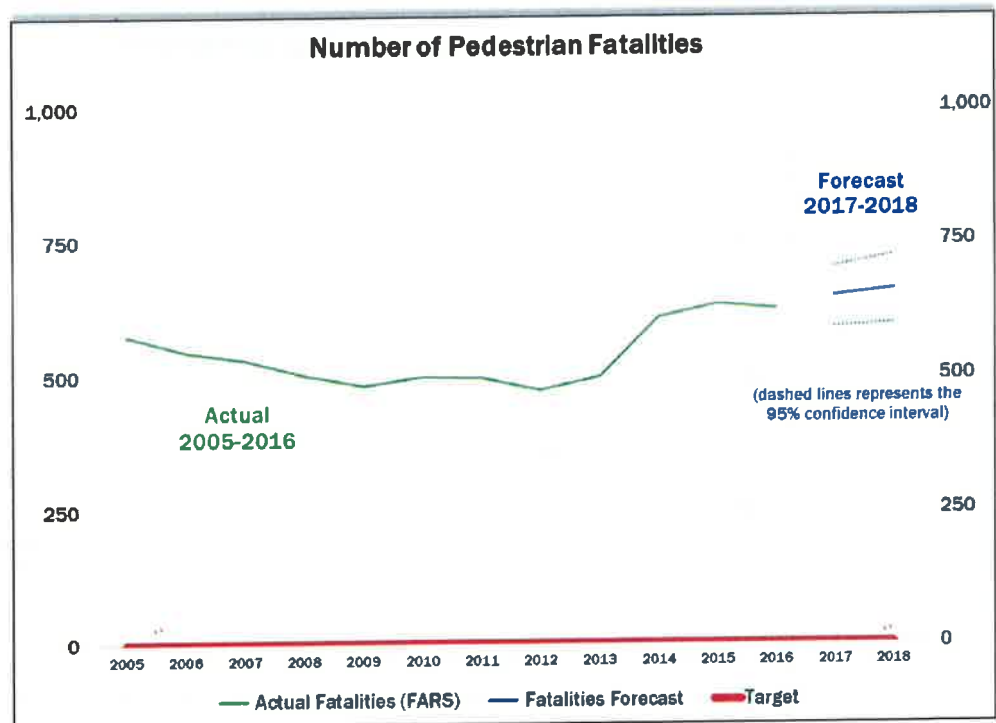


C10 - NUMBER OF PEDESTRIAN FATALITIES

The table below reflects the number of number of pedestrian fatalities for each year and the data forecast for 2017 and 2018. Based on statistical forecasting, number of pedestrian fatalities on Florida's roads is forecasted to be between 596 and 722 in 2018. This forecast was made by combining FARS data with current state data from 2005 to 2016 to predict probable outcomes for 2017 and 2018.

Florida's target for number of pedestrian fatalities is zero in 2018.

While the data forecast indicates Florida's number of pedestrian fatalities could continue to trend upward in 2017 and 2018, the FDOT State Safety Office expects the projects chosen for funding will mitigate the data forecast and ultimately reduce the number of pedestrian fatalities.

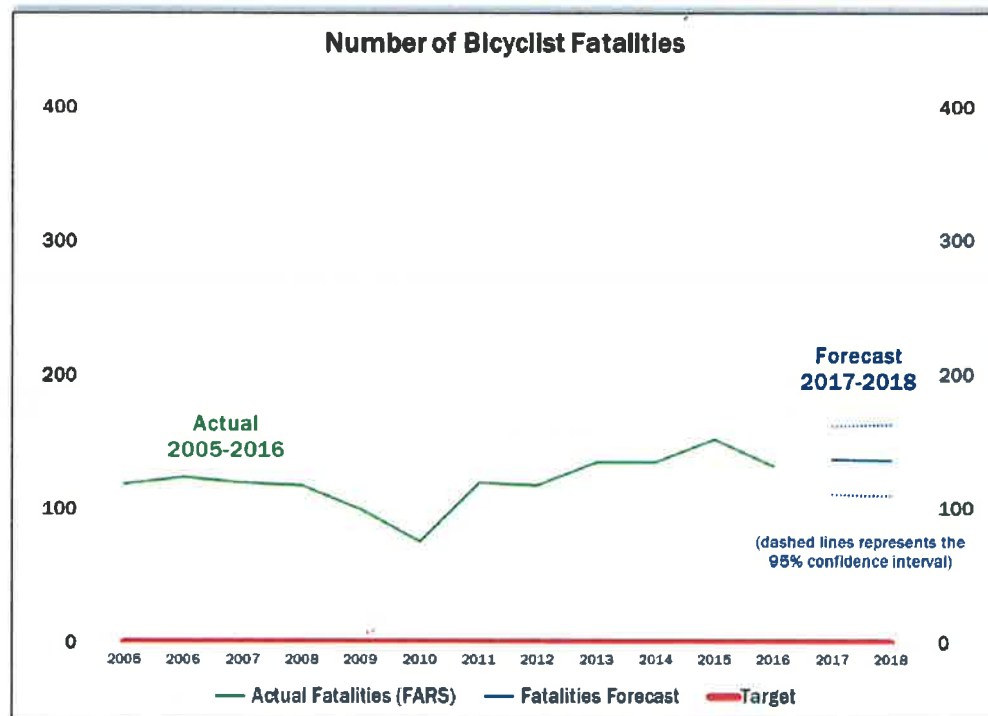


C11 - NUMBER OF BICYCLIST FATALITIES

The table below reflects the number of number of bicyclist fatalities for each year and the data forecast for 2017 and 2018. Based on statistical forecasting, number of bicyclist fatalities on Florida's roads is forecasted to be between 110 and 163 in 2018. This forecast was made by combining FARS data with current state data from 2005 to 2016 to predict probable outcomes for 2017 and 2018.

Florida's target for number of bicyclist fatalities is zero in 2018.

While the data forecast indicates Florida's number of bicyclist fatalities will remain flat in 2017 and 2018, the FDOT State Safety Office expects the projects chosen for funding will mitigate the data forecast and ultimately reduce the number of bicyclist fatalities.



SEP 05 2019

EXHIBIT 2

Mike Escalante

NORTH CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL

From: Reichert, Mark [Mark.Reichert@dot.state.fl.us]
Sent: Thursday, September 05, 2019 10:29 AM
To: Aileen Boucle; McLaughlin, Anne; Austin Mount; Benjamin Dunn; Beth Alden; Beth Beltran; Bill Cross; Carter, Laura; Chris Benson; Dave Hutchinson; David Green; Dawn Schwartz; Denise Bunnewith; Scott, Donald; Harrell, Gary; Gary Huttman; Gillette, Georganna; Greg Stuart; Hickman, Lisa; Hugh Pascoe; Jeff Kramer; Jeff Sheffield; Jesus Guerra; John Villeneuve; Kostrzewa, Jack; Lois Bollenback; Lorraine Lantz; Markovich, Martin; Messina, Brigitte; Woods, Michael; Michael Case; Mike Escalante; Mikyska, Carl; msoderstrom@cfrc.org; nuhren@palmbeachmpo.org; Steed, Patricia; Paul Flavien; buchwaldp@stlucieco.org; Phil Matson; Reichert, Mark; Rob Balmes; Ron Gogoi; RyanKordek@polk-county.net; Scott Koons; Slay, Greg; stevend@hernandocounty.us; Susan Ebner; Tom Deardorff; Tracy Flavien; Virginia Whittington; Washnock, Mary Beth; Whit Blanton
Subject: TPM Safety Targets

Good morning, everyone. You may recall that the PM 1 (Safety) Targets are the only federal TPM targets that must be established annually. State DOTs submit their Safety targets through their Highway Safety Improvement Plan (HSIP) each August. FDOT is staying with its "Vision Zero" targets. MPOs then have until February 27th in which to either adopt the Statewide targets or establish their own quantifiable Safety targets. Last year all but seven of our MPOs elected to adopt the FDOT statewide targets. The language below is excerpted from FDOT's HSIP. Let me know if you have any questions. Thanks.

*Calendar Year 2020 Targets ***Number of Fatalities 0.0**Describe the basis for established target, including how it supports SHSP goals.*

Based on statistical forecasting, the five-year rolling average for total fatalities on Florida's roads is forecasted to be between 2,877 and 3,175 in 2020. This forecast was made by combining FARS data with current state data from 2009 to 2018 to predict probable outcomes for 2019 and 2020. Florida's target for fatalities is zero in 2020. While the data forecast indicates Florida's five year rolling average for fatalities could continue to trend upward in 2019 and 2020, the FDOT State Safety Office expects the projects chosen for funding will mitigate the data forecast and ultimately reduce the number of traffic fatalities.

*Number of Serious Injuries 0.0**Describe the basis for established target, including how it supports SHSP goals.*

Based on statistical forecasting, the five-year rolling average for serious injuries on Florida's roads is forecasted to be between 17,480 and 19,123 in 2020. This forecast was made by combining FARS data with current state data from 2009 to 2018 to predict probable outcomes for 2019 and 2020. Florida's target for serious injuries is zero in 2020. The data forecast indicates Florida's five year rolling average of serious injuries will continue to trend downward in 2019 and 2020. The FDOT State Safety Office expects the projects chosen for funding will enhance this downward trend in the number of serious injuries on Florida's roads.

*Fatality Rate 0.000**Describe the basis for established target, including how it supports SHSP goals.*

Based on statistical forecasting, the five-year rolling average for fatality rate per 100 million VMT (vehicle miles travelled) on Florida's roads is forecasted to be between 1.10 and 1.60 in 2020. This forecast was made by combining FARS data with current state data from 2009 to 2018 to predict probable outcomes for 2019 and 2020. Florida's target for fatality rate per 100 million VMT is zero in 2020. While data forecast indicates Florida's fatality rate per 100 million VMT will trend downward in 2019 and 2020, the FDOT State Safety Office expects the projects chosen for funding will enhance this downward trend and ultimately reduce the fatality rate per 100 million VMT.

*Serious Injury Rate 0.000**Describe the basis for established target, including how it supports SHSP goals.*

Based on statistical forecasting the five-year rolling average for serious injury rate per 100 million VMT (vehicle miles travelled) on Florida's roads is forecasted to be between 6.82 and 9.44 in 2020. This forecast was made by using current state data from 2007 to 2017 to predict probable outcomes for 2019 and 2020. Florida's target for serious injury rate per million VMT is zero in 2020. While the data forecast indicates Florida's serious injury rate per 100 million VMT could continue to trend downward in 2019 and 2020. The FDOT State Safety Office expects the projects chosen for funding will enhance this downward trend in the number of serious injuries on Florida's roads.

Total Number of Non-Motorized Fatalities and Serious Injuries 0.0

Describe the basis for established target, including how it supports SHSP goals.

Based on statistical forecasting, number of non-motorized fatalities and serious injuries on Florida's roads is forecasted to be between 2,929 and 3,283 in 2020. This forecast was made by combining FARS data with current state data from 2007 to 2018 to predict probable outcomes for 2019 and 2020. Florida's target for number of non-motorized fatalities and serious injuries is zero in 2020. While the data forecast indicates Florida's number of non-motorized fatalities and serious injuries could continue to trend downward in 2019 and 2020, the FDOT State Safety Office expects the projects chosen for funding will enhance this downward trend the number of pedestrian fatalities.

Florida shares the national traffic safety vision, "Toward Zero Deaths," and formally adopted our own version of the national vision, "Driving Down Fatalities," in 2012. FDOT and its traffic safety partners are committed to eliminating fatalities and reducing serious injuries with the understanding that the death of any person is unacceptable and based on that, zero deaths is our safety performance target. This target is consistent throughout our Strategic Highway Safety Plan, Highway Safety Improvement Program and Highway Safety Plan. (ref. Highway Safety Improvement Program 2019 Annual Report (as submitted to FHWA for their review))

Mark E. Reichert

Administrator for Metropolitan Planning

Office of Policy Planning, Florida Department of Transportation

605 Suwannee Street, MS 28

Tallahassee, Florida 32399-0450

Direct Line: 850-414-4901


Cell: 850-491-4503





April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Certification - Metropolitan Transportation Planning Process Certification Statement

STAFF RECOMMENDATION

Authorize the Chair to sign the attached Joint Certification Statement.

BACKGROUND

Federal law and regulation requires the Florida Department of Transportation and the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area to jointly certify each year the transportation planning process, concurrent with the submittal of the Transportation Improvement Program.

A joint review meeting with the Florida Department of Transportation was held on March 10, 2020. As a result of this meeting, the Florida Department of Transportation has not identified any recommendations or corrective actions for the metropolitan transportation planning process. Attached as Exhibit 1 is the Joint Certification Statement that needs to be signed by the Chair and submitted to the Florida Department of Transportation.

Attachment

EXHIBIT 1
FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION
STATEMENTS & ASSURANCES

525-010-05
POLICY PLANNING
11/17

**JOINT CERTIFICATION STATEMENT ON THE METROPOLITAN
TRANSPORTATION PLANNING PROCESS**

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 Gainesville MTPO 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 March 10, 2020.

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

Name:
Title: District Secretary (or designee)

Date

Name: David Arreola
Title: MPO Chairman (or designee)

4/20/20
Date



**CA.5**

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Section 5305(d) Grant Application

STAFF RECOMMENDATION**Authorize the Chair to sign the following exhibits:**

- 1. Resolution 2020-04;**
- 2. Federal Assistance SF-424 form; and**
- 3. Federal Transit Administration Fiscal Year 2020-21 Certifications and Assurances.**

BACKGROUND

Each year, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area submits a grant application for Federal Transit Administration Section 5305(d) funds. These funds are used by Metropolitan Transportation Planning Organization staff to conduct bicycle, pedestrian and transit planning activities. Attached are the following documents that need to be executed and submitted by the Chair:

1. Resolution 2020-01 (see Exhibit 1);
2. Federal Assistance SF-424 form (see Exhibit 2); and
3. Federal Transit Administration Fiscal Year 2020-21 Certifications and Assurances (see Exhibit 3).

Attachments

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EXHIBIT 1

RESOLUTION NO. 2020-04

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA AUTHORIZING THE CHAIR TO ENTER INTO A PUBLIC TRANSPORTATION AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA REGARDING FISCAL YEAR 2020-21 FEDERAL TRANSIT ADMINISTRATION SECTION 5305(d) PUBLIC TRANSIT OFFICE PLANNING FUNDS IN ALACHUA COUNTY, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has decided to seek Fiscal Year 2019-20 Federal Transit Administration Section 5305(d) Public Transit Office planning funds in Alachua County in order to examine transportation system management and transportation demand management techniques which are designed to improve the transportation system through low-cost measures to reduce traffic congestion and obtain greater capacity out of the existing highway system;

WHEREAS, the Florida Department of Transportation requires that the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area execute a Public Transportation Agreement, Financial Project Number 411762-3-14-20, in order to be able to expend Fiscal Year 2020-21 Federal Transit Administration Section 5305(d) Public Transit Office planning funds in Alachua County;

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter into said Public Transportation Agreement and to undertake the project hereinafter described, as authorized under Section 339.175(10)(b), Florida Statutes; and

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area will prepare these studies and then seek reimbursement of funds from the Florida Department of Transportation.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter into the Public Transportation Agreement.
2. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to execute the Public Transportation Agreement on behalf of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area with the Florida Department of Transportation for planning to facilitate Public Transit Office planning activities in Alachua County, Florida.
3. That the total project cost is two hundred twenty-eight thousand six hundred and ninety-seven dollars and no cents (\$228,697.00) which represents one hundred eighty-two thousand nine hundred and fifty-seven dollars and no cents (\$182,957.00) federal funds (at 80 percent), twenty-two thousand eight hundred and seventy dollars (\$22,870.00) state funds (at 10 percent) and twenty-two thousand eight hundred and sixty-nine dollars and fifty cents (\$22,870.00) local funds (at 10 percent).

4. That the amount of reimbursement is not to exceed two hundred and five thousand and eight hundred and twenty-seven dollars and no cents (\$205,827.00) which represents the federal and state portion of the project cost.

5. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to act in connection with the Public Transportation Agreement to provide such additional information as may be required by the Florida Department of Transportation.

6. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to execute any Supplemental Amendments to the Public Transportation Agreement, for the purpose of Scope Changes and/or funding adjustments, as well as execute Assurances, Certifications, and all other documents as may be required in support of the project.

7. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign requests for Contract Time Extension(s), as may be required in support of the project.

8. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign any and all reimbursement invoices and warranties that may be required in connection with the Amendment to the Public Transportation Agreement or subsequent Supplemental Amendments to the Public Transportation Agreement.

9. That all resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

10. That this resolution shall take effect upon its adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

ATTEST:

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

Adrian Hayes-Santos, Secretary/Treasurer

David Arreola, Chair

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area

t:\scott\sk20\resolutions\jpa_fta_resolution_2020-4_042020.doc

EXHIBIT 2

OMB Number: 4040-0004
Expiration Date: 12/31/2019

Application for Federal Assistance SF-424			
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	
* 3. Date Received: <div style="background-color: yellow; height: 15px; width: 100%;"></div>		* If Revision, select appropriate letter(s): <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
4. Applicant Identifier: <div style="border: 1px solid black; padding: 2px;">Not Applicable</div>		* Other (Specify): <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
5a. Federal Entity Identifier: <div style="border: 1px solid black; padding: 2px;">Not Applicable</div>		5b. Federal Award Identifier: <div style="border: 1px solid black; padding: 2px;">FL- 80-009</div>	
State Use Only:			
6. Date Received by State: <div style="border: 1px solid black; width: 80px; height: 15px;"></div>		7. State Application Identifier: <div style="border: 1px solid black; padding: 2px;">1001</div>	
8. APPLICANT INFORMATION:			
* a. Legal Name: <div style="border: 1px solid black; padding: 2px;">MTPO for the Gainesville Urbanized Area</div>			
* b. Employer/Taxpayer Identification Number (EIN/TIN): <div style="border: 1px solid black; padding: 2px;">59- 1834302</div>		* c. Organizational DUNS: <div style="border: 1px solid black; padding: 2px;">0442335900000</div>	
d. Address:			
* Street1: <div style="border: 1px solid black; padding: 2px;">2009 NW 67th Place</div>			
Street2: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* City: <div style="border: 1px solid black; padding: 2px;">Gainesville</div>			
County/Parish: <div style="border: 1px solid black; padding: 2px;">Alachua</div>			
* State: <div style="border: 1px solid black; padding: 2px;">FL: Florida</div>			
Province: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>			
* Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div>			
* Zip / Postal Code: <div style="border: 1px solid black; padding: 2px;">32653-1063</div>			
e. Organizational Unit:			
Department Name: <div style="border: 1px solid black; padding: 2px;">Transportation Planning</div>		Division Name: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix: <div style="border: 1px solid black; padding: 2px;">Mr.</div>		* First Name: <div style="border: 1px solid black; padding: 2px;">Scott</div>	
Middle Name: <div style="border: 1px solid black; padding: 2px;">R.</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
* Last Name: <div style="border: 1px solid black; padding: 2px;">Koons</div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
Suffix: <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
Title: <div style="border: 1px solid black; padding: 2px;">Executive Director</div>			
Organizational Affiliation: <div style="border: 1px solid black; padding: 2px;">North Central Florida Regional Planning Council</div>			
* Telephone Number: <div style="border: 1px solid black; padding: 2px;">352.955.2200</div>		Fax Number: <div style="border: 1px solid black; padding: 2px;">352.955.2209</div>	
* Email: <div style="border: 1px solid black; padding: 2px;">koons@ncfrpc.org</div>			

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

E: Regional Organization

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:

20.505

CFDA Title:

Section 5305(d)

* 12. Funding Opportunity Number:

FL-80-0009

* Title:

Metropolitan Transportation Planning

13. Competition Identification Number:

Not Applicable

Title:

Not Applicable

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Technical Studies in Support of Fiscal Year 2020-21 Unified Planning Work Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="182,957.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text" value="22,870.00"/>
* d. Local	<input type="text" value="22,870.00"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="228,697.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:Prefix: * First Name: Middle Name: * Last Name: Suffix: * Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

* Date Signed:

Section 5305(d)
Grant Management Information System
Planning Line Item Codes - Federal Fiscal Year 2020-21
(Federal Transit Administration Funds Only)

Technical Classifications:

44.21.00	Program Support and Administration	\$65,800
44.22.00	General Development and Comprehensive Planning	
44.23.01	Long Range Transportation Planning: System Level	25,000
44.23.02	Long Range Transportation Planning: Project Level	
44.24.00	Short Range Transportation Planning	
44.25.00	Transportation Improvement Program	40,800
44.26.00	Planning Emphasis Areas	
44.26.12	Coordination of Non-Emergency Human Service Transportation	51,357
44.26.13	Participation of Transit Operators in Metropolitan Planning	
44.26.14	Planning for Transit Systems Management/Operations to Increase Ridership	
44.26.15	Support Transit Capital Investment Decisions through Effective Systems Planning	
44.26.16	Incorporating Safety & Security in Transportation Planning	
44.27.00	Other Activities	
Total Net Projects Cost		\$182,957

Accounting Classifications

44.30.01	Personnel	
44.30.02	Fringe Benefits	
44.30.03	Travel	
44.30.04	Equipment	
44.30.05	Supplies	
44.30.06	Contractual	\$182,957
44.30.07	Other	
44.30.08	Indirect Charges	
Total Net Projects Cost		\$182,957

Fund Allocations

44.40.01	MPO Activities	\$182,957
44.04.02	Transit Operator Activities	
44.40.03	State and/or Local Agency Activities	
Total Net Projects Cost		\$182,957

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Section 5305(d)
Approved Project Budget for Federal Fiscal Year 2020-21
(total dollars)

Technical Classifications:

44.21.00	Program Support and Administration	\$82,250
44.22.00	General Development and Comprehensive Planning	
44.23.01	Long Range Transportation Planning: System Level	31,250
44.23.02	Long Range Transportation Planning: Project Level	
44.24.00	Short Range Transportation Planning	
44.25.00	Transportation Improvement Program	51,000
44.26.00	Planning Emphasis Areas	
44.26.12	Coordination of Non-Emergency Human Service Transportation	64,197
44.26.13	Participation of Transit Operators in Metropolitan Planning	
44.26.14	Planning for Transit Systems Management/Operations to Increase Ridership	
44.26.15	Support Transit Capital Investment Decisions through Effective Systems Planning	
44.26.16	Incorporating Safety & Security in Transportation Planning	
44.27.00	Other Activities	
Total Net Projects Cost		\$228,697

Accounting Classifications

44.30.01	Personnel	
44.30.02	Fringe Benefits	
44.30.03	Travel	
44.30.04	Equipment	
44.30.05	Supplies	
44.30.06	Contractual	\$228,697
44.30.07	Other	
44.30.08	Indirect Charges	
Total Net Projects Cost		\$228,697

Fund Allocations

44.40.01	MPO Activities	\$228,697
44.04.02	Transit Operator Activities	
44.40.03	State and/or Local Agency Activities	
Total Net Projects Cost		\$228,697
Federal Share (80%)		\$182,957
Local Share (20%)		\$45,740

Accounting			
Classification	FPC	Description	
91.37.08.8P-2	02	Technical Studies - Planning	\$228,697

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EXHIBIT 3

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 Gainesville MTPO 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 Gainesville MTPO 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: David Arreola
Title: Chair

4/20/20
Date

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

525-010-08
POLICY PLANNING
05/18

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 Gainesville MTPO that:

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Gainesville MTPO, 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 Gainesville MTPO 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.

Name: David Arreola
Title: Chair

4/20/20

Date

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

525-010-08
POLICY PLANNING
05/18

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

It is the policy of the Gainesville MTPO 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 Gainesville MTPO, 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 Gainesville MTPO, in a non-discriminatory environment.

The Gainesville MTPO 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

Name: David Arreola
Title: Chair

4/20/20

Date

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

525-010-08
POLICY PLANNING
05/18

TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Gainesville MTPO 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 Gainesville MTPO 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.

Name: David Arreola
Title: Chair

4/20/20
Date

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

525-010-08
POLICY PLANNING
05/18

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.

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

525-010-08
POLICY PLANNING
05/18

- (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 sub-contractor 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)

**CA.6**

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Unified Planning Work Program

STAFF RECOMMENDATIONS

Approve the Unified Planning Work Program for Fiscal Years 2020-21 and 2021-22, with the understanding that additional administrative revisions requested by state and federal review agencies will be made as necessary by staff, by adopting attached Resolution No. 2020-05.

BACKGROUND

In order to receive federal transportation planning funds, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is required to approve a Unified Planning Work Program every two years. The Unified Planning Work Program outlines and describes planning efforts to be undertaken by participating agencies to maintain a comprehensive, cooperative and continuing transportation planning program in the Gainesville Urbanized Area.

Listed below is the link to draft Unified Planning Work Program.

http://ncfrpc.org/mtpo/FullPackets/UPWP_2021_2022_dft.pdf

Attachments

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EXHIBIT 1

RESOLUTION NO. 2020-05

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA APPROVING THE FISCAL YEARS 2020-21 AND 2021-22 UNIFIED PLANNING WORK PROGRAM AND AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE PLANNING ACTIVITY MODIFICATIONS THAT DO NOT CHANGE THE OVERALL BUDGET OR SCOPE OF WORK TASKS REGARDING FISCAL YEAR 2020-21 AND FISCAL YEAR 2021-22 PLANNING FUNDS AND SURFACE TRANSPORTATION BLOCK GRANT FUNDS IN ALACHUA COUNTY, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as a designated Metropolitan Planning Organization, is entitled to receive Fiscal Years 2020-21 and 2021-22 Federal Highway Administration metropolitan planning funds and Surface Transportation Block Grant funds in Alachua County in order to develop, in cooperation with the state and public transit operators, transportation plans and programs for the Gainesville Metropolitan Area: that provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities; that utilize a process for developing such plans that provides consideration of all modes of transportation; that shall be continuing, cooperative and comprehensive, to the degree appropriate, based on the complexity of transportation problems to be addressed; that ensure that the process is integrated with the statewide planning process; and that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state and regional transportation functions, including those facilities on the Strategic Intermodal System as designated under Section 339.63, Florida Statutes;

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as a designated metropolitan planning organization, shall develop, in cooperation with the Florida Department of Transportation and public transportation providers, a unified planning work program that lists all planning tasks to be undertaken during Fiscal Year 2020-21 and Fiscal Year 2021-22 that must provide a complete description of each planning task and an estimated budget therefor and must comply with applicable state and federal law; and

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has prepared the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program that includes required Assurances and Certifications and will then seek reimbursement of funds for implementation of said unified planning work program from the Florida Department of Transportation.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to approve the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program.

2. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area approves and authorizes its Chair to sign the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program on behalf of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area in order to implement metropolitan planning work tasks and activities in and affecting Alachua County, Florida (Federal Project Identification Number- 0241-058M).

3. That the Fiscal Year 2020-21 Unified Planning Work Program estimated budget includes five hundred ninety thousand five hundred fifty-seven dollars and no cents (\$590,557.00) which represents four hundred eighty-three thousand eight hundred forty-three dollars and no cents (\$483,843.00) Federal Highway Administration planning funds and one hundred six thousand seven hundred fourteen dollars and no cents (\$106,714.00) state soft matching funds for Fiscal Year 2020-21 (Florida Department of Transportation Project Identification Number- 439318-3-14-01); and two hundred forty-four thousand one hundred eleven dollars and no cents (\$244,111.00) which represents two hundred thousand dollars and no cents (\$200,000.00) Federal Highway Administration Surface Transportation Block Grant funds and forty-four thousand one hundred eleven dollars and no cents (\$44,111.00) state soft matching funds for Fiscal Year 2020-21 (Florida Department of Transportation Project Identification Number- 439318-3-14-02).

4. That the Fiscal Year 2021-22 Unified Planning Work Program estimated budget includes five hundred ninety thousand five hundred fifty-seven dollars and no cents (\$590,557.00) which represents four hundred eighty-three thousand eight hundred forty-three dollars and no cents (\$483,843.00) Federal Highway Administration planning funds and one hundred six thousand seven hundred fourteen dollars and no cents (\$106,714.00) state soft matching funds for Fiscal Year 2021-22 (Florida Department of Transportation Project Identification Number- 439318-3-14-01).

5. That the amount of reimbursement for federal planning funds is not to exceed four hundred eighty-three thousand eight hundred forty-three dollars and no cents (\$483,843.00) and for federal Surface Transportation Block Grant funds is not to exceed two hundred thousand dollars and no cents (\$200,000.00) in Fiscal Year 2020-21, and for federal planning funds is not to exceed four hundred eighty-three thousand eight hundred forty-three dollars and no cents (\$483,843.00) in Fiscal Year 2021-22 which represents the Federal Highway Administration portion for unified planning work program implementation.

6. That the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program includes Federal Transit Administration Section 5305(d) grant application with an estimated budget of one hundred eighty-two thousand nine hundred fifty-seven dollars and no cents (\$182,957.00) in Federal Transit Administration funds (80 percent) that would be matched with twenty-two thousand eight hundred seventy dollars and no cents (\$22,870.00) state matching funds (ten percent) and twenty-two thousand eight hundred seventy dollars and no cents (\$22,870.00) local matching funds (ten percent) for each fiscal year.

7. That the amount of reimbursement for federal transit planning is not to exceed two hundred five thousand eight hundred twenty-seven dollars and no cents (\$205,827.00) which represents the Federal Transit Administration grant application amount and state matching funds for projects in support of the unified planning work program implementation for Fiscal Year 2020-21 and two hundred five thousand eight hundred twenty-seven dollars and no cents (\$205,827.00) which represents the Federal Transit Administration grant application amount and state matching funds for projects in support of the unified planning work program implementation for Fiscal Year 2021-22.

8. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director, in consultation with the Florida Department of Transportation, to modify the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program to address federal and state agency review comments.

9. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to execute Assurances, Certifications, and all other documents as may be required to implement the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program.

10. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to make modifications to the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program that do not change the approved Federal Highway Administration overall budget and the Federal Transit Administration overall grant funding; and do not change the scope of work task(s); or do not delete a work task(s).

11. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to sign the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program that has been revised either by modification by the Executive Director or amendment by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area.

12. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign any Florida Department of Transportation Unified Planning Work Program Revision Form and transmit said form and supporting documentation to the Florida Department of Transportation when the Fiscal Years 2020-21 and 2021-22 Unified Planning Work Program has been revised either by modification by the Executive Director or amendment approved by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area.

13. That all resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

14. That this resolution shall take effect upon its adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

ATTEST:

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

Adrian Hayes-Santos, Secretary/Treasurer

David Arreola, Chair

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area



CA.7

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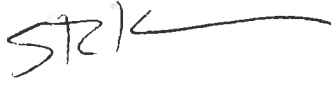
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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Joint Participation Agreement - Fiscal Year 2020-21 and Fiscal Year 2021-22

STAFF RECOMMENDATION

Authorize the Chair to sign Exhibits 1 and 2 Joint Participation Agreement documents by adopting attached Resolution 2020-06.

BACKGROUND

Every two years, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area enters into a Joint Participation Agreement with the Florida Department of Transportation in order to receive Federal Highway Administration planning funds. This agreement coincides with the Unified Planning Work Program developed by the Metropolitan Transportation Planning Organization. Attached are the following documents that need to be executed and submitted by the Chair:

1. Resolution 2020-03 (see Exhibit 1); and
2. Joint Participation Agreement (see Exhibit 2).

Attachments

EXHIBIT 1

RESOLUTION NO. 2020-06

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA AUTHORIZING THE CHAIR TO EXECUTE A JOINT PARTICIPATION AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA REGARDING FISCAL YEAR 2020-21 AND FISCAL YEAR 2021-22 FEDERAL HIGHWAY ADMINISTRATION METROPOLITAN PLANNING FUNDS AND SURFACE TRANSPORTATION BLOCK GRANT FUNDS IN ALACHUA COUNTY, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as a designated Metropolitan Planning Organization, is entitled to receive Fiscal Year 2020-21 Federal Highway Administration metropolitan planning funds and Surface Transportation Block Grant funds, and Fiscal Year 2021-22 Federal Highway Administration metropolitan planning funds in Alachua County in order to develop, in cooperation with the state and public transit operators, transportation plans and programs for the Gainesville Metropolitan Area: that provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities; that utilize a process for developing such plans that provides consideration of all modes of transportation; that shall be continuing, cooperative and comprehensive, to the degree appropriate, based on the complexity of transportation problems to be addressed; that ensure that the process is integrated with the statewide planning process; and that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state and regional transportation functions, including those facilities on the Strategic Intermodal System as designated under Section 339.63, Florida Statutes;

WHEREAS, the Florida Department of Transportation requires that the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area to execute a Joint Participation Agreement, for Federal Award Identification No. 0241-058M and Florida Department of Transportation Financial Project No. 439318-3-14-01 and Florida Department of Transportation Financial Project No. 439318-3-14-02, in order to be able to expend Fiscal Year 2020-21 Federal Highway Administration metropolitan planning funds and Surface Transportation Block Grant funds, and Fiscal Year 2021-22 Federal Highway Administration metropolitan planning funds in Alachua County;

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter into said Joint Participation Agreement and to undertake the project hereinafter described, as authorized under Section 339.175(10)(b), Florida Statutes; and

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area will administer multimodal transportation system planning for the Gainesville Metropolitan Area, including preparation of necessary documents and public participation in accordance with state and federal requirements and then seek reimbursement of funds from the Florida Department of Transportation.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter in the Joint Participation Agreement.

2. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to execute the Joint Participation Agreement on behalf of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area with the Florida Department of Transportation for planning to facilitate Federal Highway Administration-required planning activities in Alachua County, Florida.

3. That the total budget ceiling for the project (Federal Award Identification No. 0241-058M, and Florida Department of Transportation Financial Project No. 439318-3-14-01 and Florida Department of Transportation Financial Project No. 439318-3-14-02 is one million one hundred sixty-seven thousand six hundred eighty-six dollars and no cents (\$1,167,686.00).

4. That the amount of reimbursement is not to exceed one million one hundred sixty-seven thousand six hundred eighty-six dollars and no cents (\$1,167,686.00) for the combined two-year period Fiscal Year 2020-21 and Fiscal Year 2021-22.

5. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to act in connection with the Joint Participation Agreement to provide such additional information as may be required by the Florida Department of Transportation.

6. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Chair to execute any Supplemental Joint Participation Agreements, for the purpose of scope changes and/or funding adjustments, as well as execute Assurances, Certifications, and all other documents as may be required in support of the project.

7. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign requests for Contract Time Extension(s), as may be required in support of the project.

8. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign any and all reimbursement invoices and warranties that may be required in connection with the Joint Participation Agreement or subsequent Supplemental Joint Participation Agreements.

9. That all resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

10. That this resolution shall take effect upon its adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

ATTEST:

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

Adrian Hayes-Santos, Secretary/Treasurer

David Arreola, Chair

APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area

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EXHIBIT 2
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Financial Project No.: <u>439318-3-14-01</u> <u>439318-3-14-02</u> (item-segment-phase-sequence) Contract No.: _____ CFDA Number & Title: <u>Highway Planning and Construction 20.205</u>	Fund: <u>PL / STP</u> Function: <u>215</u> Federal Award Identification No. (FAIN): <u>0241-0563M</u> MPO DUNS No.: <u>04-423-3590</u>	FLAIR Approp.: <u>088854</u> FLAIR Obj.: <u>78000</u> Org. Code: <u>55022010230</u> Vendor No.: <u>VF591834302002</u>
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THIS METROPOLITAN PLANNING ORGANIZATION AGREEMENT (Agreement) is made and entered into on this [enter date] day of [enter month] [enter year], by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (Department), an agency of the State of Florida, whose address is Office of the District Secretary, 1109 South Marion Ave, Lake City, FL 32025 and the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (MPO), whose address is 2009 NW 67th Place, Gainesville, FL 32653, and whose Data Universal Numbering System (DUNS) Number is: 04-423-3590 (collectively the "parties").

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

1. **Authority:** The MPO and the Department have authority to enter into this Agreement pursuant to 23 U.S.C. 134, 23 Code of Federal Regulations (CFR or C.F.R.) §450 and Section 339.175, Florida Statutes (F.S.), which, require the Department and the MPO to enter into an agreement clearly identifying the responsibilities for cooperatively carrying out the Federal Highway Administration (FHWA) portion of the Metropolitan Planning Process and accomplishing the transportation planning requirements of state and federal law.
2. **Purpose of the Agreement:** The purpose of this Agreement is to pass through financial assistance through the Department in the form of FHWA funds to the MPO for the completion of transportation related planning activities set forth in the Unified Planning Work Program (UPWP) of the MPO (Project), state the terms and conditions upon which FHWA funds will be provided, and set forth the manner in which work tasks and subtasks within the UPWP will be undertaken and completed. The Project is more fully described in the UPWP, which is attached and incorporated into this Agreement as Exhibit "A".
3. **Scope of Work:** The UPWP, Exhibit "A", constitutes the Scope of Work for this Agreement.
4. **Project Cost:** The total budgetary ceiling for the Project is \$1,167,686. The budget, including tasks, is summarized below and detailed in the UPWP, Exhibit "A". The budget may be modified by mutual agreement as provided for in paragraph 7, Amendments.

The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. No work shall begin before the Agreement is fully executed and a "Letter of Authorization" is issued by the Department. The total of all authorizations shall not exceed the budgetary ceiling established for this agreement and shall be completed within the term of this Agreement:

FINANCIAL PROJECT NO.	AMOUNT
439318-3-14-01	967,686
439318-3-14-02	200,000
TOTAL:	1,167,686

5. **Term of Agreement:** This Agreement shall have a term of two (2) years. This Agreement shall begin on the later of July 1, 2020 or the date the Agreement is fully executed, whichever is later and expire on June 30, 2022. If the Agreement is fully executed after July 1, 2020, then the term of the Agreement shall be less than two (2) years and the Agreement shall expire on June 30, 2022. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of this Agreement will not be reimbursed by the Department.

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- 6. Renewals and Extensions:** This Agreement shall not be renewed or extended.
- 7. Amendments:** Amendments may be made during the term of this Agreement. Any amendment must be in writing and signed by both parties with the same formalities as the original Agreement.
- A. Modifications versus Amendments to the UPWP:** Modifications and amendments to the UPWP budget may occur periodically. Modifications shall not increase the FHWA approved UPWP final total budget or change the scope of the FHWA approved work tasks. If the MPO makes a modification to the UPWP budget, then the MPO shall immediately send any such modifications to the Department. The Department will then forward the modifications to FHWA. Each budget category subtotal and individual line item costs contained in this Agreement are only estimates. The total budgetary ceiling cannot be exceeded, but shifts between budget categories and budget line items are acceptable and shall not require an amendment of the UPWP or this Agreement. Changes in the scope of an approved work task, the addition or deletion of an approved work task, or changes altering the total funding of an FHWA approved UPWP shall be considered amendments to the UPWP. Amendments to the UPWP must be approved by FHWA. Proposed amendments to the UPWP shall be filed with the Department. Within a reasonable amount of time, the Department shall review and transmit the proposed UPWP amendment and supporting documents to the FHWA with a recommendation for approval or denial. Transmittal of the proposed UPWP amendment and supporting documents to FHWA may be delayed by the Department due to the MPO failing to include all documentation required for the UPWP amendment. The Department shall immediately forward to the MPO all correspondence that the Department receives from FHWA with regard to the proposed UPWP amendment. If FHWA approves the amendment to the UPWP then this Agreement and supporting documentation must be amended immediately following such approval.
- 8. General Requirements:**
- A.** The MPO shall complete the Project with all practical dispatch in a sound, economical, and efficient manner, and in accordance with the provisions in this Agreement, the Interlocal Agreement establishing the MPO, and all applicable laws.
- B.** Federal-aid funds shall not participate in any cost which is not incurred 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 the Division Administrator of FHWA. If FHWA or the Department determines that any amount claimed is not eligible, federal participation may be approved in the amount determined to be adequately supported and the Department shall notify the MPO in writing citing the reasons why items and amounts are not eligible for federal participation. Where correctable non-compliance with provisions of law or FHWA requirements exists, Federal funds may be withheld until compliance is obtained. Where non-compliance is not correctable, FHWA or the Department may deny participation in Project costs in part or in total. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 14 of this Agreement.
- C.** The MPO's financial management system must comply with the requirements set forth in 2 CFR §200.302, specifically:
- i. Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received.
 - ii. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §§200.327 Financial reporting and 200.328 Monitoring and reporting program performance.
 - iii. Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
 - iv. Effective control over, and accountability for, all funds, property, and other assets.
 - v. Comparison of expenditures with budget amounts for each Federal award.
 - vi. Written procedures to implement the requirements of §200.305 Payment.
 - vii. Written procedures for determining the allowability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

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9. Compensation and Payment:

- A. The Department shall reimburse the MPO for costs incurred to perform services satisfactorily during a monthly or quarterly period in accordance with Scope of Work, Exhibit "A". Reimbursement is limited to the maximum amount authorized by the Department. The MPO shall submit a request for reimbursement to the Department on a quarterly or monthly basis. Requests for reimbursement by the MPO shall include an invoice, an itemized expenditure report, and progress report for the period of services being billed that are acceptable to the Department. The MPO shall use the format for the invoice, itemized expenditure report and progress report that is approved by the Department. The MPO shall provide any other data required by FHWA or the Department to justify and support the payment requested.
- B. Pursuant to Section 287.058, Florida Statutes, the MPO shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project and the quantifiable, measurable, and verifiable units of deliverables are described in Exhibit "A".
- C. Invoices shall be submitted by the MPO in detail sufficient for a proper pre-audit and post-audit based on the quantifiable, measurable and verifiable units of deliverables as established in Exhibit "A". Deliverables must be received and accepted in writing by the Department's Grant Manager prior to payments.
- D. The Department will honor requests for reimbursement to the MPO for eligible costs in the amount of FHWA funds approved for reimbursement in the UPWP and made available by FHWA. The Department may suspend or terminate payment for that portion of the Project which FHWA, or the Department acting in lieu of FHWA, may designate as ineligible for federal-aid. In regard to eligible costs, whichever requirement is more strict between federal and State of Florida requirements shall control. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 14 of this Agreement.
- E. Supporting documentation must establish that the deliverables were received and accepted in writing by the MPO and must also establish that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in the UPWP, Exhibit "A", was met. All costs charged to the Project, including any approved services contributed by the MPO or others, shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.
- F. Bills for travel expenses specifically authorized in this Agreement shall be documented on the Department's Contractor Travel Form No. 300-000-06 or on a form that was previously submitted to the Department's Comptroller and approved by the Department of Financial Services. Bills for travel expenses specifically authorized in this Agreement will be paid in accordance with Section 112.061 Florida Statutes.
- G. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes. If the Department determines that the performance of the MPO fails to meet minimum performance levels, the Department shall notify the MPO of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the Department. The MPO shall, within sixty (60) days after notice from the Department, provide the Department with a corrective action plan describing how the MPO will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the Department, the MPO shall be assessed a non-performance retainage equivalent to 10% of the total invoice amount. The retainage shall be applied to the invoice for the then-current billing period. The retainage shall be withheld until the MPO resolves the deficiency. If the deficiency is subsequently resolved, the MPO may bill the Department for the retained amount during the next billing period. If the MPO is unable to resolve the deficiency, the funds retained may be forfeited at the end of the Agreement's term.
- H. An invoice submitted to the Department involving the expenditure of metropolitan planning funds ("PL funds") is required by Federal law to be reviewed by the Department and issued a payment by the Department of Financial Services within 15 business days of receipt by the Department for review. If the

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invoice is not complete or lacks information necessary for processing, it will be returned to the MPO, and the 15 business day timeframe for processing will start over upon receipt of the resubmitted invoice by the Department. If there is a case of a bona fide dispute, the invoice recorded in the financial system of the Department shall contain a statement of the dispute and authorize payment only in the amount not disputed. If an item is disputed and is not paid, a separate invoice could be submitted requesting reimbursement or the disputed item/amount could be included/added to a subsequent invoice.

- I. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the MPO's general accounting records and the project records, together with supporting documents and records, of the consultant and all subconsultants performing work on the project, and all other records of the Consultants and subconsultants considered necessary by the Department for a proper audit of costs.
- J. The MPO must timely submit invoices and documents necessary for the close out of the Project. Within 90 days of the expiration or termination of the grant of FHWA funds for the UPWP, the MPO shall submit the final invoice and all financial, performance, and related reports consistent with 2 CFR §200.
- K. The Department's performance and obligation to pay under this Agreement is also contingent upon FHWA making funds available and approving the expenditure of such funds.
- L. In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000 and which have a term for a period of more than 1 year."

- M. **Disallowed Costs:** In determining the amount of the payment, the Department will exclude all Project costs incurred by the MPO prior to the effective date of this Agreement, costs incurred by the MPO which are not provided for in the latest approved budget for the Project, and costs attributable to goods or services received under a contract or other arrangements which have not been approved in writing by the Department. It is agreed by the MPO that where official audits by the federal agencies or monitoring by the Department discloses that the MPO has been reimbursed by the Department for ineligible work, under applicable federal and state regulations, that the value of such ineligible items may be deducted by the Department from subsequent reimbursement requests following determination of ineligibility. Upon receipt of a notice of ineligible items the MPO may present evidence supporting the propriety of the questioned reimbursements. Such evidence will be evaluated by the Department, and the MPO will be given final notification of the amounts, if any, to be deducted from subsequent reimbursement requests.

In addition, the MPO agrees to promptly reimburse the Department for any and all amounts for which the Department has made payment to the MPO if such amounts become ineligible, disqualified, or disallowed for federal reimbursement due to any act, error, omission, or negligence of the MPO. This includes omission or deficient documentation of costs and charges, untimely, incomplete, or insufficient submittals, or any other reason declared by the applicable Federal Agency.

Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 14 of this Agreement.

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- N. If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the MPO owing such amount if, upon demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department. Any determination by the Department made pursuant to this section of the Agreement is subject to the conflict and dispute resolution process set forth in Section 14 of this Agreement.
- O. **Indirect Costs:** A state or federally approved indirect cost rate may be applied to the Agreement. If the MPO does not have a federally approved indirect cost rate, a rate up to the de minimis indirect cost rate of 10% of modified total direct costs may be applied. The MPO may opt to request no indirect cost rate, even if it has a federally approved indirect cost rate.

10. Procurement and Contracts of the MPO

- A. The procurement, use, and disposition of real property, equipment and supplies shall be consistent with the approved UPWP and in accordance with the requirements of 2 CFR §200.
- B. It is understood and agreed by the parties to this Agreement that participation by the Department in a project with the MPO, where said project involves a consultant contract for engineering, architecture or surveying services, is contingent on the MPO's complying in full with provisions of Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act, the federal Brooks Act, 23 C.F.R. 172, and 23 U.S.C. 112. At the discretion of the Department, the MPO will involve the Department, to an extent to be determined by the Department, in the consultant selection process for all projects funded under this Agreement. In all cases, the MPO shall certify to the Department that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act and the federal Brooks Act.
- C. The MPO shall comply with, and require its consultants and contractors to comply with applicable federal law pertaining to the use of federal-aid funds.

11. Audit Reports: The administration of resources awarded through the Department to the MPO by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or limit the authority of any State agency inspector general, the State of Florida Auditor General or any other State official. The MPO shall comply with all audit and audit reporting requirements as specified below.

- A. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures including, reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the MPO agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The MPO further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO) or State of Florida Auditor General.
- B. The MPO, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement is subject to the following requirements:
- I. In the event the MPO expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the MPO must have a Federal single or program-specific audit for such fiscal year conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit "B", Federal Financial Assistance (Single Audit Act)**, to this Agreement provides the required Federal award identification information needed by the MPO to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the MPO must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this

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Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.

- ii. In connection with the audit requirements, the MPO shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.
- iii. In the event the MPO expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the MPO is exempt from Federal audit requirements for that fiscal year. However, the MPO must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the MPO's audit period for each applicable audit year. In the event the MPO expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (*i.e.*, the cost of such an audit must be paid from the MPO's resources obtained from other than Federal entities).
- iv. The MPO must electronically submit to the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facweb/> the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements, and this Agreement. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
- v. Within six months of acceptance of the audit report by the FAC, the Department will review the MPO's audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the MPO fails to have an audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:
 - 1. Temporarily withhold cash payments pending correction of the deficiency by the MPO or more severe enforcement action by the Department;
 - 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 - 3. Wholly or partly suspend or terminate the Federal award;
 - 4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
 - 5. Withhold further Federal awards for the Project or program;
 - 6. Take other remedies that may be legally available.
- vi. As a condition of receiving this Federal award, the MPO shall permit the Department, or its designee, the CFO or State of Florida Auditor General access to the MPO's records including financial statements, the independent auditor's working papers and project records as necessary. Records related to unresolved audit findings, appeals or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller

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605 Suwannee Street, MS 24
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

- C. The MPO shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department, or its designee, the CFO or State of Florida Auditor General access to such records upon request. The MPO shall ensure that the audit working papers are made available to the Department, or its designee, the CFO, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued unless extended in writing by the Department.

- 12. Termination or Suspension:** The Department may, by written notice to the MPO, suspend any or all of the MPO's obligations under this Agreement for the MPO's failure to comply with applicable law or the terms of this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected. The Department will provide written notice outlining the particulars of suspension.

The Department may terminate this Agreement at any time before the date of completion if the MPO is dissolved or if federal funds cease to be available. In addition, the Department or the MPO may terminate this Agreement if either party fails to comply with the conditions of the Agreement. The Department or the MPO shall give written notice to all parties at least ninety (90) days prior to the effective date of termination and specify the effective date of termination.

The parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the parties shall agree upon the termination conditions.

Upon termination of this Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc., prepared by the MPO shall, at the option of the Department, be delivered to the Department.

The Department shall reimburse the MPO for those eligible expenses incurred during the Agreement period that are directly attributable to the completed portion of the work covered by this Agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The MPO shall not incur new obligations for the terminated portion after the effective date of termination.

The Department reserves the right to unilaterally cancel this Agreement for refusal by the MPO or any consultant, sub-consultant or materials vendor to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received in conjunction with this Agreement unless the records are confidential or exempt.

The conflict and dispute resolution process set forth in Section 14 of this Agreement shall not delay or stop the Parties' rights to terminate the Agreement.

- 13. Remedies:** Violation or breach of Agreement terms by the MPO shall be grounds for termination of the Agreement. Any costs incurred by the Department arising from the termination of this Agreement shall be paid by the MPO.

This Agreement shall not be considered as specifying the exclusive remedy for any dispute, but all remedies existing at law and in equity may be availed of by either party and shall be cumulative.

- 14. Conflict and Dispute Resolution Process:** This section shall apply to conflicts and disputes relating to matters subject to this Agreement, or conflicts arising from the performance of this Agreement. If possible, the parties shall attempt to resolve any dispute or conflict within thirty (30) days of a determination of a dispute or conflict. This section shall not delay or stop the Parties' rights to terminate the Agreement. In addition, notwithstanding that a conflict or dispute may be pending resolution, this section shall not delay or stop the Department from performing the following actions pursuant to its rights under this Agreement: deny payments; disallow costs; deduct the value of ineligible work from subsequent reimbursement requests, or; offset pursuant to Section 9.N of this Agreement.

- A. **Initial Resolution:** The affected parties to this Agreement shall, at a minimum, ensure the attempted early resolution of conflicts relating to such matters. Early resolution shall be handled by direct discussion

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between the following officials: for the Department - the Intermodal Systems Development Manager; and for the MPO - the Staff Director.

- B. Resolution by Senior Agency Official:** If the conflict remains unresolved, the conflict shall be resolved by the following officials: for the Department - the District Secretary; and for the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area - the Chairperson of the MPO.
- C. Resolution of Conflict by the Agency Secretary:** If the conflict is not resolved through conflict resolution pursuant to the provisions, "Initial Resolution" and "Resolution by Senior Agency Official" above, the conflict shall be resolved by the Secretary for the Department of Transportation or their delegate. If the MPO does not agree with the resolution provided by the Secretary for the Department of Transportation, the parties may pursue any other remedies set forth in this Agreement or provided by law.

- 15. Disadvantaged Business Enterprise (DBE) Policy and Obligation:** It is the policy of the Department that DBE's, as defined in 49 C.F.R. Part 26, as amended, shall have the opportunity to participate in the performance of contracts financed in whole or in part with Department funds under this Agreement. The DBE requirements of applicable federal and state laws and regulations apply to this Agreement.

The MPO and its contractors and consultants agree to ensure that DBE's have the opportunity to participate in the performance of this Agreement. In this regard, all recipients and contractors shall take all necessary and reasonable steps in accordance with applicable federal and state laws and regulations to ensure that the DBE's have the opportunity to compete for and perform contracts. The MPO and its contractors, consultants, subcontractors and subconsultants shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts, entered pursuant to this Agreement.

16. Compliance with Federal Conditions and Laws:

- A.** The MPO shall comply and require its consultants and subconsultants to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project. Execution of this Agreement constitutes a certification that the MPO is in compliance with, and will require its consultants and subconsultants to comply with, all requirements imposed by applicable federal, state, and local laws and regulations.
- B.** The MPO shall comply with the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," in 49 C.F.R. Part 29, and 2 C.F.R. Part 200 when applicable and include applicable required provisions in all contracts and subcontracts entered into pursuant to this Agreement.
- C. Title VI Assurances:** The MPO will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964, the regulations of the U.S. Department of Transportation issued thereunder, and the assurance by the MPO pursuant thereto, including but not limited to the requirements set forth in Exhibit "C", Title VI Assurances. The MPO shall include the attached Exhibit "C", Title VI Assurances, in all contracts with consultants and contractors performing work on the Project that ensure compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Part 21, and related statutes and regulations.
- D. Restrictions on Lobbying** The MPO agrees that to no federally-appropriated funds have been paid, or will be paid by or on behalf of the MPO, to any person for influencing or attempting to influence any officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement. If any funds other than federally-appropriated funds have been paid by the MPO 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 Agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The MPO shall require that the language of this paragraph be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all

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subrecipients shall certify and disclose accordingly. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch or a state agency.

E. The MPO must comply with FHWA's Conflicts of Interest requirements set forth in 23 CFR §1.33.

17. Restrictions, Prohibitions, Controls, and Labor Provisions: During the performance of this Agreement, the MPO agrees as follows, and shall require the following provisions to be included in each contract and subcontract entered into pursuant to this Agreement :

- A. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
- B. In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List, kept by the Florida Department of Management Services, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity.
- C. An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied or have further been determined by the Department to be a non-responsible contractor may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the MPO.
- D. Neither the MPO nor any of its contractors and consultants or their subcontractors and subconsultants shall enter into any contract, subcontract or arrangement in connection with the Project or any property included or planned to be included in the Project in which any member, officer or employee of the MPO or the entities that are part of the MPO during tenure or for 2 years thereafter has any interest, direct or indirect. If any such present or former member, officer or employee involuntarily acquires or had acquired prior to the beginning of tenure any such interest, and if such interest is immediately disclosed to the MPO, the MPO, with prior approval of the Department, may waive the prohibition contained in this paragraph provided that any such present member, officer or employee shall not participate in any action by the MPO or the locality relating to such contract, subcontract or arrangement. The MPO shall insert in all contracts entered into in connection with the Project or any property included or planned to be included in any Project, and shall require its contractors and consultants to insert in each of their subcontracts, the following provision:

"No member, officer or employee of the MPO or of the locality during his or her tenure or for 2 years thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof."

The provisions of this paragraph shall not be applicable to any agreement between the MPO and its fiscal depositories or to any agreement for utility services the rates for which are fixed or controlled by a governmental agency.

- E. No member or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or any benefit arising therefrom.

18. Miscellaneous Provisions

A. Public Records:

- i. The MPO shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the MPO in conjunction with this Agreement, unless such documents are exempt from public access or are confidential pursuant to state or federal law. Failure by the MPO to grant such public access shall be grounds

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for immediate unilateral cancellation of this Agreement by the Department.

- ii. In addition, the MPO shall comply with the requirements of section 119.0701, Florida Statutes.
 - B. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof, a third party beneficiary hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the provisions of this Agreement..
 - C. In no event shall the making by the Department of any payment to the MPO constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the MPO and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
 - D. If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law.
 - E. By execution of the Agreement, the MPO represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.
 - F. Nothing in the Agreement shall require the MPO to observe or enforce compliance with any provision or perform any act or do any other thing in contravention of any applicable state law. If any of the provisions of the Agreement violate any applicable state law, the MPO will at once notify the Department in writing in order that appropriate changes and modifications may be made by the Department and the MPO to the end that the MPO may proceed as soon as possible with the Project.
 - G. The MPO shall comply with all applicable federal guidelines, procedures, and regulations. If at any time a review conducted by Department and or FHWA reveals that the applicable federal guidelines, procedures, and regulations were not followed by the MPO and FHWA requires reimbursement of the funds, the MPO will be responsible for repayment to the Department of all funds awarded under the terms of this Agreement.
 - H. The MPO:
 - i. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by MPO during the term of the contract; and
 - ii. shall expressly require any contractor, consultant, subcontractors and subconsultants performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor or subconsultant during the contract term.
 - I. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.
 - J. The parties agree to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.
 - K. This Agreement and any claims arising out of this Agreement shall be governed by the laws of the United States and the State of Florida.
- 19. Exhibits:** The following Exhibits are attached and incorporated into this Agreement:
- A. Exhibit "A", UPWP
 - B. Exhibit "B", Federal Financial Assistance (Single Audit Act)
 - C. Exhibit "C", Title VI Assurances

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IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the day, month and year set forth above.

MPO
Metropolitan Transportation PLanning Organization
Gainesville Urbanized Area

MPO Name

Florida Department of Transportation

David Arreola

Signatory (Printed or Typed)

James Knight

Department of Transportation

Signature

Signature

Chair, Gainesville MTPO

Title

Urban Planning and Modal Administrator

Title

Legal Review
MPO

Legal Review
Department of Transportation

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EXHIBIT B

FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.: 20.205

CFDA Title: HIGHWAY PLANNING AND CONSTRUCTION
Federal-Aid Highway Program, Federal Lands Highway Program

***Award Amount:** \$1,167,686

Awarding Agency: Florida Department of Transportation

Indirect Cost Rate: 0%

****Award is for R&D:** No

*The federal award amount may change with supplemental agreements

**Research and Development as defined at §200.87, 2 CFR Part 200

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING AUDIT REQUIREMENTS:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
www.ecfr.gov

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:

Title 23 – Highways, United States Code
<http://uscode.house.gov/browse.xhtml>

Title 49 – Transportation, United States Code
<http://uscode.house.gov/browse.xhtml>

MAP-21 – Moving Ahead for Progress in the 21st Century, P.L. 112-141
www.dot.gov/map21

Federal Highway Administration – Florida Division
www.fhwa.dot.gov/fldiv

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
www.fsrs.gov

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Exhibit "C"
TITLE VI ASSURANCES

During the performance of this contract, the consultant or contractor, for itself, its assignees and successors in interest (hereinafter collectively 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 contract.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, or sex in the selection and retention of sub-contractors, 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 Sub-contractors, including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under sub-contract, including procurements of materials or leases of equipment, each potential sub-contractor 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, or sex.
- (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* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and 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*, or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or 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, or 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.
- (6.) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (7) in every sub-contract, 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 sub-contract or procurement as the *Florida Department of Transportation* or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, or Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor 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

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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).

**CA.8**

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Title VI/Nondiscrimination Policy Statement

STAFF RECOMMENDATION**For Information Only.****BACKGROUND**

At its April 2, 2012, the Metropolitan Transportation Planning Organization authorized the Chief Staff Official to sign the Title VI/Nondiscrimination Policy Statement each year. This policy statement is incorporated into the Unified Planning Work Program and the annual Public Involvement Plan review and update.

Exhibit 1 is the 2020 Title VI/Nondiscrimination Policy Statement signed by Scott R. Koons, AICP, Executive Director.

Attachment

TITLE VI/ NONDISCRIMINATION POLICY STATEMENT

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, sex, age, disability, familial status, religious status, marital status, sexual orientation, or gender identity, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area program or activity.


The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area further agrees to the following responsibilities 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 *Appendix A* 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 Florida Department of Transportation District Title VI Coordinator;
5. Participate in training offered on Title VI and other nondiscrimination requirements;
6. If reviewed by Florida Department of Transportation or United States Department of Transportation, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days; and
7. Have a process to collect racial and ethnic data on persons impacted by Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area 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.

Dated 4/13/20

by


Scott R. Koons, AICP, Executive Director

Metropolitan Transportation Planning Organization for the
Gainesville Urbanized Area

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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Transportation Disadvantaged Program -
Fiscal Year 2020-21 Planning Grant Program Agreement Resolution

STAFF RECOMMENDATION

Approve the attached Resolution No. 2020-07 authorizing the Executive Director to sign the Fiscal Year 2020-21 Transportation Disadvantaged Planning Grant Program Application for Alachua County and authorizing the Chair to execute the Fiscal Year 2020-21 Transportation Disadvantaged Program Planning Grant Agreement for Alachua County.

BACKGROUND

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is the designated official planning agency for the Transportation Disadvantaged Program for Alachua County. As the designated official planning agency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is responsible for Transportation Disadvantaged Program planning and providing the Alachua County Transportation Disadvantaged Coordinating Board with sufficient staff support and resources to enable the Board to fulfill its responsibilities.

Attached Resolution No. 2020-04 authorizes the Chair to sign the Fiscal Year 2020-21 Transportation Disadvantaged Planning Grant Program Agreement with the Florida Commission for the Transportation Disadvantaged. The Planning Grant Program Agreement provides the funding needed to provide staff services to the Coordinating Board.

Attachment

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RESOLUTION NO. 2020-07

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN THE FISCAL YEAR 2020-21 TRANSPORTATION DISADVANTAGED PLANNING GRANT PROGRAM APPLICATION FOR ALACHUA COUNTY AND AUTHORIZING THE CHAIR TO EXECUTE THE FISCAL YEAR 2020-21 TRANSPORTATION DISADVANTAGED PROGRAM PLANNING AGREEMENT FOR ALACHUA COUNTY WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 427, Florida Statutes and Rule 41-2.009, Florida Administrative Code designates metropolitan planning organizations as designated official planning agencies for the Transportation Disadvantaged Program in urbanized areas;

WHEREAS, the designated official planning agency is responsible for Transportation Disadvantaged Program planning and providing the local Transportation Disadvantaged Coordinating Board with sufficient staff support and resources to enable the Board to fulfill its responsibilities;

WHEREAS, the Metropolitan Transportation Planning Organization is the designated official planning agency for the Transportation Disadvantaged Program for Alachua County; and

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter into the Fiscal Year 2020-21 Transportation Disadvantaged Planning Grant Program Agreement and to undertake a transportation disadvantaged service project, as authorized by Section 427.0159, Florida Statutes and Rule 41-2, Florida Administrative Code.

NOW THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

1. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has the authority to enter into the above referenced grant agreement.
2. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes the Chair to execute the above referenced grant agreement on behalf of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area with the Florida Commission for the Transportation Disadvantaged.
3. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes the Chair to sign any and all assurances, agreements or contracts that is required in connection with the agreement.
4. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to act in connection with the agreement and to provide such additional information as may be required by the Florida Commission for the Transportation Disadvantaged.

5. That the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area authorizes its Executive Director to sign any and all reimbursement invoices, warranties, certification and any other documents that may be required in connection with the agreement.

6. That all resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

7. That this resolution shall take effect upon its adoption.

DULY ADOPTED in regular session, this 20th day of April A.D., 2020.

METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION FOR THE
GAINESVILLE URBANIZED AREA

David Arreola, Chair

ATTEST:

Adrian Hayes-Santos, Secretary/Treasurer


APPROVED AS TO FORM

Sylvia Torres, Attorney
Metropolitan Transportation Planning Organization
for the Gainesville Urbanized Area



April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Transportation Disadvantaged Program
Alachua County Transportation Disadvantaged Coordinating Board
Membership Certification

STAFF RECOMMENDATION

Authorize the Chair to sign the attached Alachua County Transportation Disadvantaged Coordinating Board Membership Certification.

BACKGROUND

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is the designated official planning agency for the Transportation Disadvantaged Program for Alachua County. As the designated official planning agency, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is required to annually certify membership of the Alachua County Transportation Disadvantaged Coordinating Board.

The attached form certifies that the membership of the Coordinating Board is established pursuant to Rule 41-2.012(3) of the Florida Administrative Code. This form also certifies that the membership of the Coordinating Board represents, to the maximum extent feasible, a cross section of the local community.

Attachment

t:\lynn\tdsp202021\alachua\mtpolcbrtcert.docx

**ALACHUA COUNTY
TRANSPORTATION DISADVANTAGED COORDINATING BOARD
MEMBERSHIP CERTIFICATION**

Name: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area
Address: 2009 N.W. 67th Place
Gainesville, Florida 32653-1603

The Designated Official Planning Agency named above hereby certifies to the following:

1. The membership of the Local Coordinating Board, established pursuant to Rule 41-2.012(3), Florida Administrative Code, does in fact represent the appropriate parties as identified in the following list; and
2. The membership represents, to the maximum extent feasible, a cross section of the local community.


Signature: _____ Date: _____
David Arreola, Chair

REPRESENTATION	MEMBER	ALTERNATE	TERM ENDING
Local Elected Official/Chair	Charles Chestnut, IV		No Term
Elderly	Vacant	Vacant	6/30/2020
Disabled	Vacant	Vacant	6/30/2021
Citizen Advocate	James East	Vacant	6/30/2021
Citizen Advocate/User	Vacant	Vacant	6/30/2021
Children at Risk	Cinton Alford	Vacant	6/30/2022
Florida Association for Community Action	Charles Harris	Tiffany McKenzie	6/30/2020
Public Education	Vacant	Vacant	No Term
Florida Agency for Persons with Disabilities	Vacant	Vacant	No Term
Florida Department of Transportation	Janell Damato	Christina Nalsen	No Term
Florida Department of Children and Families	John Wisker	Louella Teague	No Term
Florida Department of Elder Affairs	Jeff Lee	Nick Hauzer	No Term
Florida Department of Education	Jeffrey Aboumrad	Vacant	No Term
Florida Agency for Health Care Administration	Dewece Ogden	Pamela Hagley	No Term
Regional Workforce Development Board	Vacant	Vacant	No Term
Veteran Services	Albert Linden, Jr.	Vacant	6/30/2020
Local Mass Transit	Jesus Gomez	Mildred Crawford	No Term
Transportation Industry	Vacant	Vacant	6/30/2022
Local Medical Community	Vacant	Vacant	6/30/2022



April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Transportation Disadvantaged Program - Alachua County
Transportation Disadvantaged Coordinating Board Reappointments

RECOMMENDATION

Reappoint the following Alachua County Transportation Disadvantaged Coordinating Board members for three-year terms ending June 30, 2023.

- **Charles J. Harris as the alternate Florida Association for Community Action Representative;**
- **Albert H. Linden, Jr. as the voting Veterans Representative; and**
- **Tiffany McKenzie as the voting Florida Association for Community Action Representative.**

BACKGROUND

According to Rule 41-2.012 of the Florida Administrative Code, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, serving as the Designated Official Planning Agency for Alachua County, is responsible for appointing members to the Alachua County Transportation Disadvantaged Coordinating Board. The terms of appointment for Charles J. Harris, Albert H. Linden, Jr. and Tiffany McKenzie expire on June 30, 2020. These Board members have agreed to serve additional three-year terms on the Board.

If you have any questions concerning this matter, please do not hesitate to contact me.

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**TRANSPORTATION DISADVANTAGED COORDINATING BOARD
NOMINATION**

Name: Charles J. Harris

Address: 411 N. Main Street, Suite 210, Gainesville, FL 32601

Phone Number: 352.213.4070

E-Mail Address: charris@cfcaa.org

Signature: 

Date: 3/3/2020

Representing: Central Florida Community Action Agency

County Represented: Alachua

☐ Voting Member

☒ Alternate Member

Please complete and return to:

**Lynn Godfrey, AICP, Senior Planner
North Central Florida Regional Planning Council
2009 N.W. 67 Place
Gainesville, FL 32653-1603
godfrey@ncfrc.org**

**North
Central
Florida
Regional
Planning
Council**



**TRANSPORTATION DISADVANTAGED COORDINATING BOARD
NOMINATION**

Name: Albert H. Linden, Jr.

Address: 10344 SW 51st Lane, Gainesville, FL 32608

Phone Number: 352.331.0945 or 352-377-4025

E-Mail Address: al@dayfla.com

Signature: Albert H. Linden, Jr.

Date: 2/27/20

Representing: Veterans

County Represented: Alachua

☒ Voting Member

☐ Alternate Member

Please complete and return to:

Lynn Godfrey, AICP, Senior Planner
North Central Florida Regional Planning Council
2009 N.W. 67 Place
Gainesville, FL 32653-1603
godfrey@ncfrpc.org



**TRANSPORTATION DISADVANTAGED COORDINATING BOARD
NOMINATION**

Name: Tiffany McKenzie

Address: 411 North Main Street, Ste 210, Gainesville, FL 32601

Phone Number: 352.373.7667 x202

E-Mail Address: tmckenzie@cfaa.org

Signature: 

Date: 3/3/2020

Representing: Central Florida Community Action Agency

County Represented: Alachua

☒ Voting Member

☐ Alternate Member

Please complete and return to:

Lynn Godfrey, AICP, Senior Planner
North Central Florida Regional Planning Council
2009 N.W. 67 Place
Gainesville, FL 32653-1603
godfrey@ncfrpc.org





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April 13, 2020

TO: Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

FROM: Scott R. Koons, AICP, Executive Director 

SUBJECT: Transportation Disadvantaged Program - Status Report

RECOMMENDATION

For Information Only.

BACKGROUND

Attached are the December 2019 – February 2020 Alachua County Transportation Disadvantaged Service Plan Standards Reports.

Attachments

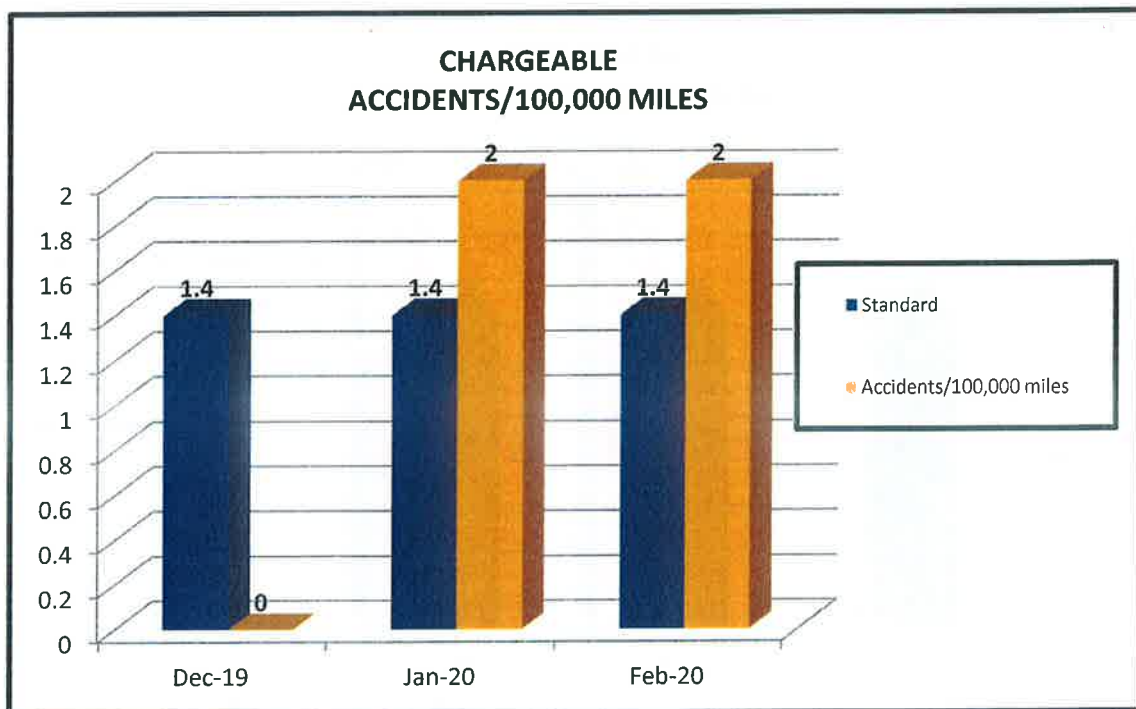
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Dedicated to improving the quality of life of the Region's citizens,
by enhancing public safety, protecting regional resources,
promoting economic development and providing technical services to local governments.

TRANSPORTATION DISADVANTAGED SERVICE PLAN STANDARDS

ALACHUA COUNTY DECEMBER 2019 - FEBRUARY 2020

MONTH	STANDARD	CHARGEABLE ACCIDENTS/100,000 MILES
Dec-19	1.4	0
Jan-20	1.4	2
Feb-20	1.4	2

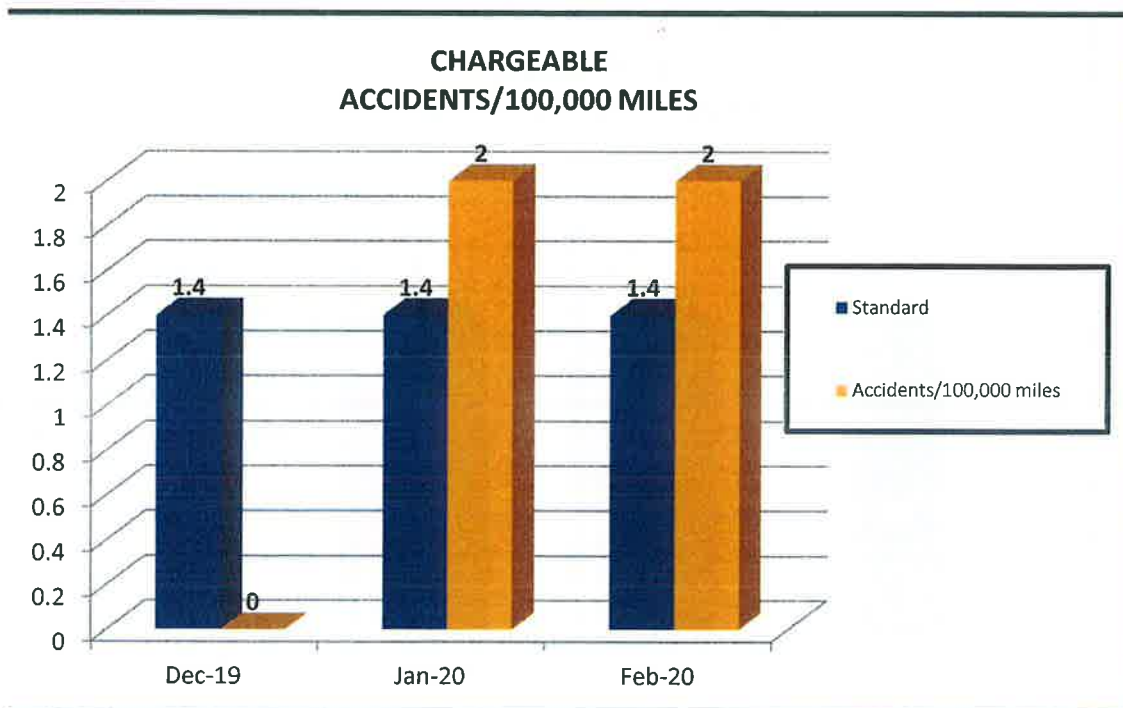


Source: MV Contract Transportation, Inc. Operations Report

TRANSPORTATION DISADVANTAGED SERVICE PLAN STANDARDS

ALACHUA COUNTY DECEMBER 2019 - FEBRUARY 2020

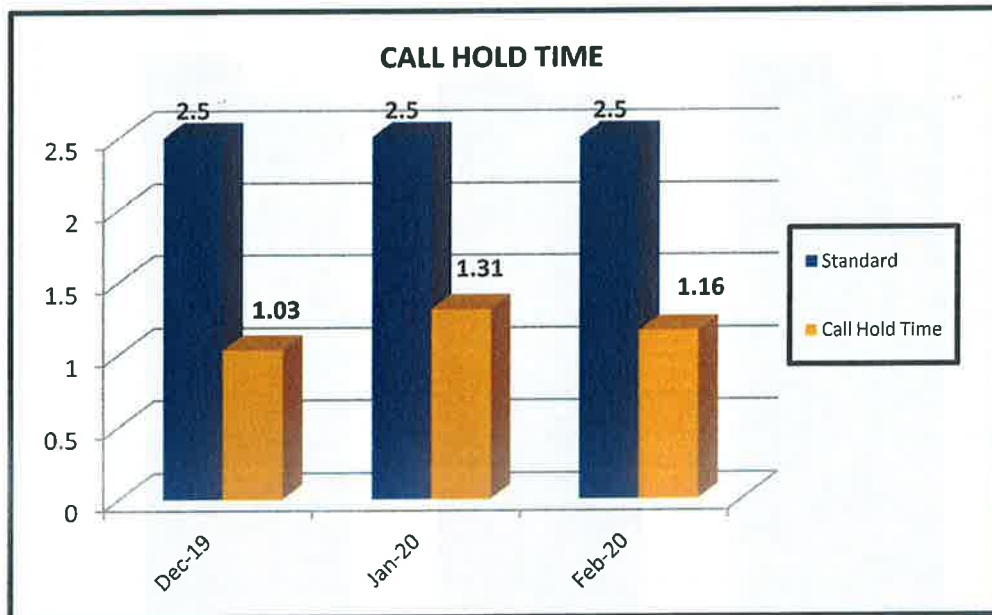
MONTH	STANDARD	CHARGEABLE ACCIDENTS/100,000 MILES
Dec-19	1.4	0
Jan-20	1.4	2
Feb-20	1.4	2



Source: MV Contract Transportation, Inc. Operations Report

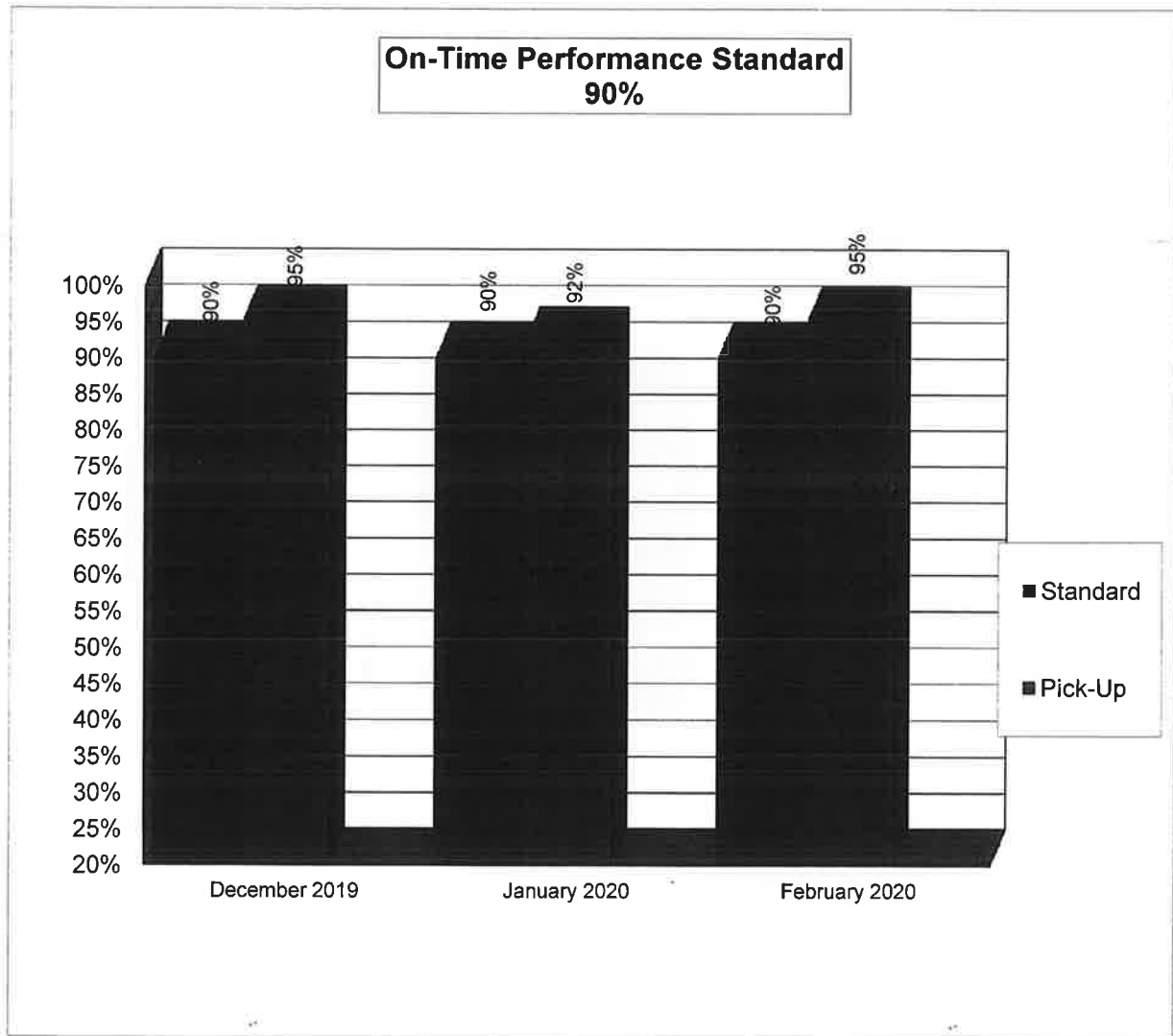
**TRANSPORTATION DISADVANTAGED
SERVICE PLAN STANDARDS
ALACHUA COUNTY, DECEMBER 2019 - FEBRUARY 2020**

MONTH	STANDARD	CALL HOLD TIME
Dec-19	2.5	1.03
Jan-20	2.5	1.31
Feb-20	2.5	1.16



Source: MV Contract Transportation, Inc. Operations Report

**TRANSPORTATION DISADVANTAGED SERVICE PLAN
STANDARDS OF PERFORMANCE
ALACHUA COUNTY
DECEMBER 2019 - FEBRUARY 2020**

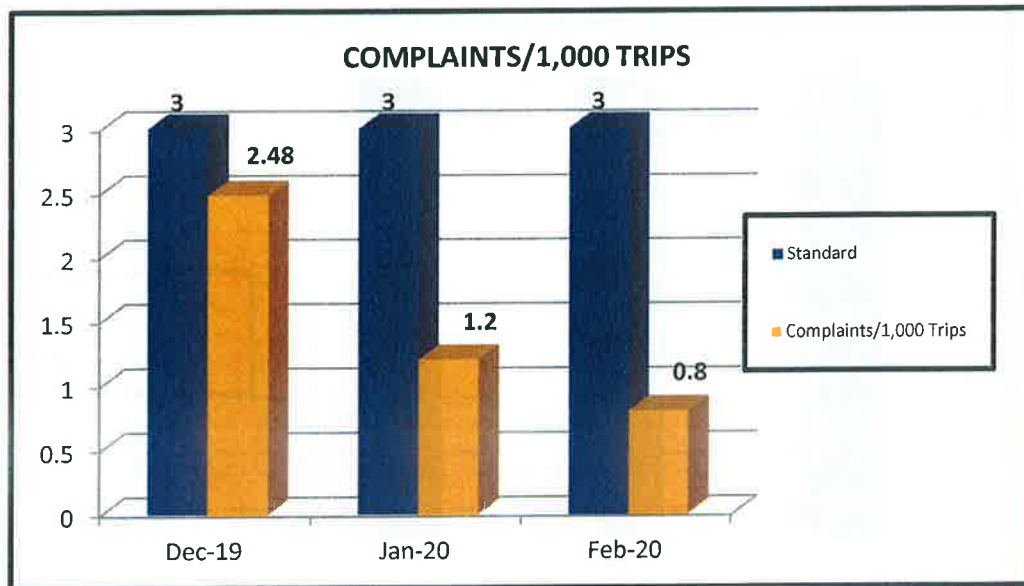


Source: MV Contract Transportatio, Inc. On-Time Analysis

TRANSPORTATION DISADVANTAGED SERVICE PLAN STANDARDS

ALACHUA COUNTY, DECEMBER 2019 - FEBRUARY 2020

MONTH	STANDARD	COMPLAINTS/1,000 TRIPS
Dec-19	3	2.48
Jan-20	3	1.2
Feb-20	3	0.8

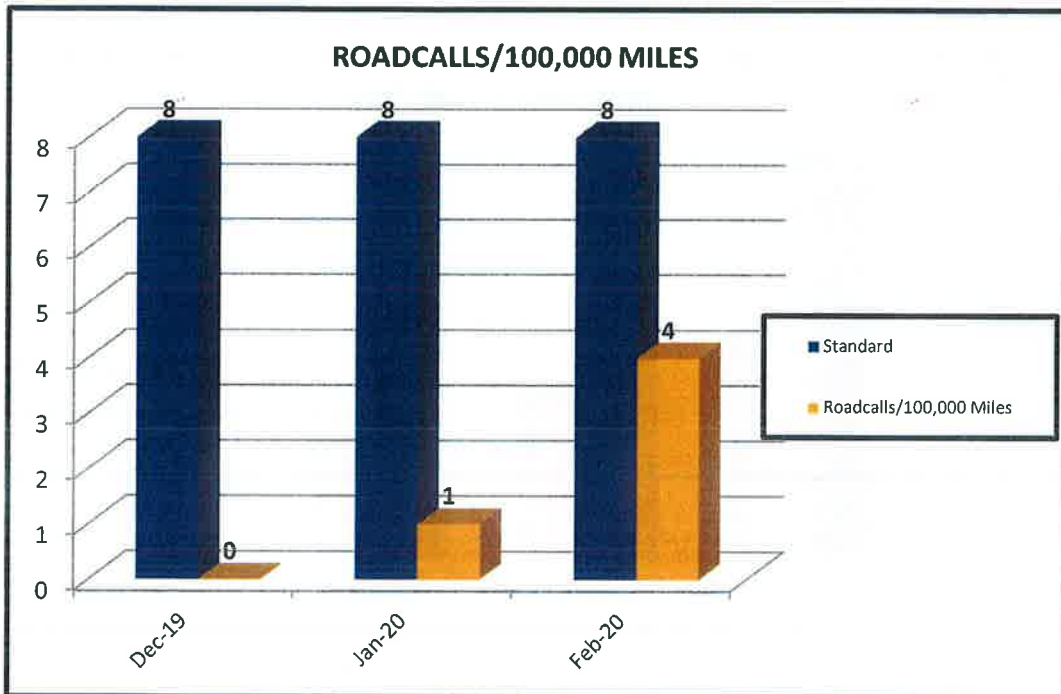


Source: MV Contract Transportation, Inc. Operations Report

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**TRANSPORTATION DISADVANTAGED
SERVICE PLAN STANDARDS
ALACHUA COUNTY, DECEMBER 2019 - FEBRUARY 2020**

MONTH	STANDARD	ROADCALLS/100,000 MILES
Dec-19	8	0
Jan-20	8	1
Feb-20	8	4



Source: MV Contract Transportation, Inc. Operations Report

SCHEDULED 2020 MTPO AND COMMITTEE MEETING DATES AND TIMES

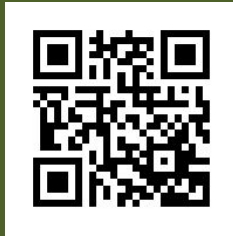
PLEASE NOTE: All of the dates and times shown in this table are subject to being changed during the year.

MTPO MEETING MONTH	TAC [At 2:00 p.m.] CAC [At 7:00 p.m.]	B/PAB [At 7:00 p.m.]	MTPO MEETING
FEBRUARY	<i>CANCELLED</i>	<i>CANCELLED</i>	<i>CANCELLED</i>
APRIL	<i>CANCELLED</i>	<i>CANCELLED</i>	April 20 at 3:00 p.m.
JUNE	June 3	June 4	June 22 at 5:00 p.m.
AUGUST	<i>August 12</i>	<i>August 13</i>	August 24 at 5:00 p.m.
OCTOBER	October 7	October 8	October 26 at 3:00 p.m.
DECEMBER	November 18	November 19	December 14 at 5:00 p.m.

Note, unless otherwise scheduled:

1. Technical Advisory Committee meetings are conducted in the General Purpose Meeting Room of the Gainesville Regional Utilities Administration Building;
2. Citizens Advisory Committee meetings are conducted in the Grace Knight Conference Room of the Alachua County Administration Building; and
3. Metropolitan Transportation Planning Organization meetings are conducted at the John R. "Jack" Durrance Auditorium of the Alachua County Administration Building unless noted.

MTPO means Metropolitan Transportation Planning Organization
TAC means Technical Advisory Committee
CAC means Citizens Advisory Committee
B/PAB means Bicycle/Pedestrian Advisory Board
NCFRPC means North Central Florida Regional Planning Council
TMC means Traffic Management Center



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Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

2009 NW 67th Place, Gainesville, FL 32653

www.ncfrpc.org/mtpo