



Gainesville MTPO

Joint Certification – 2019-2020

03/10/2020

Contents

Purpose	2
Certification Process	3
Risk Assessment Process	4
Part 1 Section 1: Risk Assessment	8
Part 1 Section 2: Long-Range Transportation Plan (LRTP)	12
Part 1 Section 3: Transportation Improvement Program (TIP)	13
Part 1 Section 4: Unified Planning Work Program (UPWP)	14
Part 1 Section 5: Clean Air Act	15
Part 1 Section 6: Technical Memorandum 19-03: Documentation of FHWA PL and Non-PL Funding	16
Part 1 Section 7: District Questions	17
Part 1 Section 8: Recommendations and Corrective Actions	18
Part 1 Section 9: Attachments	19

Purpose

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

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

Certification Process

Please read and answer each question within this document.

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

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

Note: This certification has been designed as an entirely electronic document and includes interactive form fields. Part 1 Section 9: Attachments allows you to embed any attachments to the certification, including the MPO [Joint Certification Statements and Assurances](#) document that must accompany the completed certification report. Once all the appropriate parties sign the Statements and Assurances, scan it and attach it to the completed certification in Part 1 Section 9: Attachments.

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

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

Risk Assessment Process

Part 1 Section 1: Risk Assessment evaluates the requirements described in [2 CFR §200.331 \(b\)-\(e\)](#), also expressed below. It is important to note that FDOT is the recipient and the MPOs are the subrecipient, meaning that FDOT, as the recipient of Federal-aid funds for the State, is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations.

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

(1) The subrecipient's prior experience with the same or similar subawards;

(2) The results of previous audits including whether the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;

(3) Whether the subrecipient has new personnel or new or substantially changed systems; and

(4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).

(c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.207 Specific conditions.

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

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

(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means.

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

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

- (1) Providing subrecipients with training and technical assistance on program-related matters; and
- (2) Performing on-site reviews of the subrecipient's program operations;
- (3) Arranging for agreed-upon-procedures engagements as described in §200.425 Audit services.

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

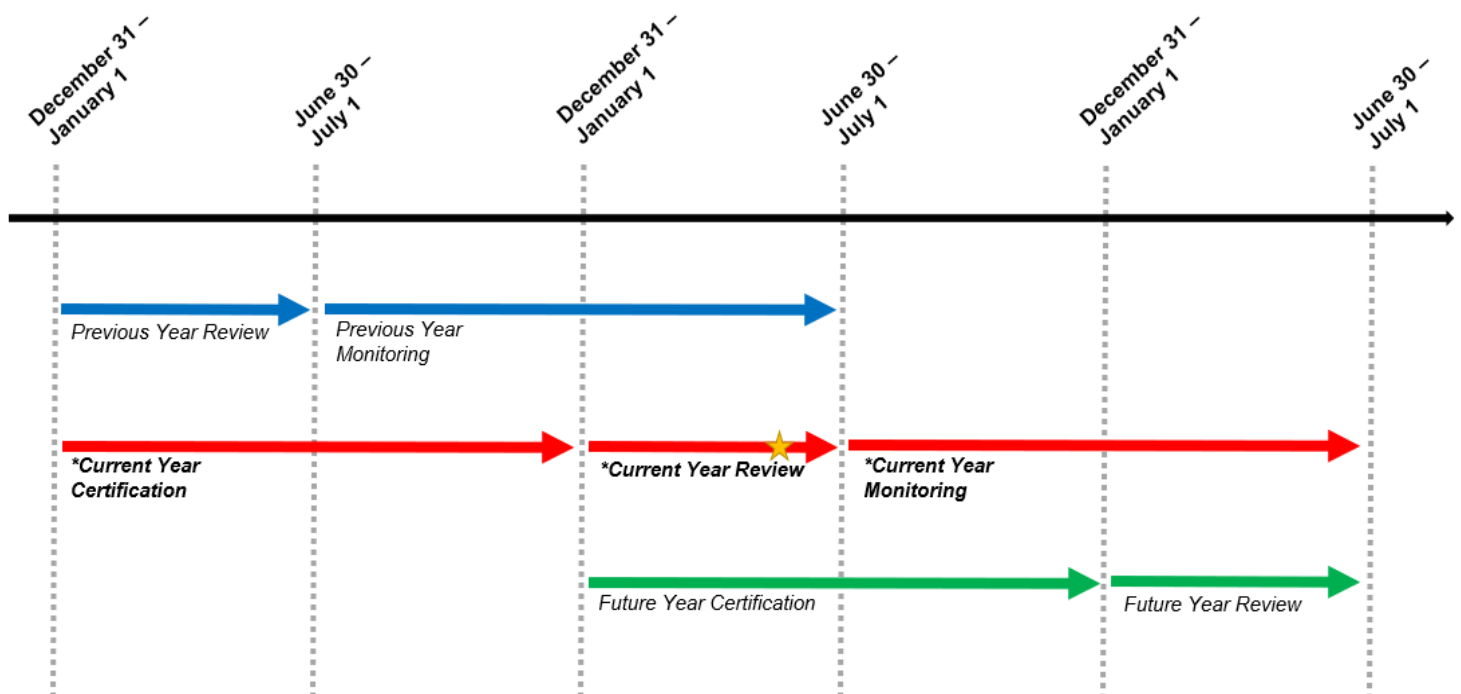
The questions in Part 1 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO's supporting documentation for their invoices is reviewed by FDOT MPO Liaisons for the upcoming year. The frequency of review is based on the level of risk in **Table 1**.

Table 1. Risk Assessment Scoring

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

The Risk Assessment that is part of this joint certification has two main components – the Certification phase and the Monitoring phase – and involves regular reviewing, checking, and surveillance. The first step is to complete this Risk Assessment during the joint certification for the current year (*The red line in **Figure 1***). The current year runs for a 12-month period from January 1 to December 31 of the same year (*Example: **January 1, 2018 through December 31, 2018***). There is a 6-month period when the joint certification for the current year is reviewed before the Risk Assessment enters the Monitoring phase. The joint certification review runs from January 1 to June 30 (*Example: **January 1, 2019 through June 30, 2019***). After the review has been completed, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for a 12-month period (*Example: **July 1, 2019 to June 30, 2020***). The entire Risk Assessment runs for a total of 30-months. However, there will always be an overlapping of previous year, current year, and future year Risk Assessments. **Figure 1** shows the timeline of Risk Assessment phases and how Risk Assessments can overlap from year to year.

Figure 1. Risk Assessment: Certification Year vs. Monitoring



★ June 1st - Joint Certifications are due to FDOT

Part 1

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

Part 1 Section 1: Risk Assessment

MPO Invoice Submittal

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

Table 2. MPO Invoice Submittal Summary

Invoice #	Invoice Period	Date the Invoice was Forwarded to FDOT for Payment	Was the Invoice Submitted More than 90 days After the End of the Invoice Period? (Yes or No)
3	1/1/2019 – 3/31/2019	6/28/2019	No
4	4/1/2019 – 6/30/2019	8/14/2019	No
5	7/1/2019 - 9/30/2019	10/30/2019	No
6	10/1/2019 – 12/31/2019	1/30/2020	No
MPO Invoice Submittal Total			
Total Number of Invoices that were Submitted on Time			4
Total Number of Invoices Submitted			4

MPO Invoice Review Checklist

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

are considered materially significant with a red asterisk. Examples of materially significant findings include:

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

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

- Typos.
- Incorrect budgeted amount because an amendment was not recorded.
- Incorrect invoice number.

Table 3. MPO Invoice Review Checklist Summary

MPO Invoice Review Checklist	Number of Correct Materially Significant Finding Questions
<i>Invoice 3</i>	7
<i>Invoice 4</i>	7
<i>Invoice 5</i>	7
<i>Invoice 6</i>	7
MPO Invoice Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	28

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

MPO Supporting Documentation Review Checklist

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

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

Table 4. MPO Supporting Documentation Review Checklist Summary

MPO Supporting Documentation Review Checklist	Number of Correct Materially Significant Finding Questions
<i>1 – Invoice 14</i>	21
MPO Supporting Documentation Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	21

**Note: There are 24 materially significant questions per MPO Supporting Documentation Review Checklist.*

Technical Memorandum 19-02: Car Allowance or Mileage Reimbursements

Was car allowance or mileage recorded appropriately based on the number of business-related miles an employee drives and the cost associated with operating a personal vehicle?

Please Check: Yes No

Technical Memorandum 19-04: Incurred Cost and Invoicing Practices

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

Please Check: Yes No **NA**

Technical Memorandum 19-05Rev: Director's Timesheets and Expenses

Were the Director's timesheets and expenses reviewed at least quarterly by the MPO Board, Executive Committee, Board Chair, or Board Treasurer?

Please Check: Yes No

Risk Assessment Score

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

Table 5. Risk Assessment Scoring

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

Risk Assessment Percentage: 100

Level of Risk: **LOW**

Part 1 Section 2: Long-Range Transportation Plan (LRTP)

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft or final LRTP and the LRTP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 1 Section 9: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

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Part 1 Section 3: Transportation Improvement Program (TIP)

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft or final TIP and the TIP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 1 Section 9: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

Gainesville MTPO TIP – 07/24/2019

Part 1 Section 4: Unified Planning Work Program (UPWP)

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft or final UPWP and the UPWP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 1 Section 9: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

NA

Part 1 Section 5: Clean Air Act

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

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

Title(s) of Attachment(s)

NA

Part 1 Section 6: Technical Memorandum 19-03: Documentation of FHWA PL and Non-PL Funding

Did the MPO program all FHWA Planning Funds (PL and non-PL) into the TIP?

Please Check: Yes No

Part 1 Section 7: District Questions

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

1. Question

2. Question

3. Question

4. Question

5. Question

Part 1 Section 8: Recommendations and Corrective Actions

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

Status of Recommendations and/or Corrective Actions from Prior Certifications

The MPO submitted invoices on time for all of 2019 calendar year.

Recommendations

PLEASE EXPLAIN

Corrective Actions

NA

Part 1 Section 9: Attachments

Please attach any documents required from the sections above or other certification related documents here or through the [MPO Document Portal](#). Link to [MPO Joint Certification Statements and Assurances \(year 1\)](#) or [MPO Joint Certification Statement \(year 2\)](#).

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

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Gainesville MTPO

Joint Certification – 2020

March 10, 2020 Draft

Contents

Purpose	1
Certification Process	2
Part 2 Section 1: MPO Overview	4
Part 2 Section 2: Finances and Invoicing	7
Part 2 Section 3: Title VI and ADA.....	9
Part 2 Section 4: Disadvantaged Business Enterprises	11
Part 2 Section 5: Noteworthy Practices & Achievements	12
Part 2 Section 6: MPO Comments.....	13

FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION
Part 2 – MPO

525-010-05b
POLICY PLANNING
11/17

Part 2 - MPO

Purpose

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

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

Certification Process

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

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

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

Part 2

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

Part 2 Section 1: MPO Overview

1. Does the MPO have up-to-date agreements such as the interlocal agreement that creates the MPO, the intergovernmental coordination and review agreement; and any other applicable agreements? Please list all agreements and dates that they need to be readopted.

Please Check: Yes No

The Interlocal Agreement for Creation of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area dated 5/26/04 needs to be reaffirmed by 5/26/24. The Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement dated 1/26/07 needs to be reaffirmed by 1/26/22. In addition, the Metropolitan Transportation Planning Organization has an administrative staff services agreement with the North Central Florida Regional Planning Council dated 10/27/16 and an interlocal agreement for staff services with the Bicycle/Pedestrian Advisory Board dated 5/22/02.

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

Please Check: Yes No

Although the Gainesville Metropolitan Area boundary does not abut the Ocala/Marion County Transportation Planning Organization boundary, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area coordinates as needed regarding projects crossing both jurisdictions. These metropolitan planning organizations have established a regional executive committee for the purpose of coordinating Florida Department of Transportation Transportation Regional Incentive Program grant applications and programming. In addition, the Metropolitan Transportation Planning Organization participates in the Florida Metropolitan Planning Organization Advisory Council and utilizes this organization for statewide coordination with other metropolitan planning organizations within Florida.

3. How does the MPOs planning process consider the 10 Planning Factors?

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area planning process provides for consideration of the Fixing America's Surface Transportation Act 10 Planning Factors as specified in the Unified Planning Work Program (Appendix C) and List of Priority Projects (Appendix A) and consideration of the Moving Ahead for Progress in the 21st Century Act 8 Planning Factors in the Year 2040 Long-Range Transportation Plan (Technical Report 5 Needs Plan Development) http://ncfrpc.org/mtpo/publications/UPWP/UPWP_2019_2020_amend_oct28.pdf
<http://ncfrpc.org/mtpo/publications/LOPP/LOPP19b.pdf>
http://ncfrpc.org/mtpo/publications/LRTP2040/FinalReport_Jan2016.pdf
The Year 2045 Long-Range Transportation Plan update will address the Fixing America's Surface Transportation Act 10 Planning Factors.

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

Please Check: Yes No

The transportation plans and programs of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, including the Transportation Improvement Program, Unified Planning Work Program and Long-Range Transportation Plan, are based on a continuing, comprehensive and cooperative process. It is continuing, comprehensive and cooperative in that for the duration of the planning process, the Metropolitan Transportation Planning Organization with the advice of its advisory committees and opportunities for input from freight shippers, public transportation providers and users, adjacent local governments, special interest groups and the general public at-large, has developed its required planning documents with these groups and with the coordination of the Federal Highway Administration, Federal Transit Administration, Florida Department of Transportation and the Metropolitan Planning Organization Advisory Council.

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

Please Check: Yes No N/A

The Multimodal Level of Service Report and Mobility Plan Status Report were updated January 31, 2020. The Transit Ridership Monitoring Report was updated June 24, 2019.
<http://ncfrpc.org/mtpo/publications/LOS/LOS19RPTGT.pdf>
<http://ncfrpc.org/mtpo/publications/GMACMP/statusrpt18.pdf>
http://ncfrpc.org/mtpo/publications/Transit/Transit_Ridership_Monitoring_Report_2018a.pdf

6. Has the MPO recently reviewed and/or updated its Public Participation Plan? If so, when?

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area reviewed and approved revisions to its Public Involvement Plan on June 24, 2019.

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

Please Check: Yes No

A draft copy of the Public Involvement Plan was made available at the business office of the Metropolitan transportation Planning Organization for the Gainesville Urbanized Area and on its website. In addition, it was distributed to Alachua County Library District Downtown, Millhopper and Tower Road branch libraries within the Gainesville Metropolitan Area. Legal advertisements were placed in The Gainesville Sun on May 9, 2019, The Gainesville Guardian on May 9, 2019 and The Independent Florida Alligator on May 14, 2019.

8. Does the MPO utilize one of the methods of procurement identified in [2 C.F.R. 200.320 \(a-f\)](#)?

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area utilizes several of the methods of procurement from 2 Code of Federal Regulations 200.320 -
(a) Procurement by micro-purchases for item and services meeting specified criteria;
(b) Procurement by small purchases for items and services meeting specified criteria;
(c) Procurement by sealed bids; and
(d) Procurement by competitive proposals.

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

Note: this documentation is required by 2 C.F.R. 200.324 (a) to be available upon request by the Federal awarding agency, or pass-through entity when deemed necessary.

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area maintains sufficient records to detail the history of procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

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

Please Check: Yes No

Not Applicable.

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

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area regularly maintains oversight to ensure that consultants or contractors are performing work in accordance with the terms, conditions and specifications of their contracts or work orders. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area reviews deliverables from consultants for compliance with scope of work requirements and requires appropriate modifications consistent with scope of work requirements to the deliverables prior to payment. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area maintains an agreement for administrative staff services with the North Central Florida Regional Planning Council. In addition, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has an Audit Review Committee which provides fiscal oversight.

Part 2 Section 2: Finances and Invoicing

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

To ensure that Federal-aid funds are expended in conformity with applicable Federal and State laws, the regulations in 23 Code of Florida Regulations and 49 Code of Federal Regulations, and policies and procedures prescribed by the Florida Department of Transportation and the Division Administrator of the Federal Highway Administration, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area coordinates with the Federal Highway Administration, Florida Department of Transportation and Metropolitan Planning Organization Advisory Council through its Florida Department of Transportation Liaison and participation on the Florida Metropolitan Planning Partnership. In addition, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area participates in appropriate training workshops and webinars.

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

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area submits invoices to the District for review and reimbursement on a quarterly basis.

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

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is a standalone entity subject to an annual single audit in fiscal years when the amount of federal funds received meets or exceeds \$750,000.

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

To ensure their financial management system complies with the requirements set forth in 2 Code of Federal Regulations §200.302, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area coordinates with the Florida Department of Transportation. In addition, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area administrative, financial and program staff participate in appropriate training webinars and workshops to assist in complying with the requirements of 2 Code of Federal Regulations §200.302.

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

To ensure records of costs incurred under the terms of the Metropolitan Planning Organization Agreement are maintained and readily available upon request by Florida Department of Transportation at all times during the period of the Metropolitan Planning Organization Agreement, and for five years after final payment is made, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area maintains these records for five years at its business office located at 2009 NW 67th Place, Gainesville, Florida 32653. In addition, electronic records are maintained offsite in accordance with its Continuity of Operations Plan.

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

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area submitted supporting documentation, when required, to Florida Department of Transportation in detail sufficient for proper monitoring. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area coordinates with the Florida Department of Transportation to ensure sufficient supporting documentation is submitted for proper monitoring.

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

To comply with, and require its consultants and contractors to comply with, applicable Federal law pertaining to the use of Federal-aid funds, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area coordinates with the Florida Department of Transportation throughout the transportation planning process, including the Certification process, and includes statements and requires assurances and monitors with its contracts with consultants. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area maintains an agreement for administrative staffing with the North Central Florida Regional Planning Council. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has an Audit Review Committee which provides fiscal oversight.

Part 2 Section 3: Title VI and ADA

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

Please Check: Yes No

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has signed a Florida Department of Transportation Title VI/Nondiscrimination Assurance, identified a person responsible for the Title VI/Americans with Disabilities Act Program [Michael Escalante, Senior Planner], and posted for public view a nondiscrimination policy and complaint filing procedure. The sign-in sheets for Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area meetings include the Non-Discrimination Statement in English and Spanish. In addition, a Non-Discrimination Statement poster is displayed at long-range transportation plan public hearings and workshops.

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

Please Check: Yes No

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area contracts and bids include the appropriate language, as shown in the appendices of the Nondiscrimination Agreement with the State.

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

Please Check: Yes No

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has procedure in place for the prompt processing and disposition of Title VI and Title VIII complaints that is in compliance with the Florida Department of Transportation procedure. A description of the Metropolitan Transportation Planning Organization non-discrimination complaint process is attached to this document.

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

Please Check: Yes No

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area collects appropriate demographic data to document nondiscrimination and equity in its plans, programs, services, and activities. Demographic information is included in the Public Involvement Plan.

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

Please Check: Yes No

Yes, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has participated in recent Title VI training, either offered by the State, organized by the Metropolitan Planning Organization, or some other form of training, in the past three years. The Metropolitan Transportation Planning Organization participated in several webinars from the 2017 United States Department of Transportation Civil Rights Virtual Symposium from April 17, 2017 to April 18, 2017 and the 2018 United States Department of Transportation Title VI Symposium from March 13, 2018 to March 15, 2018. In 2019, the Metropolitan Transportation Planning Organization participated in the Florida Department of Transportation Florida Accessing Transit: Bus Facility Design Handbook Training for Roadway Design Workshop on May 17, 2019 which included discussion of Title VI and Americans with Disabilities Act topics.

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

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area would keep all complaints of Americans with Disabilities Act noncompliance on file for one year and a five year summary of all complaints. There have been no complaints regarding noncompliance with the Americans with Disabilities Act.

Part 2 Section 4: Disadvantaged Business Enterprises

1. Does the MPO have a FDOT-approved Disadvantaged Business Enterprise (DBE) plan?

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area includes its Disadvantaged Business Enterprise Utilization policy statement in its Unified Planning Work Program. The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area follows the guidelines outlined in the Florida Department of Transportation Disadvantaged Business Enterprise Program Plan.

2. Does the MPO use the Equal Opportunity Compliance (EOC) system or other FDOT process to ensure that consultants are entering bidders opportunity list information, as well as accurately and regularly entering DBE commitments and payments?"

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area tracks Disadvantaged Business Enterprise participation through the use of the Bid Opportunity List for Professional Consultant Services and Contractual Services form that is included in Long-Range Transportation Plan Update Request for Qualifications. Disadvantaged Business Enterprise participation as well as Bidder Opportunity List information is collected and tracked by the Florida Department of Transportation via the Economic Opportunity Compliance system.

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

Please Check: Yes No

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area includes its Disadvantaged Business Enterprise Policy Statement in its contract language for consultants and subconsultants. Per Florida Department of Transportation Disadvantaged Business Enterprise Program Plan, the Disadvantaged Business Enterprise policy statement is included in Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area contract language for all Florida Department of Transportation-funded projects.

Part 2 Section 5: Noteworthy Practices & Achievements

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

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has been participating in meetings of the Florida Metropolitan Planning Organization Advisory Council Best Practices Committee. In addition, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area updated its:

1. Annual Multimodal Level of Service Report for 2018 traffic count data; and
2. Annual Transit Ridership Report for 2018 ridership data.

Part 2 Section 6: MPO Comments

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

None

FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION STATEMENT


525-010-05c
POLICY PLANNING
02/18

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the 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 3/10/2020.

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)

5/27/20

Date

Name:
Title: MPO Chairman (or designee)

Date

FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION STATEMENT

525-010-05c
POLICY PLANNING
02/18

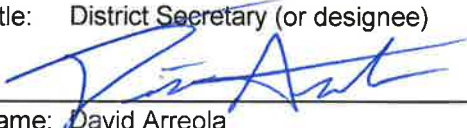
Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Gainesville MTPO with respect to the requirements of:

1. 23 U.S.C. 134 and 49 U.S.C. 5303;
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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;
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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)



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

Date

April 20, 2020

Date

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.
- (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)