



Broward MPO

Joint Certification 2021

1/14/2022

Part 1 – Metropolitan Planning Organization

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Purpose

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

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

Certification Process

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

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

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

Part 1

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

Part 1 Section 1: MPO Overview

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

Please Check: Yes No

Yes, the Broward MPO has the agreements listed in this question and they are provided as follows: (1) Interlocal Agreement for the Creation of Metropolitan Planning Organization: execution date - July 1977–March 2000; 1st amendment - February 2001; 2nd amendment – December 2002; new Interlocal Agreement – November 2003; amendment to add City of West Park – June 2005; amendment to increase the MPO Board membership from nineteen (19) to twenty-five (25) members – February 2016. This agreement will be amended as needed. (2) Interlocal Agreement Between the Broward MPO and the City of Fort Lauderdale for Administrative Services to the MPO: execution date - October 8, 2015; amended October 17, 2017. This agreement is in effect until 2022. (3) Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement (TP # 525-010-03) between the Florida Department of Transportation, the Broward MPO, the Broward County Board of County Commissioners, the South Florida Regional Planning Council (SFRPC) and the South Florida Regional Transportation Authority (SFRTA): execution date – November 20, 2007. Based on the information in the question above from FDOT, the Broward MPO is aware that there is a new template for this Agreement and staff will work with our partners to update the current Agreement as part of the next Metropolitan Transportation Plan (MTP) update. (4) Tri-county Interlocal Agreement for the Creation of the Southeast Florida Transportation Council (SEFTC) for Regional Transportation Planning and Coordination in South Florida: execution date – January 2006; amendment – September 2009; amendment – July 2011. This agreement will be amended as needed and does not expire without an a consensus by the parties to the agreement. (5) Metropolitan Planning Organization Agreement (G1057): effective July 1, 2020 through June 30, 2022. This agreement expires and is replaced every two years and is for the allocation of Federal Highway Administration (FHWA)/PL and STP/STBG/SU funds to the MPO and was last amended October 12, 2021. (6) Public Transportation Grant Agreement (G1633), execution date – March 1, 2019; amended September 13, 2019; effective until December 31, 2023 as per the extension requested by the MPO. This agreement is for the allocation of 5305d funds to the MPO. (7) Florida Commission for the Transportation Disadvantaged Planning Agreement: Executed annually on July 1 and effective until June 30. This agreement is for the allocation of TD funds to the MPO. (8) Interlocal Agreement for Transportation Surtax Services between the Broward MPO and Broward County Board of County Commissioners: executed April 25, 2019; amended June 24, 2019; amended September 19, 2019; amended

March 22, 2021; effective until December 31, 2024. This agreement is for the allocation of Surtax Funds to the MPO to cover surtax services provided to the County.

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

Please Check: Yes No

The Southeast Florida Transportation Council (SEFTC) was created by the three MPOs (Broward, Palm Beach, and Miami-Dade) to specifically address and coordinate regional transportation issues on behalf of the residents of this large and complex region. SEFTC facilitates transportation planning by engaging the public and fostering strong partnerships between the three MPOs with other agencies, local governments, and communities. One of SEFTC’s most important responsibilities is developing and implementing its Regional Transportation Plan (RTP) in coordination with other regional and local plans, while moving toward an agreed-upon vision for transportation in South Florida. This plan is updated every five years to adapt to population and other changes in or affecting the region. The responsibility for administering the RTP rotates between the three MPOs that make up SEFTC. For this cycle, the Broward MPO has led and managed the 2045 RTP to successful adoption in August 2020. In 2021 the SEFTC led a regional workshop to examine the implementation of a coastal link commuter rail to tie all three counties together. In preparation for the 2050 RTP and respective MTPs/Long Range Transportation Plans (LRTPs), the Broward MPO is closely coordinating with our partners across various fields to efficiently leverage resources and minimize duplicative efforts at the county and regional levels.

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

Please Check: Yes No

The Broward MPO planning process considers the following 10 Planning Factors: (1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency; (2) Increase the safety of the transportation system for motorized and nonmotorized users; (3) Increase the security of the transportation system for motorized and nonmotorized users; (4) Increase accessibility and mobility of people and freight; (5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns; (6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight; (7) Promote efficient system management and operation; (8) Emphasize the preservation of the existing transportation system; (9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface

transportation; and (10) Enhance travel and tourism. These 10 Planning Factors are addressed by several tasks within the current UPWP as follows: Task # 1.0 MPO Administration, Board/Committee Coordination and Public Participation/Outreach addresses all 10 Planning Factors; 2.0 Data Collection and Analysis addresses Planning Factors 1 – 2, 4 and 6 – 10; 3.0 Metropolitan, Regional and Intermodal/Freight Planning addresses all 10 Planning Factors; 4.0 Complete Streets, Transit Planning and Congestion Management addresses all 10 Planning Factors; 5.0 Transportation Improvement Program addresses all 10 Planning Factors; 6.0 Regional Transportation Model and Data addresses Planning Factors 1 – 2, 4, 6 – 8, and 10; 8.0 Metro Transportation Engineering & Construction Cooperative addresses all 10 Planning Factors; 9.0 Broward County and Municipal Services addresses all 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 Broward MPO pursues a strong working relationship with all its transportation partners, following the three C's of transportation planning. The organization cooperates with FHWA and FDOT to guide its comprehensive approach to transportation planning, communicating on a continuing basis the expectations for the organization at the federal and state level. At the local level, the Broward MPO seeks to engage its member governments, which include Broward County, in several ways. Agenda items that go to the MPO Board are previously on the agenda for the Technical Advisory Committee (TAC) and Citizens' Advisory Committee (CAC) to give the opportunity for technical staff and community representatives to provide feedback to the elected officials before they take formal actions. With the development of the MPO's UPWP, in addition to presentations to the TAC and CAC members for input, MPO staff implemented a formal "call for plans & studies" process and works directly with key partners to ensure their federally funded planning efforts are represented in the UPWP as required. In addition, MPO staff continues the tradition of organizing one-on-one meetings with elected officials and staff from nearly all its member governments (Broward County and its municipalities) to coordinate on projects, ensure understanding of requirements, and identify local needs during updates to plans such as the MTP, Complete Streets projects or competitive grant programs, such as the Complete Streets and other Localized Initiatives Program (CSLIP), to name a few. These past couple years, the coordination meetings regarding CSLIP were especially important due to the new direction FDOT is taking with regard to the implementation of CSLIP projects and the Local Agency Program requirements. MPO staff also continues its recently established annual evaluation cycle for MTP amendments and works with MPO advisory committees, the MPO Board, and planning partners to communicate deadlines and coordinate proposed amendments. Finally, on an ongoing basis through meetings, conference calls, e-mails, etc., MPO staff coordinates with local and regional partners (including Broward County) on a daily basis to ensure the timely delivery of complete streets and other transportation improvements projects.

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

Please Check: Yes No N/A

The MPO's Congestion Management Process (CMP) was last updated during the development of the 2045 MTP. The MTP utilized model outputs from the Southeast Florida Regional Planning Model v8.0 to identify over-congested roadway segments and propose projects to address these issues. These projects were incorporated as part of the MTP needs assessment that became the foundation for the MTP Cost Feasible Plan.

The CMP update includes internal and external working groups to review the new methodical approach, analyze the most congested corridors in Broward, and assess their associated causes. Staff will recommend for inclusion in the next Transportation Improvement Program (TIP) or MTP cycle, depending on cost/funding availability, countermeasures intended to mitigate the impacts of congestion. The MPO is expecting this update to be completed by mid-2022.

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

Please Check: Yes No

The MPO's Public Participation Plan (PPP) was fully updated and adopted by the Board in February 2019. Administrative updates are made as needed to ensure all links and webpages are correct. Additionally, an administrative update was performed on the current Plan to address procedural changes required for in-person meetings and related actions in response to the COVID-19 pandemic. The next PPP will be fully reviewed, updated, and presented to the Board for approval in February 2023. Any feedback or comments received will be addressed. The MPO's PPP provides guidelines for achieving optimum public participation. Public participation begins early in the planning process and continues throughout each of the planning stages, helping to avoid, minimize and mitigate impacts while providing the best solutions.

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

Please Check: Yes No

To ensure all interested persons residing in Broward had the opportunity to review and comment on the MPO's PPP, a public comment period of more than 45 days was provided prior to the MPO Board's approval of the PPP at their February 14, 2019 meeting. The draft PPP was posted on the Broward MPO website and advertised in three local newspapers: South Florida Times, Sun Sentinel and El Sentinel.

Part 1 Section 2: Finances and Invoicing

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

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

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

The Broward MPO currently submits invoices on a monthly basis.

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

The Broward MPO is a standalone entity, a direct recipient of federal funds and is subject to an annual single audit. The most recent annual audit did not identify any findings and is anticipated to go before the MPO Board for approval on February 10, 2022. To view the MPO's audit reports, please see <https://browardmpo.org/about-the-mpo/budgets-upwp>.

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

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

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

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

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

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

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

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

The following language is included in contracts: 2-12 FEDERAL TRANSIT ADMINISTRATION REQUIRED PROVISIONS This Project may be funded with assistance from the Federal Transit Administration (“FTA”). If so, the BMPO will follow, and require the Successful Proposer(s) to comply with, all applicable 3rd party procurement policies in accordance with FTA Circular C4220.1f (Third Party Contracting Guidance). Proposers are hereby advised that the applicable FTA required contractual provisions set forth in Exhibit “C-1” to the Sample Contract shall be set forth in any Contract resulting from this RFP. By submitting a Proposal, Proposers acknowledge and agree that the Successful Proposer(s) shall be required to comply with the provisions in Exhibit “C-1” of the Sample Contract if awarded the Contract. 2-13 FEDERAL HIGHWAY ADMINISTRATION REQUIRED PROVISIONS This Project may be funded with assistance from the Federal Highway Administration (“FHWA”). If so, the BMPO will follow, and require the Successful Proposer(s) to comply with, all applicable 3rd party procurement policies in accordance with the Regulations of the U.S. Department of Transportation Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time. Proposers are hereby advised that the applicable FHWA required contractual provisions set forth in Exhibit “C- 2” to the Sample Contract shall be set forth in any Contract resulting from this RFP. By submitting a Proposal, Proposers acknowledge and agree that the Successful Proposer(s) shall be required to comply with the provisions in Exhibit “C-2” of the Sample Contract if awarded the Contract. These Federal law requirements are incorporated into the official standard written agreement.

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

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

Please Check: Indirect Rate De Minimis Rate N/A

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

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

Part 1 Section 3: Title VI and ADA

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

Please Check: Yes No

Yes, this Assurance/Agreement is annually updated. For most of 2021 Erica Lychak served as the MPO's Title VI Coordinator, with Hannah Bourgeois and Alan Berry filling in for this position after Erica's departure from the agency. In February 2022, Carl Ema will assume the role as the MPO's new Title VI Coordinator. The Assurance and complaint filing procedure is posted to our website for public view.

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

Please Check: Yes No

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

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

Please Check: Yes No

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

The procedures match (in both procedure and format) with that of FDOT. As part of our triennial update to the Title VI program, MPO staff brings the program to the TAC and CAC who review, provide feedback and advise the Broward MPO Board who must ultimately vote on its approval. FDOT is represented on the TAC and is a non-voting member of the MPO Board, and as such is a part of the official process. Currently the MPO is required to list an FHWA Civil Rights contact for any complaints as part of the Title VI program, but would be happy to coordinate with an FDOT District Four contact if there is someone specific functioning in that capacity.

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

Please Check: Yes No

The MPO developed and uses a demographic profile for the years 2015 and 2045 for its MTP. The 2015 profile is based on US Census data and the 2045 profile is based on estimates developed by the Bureau of Economic and Business Research at the University of Florida. These demographic profiles are used to inform our travel demand forecasts for the year 2045 and are one of the tools used to assess the need for transportation investments throughout our planning area. The Broward MPO has introduced an online map application which visualizes the above demographic information and makes this data accessible to both the public and technical staff. The Interactive Transportation Analysis Zones Viewer can be found at: <https://reports.mysidewalk.com/246ec5165b>. In order to enhance our equity analyses, the MPO has developed a process to more consistently and comprehensively evaluate its plans and programs in conjunction with federal Environmental Justice and Title VI regulations. This process is known as Transportation Planning Equity Assessment and is recognized by our federal partners as a best practice. The Broward MPO's 2045 MTP update was the first of the MPO's plans and programs to utilize this tool as part of the needs assessment and cost feasible plan evaluation. The MPO uses the Transportation Planning Equity Assessment tool and maps to develop other MPO core products and plans. The Transportation Planning Equity Assessment Tool will be updated to reflect the most recent Census 2020 data, once available. Additionally, the tool is being improved to turn on and off layers as requested for a more interactive, informative environment. For more information, refer to our Transportation Planning Equity Assessment page on our website at <http://browardmpo.org/index.php/title-vi-transportation-planning-equity-assessment>.

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

Please Check: Yes No

On May 4-5, 2021, a number of MPO staff attended the 2021 Southern Transportation Civil Rights Executive Council Biennial Training Symposium which covered courses such as ADA, Disadvantaged Business Enterprise (DBE), Title VI, etc.

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

Please Check: Yes No

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

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

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

Please Check: Yes No

The Broward MPO utilizes and adheres to methods of procurement identified in 2 C.F.R. 200.320. Depending on the amount of the procurement, the MPO chooses the best option of the following methods: Method (a): micro-purchases are used for procurement of supplies or services. This purchasing method is validated by purchase orders or purchase cards. Even though the requirements for micro-purchases are more relaxed when compared to other purchase types, the MPO understands the importance and keeps the records of these purchases well documented. Method (b): small purchases are relatively simple procurements used for securing office supplies, services or other materials. A small purchase may include competitive quotations from qualified sources (typically 3 quotes). Unlike with micro-purchases, small purchases require that a price or cost analysis is used to determine the award and to ensure that the proposed price is fair and reasonable. Method (c): procurement by sealed bids (formal advertisement) is a competitive bidding process that utilizes a written solicitation to request and receive sealed bids. Bids are evaluated against terms and conditions. Method (d): procurement by competitive proposals is a process of requesting and receiving two or more proposals. This method utilizes written competitive sealed proposals and various combinations, version of services may be proposed by a responsive vendor to meet the terms and conditions of the solicitation document. Method (f) procurement by noncompetitive proposal is a process exempt from competitive bid and proposal requirements. This method may be used only in an emergency or when the services provided by a single vendor are not available from any other vendor. In 2021, procurement methods (a), (b), (c), (d) and (f) were utilized.

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

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

Please Check: Yes No

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

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

Please Check: Yes No

The Broward MPO has several intergovernmental or inter-agency agreements with Broward County and various municipalities/agencies. Examples of some of the agreements in place are as follows: City of Hollywood Mobility Hub Subrecipient Agreement for Hollywood Boulevard/State Road 7 Mobility Hub; City of Fort Lauderdale Downtown Mobility Hub Subrecipient Agreement and Interlocal Agreement for Administrative Services, and piggyback agreement for Minutes Services; Broward County piggyback agreement for Interpreter Services; Downtown Fort Lauderdale Transportation Management Association (TMA) Agreement for Administrative Services; Palm Beach Transportation Planning Agency (TPA) Interlocal Agreement for Administrative Services; Interlocal Agreements for Transportation Planning Services with eight municipalities; South Florida Regional Transportation Authority (SFRTA) Subrecipient agreement for the Fare Interoperability Project; City of Tamarac for Office Depot; and State of Florida for Copier Services.

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

Please Check: Yes No

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

invoice from receipt to check disbursement. As noted above, the approval process is multilevel, and includes review and approval of the Project Manager, Deputy Director, Finance, Procurement, and Executive Director/Chief of Staff.

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

Please Check: Yes No

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

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

Please Check: Yes No

The MPO follows the guidelines outlined in the FDOT DBE Program for any projects or initiatives that use FTA or FHWA funds. As a direct recipient of FTA funds, the MPO updated its DBE Program in 2020 and it is in review by the FTA. The DBE Plan can be found on the MPO website at <http://browardmpo.org/index.php/title-vi-dbe>. The website clearly states the MPO utilizes two DBE Goals: one for FHWA funded projects and one for projects that use FTA funds.

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

Please Check: Yes No

The MPO tracks participation by receipt of completed forms requested during the solicitation process and participation data is updated in our Bidders Opportunity List. This information is monitored by MPO staff, provided on our website and forwarded to FDOT. The MPO provides a copy of DBE payments directly to FDOT who we believe in turn reports the DBE payments through the EOC system. The MPO will be attending training to familiarize itself with the EOC system and will be monitoring compliance in the future.

8. The MPO must be prepared to use the Grant Application Process (GAP) to record their professional services contract information starting on July 1, 2022. Has the MPO staff been trained on the GAP system? If yes, please provide the date of training. If no, please provide the date by when training will be complete (Recordings are available on the FDOT Local Programs [webpage](#)).

Please Check: Yes No

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

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

Please Check: Yes No

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part 1 Section 5: Noteworthy Practices & Achievements

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

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

Public Outreach and Engagement Initiatives

Engaging those who live, work and play in Broward is the cornerstone of all MPO Plans, Projects & Initiatives. Public Outreach is more than holding the obligatory public meetings for projects, as public meetings are notorious for having poor attendance. For the Broward MPO, public outreach focuses on utilizing a toolbox of different engagement methods and approaches (1) to teach about the role of the MPO, (2) receive extensive feedback from residents and businesses to inform its plans, programs, and projects, and to (3) truly engage our communities on their terms, on their turf, and in a way that is most meaningful to them. The following describes the Broward MPO's comprehensive approach to public outreach and engagement, including adaptive approaches under the COVID-19 pandemic.

Public Engagement Efforts

The Broward MPO's grassroots public engagement initiative, also known as Speak Up Broward, continues a dialogue with the public to educate South Florida communities about the importance the transportation system has on quality of life. This multi-faceted initiative is nationally recognized and seeks to bring the message of the MPO beyond the walls of the office from the more traditional meeting place to places where people prefer to go (i.e., farmers markets, street fairs and online) at times when it is most convenient to them.

To maintain the safety of staff and the public, the MPO continued to host the Speak Up Broward Online series to solicit feedback that helps the Broward MPO continue to provide Broward with a safe, convenient, and efficient multimodal transportation system. Speak Up Broward Online events were created in spring 2020 to accommodate social distancing and stay at home orders. These events facilitated an interactive conversation with the community and focused on a different topics each month. The topics covered included climate change/resiliency, mobility hubs, tactical urbanism, Vision 2100, paratransit, and MPO Core Products/Long Range Planning.

This past year, other continuing education efforts included virtual and in-person efforts on Broward Complete Streets Projects, which helped to promote a better understanding of how the MPO's Complete Streets projects are improving quality of life for those who live, work, and play in Broward and outreach and deliverables for the MPO's Core Products and the MPO's visioning plan: Vision 2100. Speak Up Broward also relaunched its Think Like A Planner workshops virtually with science, technology, engineering, and mathematics students from Stranahan High School and in person with Falcon Cove Middle School, as well as introduced its University Outreach initiative. This program took place virtually with graduate students from

Florida International University. The Broward MPO's student outreach efforts create the pipeline from the classroom in to the field for the next generation of transportation professionals.

While the MPO's approach to social media continues to be recognized nationally as a best practice (MPO staff presented at national peer exchanges on effective and innovative social media engagement), for the past couple years this medium served an integral part in MPO Communication & Outreach efforts with the ongoing COVID-19 pandemic. Social media posts focused on highlighting items such as COVID-19 messaging (MPO operations due to COVID and active transportation messaging), MPO news and updates (updates on MPO Core Products, Initiatives, and Projects), and news from health and transportation partnering agencies. As of January 7, 2022, we have 7,207 followers on Facebook, 2,616 followers on Twitter, 1,692 followers on Instagram, and 1,676 followers on LinkedIn. Twitter, Instagram and LinkedIn have seen extensive growth in followers over the past year and the public has been engaged with all platforms.

2022 Board Engagement Forum

As part of the Broward MPO's ongoing efforts to inform the public and MPO Board on current initiatives and projects, the MPO planned over the course of several months a virtual Board Engagement Forum held on January 13, 2022. The Forum was virtually attended by several Board Members and newly appointed Board Members. The Board Engagement Forum consisted of in-depth sessions related to the securing of federal grants, the Broward Commuter Rail Project Development & Environment Study, a Municipal Capital Projects update, a "how to" navigate the Transportation Improvement Program (TIP), and a Strategic Business Plan update among other current topics.

Funding & Grants Opportunities Outreach

In an effort to increase revenue for transportation improvements, the MPO continues to identify funding opportunities through active research and analysis of a wide range of grants from federal, state, and private foundation resources. MPO staff distributes these opportunities to our interested partners in a monthly e-newsletter/e-blast. Subscribers are primarily local, with some coming from outside the region and state. The MPO also provides support to these partners by conducting research for niche funding opportunities as well as hosting or referring partners for grantsmanship trainings to help increase the capacity of grant applicants and the number of successful submittals.

In 2021 the Broward MPO conducted a call for grants proposals which met the criteria for the 2021 Rebuilding American Infrastructure with Sustainability and Equity discretionary grants program. Then a staff and expert peer review was conducted, and the best proposal was submitted. Unfortunately, the grant application did not result in an award. However, this data-driven and equitable process will be repeated in upcoming grant cycles.

MTP Initiatives

This past year, the MPO provided additional direction on the MTP Amendment process as it relates to the inclusion of local projects seeking discretionary funding. The new transportation legislation and additional opportunities for federal discretionary funding (at the federal level) prompted discussion about how to include locally funded projects (seeking this discretionary funding) in the MTP and/or TIP to establish planning consistency. The MPO reviewed the federal and state guidance for MTP development and amendment in order to draft a process for MPO Member

agencies to include their local projects in one of the MPO's federal planning documents and establish planning consistency if and when local governments pursue funding through discretionary grant programs (see: https://browardmpo.org/images/WhatWeDo/2045_MTP/Local_Project_Federal_Discretionary_Funding_Process_-_Final.pdf). Further, the MPO developed an MTP amendment webpage which provides member agencies with this information - <https://browardmpo.org/amendments>. MPO staff presented this approach to its advisory committees, MPO Board, and planning partners as part of a grants workshop.

Vision 2100

This plan builds off of the foundation set in the Commitment 2045 MTP and seeks to outline a vision for Broward out to 2100. The Vision includes a robust discussion on Land Use, Transportation, Technology, and Resiliency and how to address these elements in our future plans, programs, and policies. The 2045 MTP helped to create a transit network for 2100 that was not cost constrained and took into account future potential transit markets and available technologies. The intent of the Vision 2100 plan is to establish a guiding document for future MTP updates to ensure consistency in the investment and identification of transportation projects.

The MetroLAB at Florida Atlantic University (FAU) in partnership with the Broward MPO and the South Florida Business & Wealth Magazine conducted a series of three panels on Vision 2100 on May 23, July 28, and September 29, 2021. FAU communicated with their students to attend the panel discussion as an education/learning tool that was also available to faculty and students in classroom settings. Specific content will be utilized in course work for Intro to an Urban Design Education training geared to budding architects, planners, landscape architects, as well as community education through the School of Architecture's MetroLAB in Fort Lauderdale. 200 people RSVP'd on average for the virtual series. Interviews on WTVJ-TV/NBC and WSCV-TV/Telemundo (English and Spanish) were conducted. The metrics from NBC were 107,535 impressions.

MTP Safety Studies

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

Resiliency Studies

The MPO identified eight priority corridors for resiliency improvements in the 2045 MTP and has included these projects in the MMPL. The MPO identified funding in the UPWP for a joint Transportation Resiliency Framework Study with various stakeholders including FDOT. The study kicked off in February 2021. It will produce a

framework to address vulnerabilities in the transportation network by taking a holistic approach to resiliency and serve as a bridge between the MPO and future FDOT studies. A working group including FDOT representatives was established to steward the study. The FY 2022-26 Draft Tentative Work Program includes funding for the planning phase for five of the eight MPO priority corridors. The MPO will work with local municipalities to address the off-system corridor improvements.

Implementing Complete Streets and Improving Safety

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

Complete Streets Master Plan (CSMP) Implementation

The Broward MPO Board unanimously approved the CSMP in an effort to continue creating a safe/balanced transportation system, healthier communities and enhance the economic vitality of the region. The CSMP developed a prioritized list of projects based on an equity and demand analysis. This included selecting areas with a high number of vulnerable populations using nationally recognized equity indicators such as income, age and race. This ensured traditionally underserved communities are not only considered during the planning process but also prioritized when programming investments. Since the Plan's adoption, MPO staff has continued to work with our local partner governments to ensure projects identified in the CSMP move forward into the implementation phase in the order established in the Plan. To date, the Broward MPO has included 25 CSMP projects into the Multimodal Priorities List (MMPL) with 3 projects partially funded in the TIP. Staff continues to work with our local partners to implement projects from the CSMP.

Essential to this process is meeting the "program-ready" requirements established by the MPO. These requirements were set in place to ensure projects have the necessary political and public support in order for them to move forward into programming. This process ensures only program-ready, feasible projects move forward into the next phase while increasing the likelihood of implementing successful projects that meet the vision of the local governments and communities. The program-ready requirements are: scope of work, cost estimates, political and public support, and partner collaboration.

Most recently, the Broward MPO received the 2021 Roadway Safety Award for the CSMP and its implementation from the Roadway Safety Foundation and the FHWA. This coveted award recognizes agencies throughout the country who are leading in the implementation of projects or programs that are creating safer streets for all users of the road. Complete Streets Initiatives and Education

The Complete Streets Initiative, guided by the Complete Streets Advisory Committee (CSAC), promotes the Complete Streets concept and provides the necessary tools to our local governments to implement Complete Streets. The Initiative also serves as a platform to move forward active transportation projects identified in our plans, initiatives and studies from the planning stage to construction. As a national leader in the implementation of Complete Streets, MPO staff, once again, were invited to present at another national conference hosted by the FHWA: Every Day Counts

Safety Summit. At this conference MPO staff presented the overall Complete Streets Initiative highlighting education and training, community engagement and implementation. MPO staff also presented at the 2021 Association of Metropolitan Planning Organizations national conference, sharing with participants best practices and lessons learned. Additionally, the MPO hosted an Open Streets training webinar together with representatives from Los Angeles and Minneapolis to introduce the concept to our partner governments and set the stage for the first Open Streets event in Broward.

The Safe Streets Summit continues to be an MPO noteworthy practice. The main intent of the Summit is to promote Complete Streets concepts, seek “buy-in” from local public officials, and provide municipal technical staff with the necessary tools to implement Complete Streets. It also highlights the Broward MPO’s and its partners’ ongoing efforts. The event features nationally recognized experts and panelists who speak on the economic, health, and safety benefits of streets designed for all users. The 2021 Safe Streets Summit was held virtually in partnership with the Palm Beach TPA and Miami-Dade Transportation Planning Organization (TPO) on January 28 & 29, 2021.. This was the first Safe Streets Summit hosted virtually to ensure the safety of all participants due to the ongoing pandemic. This virtual format expanded our audience internationally and secured the participation of a diverse, high-quality group of speakers who were able to present from the comfort of their own homes. Over 400 participants joined us virtually, including participants from Mexico, the Netherlands, and Canada. Keynote speaker Brooks Rainwater from the National League of Cities gave an inspirational talk about how local governments can identify innovative solutions, tools, and resources to make the greatest impact in creating safe, sustainable and smart cities.

Mobility Program

This past year, the Broward MPO continued to move forward with the implementation of projects despite the conditions caused by the COVID-19 pandemic. The pandemic had minor impacts on construction projects, however all projects were able to proceed forward with FDOT, MPO, County and local agency coordination. This Program, made possible by a partnership with FDOT, continues to deliver projects that meet the needs and desires of Broward’s diverse communities. MPO staff continues to be involved in the entire implementation process (design and construction). This includes the “3rd year check” process, where MPO staff meets with local governments and FDOT staff prior to securing the services of a design consultant to ensure the programmed project still has the support needed to move forward. The Mobility Program completed 12 projects for \$50 million and added over 31 miles of bike and pedestrian facilities to the active transportation network. By the end of last year, there were 5 projects in construction for \$34 million, 19 projects for \$154 million construction dollars were in design, and an additional 4 projects for \$29 million construction dollars were programmed in FY 2021. Accomplishments this past year include the completion of the Prospect Road Complete Streets project. This 2.5-mile corridor includes continuous green-colored thermoplastic buffered bike lanes (the first time these have been used in Broward), bulb-outs, landscaping planters and enhanced crosswalks. This project is part of a larger plan that is creating a tight network of multimodal facilities that connects people to various destinations in the area.

Complete Streets Community Engagement Activities

Due to the COVID-19 pandemic, on March 8, 2021, the MPO conducted its first virtual countywide Let’s Go Biking! event. This eighth Let’s Go Biking! event was in support

of Florida Bicycle Month 2021. The event morphed into a month-long Virtual Challenge that encouraged those who live, work, and play in Broward to hop on their bikes, get active, and explore local Broward Complete Streets projects. Participants were encouraged to use the MPO's first 2021 Interactive Bike Map to plan out their route. The Interactive Bike Map highlights various Broward Complete Streets facilities and their bicycle suitability. Suitability of roads was calculated based on interaction with vehicular traffic and labeled as easy, moderate, difficult, and very difficult allowing participants to choose the routes that fit their skill and comfort level. Participants tracked their daily mileage and posted a selfie on social media. The top three winners rode over 2,300 miles (about twice the distance from Florida to New York City) combined. For this event, the MPO had the support of partners such as Broward BCycle, Big Wheel Cycles, Conte's Bike Shop, Mega Cycle store, South Florida Commuter Services, W Fort Lauderdale, Choose 954, Fort Lauderdale DDA, and the Recyclable Bicycle Exchange.

As part of the FDOT Mobility week, the MPO hosted an Open Streets webinar on November 3, 2021. This webinar covered two successful open streets case studies in the Nation: CicLAvia in Los Angeles and an open streets program in Minneapolis. The webinar introduced this concept to the Broward region, bringing the opportunity to begin the conversation towards implementing an annual event in collaboration with other transportation and health agencies. The webinar highlighted the impacts and benefits of this initiative in the communities where these events have been held.

In addition, as part of the annual Mobility Week campaign, the Broward MPO participated for the first time in the LOVE TO FLORIDA RIDE challenge. Altogether the team rode 548 miles and 166 lbs. of CO₂.

Tactical Urbanism Program

Following the recommendations identified in the Bicycle & Pedestrian Safety Action Plan and the Walkability Action Institute Plan, the MPO established a Quick Build Program known as BTactical. This is part of the MPO Complete Streets Initiative's efforts to quickly implement multimodal safety improvements. The Program focuses on delivering Quick Build projects while also working on comprehensive longer-term street projects. The goal is to support partner agencies implementing pilot projects that test innovative treatments, generate public awareness, and support efforts to increase multimodal safety, accessibility, and connectivity.

The MPO kicked off this new Program by implementing its first pilot project in partnership with the City of Deerfield Beach and AARP Florida. The Broward MPO in collaboration with the City of Deerfield Beach applied for the AARP Community Challenge Grant and were awarded \$20,000 to purchase the materials needed for the installation of improvements along Northeast 3rd Avenue between Northeast 44th Street and Sample Road. As part of this effort, the MPO hosted three public meetings, one virtual workshop, conducted two online surveys and door-to-door outreach, and a community build days event (four days of painting sessions). The project scope included crosswalks enhancements, intersection improvements, a mid-block crossing, protected bike lanes, sidewalk extensions and curb extensions. The project had the support of the Broward County Engineering Department, the City's Public Works Department, Broward Sheriff's Office, Broward Health North, Tedder Elementary School, South Florida Commuter Services, AARP, and other stakeholders. Over 80 volunteers, including residents of the area and local organizations, helped paint the street for 0.7 miles. In December 2021, the MPO selected its second pilot project to be implemented in 2022 in partnership with the City of Fort Lauderdale.

Part of this effort included developing innovative methods to engage the public during COVID-19. The Broward MPO developed an interactive online tool for the pilot project. This virtual platform served as an educational tool to engage and inform the community about the volunteering opportunities, project design plans, online surveys, volunteering opportunities, project objectives and ways to get involved.

Bike/Ped Count Program

To create better facilities for people walking and biking, and to locate these facilities where demand and needs are the highest, the Broward MPO needs reliable data to guide decision-making. Although many public agencies have established robust vehicular count programs, there are still funding, quality control, and data management limitations when it comes to bicycle and pedestrian count programs. The Broward MPO is establishing a bike/ped count program to not only monitor bike/ped movements, but also to establish baseline counts and calculate return on investment. To accomplish this, the Broward MPO developed a list of priority corridors where counts will be taken. Additionally, the Broward MPO acquired bicycle and pedestrian counting technologies that would allow the MPO to continuously monitor patterns and behaviors along corridors. The Broward MPO has also begun having conversations with Broward County and FDOT to explore partnerships and leverage resources to conduct bike/ped counts at the same time automobile counts are being collected.

Local and Regional Freight Initiatives

The safe and efficient movement of freight is key to our local economy. The Broward MPO is a recognized leader in its comprehensive approach to addressing issues affecting freight transportation within Broward and the State. To accomplish this, the Broward MPO Freight Transportation Advisory Committee (FTAC) is tasked with promoting the importance of freight mobility and ensuring that freight priorities are represented in the MPO's MTP and TIP. The FTAC is comprised of members that are directly involved in the movement, storage and distribution of freight. The FTAC was integral in the development of the MPO's MTP and continues to provide the MPO with much needed input from the freight and logistics community, particularly in light of the COVID-19 pandemic. Further, the Broward MPO continues to lead an effort through the Florida Metropolitan Planning Organization Advisory Council (MPOAC) to identify and promote high-priority, freight-related projects within each of the 27 Florida MPOs that will improve the movement of goods throughout the state. This effort ensures that these high-priority freight projects satisfy localized planning processes and are consistent, repeatable and well-documented. Through the Freight Prioritization Program, every MPO in Florida is afforded an opportunity to submit their highest priority freight related transportation projects to the MPOAC who in turn assembles a statewide MPO priority list and shares it with FDOT for funding consideration. Based on input from our partner MPOs, the Broward MPO is currently leading an effort to update the FPP to include additional modes. The additional modes would include rail and non-State highway projects. The MPO partnered with FHWA, FDOT and its neighboring MPOs Miami-Dade TPO and Palm Beach TPA to host a virtual workshop to initiate the process of developing a Truck Parking Assessment and Plan to identify network gaps and potential improvements for Southeast Florida.

Non-traditional MPO Initiatives

The Broward MPO seeks to be in the forefront of everything we do. We strive to go beyond an MPO's traditional transportation planning responsibilities. The following

describes some of Broward MPO's unique initiatives and noteworthy practices which will have a positive impact on the transportation systems of Broward.

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

SEFTC was created by the three MPOs (Broward, Palm Beach, and Miami-Dade) to specifically address and coordinate regional transportation issues on behalf of the residents of this large and complex region. SEFTC facilitates transportation planning by engaging the public and fostering strong partnerships between the three MPOs with other agencies, local governments, and communities. One of SEFTC's most important responsibilities is developing and implementing its RTP in coordination with other regional and local plans, while moving toward an agreed-upon vision for transportation in South Florida. This plan is updated every five years to adapt to population and other changes in or affecting the region. The responsibility for administering the RTP rotates between the three MPOs that make up SEFTC. For this cycle, the Broward MPO has led and managed the 2045 RTP to successful adoption in August 2020. In 2021 the SEFTC led a regional workshop to examine the implementation of a coastal link commuter rail to tie all three counties together. In preparation for the 2050 RTP and respective LRTPs, the Broward MPO is closely coordinating with our partners across various fields to efficiently leverage resources and minimize duplicative efforts at the county and regional levels.

Mobility Hub Development Initiatives

The Broward MPO continues to advance the planning and implementation of Mobility Hubs. During the past year, the Broward MPO introduced the Mobility Hubs Program, a competitive application process for local partners to request Mobility Hub Master Plans and funding for design and implementation of Mobility Hubs. Staff developed policies for the Program and an Evaluation Tool to objectively analyze and rank the applications. After the Board approved the Program, the initial application cycle opened in December 2021 and the application deadline is in February 2022.

The City of Fort Lauderdale is finalizing construction on the Downtown Fort Lauderdale Mobility Hub Streetscape project which addresses transportation connectivity and safety with \$3.5 million in improvements. The City of Hollywood has completed design work on the \$1 million Mobility Hub at Hollywood Boulevard and State Road 7 with construction expected to begin in 2022. The MPO is working with the City of Pembroke Pines to complete the preliminary engineering of their Mobility Hub Master Plan development which will allow for further design and implementation of transit improvements constructed around City Center, Pines Boulevard, and Washington Street.

Renovated MMPL

The Broward MPO's MMPL serves as a bridge between the MPO's MTP and the TIP. This List sets priorities for federal and state funds.

In order to guarantee that the transportation investments are balanced among the transportation modes, percentages agreed upon in the 2045 MTP by the MPO Board were used to distribute revenue among the six programs from the MTP (CSLIP, CSMP, Mobility Hubs, Roadway, Systems Planning/Safety, and Transit). To accommodate the six programs, the MPO introduced an innovative new format for the MMPL that emphasizes transparency and program readiness. Utilizing Microsoft Access's report function, user-friendly reports are customized to provide Board Members, the general public, and planning partners with critical and clear information.

As a result, it supports decision-makers in making informed decisions and facilitates FDOT to program projects.

In order to increase transparency, project information is categorized under six sections. They are: 1. Priority (Current Priority, Prior Year Priority) 2. Project Characteristics (Project Name with Limits, Type of Work, Description, Project Sponsor, Proposed Study, City, Facility Ownership) 3. Financial (Phase, Year, Amount Funded, Funding Needed, Total Project Cost) 4. Funding Source 5. Program Readiness 6. MTP Reference (MTP Page Number, MTP Timeframe). The MMPL highlights funding sources with different colors representing State, Federal, Local, or any combination of the three, for each prioritized project. The MMPL reports are generated by Program and then compiled into an overall list. The ability to customize reports allows the MPO to prepare project lists by city for the various committee and Board Members.

To facilitate project delivery, the new format emphasizes the same program-ready approach as describes above under the CSMP. Program-readiness stands out in the MMPL through the usage of four icons that represent each of the criteria, with a green “Yes” (complies with criteria) or a red “No” (does not comply with criteria) next to each icon. Projects with a green “Yes” in all four criteria indicate that the project is program-ready and is now eligible for funding. Once the overall list is approved by the Board and sent to FDOT for programming, this type of visualization gives FDOT clear direction on which projects to apply funds to. This feature also helps the MPO to track the status of the project and identify what is needed to make a project program-ready.

Another way the MMPL increases transparency is by providing summaries of project prioritization for each of the MTP Programs. In addition, all resolutions of support were packaged by Program and organized in priority order which are hosted on the MPO website.

Coordination with FDOT D4 Planning Team

This past year the MPO took the initiative to schedule weekly coordination meetings with FDOT Planning staff to discuss ongoing matters related to project programming, work program development, and other FDOT/MPO coordination items. The weekly meetings have established a cooperative working relationship between the MPO’s programming team and FDOT planning staff. The two teams worked together to reprogram off-system Complete Streets and other Localized Initiatives Program (CSLIP) projects in a collaborative manner. The MPO team now has a deeper understanding of FDOT’s programming and work program development process. Likewise, FDOT staff has indicated that they have a greater appreciation for the upfront planning and coordination undertaken by the MPO during the project development phase. The weekly meetings have led to improvements in both the MPO’s and FDOT’s processes as it relates to establishing program readiness and project scoping for programming. The two teams also worked together to assign federal CARES funding in the existing TIP and work program on projects that could most efficiently consume the funding within the given limits of the CARES Act. The team is now working together to properly assign the additional federal transportation funding made available through the Infrastructure Investment and Jobs Act and are working cooperatively to ensure all TIP amendments and FDOT administrative checks are satisfied. The teams will continue to meet on a weekly basis to handle these types of matters and improve the project programming process.

Virtual Meetings

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

In late 2021, in an effort to further improve the hybrid meeting experience, the MPO initiated the second phase of upgrades to the Board Room technology that will allow virtual meeting participants to sign into a web-based version of the voting system that fully integrates with the one currently installed in the MPO's Board Room. Once signed in, members will be able to view the agenda, request to speak, and vote as if they were physically present themselves. This system is anticipated to be tested and implemented in early 2022.

Fare Interoperability

The FTA provided funding to the Broward MPO for the implementation of Fare Interoperability. The intent of the program is to provide a seamless transportation experience for transit riders to plan a trip, pay for fares and reload value on a mobile device. The interoperable component seeks to facilitate transit transfers and the payment of fares among the multiple transit systems in South Florida.

After closing out the subrecipient agreement with Broward County Transit, the Broward MPO is using the remaining funds in the grant to advance fare interoperability in coordination with the SFRTA. In October 2021, the MPO Board approved a subrecipient agreement with SFRTA to increase the mobile ticketing and interoperable capacity of their fare collection and payment systems.

Collaboratively Planning With Partner Governments

The MPO established the Planning Technical Assistance Program to collaborate with its partner governments in their efforts to plan, prioritize and fund diverse transportation options. These locally developed, coordinated transportation plans identify transportation needs at the community level. Through this Program, the MPO works collaboratively with partners and the community to develop strategies and improvements for meeting local needs that support regional initiatives. These community-level plans will also identify practical candidate projects for the upcoming 2050 MTP "call for projects", which will ensure that local plans and the MTP follow a consistent and coherent direction. In 2021, the MPO commenced planning efforts with four local partners to develop multimodal plans that improve safety and enhance connectivity, with a focus on increasing access to transit. During this period, the MPO completed a plan in partnership with the City of Tamarac to identify bicycle and pedestrian deficiencies to access transit and compliance with the Americans with Disabilities Act at community shuttle bus stops, and identified improvements and a path forward for implementation.

Field Audits enhanced by Survey123 and ArcGIS Enterprise

Data collection is a major component in developing a plan. The MPO created a walk audit checklist as a way to collect data out in the field. However, these paper audit checklists required a substantial amount of manual data entry into a spreadsheet for GIS post-processing. To enhance efficiency, these paper checklists were migrated to the Survey123 mobile app, part of the Esri Geospatial Cloud, to provide a user-friendly environment for MPO staff to record observations and take geo-located pictures and submit data remotely while in the field. These data are then processed within the ArcGIS Enterprise environment to make visual representations through maps, spatial analysis and to guide recommendations and improvements for the plan.

Transportation Demand Management (TDM)

The MPO has partnered with the Downtown Fort Lauderdale TMA to study TDM and transit strategies used to increase the efficiency of existing transportation systems by influencing demand on those systems to help manage congestion.

The MPO and the TMA are researching and documenting the community's TDM needs with specific focus on traffic mitigation, teleworking, flexible work schedules, mobility for seniors, transportation advocacy, safety, and environmental impacts. Once these needs are identified, the partners will implement efficient TDM systems and programs through the Congestion Management Process that will enhance the area's competitiveness and economic vitality and continue its image as an attractive place in which to live, work, visit, and conduct business.

With the expanded use of TDM initiatives and multimodal transportation planning, the goal is to make a positive impact to reduce traffic congestion and enhance the connectivity between modes of travel. These efforts will effectively enable increased productivity in local workforces, as well as provide for greater accessibility and mobility options for the commuting public.

Part 1 Section 6: MPO Comments

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

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

The MPO looks forward to continuing our strong partnership with the District and Central Office and to implementing projects together with the additional funding coming from Washington.



Broward MPO
Joint Certification - CY 2021
1/17/2022

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Purpose

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

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

Certification Process

Please read and answer each question within this document.

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

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

Note: This certification has been designed as an entirely electronic document and includes interactive form fields. Part 2 Section 9: Attachments allows you to embed any attachments to the certification, including the [MPO Joint Certification Statement](#) document that must accompany the completed certification report. Once all the appropriate parties sign the MPO Joint Certification Statement, scan it and attach it to the completed certification in Part 2 Section 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 2 Section 1: Risk Assessment evaluates the requirements described in [2 CFR §200.332 \(b\)-\(e\)](#), also expressed below. It is important to note that FDOT is the recipient and the MPOs are the subrecipient, meaning that FDOT, as the recipient of Federal-aid funds for the State, is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations.

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

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

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

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

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

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

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

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

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

subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.

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

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

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

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

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

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

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

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

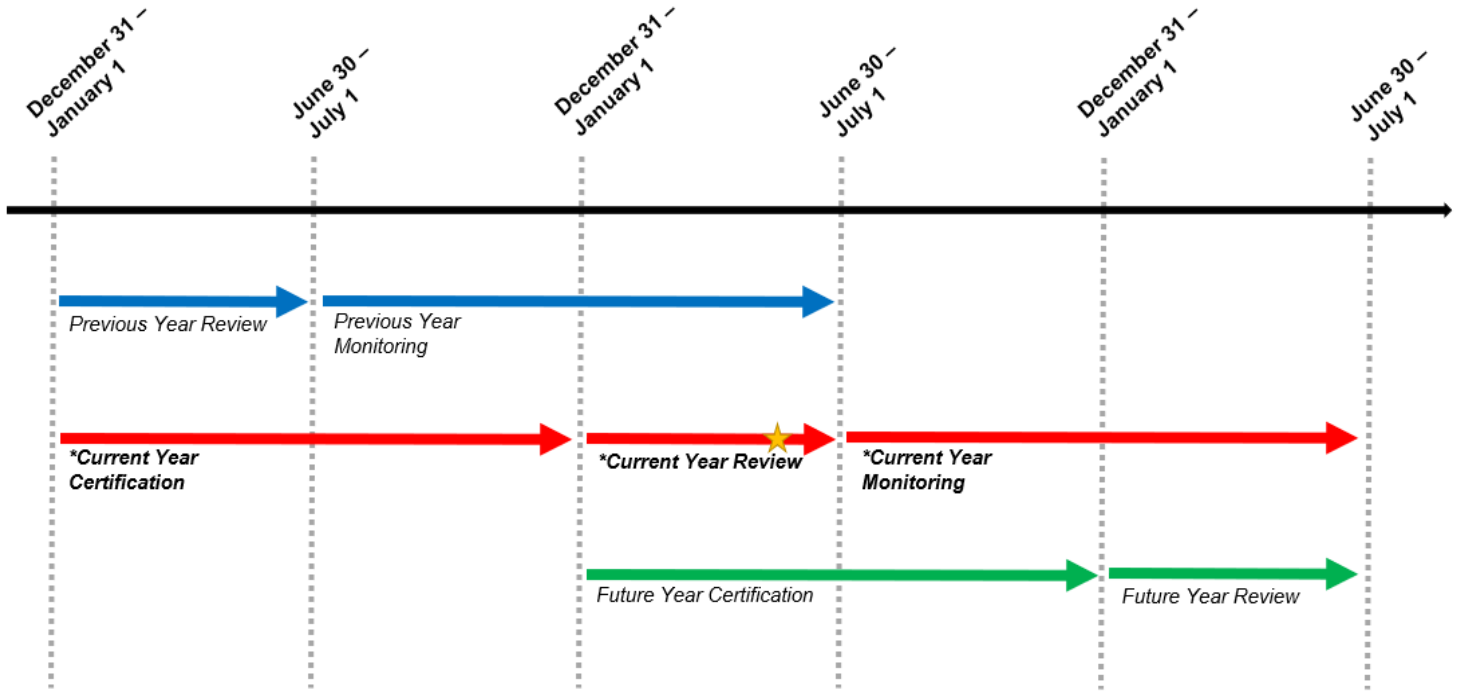
The questions in Part 2 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO’s supporting documentation for their invoices is reviewed by FDOT MPO Liaisons for the upcoming year. The 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 2

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

Part 2 Section 1: Risk Assessment

MPO Invoice Submittal

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

Table 2. MPO Invoice Submittal Summary

Invoice #	Invoice Period	Date the Invoice was Forwarded to FDOT for Payment	Was the Invoice Submitted More than 90 days After the End of the Invoice Period? (Yes or No)
G1057-7	01/01/2021-01/31/2021	03/15/2021	No
G1057-8	02/01/2021-02/28/2021	04/28/2021	No
G1057-9	03/01/2021-03/31/2021	04/28/2021	No
G1057-10	04/01/2021-04/30/2021	05/13/2021	No
G1057-11	05/01/2021-05/31/2021	06/28/2021	No
G1057-12	06/01/2021-06/30/2021	08/25/2021	No
G1057-13	07/01/2021-07/31/2021	10/12/2021	No
G1057-14	08/01/2021-08/31/2021	10/13/2021	No
G1057-15	09/01/2021-09/30/2021	10/26/2021	No
G1057-16	10/01/2021-10/31/2021	11/03/2021	No
MPO Invoice Submittal Total			
Total Number of Invoices that were Submitted on Time			10
Total Number of Invoices Submitted			10

MPO Invoice Review Checklist

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

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

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

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

Table 3. MPO Invoice Review Checklist Summary

MPO Invoice Review Checklist	Number of Correct Materially Significant Finding Questions
G1057-07	7/7
G1057-08	7/7
G1057-09	7/7
G1057-10	7/7
G1057-11	7/7

G1057-12	<i>7/7</i>
G1057-13	<i>7/7</i>
G1057-14	<i>7/7</i>
G1057-15	<i>7/7</i>
G1057-16	<i>7/7</i>
MPO Invoice Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	70/70

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

MPO Supporting Documentation Review Checklist

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

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

Table 4. MPO Supporting Documentation Review Checklist Summary

MPO Supporting Documentation Review Checklist	Number of Correct Materially Significant Finding Questions
FHWA-GO57-11	25

MPO Supporting Documentation Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	25/25

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

Technical Memorandum 19-04: Incurred Cost and Invoicing Practices

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

Please Check: Yes No N/A

Risk Assessment Score

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

Table 5. Risk Assessment Scoring

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

Risk Assessment Percentage: 100%

Level of Risk: **Low**

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

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft and final LRTP and the LRTP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 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

N/A

Part 2 Section 3: Transportation Improvement Program (TIP)

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft and final TIP and the TIP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 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

- TIP FY 22-26 Final Draft.pdf – 06/01/2021
- Broward MPO TIP Checklist. docx – 06/15/2021
- TIP FY 22-26 Final approval.pdf – 07/08/2021
- 2021/2022 Roll Forward Report – 09/09/2021
- FM #437990-1 FM #437990-3 TIP Amendment Package.pdf – 09/09/2021
- FM #231482-4 FM #429576-4 FM #429576-9 FM #431756-2 FM #432006-8 FM #434711-3 FM #438116-1 FM #443944-1 FM #443945-1 FM #443976-1 Modification Package.pdf – 11/2/2021
- FM #439324-3 TIP Modification Package.pdf – 11/05/2021
- TIP Amendment for Miccosukee Tribe (Everglades) – 12/9/2021

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

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

Please Check: Yes No

If yes, please ensure any correspondence or comments related to the draft and final UPWP and the UPWP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 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 2 Section 5: Clean Air Act

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

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

Title(s) of Attachment(s)

N/A

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

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

Please Check: Yes No N/A

Part 2 Section 7: MPO Procurement and Contract Review

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

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

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

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

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

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

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

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

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

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

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

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

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

Part 2 Section 8: District Questions

The District may ask up to five questions at their own discretion based on experience interacting with the MPO that were not included in the sections above. Please fill in the question, 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. Calendar year (CY) 2021 continued to be a challenging year for all agencies in many ways. This year, how has the MPO continued to adapt during the ever-changing conditions to maintain a Continuing, Comprehensive, and Collaborative (3C) program as the COVID-19 pandemic continued to ebb and flow? How was public input collected as the COVID-19 protocols continued to change? What delays, if any, were encountered in your operations or functions this year? Has your agency implemented any new outreach/collaboration efforts this year that you plan to continue, moving forward? Discuss any new best practices adopted during CY 2021 and discuss where the MPO sees additional opportunities to improve engaging with partners in the 3C process.

The Broward MPO has been fortunate in that for the last several years it has been equipped (from an information technology standpoint) to handle emergency situations and natural disasters such as the hurricanes and tropical storms which frequently bombard our coastline. Although COVID-19 is a different type of disaster, when the MPO's Continuity of Operations Plan (COOP) was put into effect in March of 2020, the result was that the entire MPO staff was able to instantly transition to telework/remote working with little disruption to the Organization. This transition was made easier by the annual dry runs of the MPO's COOP (which all staff are required to participate in) and the fact that the COOP is regularly updated to keep pace with the MPO's current technology. The result of all this was that very little adaptation was required on the MPO's part to adjust to the conditions of the pandemic, maintain normal operations, and avoid delays. Further, the MPO took the opportunity to update its COOP to incorporate modifications for lessons learned from the COVID-19 experience that can be applied to any future pandemic conditions. The MPO has also updated its policies regarding telework as, like many organizations, the pandemic forced a shift to telework that allowed senior leadership to recognize the many positive benefits of telework for both individuals and the

Organization. Telework combined with hotel office accommodations has eliminated our need to lease additional office space to accommodate our growing agency. We have seen that telework and virtual meetings do not negatively impact MPO functions or interfere with the 3C's. As noted below, we have seen increased partner and public participation. Further, we understand the benefits of telework as a transportation demand management strategy which we intend to promote to partners and local businesses. Perhaps the biggest and most tangible change the pandemic brought about was the shift to virtual public meetings. Fortunately, this was another area the MPO was able to rise to the challenge and develop potential best practices. At the start of the pandemic, staff immediately went to work researching virtual meeting software, state and federal regulations, Americans with Disabilities Act compliance, and drafted manuals and guidance documents to help ease the transition for Board Members, presenters, and other staff. In addition, the MPO began the practice of conducting dry runs prior to some of its larger meetings to ensure that presenters are comfortable with and able to use the available technology. This practice continues to remain in place at the request of several board/committee Chairs who find it beneficial. As updated meeting requirements came down from the Governor's office, staff has worked hard to strike a balance between the requirements and board/committee member concerns about physical attendance during the ongoing pandemic. In 2021 the MPO ended up amending its Rules to allow for hybrid (or partially virtual) meetings to continue to take place so long as a physical quorum was present in the MPO's Board Room. In order to allow this to happen, modifications were made to the equipment in the Board Room to allow those physically present to interact with those on Zoom. In the closing days of 2021, the MPO initiated the second phase of upgrades to the Board Room technology that will allow virtual meeting participants to sign into a web-based version of the voting system that fully integrates with the one currently installed in the MPO's Board Room. Once signed in, members will be able to view the agenda, request to speak, and vote as if they were physically present themselves. These investments in technology, coupled with the desire from our members for more options when it comes to attending meetings, will ensure that hybrid meetings continued to be offered by the MPO going forward. As an additional benefit, the MPO has noted better

attendance at our virtual advisory committee and Board meetings by members and the public. MPO staff has noted that virtual meetings with our local member governments and partners have been more productive and better attended. Downtime travel between meetings and office is eliminated for all parties.

The pandemic has forced many agencies to rethink their approach to public engagement. Although there were times in 2021 where conditions allowed for some in-person events and traditional outreach to take place, many of the MPO's public outreach events had to continue in a virtual format (for example, the virtual Safe Streets Summit, virtual Let's Go Biking! event, and Open Streets webinar). The MPO also leveraged its significant online presence to continue its webinar series with panel discussions on many elements and aspects of transportation. This webinar series has continued to expand and features more involvement by the MPO's partner agencies. The MetroLAB at Florida Atlantic University in partnership with the Broward MPO and the South Florida Business & Wealth Magazine conducted a series of three panels on the MPO's visioning plan: Vision 2100. As with the virtual public meetings, strong attendance was noted for some of the online events. This is something the MPO (and hopefully other agencies as well) will take note of when considering outreach methods and seek out new, innovative ways to reach both partners and the public. In addition, the MPO has experienced increased activity across all its social media platforms during the pandemic, further indicating our ability to reach a bigger audience even during a pandemic.

With many activities going virtual in light of the COVID-19 pandemic, the MPO has continued to provide access to those legally blind or with Limited English Proficiency (LEP) through various methods. All meetings are closed captioned and the MPO website has undergone extensive updates so that all content is ADA accessible. In addition, staff have remained available (including land-line accessible) in a virtual environment to provide language and translator services. Inventory on the languages spoken and understood is done regularly to be as up to date as possible. While traditional methods to reach those without web/phone were made even more limited through COVID as libraries, community centers, etc. were closed, the Broward MPO continued to make our meeting calendar available through posting outside of our physical office for the public.

2. The Florida Transportation Plan (FTP) embraces a vision of how our transportation system meets the changing needs of our state. It also focuses on how we can work together to accomplish these seven goals: 1) safety for all modes of transportation; 2) maintaining infrastructure; 3) enhance mobility; 4) expand transportation choices; 5) invest in the economy; 6) support quality places and communities; all while 7) minimizing impacts on the environment. In CY 2021, explain how and where the following were address and incorporated: Safety, Enhanced Mobility, Resiliency and Sustainability, Autonomous, Connected, Electric, and Shared (ACES) mobility opportunities and impacts. How did the MPO work with their partners to address/incorporate the four (4) above goals?

In May 2020, the Broward MPO approved its FY 2020/2021 – 2021/2022 UPWP that includes funding for efforts and projects related to safety, resiliency and sustainability, and ACES. The following explains how these efforts have advanced.

The MPO's 2045 Metropolitan Transportation Plan (MTP) included significant new funding for both on and off-system safety projects consistent with the MPO and FDOT vision zero Safety Performance Measures. The Plan conducted a countywide safety analysis of on and off-system signalized intersections, unsignalized intersections, and corridors with high crash severity to begin programming safety studies and capital projects to address these areas. In addition, the 2045 MTP identified new safety funding from the 10% State Arterial funding eligible for off-system improvements to address the mutual performance measure targets of the MPO and FDOT. MPO staff is actively coordinating with FDOT staff from the Safety Office to identify on-off safety system projects and seek ways to involve local planning partners in this process. The MPO looks forward to working with FDOT during the upcoming Multimodal Priorities List (MMPL) cycle to begin programming these projects and focus the 10% State Arterial Funding on off-system safety projects as specified in the 2045 MTP. In CY 2021, MPO staff began work on establishing an off-system Roadway Safety Audit process to review high crash locations identified in the MTP, conduct roadway safety audits, and develop projects for inclusion in the MMPL and, ultimately, the TIP. The MPO plans to follow this process annually and will work closely with the FDOT D4 safety office to ensure the requirements

for HSIP funding are met (in addition to leveraging other MPO attributable funds for these projects).

On resiliency and sustainability, the MPO identified eight priority corridors for resiliency improvements in the 2045 MTP and has included these projects in the MMPL. The MPO identified funding in the UPWP for a joint Transportation Resiliency Framework Study with various stakeholders including FDOT. The study kicked off in February 2021. It will produce a framework to address vulnerabilities in the transportation network by taking a holistic approach to resiliency and serve as a bridge between the MPO and future FDOT studies. A working group including FDOT representatives was established to steward the study. The fiscal year (FY) 2022-26 Draft Tentative Work Program includes funding for the planning phase for five of the eight MPO priority corridors. The MPO will work with local municipalities to address the off-system corridor improvements.

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

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

3. Describe the MPO’s relationship between FDOT and other partner agencies (i.e.: SFRTA, Broward County/Transit, Local Municipalities, etc.) over the past year (2021). What is working well? What areas can be improved? What ideas/coordination could be identified to enhance the relationships?

Despite the continued impacts of COVID, the MPO has maintained our relationships with all our partner agencies through the use of virtual meetings and other online platforms. In some ways, the virtual setting facilitated greater collaboration, as mentioned in the response to question one above. For instance, the use of SharePoint allowed for this year’s Transportation Regional Incentives Program priority list to be edited collaboratively by the three MPOs that make up the Southeast Florida Transportation Council (SEFTC). Our partner agencies have become adept and accustomed to virtual meetings which have allowed the MPO the opportunity to provide educational opportunities including workshops on commuter rail and federal grants planning. The digital platform allowed for hundreds of participants and panelists throughout the state and country.

Currently, there are few facilities which can safely accommodate a physical meeting and has the necessary technology to facilitate hybrid options. We recommend allowing regional bodies to conduct all meetings virtually.

Despite this challenge, our relationship with our partners has not suffered during a challenging CY 2021. For the most part, the social distancing and virtual environment demonstrated that we were prepared for this type of event and we were easily able to

adapt and, in some cases, improve upon our ability to connect with communities and with our local and regional partners.

Part 2 Section 9: Recommendations and Corrective Actions

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

Status of Recommendations and/or Corrective Actions from Prior Certifications

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Recommendations

Recommendations:

1. Based on the recent audit from the Office of Inspector General (OIG), it is evident that a more systematic (and sequential) submittal of invoices and UPWP modifications is necessary in order to maintain consistency among the invoices, the budgeted amount for each task and fund type, the amount expended from each task and the balances available for each task – as opposed to submitting multiple documents (invoices/modifications) for review and approval at the same time. Moving forward, the Department will only accept a single invoice or UPWP modification for review/approval. Once approved the related document or subsequent document can be submitted for review, approval, and processing. This will ensure accuracy of the information and eliminate further delays due to subsequent submittals.

Comments:

1. The Department acknowledges and values the Broward MPO's emphasized safety initiative/program and is supportive of, and committed to, working together to prioritize and move on- and off-system safety projects through the development process and into construction.
2. The Department recognizes Broward MPO's commitment to multimodal transportation planning and we look forward to your continued leadership role in regional transportation efforts.
3. The District appreciates the ongoing collaboration with the MPO regarding the Department's conversion to the Grant Application Process (GAP) system for proposed project submittals. We look forward to continued discussions to ensure the necessary

details can be made available for all system users to access during the next application cycle while minimizing duplicative efforts.

Corrective Actions

Part 2 Section 10: Attachments

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

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

FLORIDA DEPARTMENT OF TRANSPORTATION
**MPO JOINT CERTIFICATION
STATEMENTS & ASSURANCES**

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**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 Broward MPO with respect to the requirements of:

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

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on 01/25/22.

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


Name: Gerry O'Reilly
Title: District Secretary (or designee)

5/5/2022
Date


Name: Frank Ortiz
Title: MPO Chairman (or designee)

3-10-22
Date


FLORIDA DEPARTMENT OF TRANSPORTATION
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DEBARMENT and SUSPENSION CERTIFICATION

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

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



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

February 10, 2022
Date

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LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

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

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Broward MPO, to any person for influencing or attempting to influence an officer or employee of any Federal or state agency, or a member of Congress or the state legislature in connection with the awarding of any Federal or state contract, the making of any Federal or state grant, the making of any Federal or state loan, extension, continuation, renewal, amendment, or modification of any Federal or state contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Broward MPO shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts and subcontracts under grants, subgrants, loans, and cooperative agreement), which exceeds \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- (4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.



Name: Frank Ortis

Title: MPO Chairman (or designee)

February 10, 2022

Date

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DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

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

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

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



Name: Frank Ortis

Title: MPO Chairman (or designee)

February 10, 2022 _____
Date

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TITLE VI/ NONDISCRIMINATION ASSURANCE

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

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

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

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



Name: Frank Ortis

Title: MPO Chairman (or designee)

February 10, 2022

Date

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APPENDICES A and E

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

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

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