



*Florida Department of Transportation*

**RICK SCOTT**  
GOVERNOR

3400 West Commercial Boulevard  
Ft. Lauderdale, FL 33309

**MIKE DEW**  
SECRETARY

July 11, 2017

The Honorable Richard Blattner, Chair  
Broward Metropolitan Planning Organization  
100 West Cypress Creek Road  
6<sup>th</sup> Floor, Suite 650  
Fort Lauderdale, FL 33309

Dear Commissioner Blattner:

**RE: Broward Metropolitan Planning Organization (MPO)  
2017 Modified Joint State/MPO Certification Review Package**

Enclosed please find the fully executed 2017 Joint State/MPO Certification Review Package for the Broward MPO, including the joint certification report, signed joint certification statement, and statements and assurances.

The District looks forward to working with the MPO on implementation of the recommendations listed in this report and those included in the federal quadrennial review to further enhance the transportation planning process in the coming year.

Please contact Ms. Lisa Dykstra, Transportation Planning Manager by email at [Lisa.dykstra@dot.state.fl.us](mailto:Lisa.dykstra@dot.state.fl.us) or by phone at 954-777-4360 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mayur Patel", with a small dot at the end.

Mayur Patel, P.E.  
District Planning & Environmental Administrator  
District Four

MP:ms

CC: Stacie Blizzard, FHWA  
Alex Gramovot, Central Office  
Greg Stuart, Broward MPO  
Yvette Taylor, FTA

# Miami Urbanized Area (UZA) Transportation Management Area (TMA)

## Joint State/MPO Certification Review

Broward Metropolitan Planning Organization  
(MPO)

2017



Broward **MPO**  
Metropolitan Planning Organization

**FDOT**

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As required per 23 CFR 450.336, the Florida Department of Transportation (FDOT) District Four conducted a modified Joint State/MPO Certification Review of the Broward Metropolitan Planning Organization. The 2017 Joint State/MPO Certification Review considered the 2015 Federal Certification Review "Corrective Actions" and "Recommendations", as well as the status of recommendations from the 2016 Joint State/MPO Certification Review.

Additionally, this report assesses the written and verbal responses to questions presented via email to MPO staff by FDOT in February 2017. The questions were asked based on the 2016 Modified Joint State/MPO Certification Review process, regular coordination with MPO staff and committee meetings. Areas that are not commented on in this report are considered to have met or exceeded requirements.

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## **Status of 2016 Joint State/MPO Certification Review Corrective Actions**

The 2016 Joint State/MPO Certification Review found no Corrective Actions.



## Status of 2016 Joint State/MPO Certification Review Recommendations

FDOT Recommendations	MPO Response	FDOT Response
<p><b>1. Public Participation</b> The MPO should document coordination with the FDOT Public Involvement Handbook (Statewide Public Involvement Plan) in addition to its well defined regional goals.</p>	<p>The next revision to the Public Participation Plan will make direct reference to FDOT's December 2014 Public Involvement Handbook. Currently, MPO staff refer to the handbook as appropriate for verification and ideas for suitable approaches and techniques. In addition, we have now provided a link to FDOT's Handbook on our website Public Participation Plan page.</p> <p><a href="http://www.browardmpo.org/index.php/core-products/public-participation-plan-ppp">http://www.browardmpo.org/index.php/core-products/public-participation-plan-ppp</a></p>	Satisfied
<p><b>2. Joint State/MPO Certification Review</b> The certification review process requires the MPO to answer each question in addition to providing the page of the document being referenced (when applicable). In some instances, the review team was not able to locate the requested information on the page(s) provided. In subsequent certification reviews, please quote or summarize relevant portions of the page.</p>	<p>Understood. In subsequent certification reviews, including 2017, the MPO will quote or summarize relevant portions of the referenced page(s). Please note that the documents/pages being referenced in 2016 were correct at the time the 2016 State Certification responses were submitted. Unfortunately, about a month later the MPO revamped our web site which broke/changed the referenced links. This should not happen again as we now have a more public friendly web site and we do not anticipate any near-term changes.</p>	Satisfied
<p><b>3. Title VI</b> The MPO is applauded for implementing a system of documenting complaints and determining whether or not they are Title VI related. However, the attachments for the examples provided were not accessible. The MPO should continue to document all complaints and ensure the records of said complaints are accessible when requested.</p>	<p>Agree. This was unfortunate in the timing as links were active and working at the time of submission. During the lapse in time from submission to review the MPO's website was totally revamped and relaunched. The MPO continues to document all complaints and records of any complaints are always available from the MPO when requested.</p>	Satisfied

## Status of 2016 Joint State/MPO Certification Review Recommendations (cont'd)

FDOT Recommendations	MPO Response	FDOT Response
<p><b>4. Tribal Coordination</b> FDOT acknowledges that the MPO has actively sought the Seminole Tribe of Indians' participation in the metropolitan planning process. The MPO should continue to periodically attempt to pro-actively involve the tribe in its coordination and decision making process.</p>	<p>The Executive Director is working directly with the Seminole Tribe of Florida to have a participant in the Technical Advisory Committee. He has also been working with Mr. Harris Hamad, PE on transportation and land use considerations for redevelopment occurring on tribal properties within the MPO boundaries. Further, it has also been agreed that the Tribe will participate in the 2045 Regional Transportation Plan. There is also interest in submitting joint grant applications for transportation improvements.</p> <p>MPO staff also provides, on an ongoing basis, the <i>MPO Currents</i> weekly e-news that highlights activities of the MPO and its partners, which includes local, state and federal funding opportunities that tribes are eligible for. In addition, MPO staff participated in a planning collaborative break out session with the Tribe at the Broward Exchange Partnership hosted by Florida Department of Transportation. Further, on behalf of Miccosukee Tribe of Indians of Florida, a letter of support was provided for its FHWA Safety Grant application.</p>	Satisfied
<p><b>5. UPWP</b> The MPO must ensure that the final invoice to close out the current UPWP is submitted to the Department no later than 8/30/2016 as no time extensions will be considered this cycle.</p>	<p>The final invoice to close out the FY 14/15 – FY 15/16 UPWP was submitted to the Department in a timely manner.</p>	Satisfied
<p><b>6. Board and Committee Meeting Dates</b> The MPO Board should take into consideration required federal and state deadlines for MPO deliverables when scheduling board and committee meeting dates.</p>	<p>The Broward MPO has regularly scheduled monthly meetings with the MPO Board and Committees. Meeting deadlines for MPO deliverables have not been a problem in the past. The MPO will continue to work with our federal and state partners to ensure that we continue to meet deadlines.</p>	Satisfied

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## **Status of Outstanding 2015 Federal Certification Review Corrective Actions**

There are no outstanding Corrective Actions from the 2015 Federal Certification Review.



## Status of Outstanding 2015 Federal Certification Review Recommendations

### Federal 2015 Recommendations

### MPO (2016) Response

### FDOT Response

#### 1. Public Participation Plan

To the extent Broward MPO does decide to issue municipal or similar grants, the Federal Review Team recommends that the MPO develops a process to ensure the grantee has appropriate nondiscrimination programs and processes.

Should the MPO offer mini grants in the future, applicants will be asked to provide back up to show they have the appropriate nondiscrimination programs and processes in place.

Satisfied  
& Ongoing

#### 2. Title VI and Related Requirements

Environmental justice policies, projects and other activities advanced to benefit or to avoid, minimize or mitigate adverse impacts on minority and other communities should be described in MPO plans.

The MPO utilizes an EJ screening in the LRTP project identification and selection process which is described above in Subject Areas #3, #4, #7, #8, #9, and #10, Question 3.

As part of the most recent Transportation Improvement Program (TIP) update, the Broward MPO is developing demographic maps which include overlaid projects in the TIP. An example can be found at: FY 2016 TIP Projects by Minority Ratio. Finally, the Broward MPO's corridor studies include project prioritization criteria related to Environmental Justice metrics. Metrics, such as high bus transfer locations and zero car households, are also proxies for Environmental Justice characteristics which are included in corridor studies as part of the project selection and prioritization process.

Satisfied  
& Ongoing

#### 3. Long Range Transportation Plan - Multimodal

The Federal Review Team recommends that in the next update of the LRTP, the multimodal nature of the Plan be given more emphasis and a more clear connectivity between all the modes be provided.

In the next update of the LRTP, the MPO will give much greater emphasis to the multimodal nature of the Plan and will highlight the connectivity between all modes.

Satisfied  
& Ongoing

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## **2017 Joint State/MPO Certification Review Corrective Actions**

The 2017 Joint State/MPO Certification Review found no Corrective Actions.



## 2017 Joint State/MPO Certification Review Recommendations

### #1 TDM

The MPO is commended for embracing flexible work schedules, a proven effective Transportation Demand Management (TDM) strategy. In doing so, accommodations should also be made to ensure that the public, stakeholders and agency partners are able to conduct normal business with the MPO during traditionally accepted business hours and days (8:00 AM to 5:00 PM, Monday thru Friday).

### #2 Performance Measures

The MPO should continue to provide updates to FDOT on its progress in implementing performance measures (i.e. developing and sharing performance data with planning partners and transportation providers, setting performance targets, tracking and reporting of targets) and incorporating them in its planning products per the FAST Act in the following modes/areas:

- a. Freight
- b. Non-motorized
- c. Vehicular
- d. Transit

### #3 ETDM

With the exception of Strategic Intermodal System (SIS) and bridge replacement projects, the MPO should screen all capacity projects on its List of Priority Projects (LOPP) using the Efficient Transportation Decision Making (ETDM) process (programming screen) prior to the LOPP being transmitted.

### #4 Regional Transit

The MPO should update FDOT on its current and/or planned effort(s) to support the advancement of regional transit via seamless regional, interoperable transit fare collection.

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## 2017 Joint State/MPO Certification Review Recommendations (cont'd)

### #5 TIP

The MPO should apply and address the following comments on its 2016 Transportation Improvement Program (TIP) to its 2017 and subsequent TIPs:

- a. The TIP should include a list of definitions.
- b. The MPO should state directly in the narrative that the TIP contains ALL transportation projects. As-is, it is implied.
- c. The TIP includes additional valuable information that is not required. The MPO should use caution when including such information as an overabundance of information could cloud the specific information that is intended to be presented in the TIP.

### #6 UPWP

The MPO should continue to work with the District and MPOAC to ensure that the Unified Planning Work Program (UPWP) and planning Joint Participation Agreement (JPA) are utilized as intended.

### #7 Joint Certification Review

The MPO should continue implementation of all recommendations from the 2016 Joint Certification Review where FDOT's response was "Satisfied & Ongoing".

## 2016 Noteworthy Practices

### Think Like a Planner Workshops

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As part of its commitment to outreach and education, the Broward MPO has hosted several "Think Like a Planner" workshops to teach planning principals to local high school students, and have students learn more about careers in transportation, engineering, and related fields. At the workshops, students brainstorm ways to make the Cypress Creek Mobility Hub area safer and more accessible for all modes of transportation, especially those who walk, bike, and take transit. Students present their findings to a panel made up of Broward MPO Board Members and local transportation professionals.

### Coordination with Partners

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The Broward MPO works closely together with its regional partners, Broward County Transit, Tri-Rail, the Florida Department of Transportation, and South Florida Commuter services, to advance education and outreach goals, and reach a broader and more diverse audience in the process. This cooperative effort has allowed the Broward MPO and partners to combine resources and realize greater efficiencies when performing public outreach. Representatives from each of the partner organizations meet bi-monthly to discuss opportunities to promote transit and multi-modal alternatives in South Florida. The partnership and coordination has extended to the 2017 Safe Streets Summit, Tri-Rail Fun Day, the Let's Go Biking event, and more.

### Walk to School Day Program

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The Broward MPO partnered with Broward County Public Schools for the 2016 Walk to School Day to encourage elementary school aged children to walk to school. The MPO coordinated with the School Board and enlisted Board members to participate. Ultimately, fourteen Board Members and six MPO staff members visited schools in their communities and overall MPO coverage spanned countywide. Next year, the MPO will strive to involve more Board Members at schools within their respective constituencies.

### SW 10th Street Consensus Building

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The Broward MPO led a consensus building effort utilizing a context sensitive design approach for the SW 10th Street Corridor to incorporate and address local community concerns. After meeting with hundreds of stakeholders, receiving feedback and gaging interest levels of connecting a missing link in the highway transportation network, a group of seventeen community members was assembled to represent the interests of the larger region. The Broward MPO held a series of educational meetings to facilitate conversations and organize consensus on the future of the corridor. Over the course of nine months, the community representative group was familiarized with planning principles, and was presented with current and projected traffic counts, and potential design options for the area. The group endorsed the need for a PD&E study on the corridor, outlining aspects they would like to see considered. These aspects were adopted by the MPO Board, whom directed FDOT to begin the PD&E. The FDOT District Secretary hailed this process as unprecedented and a best practice.

### Funding and Grants Opportunity Outreach

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In an effort to increase funding for transportation improvements, funding opportunities are identified by the MPO through active research and analysis of a wide range of grants from federal, state, and private foundation resources. These opportunities are distributed to partners in a monthly e-news/e-blast, along with "Lessons Learned" about ways to improve future grant applications and examples of successfully awarded transportation projects. In addition, the MPO designed a Go/No-Go Decision Matrix Tool to help determine if a grant application is worth pursuing by matching goals and objectives, and warrants the best possible use of partnership and community resources. Further, the MPO hosts training programs to help increase community and partner knowledge and skills in federal grants proposal development.

## 2016 Noteworthy Practices (cont'd)

### Complete Streets Initiatives and Education

The Broward MPO developed the Complete Streets Initiative program, guided by the Complete Streets Advisory Committee (CSAC), with the main intent to move forward Complete Streets concepts and provide the necessary tools to local governments in implementing Complete Streets in their communities. The Initiative also serves as a platform to move forward active transportation projects from the planning phase to design and construction through the Broward MPO's Mobility Program. From this effort, the Broward MPO has moved into the implementation phase for approximately \$140 million in Complete Streets projects programmed in the current Transportation Improvement Program, adding approximately 110 miles of bicycle facilities and 35 miles of pedestrian facilities to the existing network.

In addition, the Broward MPO was awarded an \$11.4 million Transportation Investment Generating Economic Recovery (TIGER) grant from the US Department of Transportation to further complement current efforts. The Broward MPO partnered with municipal governments, Fort Lauderdale, Oakland Park, Lauderdale Lakes, Pompano Beach, and the Broward County government and the Florida Department of Transportation to identify active transportation deficiencies.

To emphasize the benefits of active transportation, the Broward MPO established three annual events:

- **Safe Streets Summit** – An annual summit to promote Complete Streets concepts, educate, and receive “buy-in” from local public officials, provide municipal technical staff with the necessary tools to implement Complete Streets, and highlights the Broward MPO and partners’ ongoing efforts. The events feature nationally recognized experts and panelists who speak on the economic, health, and safety benefits of a street designed for all users.

The January 2017 Safe Streets Summit was the first regional Safe Streets Summit held in partnership with the Palm Beach MPO and Miami-Dade MPO, and was attended by nearly 300 elected officials, technical staff, and transportation advocates. It featured a mobile workshop which included a 10.5 mile bicycle ride along Broward's premier Greenways followed by a workshop to discuss enhancements to connections, crossings, and amenities along these greenways. The Safe Streets Summit was headlined by nationally renowned transportation experts, Charles Montgomery and Emiko Atherton, in addition to multiple plenary sessions focusing on topics of implementation, evaluation, equity, and funding. The Summit also featured a speaker’s roundtable dinner with the region’s elected officials to discuss current transportation policy initiatives and future opportunities for Complete Streets improvements. The 2018 Safe Streets Summit will be held in Palm Beach, continuing the regional focus of the event.

- **Let’s Go Biking!** - This annual community engagement event provides an opportunity for cyclists of all ages and abilities to ride along a predetermined route and experience the benefits of active transportation. In addition to the bike ride, helmet and bicycle giveaways, healthy eating demonstrations, bicycle rodeos, and other fun activities are planned. Approximately 100 participants attended and participated in the Let’s Go Biking! event in March 2016 in the city of Pembroke Pines.

- **Let’s Go Walking!** – The Broward MPO, in partnership with the City of Dania Beach hosted its inaugural Let’s Go Walking! event on October 29th, 2016. This community engagement effort attracted approximately 75 participants. The intent of this annual event is to, not only experience the benefits of active transportation but also highlight community assets and opportunities. People who walk are more likely to notice these assets, such as shops, restaurant and other opportunities rather than people who drive at 55 MPH. As with any other Broward MPO community engagement effort, additional fun activities were planned.

## 2016 Noteworthy Practices (cont'd)

### **Bicycle/Pedestrian Safety Action Plan**

The State's Planning Emphasis Area (PEA) is to develop or further implement a Pedestrian Safety Action Plan. Bicycle and Pedestrian safety issues are closely related, and Broward MPO is working alongside an Advocacy Team made up of technical staff, law enforcement, community advocates, and elected officials, to draft a Bicycle/Pedestrian Safety Action Plan which will analyze crash data, identify high crash locations, and develop countermeasures to address safety issues based on accident type. Using FDOT's Crash Analysis Reporting System (CARS) and Signal Four Analytics, five crash hot spots were identified. The Advocacy Team conducted field reviews and drafted fact sheets outlining bicycle/pedestrian crash data, field observations, and recommendations. These crash hotspots have become the foundation for the five roadway typologies (Urban Corridor, Urban Intersection, Suburban Corridor, Suburban Intersection, and Beach-Access Corridor) which will ultimately be used to translate the hot-spot data into a county-wide action plan. The Advocacy Team requested that the action plan include recommended policy changes to influence safer intersection and roadway design. Moving forward, the advocacy group and MPO staff will identify strategic institutional changes needed to address Broward's safety issues and how those changes can be accomplished. The final report will be used to inform the Complete Streets Initiative and other planning efforts, and will be available commendations, countermeasure, and report will be available in Summer 2017.

### **Broward MPO Freight Transportation Advisory Committee**

During the October 2016 Broward MPO meeting, a Freight Transportation Advisory Committee (FTAC) was established and tasked with promoting the importance of freight mobility and ensuring that freight priorities are represented in the MPO's Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP). The FTAC is comprised of members who are directly involved in the movement, storage and

distribution of freight and represent a broad spectrum of the Freight community including: warehouse owners, industrial realtors, shipping and trucking companies, freight forwarders, importer/exporters, truck parking, and distribution companies. The FTAC will meet on a quarterly basis.

### **Transportation Improvement Program (TIP) User Friendly Enhancements**

As part of the Transportation Improvement Program (TIP) development process, the MPO has implemented an Interactive TIP Tool. The Tool helps save time and personnel requirements in the development of the annual TIP document. The tool also improves information about projects by providing project location maps and detailed financial information features not available prior to the implementation of this interactive software. Additionally, to assist its transportation partners in using the Interactive TIP Tool and to add locally funded projects to the new TIP, the Broward MPO provides in using the Interactive TIP Tool and to add locally funded projects to the new TIP, the Broward MPO provides training classes that demonstrate how to use the tool. Also, individual meetings are scheduled, when requested, to address any questions related to the software. In order to address concerns related to "user-friendliness" of the current interface, the Broward MPO took the lead and upgraded the existing tool which is easier to use, incorporates more robust mapping functions, and includes more resources for TIP analysis including EJ and Title VI. The upgraded tool includes a Traffic Analysis Zones (TAZ) Map Viewer to display TAZ data and provides basic analysis tools to help users understand and visualize demographic trends resulting from the data. This tool will allow the public and partner agencies to interact with TAZ data and develop a greater understanding of the demographic trends that influence the travel demand model. Further, the Broward MPO incorporated an Environmental Justice (EJ) section into the TIP. This section contains EJ definitions, requirements, maps and an analysis of the TIP projects distribution versus the EJ population in Broward. Furthermore, in an ongoing effort to provide tailored information to municipal partners, the Broward MPO developed a map series outlining TIP projects by city which are available for download on the Broward MPO's TIP website.



**Florida Department of Transportation**

**District 4**

3400 W Commercial Blvd

Fort Lauderdale, FL 33309

(954) 777-4100

**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:

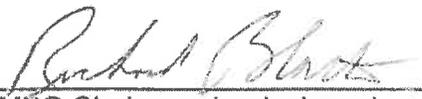
1. 23 U.S.C. 134 and 49 U.S.C. 5303;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21
3. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) 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 January 6, 2017.

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.

  
\_\_\_\_\_  
District Secretary (or designee)

  
\_\_\_\_\_  
Date

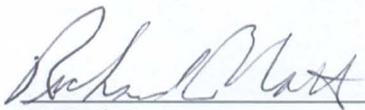
  
\_\_\_\_\_  
MPO Chairman (or designee)

June 8, 2017  
\_\_\_\_\_  
Date

## DEBARMENT and SUSPENSION CERTIFICATION

As required by the USDOT regulation on Government wide 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.



MPO Chairman

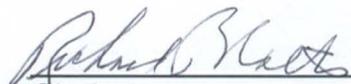
June 8, 2017

Date

**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.

  
\_\_\_\_\_  
Chairperson

Broward MPO  
\_\_\_\_\_  
Name of MPO

June 8, 2017  
\_\_\_\_\_  
Date

## 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.

  
Chairperson

Broward MPO  
Name of MPO

June 8, 2017  
Date

## TITLE VI/ NONDISCRIMINATION ASSURANCE

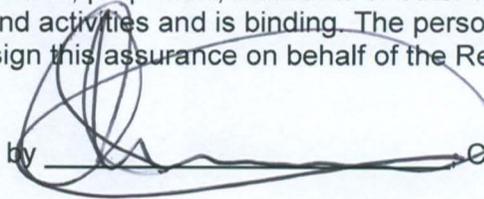
Pursuant to Section 9 of US DOT Order 1050.2A, the **Broward MPO** assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the 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.

Dated June 8, 2017

by 

Chief Executive Officer

## APPENDICES A and E

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

- (1.) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3.) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4.) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5.) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
- (6.) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to

enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

- (7.) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).