

FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION STATEMENT

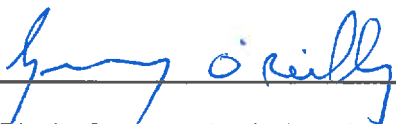
525-010-05
POLICY PLANNING
02/18

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

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

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on February 7, 2018.

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


Name: _____
Title: District Secretary (or designee)

7-2-18
Date


Name: Nick Uhren
Title: TPA Executive Director

6/28/2018
Date



Palm Beach TPA

Joint Certification – 2018

1/9/2018

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Purpose

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

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

Certification Process

Please read and answer each question using the checkboxes to provide a “yes” or “no.” Below each set of checkboxes is a box where a justification for each answer is to be inserted. The justification given must be in adequate detail to explain the question. Determining “adequate detail” is at the discretion of the MPO Liaison conducting the Certification. **Please add a justification for every answer where a box exists.**

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.

Please attach any correspondence or comments related to the draft or final TIP, and the TIP checklist used by Central Office and the District, as an appendix to this certification report.

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.

If the MPO has adopted a new UPWP or LRTP during the year covered by this certification, please attach any correspondence or comments related to the draft or final UPWP or LRTP, and any related checklists used by Central Office and the District, as an appendix to this certification report.

Note: This Certification has been designed as an entirely electronic document and includes interactive form fields and checkboxes. Section 12: Attachments allows you to embed any attachments to the certification, including the MPO Joint Certification Statements and Assurances document that must accompany the completed Certification report.

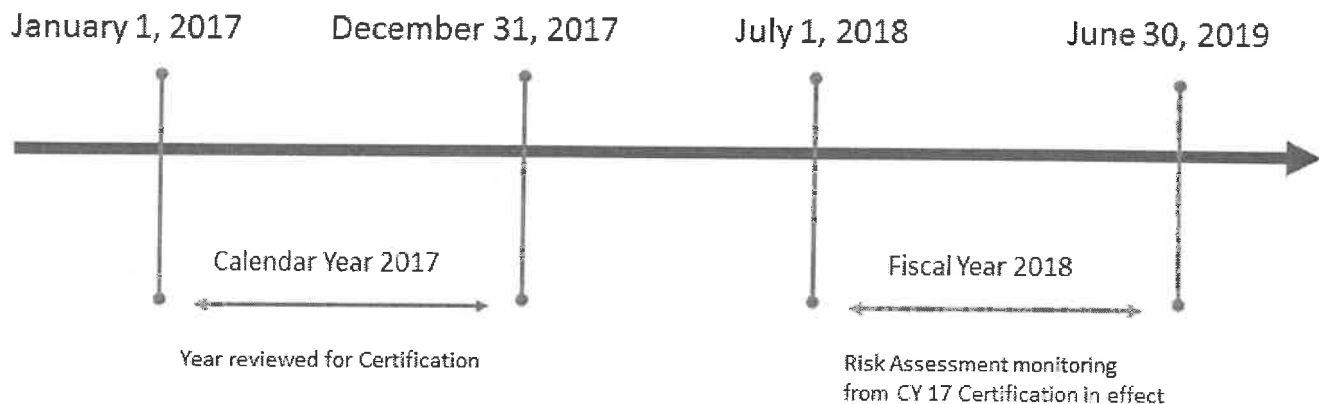
Please use the electronic form fields to fill out the Statements and Assurances document, and then print it. Once all of the appropriate parties sign the Statements and Assurances, scan it and attach it to the completed Certification in Section 12: Attachments.

Risk Assessment Process

Section 5: Finances and Invoicing is intended to satisfy the Risk Assessment requirements described in 2 CFR §200.331. These questions will be quantified using a point scale to assign a level of risk for each MPO, which will be updated annually during the Joint certification process. The results of the MPO Risk Assessment will determine the minimum frequency of which the MPO's supporting documentation for their invoices is reviewed by FDOT District Liaisons for the upcoming year. The frequency of review, based on the level of risk is below:

Scale	Risk Level	Frequency of Monitoring
0-1	Low	Annually
2-3	Moderate	Bi-annually
4-5	Elevated	Triennially
>6	High	Quarterly

Risk Assessment: Certification Year vs. Monitoring



Section 1: MPO Overview

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

[23 C.F.R. 450.314 (a) and (e)]

Please Check: Yes ☒ No ☐

The Palm Beach MPO, doing business as the Palm Beach Transportation Planning Agency (TPA), has an Interlocal Agreement with all member agencies. The Agreement was executed on 10/9/2015. This document does not require readoption.

The TPA has an Interlocal Coordination and Review Agreement with FDOT, Palm Beach County (Palm Tran), South Florida Regional Transportation Authority, Port of Palm Beach and Treasure Coast Regional Planning Council. The Agreement was executed on 4/21/2008. This document does not require readoption.

MPO Agreement (FHWA Funding) dated June 20, 2016 to be renewed by June 30, 2018

FTA Agreement dated October 1, 2015 to be renewed by September 30, 2020

Transportation Disadvantaged Grant dated July 1, 2017 to be renewed by June 30, 2018

Interlocal Agreement for Staff and Services between Palm Beach County and the Palm Beach MPO dated March 12, 2013 to be renewed by September 30, 2018.

Memorandum of Understanding between Broward MPO, Miami-Dade TPO, Palm Beach TPA, FDOT District 4 & 6 For Coordination of Southeast Regional Planning Model related activities dated May 14, 2015 to expire on December 31, 2019.

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

[23 C.F.R. 450.314(e)]

Please Check: Yes ☒ No ☐

The TPA coordinates the planning of projects that cross the southern county boundary with the Broward MPO and the Miami-Dade TPO through the South Florida Transportation Council (SEFTC). The SEFTC Interlocal Agreement was executed on 1/9/2006 and amended on 4/30/2009 and 7/14/2011. Additionally, the TPA coordinates with the Martin County MPO, St. Lucie TPO and the Indian River MPO on transportation projects that cross the northern county boundary and with the Heartland Regional TPO on projects that cross the western county boundary.

The TPA is a funding partner for the regional household travel survey that is being administered by the Miami-Dade TPO, the Southeast Regional Planning Model (SERPM) update that is being administered by FDOT, and the update to the regional Long Range Plan that is being administered by the Broward MPO. TPA staff actively participates in the development and coordination of these efforts.

3. Does the MPO planning process provide for consideration of the 10 Planning Factors?

[23 U.S.C. 134(h); 23 C.F.R. 450.306(a)]

Please Check: Yes ☒ No ☐

As outlined in the TPA's UPWP, the 10 planning factors are considered in the planning process. These factors are to:

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency; UPWP Task 6-D Coordinate with local economic boards and Chambers of Commerce to identify travel and tourism infrastructure needs.
2. Increase the safety of the transportation system for motorized and non-motorized users; UPWP Task 3-D Plan the non-motorized transportation system including...creation of a bike/ped safety plan. Task 3-F Conduct corridor studies to evaluate safety and identify complete street infrastructure investment opportunities.
3. Increase the security of the transportation system for motorized and non-motorized users; UPWP Task 4-E Begin to identify safety projects to be funded from Federal Highway Safety Program funds.
4. Increase the accessibility and mobility of people and for freight; UPWP Task 3-B Plan the fixed route transit system including TDP minor updates for Palm Tran and SFRTA, Tri-Rail service expansions, transit amenities, evaluation of access to transit hubs,... Task 3-D Plan the non-motorized transportation system including...updating the bike master plan and bike suitability map, Task 3-E Plan the freight system, including updates to the regional freight plan...
5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns; UPWP Task 5-A Update the Congestion Management Plan Report Card to evaluate LRTP goals and objectives and identify potential projects for funding in the TIP. Task 6-G Assist local governments with the evaluation of proposed land use amendments and zoning applications.
6. Enhance the integration and connectivity of the transportation system, across and between modes for people and freight; UPWP Task 3-B Plan the fixed route transit system, including TDP minor updates for Palm Tran and SFRTA, Tri-Rail service expansions, transit amenities, evaluation of access to transit hubs. Task 3-E Plan the freight system, including updates to the regional freight plan, participation in various freight committees, coordination with freight stakeholders...
7. Promote efficient system management and operation; UPWP Task 3-B Plan the fixed route transit system Task 3-D Plan the non-motorized transportation system Task 3-E Plan the freight system.
8. Emphasize the preservation of the existing transportation system; UPWP Task 4-A Develop an annual Priority Project list. Task 4-B Review FDOT Draft Work Program for consistency with the LRTP Task 4-C Prepare the TIP.
9. Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation; and UPWP Task 5-A Update the Congestion Management Report Card to evaluate LRTP goals and objectives and identify potential projects for funding in the TIP; coordinate with Broward and Miami-Dade MPOs to address regional congestion.
10. Enhance travel and tourism. UPWP Task 6-D Coordinate with local economic boards and Chambers of Commerce to identify travel and tourism infrastructure needs.

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

[23 C.F.R. 450.300 (a)]

Please Check: Yes ☒ **No** ☐

Yes, as demonstrated above, the TPA cooperates with our neighboring MPOs, transportation and regional agencies and the public on a continuous basis.

Additionally, the TPA monitors land use and zoning activities by local governments within the planning area, provides input and comments upon request, and responds to changes by routinely updating the planned transportation facilities and services necessary to support the evolving transportation demands created by these actions.

5. Does the MPO have an up-to-date congestion management process?

[339.175 (6)(c)(1) F.S.]

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

The TPA recently adopted a Congestion Management Process in October of 2016 and updated the reporting of the measures and targets in December of 2017.

6. Does the MPO have a documented Public Participation Plan that defines a process in sufficient detail for members of the public to have reasonable opportunity to participate in the planning process?

[23 C.F.R. 450.316 (a)]

Please Check: Yes ☒ **No** ☐

Yes, the TPA adopted a newly revised Public Participataion Plan in October of 2017. The PPP includes details of the many opportunities for the public to participate in the transportation planning process on an ongoing basis and to review and comment on specific draft documents prior to adoption.

7. Has the MPO recently reviewed its Public Participation Plan? If so, when?

[23 C.F.R. 450.316 (a)(1)(x)]

Please Check: Yes ☒ **No** ☐

Yes, the TPA recently (October 2017) adopted an updated version of the Public Participation Plan. It is user-friendly, visually appealing and up-to-date with the latest regulations.

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

[23 C.F.R. 450.316(a)(3)]

Please Check: Yes ☒ **No** ☐

Yes, the public review period began September 1, 2017 and ended with adoption of the document on October 19, 2017.

9. Does the MPO utilize one of the methods of procurement identified in 2 C.F.R. 200.320 (a-f)?

[2 C.F.R. 200.320]

Please Check: Yes ☒ No ☐

The TPA has adopted a Procurement Policy that utilizes all of the methods in 2 CFR 200.320. It addresses the handling of micro-purchases, small purchases, competitive bidding and non-competitive bidding procurements in compliance with 2 C.F.R. 200.

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

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

[2 C.F.R. 200.318 (i)]

Please Check: Yes ☒ No ☐

Detailed records are maintained as required by the procurement type and defined within the TPA Procurement Policy.

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

[2 C.F.R. 200.318 (e)]

Please Check: Yes ☒ No ☐

The TPA has an interlocal agreement with the Palm Beach County Board of County Commissioners as a host agency for the provision of facility and operating services and materials. The TPA verifies the applicability of contracts to ensure compliance with federal acquisition guidelines.

12. Does the MPO have methods 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?

[2 C.F.R. 200.318 (b)]

Please Check: Yes ☒ No ☐

The TPA employs a deliverable based task order system wherein the terms, conditions, specifications and deliverables are all identified during the task order generation phase.

TPA staff reviews completion of the deliverables for compliance with the terms, conditions and specifications.

Section 2: Long-Range Transportation Plan (LRTP)

1. When developing the LRTP, did the MPO provide the required individuals and entities a reasonable opportunity to comment on the proposed plan and program?

[23 C.F.R. 450.316 (a)]

Please Check: Yes ☒ No ☐

The public comment opportunities for the development of the adopted LRTP are well-documented in the LRTP itself. Additionally, amendments to the LRTP that have occurred since adoption have been advertised pursuant to the Public Participation Plan and provided ample opportunity for public comment.

2. Is the LRTP published or otherwise readily available for public review?

[23 C.F.R. 450.324 (k), 23 C.F.R 450.326 (b)]

Please Check: Yes ☒ No ☐

The adopted LRTP and all amendments are published to www.palmbeachtpa.org/LRTP and readily available for public review.

Additionally, the TPA provides written instructions for viewing the LRTP to all public libraries in Palm Beach County. This information allows local library staff to assist residents or visitors to the area that are interested in the content of this document but do not have personal access to an internet portal.

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

Please Check: Yes ☐ No ☒

If yes, please attach any correspondence or comments related to the draft or final LRTP, and the LRTP checklist used by Central Office and the District, as an appendix to this certification report

Section 3: Transportation Improvement Program (TIP)

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

Please Check: Yes ☒ No ☐

If yes, please attach any correspondence or comments related to the draft or final TIP, and the TIP checklist used by Central Office and the District, as an appendix to this certification report

Section 4: Unified Planning Work Program (UPWP)

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

Please Check: Yes ☐ No ☒

If yes, please attach any correspondence or comments related to the draft or final UPWP, and the UPWP checklist used by Central Office and the District, as an appendix to this certification report

Section 5: Finances and Invoicing

1. Are Federal-aid funds 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 the Division Administrator of FHWA?

Please Check: Yes ☒ No (+1) ☐

The TPA ensures that all expenditures submitted for reimbursement are allowable under CFR 200.

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

The TPA invoiced quarterly through September 30, 2017 and then began invoicing monthly.

3. Timeliness of Invoicing

Has the MPO submitted invoices to the District for reimbursement more than 90 days after the end of the invoicing period?

Please Check: Yes (+1 for each late invoice) ☐ No ☒

N/A

4. Since the last Joint Certification, have any incurred costs by the MPO been deemed unallowable, not necessary or not reasonable by the District based on invoice or supporting documentation review?

Please Check: Yes ☐ No ☒

The TPA has not received notification of unallowable, not necessary or not reasonable costs on submitted invoices at this time.

5. If the answer to question 4 was **yes**, how many incurred costs since the last Joint Certification have been deemed unallowable, not necessary or not reasonable?

+1 for each incurred cost deemed unallowable, not necessary or not reasonable

N/A

6. Has the MPO/TPO shown mismanagement of the UPWP budget, the PL fund balance, or incurred expenses, resulting in emergency payments outside of the contract, or other situations of financial concern?

Please Check: Yes (+1) ☐ No ☒

The TPA has utilized the UPWP modification and amendment process to properly address any necessary changes to the UPWP budget without the need for emergency payments.

7. Does the MPO's financial management system comply with the requirements set forth in 2 C.F.R. §200.302?

Please Check: Yes ☒ No (+1) ☐

The TPA complies with the Florida single audit process in coordination with Palm Beach County Board of County Commissioners. Furthermore, the host agency provides the accounting system and financial management system to comply with these requirements.

8. Are 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?

Please Check: Yes ☒ No (+1) ☐

All records are maintained as required by state and federal statute.

9. Is supporting documentation submitted by the MPO to FDOT in detail sufficient for proper pre-audit and post-audit monitoring?

Please Check: Yes ☒ No (+1) ☐

The TPA submits all required documentation to FDOT with each invoice. Thorough documentation is maintained by the TPA to support audit monitoring.

10. 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?

Please Check: Yes ☒ No (+1) ☐

All contracts for services and/or goods include required language for federal grant reimbursement eligibility.

Risk Assessment Point Total: 0

Level of Risk: Low

Scale	Risk Level	Frequency of Monitoring
0-1	Low	Annually
2-3	Moderate	Bi-annually
4-5	Elevated	Triennially
>6	High	Quarterly

Section 6: Title VI and ADA

1. Does the MPO have a signed Title VI policy statement expressing commitment to non-discrimination?

[23 C.F.R. 200.9 (a)(1)]

Please Check: Yes ☒ No ☐

The signed policy statement is attached and posted to the website.

2. Does the MPO take action to correct any deficiencies found by FDOT within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance?

[23 C.F.R. 200.9 (a)(3)]

Please Check: Yes ☒ No ☐

The TPA has not been notified by FDOT of any deficiencies.

3. Does the MPO have a staff person assigned to handle Title VI and ADA-related issues?

[23 C.F.R. 200.9 (b)(1); 49 C.F.R. 27.13]

Please Check: Yes ☒ No ☐

Malissa Booth is the Title VI and ADA Coordinator for the TPA who is assigned to these issues.

4. 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?

[23 C.F.R. 200.9 (b)(3)]

Please Check: Yes ☒ No ☐

Yes, the attached Title VI and ADA Nondiscrimination Policy and Plan includes the complaint procedure and a complaint form in both English and Spanish and is posted to the website.

5. Does the MPO collect statistical data (race, color, national origin, sex, age, disability) of participants and beneficiaries of the MPO's programs and activities?

[23 C.F.R. 200.9 (b)(4)]

Please Check: Yes ☒ No ☐

The TPA monitors countywide statistical data for all of the above categories based on five-year average values in tables S0101, S0601, S1810 that can be obtained from factfinder.census.gov.

6. Does the MPO conduct an annual review of their program areas (for example: public involvement) to determine their level of effectiveness in satisfying the requirements of Title VI?

[23 C.F.R. 200.9 (b)(6)]

Please Check: Yes ☒ No ☐

The updated Public Participation Plan (adopted October 2017) lists performance targets and measures to determine the effectiveness of the public participation program including Title VI outreach.

7. 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 year?

Please Check: Yes ☒ No ☐

TPA staff attended training for Title VI in Panama City at the Emerald Coast Symposium conducted by Cary Shepard and Rusty Ennemoser.

8. Does the MPO have a signed Nondiscrimination Agreement, including Title VI Assurances, with the State?

Please Check: Yes ☒ No ☐

The TPA's Nondiscrimination Assurance statement to the FDOT was signed July 20, 2017, and is included as an attachment and posted to the website.

9. 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 ☐

All TPA agreements and contracts include the following wording:

Civil Rights. The following requirements apply to this Agreement:

1. Nondiscrimination. In accordance with Title VI of the Civil Rights Act, as amended, 42 USC §2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42

USC §6102, section 202 of the Americans with Disabilities Act of 1990, as amended, 42 USC §12132, and Federal transit law at 49 USC §5332, as each may be amended from time to time, CONSULTANT agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, CONSULTANT agrees to comply with all applicable federal implementing regulations and any other implementing requirements FTA may issue.

2. Equal Employment Opportunity:

(a) Race, Color, Creed, National Origin, Sex. In accordance with Title VII of the Civil Rights Act, as amended, 42 USC §2000e, and Federal transit laws at 49 USC §5332, CONSULTANT agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Agreement Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60, et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 USC §2000e note), and with any other applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the project. CONSULTANT agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age.

Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

In addition, CONSULTANT agrees to comply with any implementing requirements FTA may issue.

(b) Age. In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 USC §623 and federal transit law at 49 USC §5332, CONSULTANT agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, CONSULTANT agrees to comply with any implementing requirements FTA may issue.

(c) Disabilities. In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 USC §12112, CONSULTANT agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, CONSULTANT agrees to comply with any implementing requirements FTA may issue.

3. CONSULTANT also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only to identify the affected parties."

10. Does the MPO hold its meetings in locations that are ADA accessible?

[49 C.F.R. 27.7 (5)]

Please Check: Yes ☒ No ☐

All TPA meetings are held in ADA compliant buildings accessible by transit.

11. Does the MPO take appropriate steps to ensure its communications are available to persons with impaired vision and hearing?

[49 C.F.R. 27.7 (6)(c)]

Please Check: Yes ☒ No ☐

All documents and meetings are available in alternate formats upon request. Images posted to the TPA website are identified with alternative text to include titles/ descriptions to assist the visually impaired.

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

[49 C.F.R. 27.121]

Please Check: Yes ☒ No ☐

Yes, although there have been no documented ADA complaints in at least the past five years.

Section 7: Disadvantaged Business Enterprises

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

Please Check: Yes ☒ No ☐

The TPA has adopted the FDOT's DBE Program, including but not limited to FDOT's Methodology for Determining DBE Goals and FDOT's Annual Goal for DBE participation in solicitations and award of contracts.

2. Does the MPO track DBE participation through the use of the Bid Opportunity List and DBE Participation Statement?

Please Check: Yes ☐ No ☒

The TPA tracks DBE participation with each contract and work order to determine compliance with the FDOT DBE goal. Additionally, there is an ongoing effort by FDOT to allow the MPOs to report payments via the EOC system. We also suggest that any expectations regarding DBE participation be formally incorporated into the MPO agreements that will be circulated this spring for execution prior to June 30.

3. Does the MPO report actual payments to DBEs through the Equal Opportunity Compliance (EOC) system?

Please Check: Yes ☐ No ☒

The TPA currently only reports actual DBE payments semi-annually to the FTA as required. Additionally, there is an ongoing effort by FDOT to allow the MPOs to report payments via the EOC system. We also suggest that any expectations regarding DBE participation be formally incorporated into the MPO agreements that will be circulated this spring for execution prior to June 30.

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

Please Check: Yes ☒ No ☐

The following statement is included in contract language:

"The CONSULTANT is encouraged to seek DBEs for participation in subcontracting opportunities.

The TPA has adopted the FDOT's DBE Program, including but not limited to FDOT's Methodology for Determining DBE Goals and FDOT's Annual Goal for DBE participation in solicitations and award of contracts. This DBE Program, as adopted by TPA, is incorporated into and made a part of this Agreement. The CONSULTANT acknowledges that it has reviewed and is familiar with the terms of the DBE Program. DBE participation towards overall and contract specific goals will be counted as provided in 49 CFR 26.55 and TPA's adopted DBE Program.

The CONSULTANT shall abide by the provisions of the TPA's adopted DBE Program, as it may be amended from time to time, and acknowledges that its failure to comply with said Program is a material breach which may result in the termination of this Agreement or such other sanctions or action deemed appropriate by the TPA under the circumstances, including but not limited to the sanctions identified in paragraph B. above.

The CONSULTANT understands that each DBE firm utilized in the performance of this Agreement must be certified by FDOT or other participant(s) in Florida's United Certification Program in order to be counted toward the DBE participation goal."

Section 8: District Specific Questions

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

1. Question

PLEASE EXPLAIN

2. Question

PLEASE EXPLAIN

3. Question

PLEASE EXPLAIN

4. Question

PLEASE EXPLAIN

5. Question

PLEASE EXPLAIN

Section 9: 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.

Section 10: 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.

1. Administer the Agency

- TPA Governing Board Handbook - Staff created an orientation handbook to assist new TPA Governing Board Representatives on the mission and vision of the Palm Beach TPA and their roles and responsibilities as they serve on the Governing Board.
- Changed the Agency Name and Rebranded the Agency - Through a series of meetings, TPA Governing Board voted to change the name of the agency to the Palm Beach Transportation Planning Agency and adopted a new logo and tagline, Connecting Communities.
- Created a TPA Procurement Policy and Process - In preparation for independence, Finance staff developed a procurement procedures manual for use in all TPA procurements.

2. Engage the Public

- Produced a new Public Participation Plan (PPP) - Staff conducted a major update of the PPP that is user-friendly, visually appealing and up-to-date with the latest regulations. It includes measurable targets for monitoring the effectiveness of strategies in meeting program objectives.
- Let's Bike Palm Beach Event - The TPA hosted an event for the public at Okeeheelee Park on March 19, 2017 for a family friendly bike ride. The event included a bike rodeo to help young riders improve their skills.
- Bicycle and Pedestrian Safety Campaign - As a continuation of the Pedestrian and Bicycle Safety Study, the TPA partnered with local agencies to conduct a Safety Outreach Campaign at the intersection of Military Trail and Forest Hill Boulevard. This intersection is the highest crash location for pedestrians and cyclists. A team of volunteers from the TPA, FDOT, City of Palm Springs Police Department, School District and Department of Health talked to local citizens, encouraged them to use crosswalks, use bike lights, and collected comments on possible intersection improvements.

3. Plan the System

- US-1 Multimodal Corridor Study & Health Impact Assessment - The TPA conducted a 42-mile multimodal corridor study that includes a Health Impact Assessment. The US-1 corridor crosses 14 communities in Palm Beach County and aims to create a unified vision and implementable plans for continuous sidewalks, bicycle lanes and enhanced transit service.
- Pedestrian and Bicycle Safety Study - The TPA developed a study that analyzes five years of pedestrian and bicyclist crash data in Palm Beach County. Crash heat maps for each mode helped define the 10 most dangerous intersections and corridors. Other deliverables of this effort include safety targets including ongoing educational and enforcement opportunities, and performance measures to track progress. Consistent with adopted Complete Streets policy, the overall vision is zero deaths and fatalities.

- Community Profile Maps - The TPA has developed a series of maps for each municipality with representation on the TPA Governing Board that offers a snapshot of the existing transportation network within each city limit. The map series contains a demographic overview, roadway ownership, sidewalk inventory, bicycle suitability of on-road facilities, Palm Tran average monthly stop activity and stop amenities, roadway lanes, and Transportation Improvement Program (TIP) projects.

4. Prioritize Funding

- Online TIP Mapping Tool - Staff created an on-line tool to assist the public in mapping TIP projects.
- TPA staff refined the scoring system for the LI & TA programs and video recorded the training workshop to allow agencies to view it at their convenience.
- Tri-Rail Extension to Northern Palm Beach County - TPA Governing Board created a steering committee focused on identifying new service and funding options for the proposed Tri-Rail extension project.

5. Improve the Experience

- Complete Streets Design Guidelines - Staff and consultants worked with the Complete Streets Working Group to develop a set of guidelines tailored to assist in designing complete streets solutions on state and local roadways in Palm Beach County.
- Staff renamed this item to "Implement Projects" in our strategic plan and will do the same in the update to the UPWP to focus attention on the implementation of projects and project scope details that accomplish the goals and objectives of the TPA Governing Board. Staff continued to participate actively in the design review process for state and local projects to ensure the final outcomes are consistent with the planning objectives.

6. Collaborate with Partners

- Regional Commuter Challenge - The TPA worked with FDOT and South Florida Commuter Services on a similar but regional effort that covered Miami-Dade, Broward and Palm Beach counties.
- Tour of Brightline Train Station and Bicycle Tour of West Palm Beach - TPA Governing Board representatives attended a tour of the new downtown West Palm Beach Brightline train station. After the station tour, the group went on a bicycle tour of downtown.
- Tactical Urbanism - TPA staff participated in a tactical urbanism workshop with the City of West Palm Beach to implement an intersection pop-up project. The TPA also joined City's Mayor and leadership staff to meet with the Miami Downtown Development Authority and learn about their Biscayne Green pop-up project to implement a similar pop-up project locally.
- FHWA Road Diet Workshop - The TPA coordinated with FHWA, the Treasure Coast Regional Planning Council, and Palm Tran to organize a Road Diet Workshop for planning and engineering professionals in the region. The workshop was held in Tequesta and had over 30 participants.
- Regional Safe Streets Summit - The Palm Beach TPA, Broward MPO and Miami-Dade TPO collectively hosted the 2017 Summit in Sunrise. Additionally, TPA staff worked together with our partners to organize the 2018 Regional Safe Streets Summit in the City of West Palm. The summit will include local and national Complete Streets experts and engaged elected officials, transportation agencies, residents and stakeholders across south Florida.

Section 11: Recommendations and Corrective Actions

Status of Recommendations and/or Corrective Actions from Prior Certifications

2016 Recommendations

#1 Public Participation - The MPO should implement more proactive public participation strategies targeting the traditionally underserved population segments of Palm Beach County. Much of the MPO's existing strategies require internet accessibility, to which approximately 20% of Palm Beach County residents do not have.

Response - Members of the public can access the TPA website for free with the assistance of local librarians at public libraries throughout Palm Beach County. The website offers the Google Translate feature for those who read languages other than English, and it offers an adjustable font size to assist the visually impaired. Additionally, the TPA publishes newspaper ads in the largest local newspaper and in a free Spanish weekly paper distributed throughout Palm Beach County. Newspaper ads are published to invite public review and comment prior to the adoption of major TPA documents and amendments. They provide information on various ways to review documents and offer comments for those without computer access, including reviewing copies of draft documents at the TPA office and providing written or verbal comments prior to adoption.

#2 Satisfied

#3 Satisfied

#4 Significant Public Comments in Final TIP and LRTP - FDOT acknowledges that the MPO seeks public comments in response to the draft/proposed TIPs. Additionally, the MPO must provide a summary, analysis, and report on the comments received on the TIP if there were a significant number of comments received. For consistency purposes, said method(s) to do so should be documented in the MPO's PPP/PIP.

Response - The recently adopted PPP (October 2017) documents a process that the TPA will follow to provide a summary, analysis and report of significant comments received in response to a draft LRTP or TIP (or amendment to a LRTP or TIP) to be included as an appendix.

#5 Satisfied

#6 Title VI - The 2015 Federal Certification identified at least one member of the public specifically implying discrimination as to when and how transit routes were scheduled. FDOT acknowledges the effective Title VI process the MPO shared with the Department per the 2016 Joint MPO-State Certification Review. Members of the general public might not be aware that their particular complaint is related to Title VI and might not use said complaint procedure. The MPO's policies to address general complaints should also include a step to determine if a general complaint should also receive Title VI treatment.

Response - The TPA plans to update its Nondiscrimination Policy document in early 2018, and will include a process for evaluating if a general complaint should also receive Title VI treatment.

Recommendations

#1 Public Participation - The MPO has demonstrated a commitment to effective public involvement, which should lead to increased public awareness and interest in the metropolitan planning process. Accordingly, and in consideration of the critical role the public plays in the planning process, the MPO should consider making the necessary arrangements to facilitate larger audiences at its regular board meetings.

Response - The TPA Governing Board has decided to rotate Board meetings around the county. Starting in December 2017, the meeting space will provide adequate seating for members of the public to participate.

#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.

Response - The CMP Report Card is reported to the TPA Governing Board and committees (which includes our transportation partners) annually. Moving forward the TPA will be adopting the FDOT performance measures and targets as well as others and reporting annually.

#3 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.

Response - The TPA is not the implementing agency for this effort, however the four transit providers are collaborating on the issue.

#4 Efficient Transportation Decision Making - With the exception of Strategic Intermodal System (SIS) and bridge replacement projects, the MPO should ensure that it screens 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.

Response - All projects requiring ETDM are screened prior to transmitting the LOPP.

#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 MPO should discuss the Joint State Certification Review process in the TIP's narrative. b. The MPO should discuss the Federal Certification Review process in the TIP's narrative. c. The TIP should include a discussion on the MPO's congestion management process. d. The MPO should mention if/how Efficient Transportation Decision Making (ETDM) is used in project/phase programming in the narrative of the TIP.

Response - The FY18-22 TIP has been amended to include the Joint State Certification Review Process, the Federal Review process, the CMP and ETDM in the narrative.

#6 Title VI and Related Requirements - ADA Accessibility - Under 28 CFR 35.105, all public entities, including MPOs are required to conduct a self-evaluation of programs and services for accessibility and where deficiencies are discovered, make necessary modifications for compliance. MPO's share a common minimum obligation; to ensure that all planning products include accessibility considerations and to involve the community with disabilities on their service representatives in the planning process. More specific guidance on ADA/504 requirements for planning agencies from FHWA should be available soon. In the meantime, the Review Team recommends that the Palm Beach

MPO consider taking strong practice steps to assist its local governments with identifying partners in need of training.

Response - In 2018, the TPA is planning to conduct training for its municipal partners on ADA Transition Plans, partnering with Carey Shepard.

Corrective Actions

None.

Section 12: Attachments

Please attach any documents required from the sections above, or other certification related documents here. (Link to [MPO Joint Certification Statements and Assurances](#))
