



**Palm Beach TPA**

**Calendar Year of Review Period: January 1, 2024, through December 31, 2024.**

**4/28/2025**

Part 1 is to be completed by the Metropolitan Planning Organization

## Contents

|   |    |
|---|----|
| Purpose .....   | 1  |
| Certification Process .....   | 2  |
| Part 1 Section 1: MPO Overview .....  | 4  |
| Part 1 Section 2: Finances and Invoicing .....  | 9  |
| Part 1 Section 3: Title VI and ADA.....   | 11 |
| Part 1 Section 4: MPO Procurement and Contract Review and Disadvantaged<br>Business Enterprises ..... | 18 |
| Part 1 Section 5: Noteworthy Practices & Achievements .....   | 26 |
| Part 1 Section 6: MPO Comments.....   | 28 |

## 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.

*FDOT Joint Certification*

## 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 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

The Palm Beach MPO, doing business as the Palm Beach Transportation Planning Agency (TPA), is created by an Interlocal Agreement between FDOT and all member local governments. The Agreement was executed on October 9, 2015. This document does not require re Adoption.

The TPA also reviewed and re-affirmed the current membership and apportionment plan through TPA Resolution 2023-22 on October 19, 2023.

The TPA has an Intergovernmental Coordination and Review and Public Transportation Agreement with FDOT, the Treasure Coast Regional Planning Council (TCRPC), the South Florida Regional Transportation Authority (SFRTA), the Port of Palm Beach and Palm Beach County. The Agreement was executed on April 21, 2008 and is reviewed every five years and updated as necessary. This document does not require re Adoption.

The TPA's current Consolidated Planning Grant (CPG) Agreement (G2Y14) with FDOT for FHWA (G2Y14) and FTA planning funds was executed June 21, 2024 and expires June 30, 2026.

The TPA's current Transportation Disadvantaged Planning Grant Agreement G3033 with the Commission for the Transportation Disadvantaged (CTD) for FY 25 planning funds is dated July 1, 2024 and expires June 30, 2025.

The Interlocal Agreement creating the Southeast Florida Transportation Council (SEFTC) is dated January 9, 2006, last amended July 14, 2011, and automatically renews every five years.

The Memorandum of Understanding (MOU) between Broward MPO, Miami-Dade TPO, Palm Beach TPA, and FDOT Districts 4 & 6 for Coordination of Southeast Regional Planning Model related activities is dated June 25, 2024, with a commencement date of January 1, 2025 and expires December 31, 2030. A second MOU for acquisition of regional travel data is dated September 1, 2020 through December 31, 2024.

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

**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 SEFTC. The SEFTC Interlocal Agreement was executed on January 9, 2006 and last amended on July 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 SEFTC Regional Transportation Plan, with the current 2050 Plan being administered by Miami Dade TPO, and the regional travel demand model. The maintenance of the Southeast Regional Planning Model (SERPM9) is administered by FDOT. TPA staff actively participates in the development and coordination of these efforts.

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

**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:
  - Plan the fixed route transit system, including multimodal corridor studies, transit supportive land use analysis; Transit Development Plan (TDP) updates (UPWP Task 2A)
  - Plan the freight system, including prioritization of freight projects, participation on committees, and coordinating with stakeholders (UPWP Task 2-D).
  - Conduct and assist local governments with complete streets studies and mobility plans. (UPWP Task 2-F)
  - Track federal performance measures and prioritize projects related to productivity and efficiency, including travel time reliability, cargo tonnage, and other travel data.
2. Increase the safety of the transportation system for motorized and non-motorized users:
  - Plan the non-motorized transportation system, including evaluating the pedestrian and bicycle priority networks, upcoming resurfacing projects, and high crash locations to identify infrastructure improvements and collect pedestrian and bicycle count and safety data. (UPWP Task 2-C).
  - The TPA also updated its Vision Zero Action Plan in 2021 and continues to strive towards achieving the identified actions, including supporting local municipalities towards advancing Vision Zero efforts. The TPA began evaluating its Vision Zero Action Plan in consideration of the SS4A Program and will update the plan to encompass a safe systems approach in 2025.
3. Increase the security of the transportation system for motorized and non-motorized users:
  - Plan the Transportation Disadvantaged (TD) system, including TD Service Plan updates, Community Transportation Coordinator (CTC) evaluations, Local Coordinating Board (LCB) meeting coordination, and review of 5310 applications (UPWP Task 2-B)
  - Implement, update, and monitor the Vision Zero Action Plan. (UPWP Task 2-E)
  - Plan the non-motorized transportation system, including evaluating the pedestrian and bicycle priority networks, upcoming resurfacing projects, and high crash locations to

identify infrastructure improvements and collect pedestrian and bicycle count and safety data. (UPWP Task 2.C)

The TPA has worked towards the completion of multiple corridor studies, including the possibility to connect Downtown West Palm Beach with Palm Beach International Airport, and the 561 Fixed Route System Vision Plan. The TPA also worked to complete an update to the High Injury Network on the Federal Aid Eligible network.

4. Increase the accessibility and mobility of people and freight;

- Plan the freight system, including prioritization of freight projects, participation on committees, and coordinating with stakeholders. (UPWP Task 2-D).

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;

- Update the performance measures dashboard (inclusive of the CMP) to track progress and to serve as a resource for committees, stakeholders, and the public. Partner with FDOT, transit providers, and other stakeholders to adopt new performance measure targets as required. (UPWP Task 5-B)

- Provide input on TIP existing and proposed transportation projects constructed by partner agencies to encourage final design and construction plans are consistent with the TPA's goals. (UPWP Task 5-C)

6. Enhance the integration and connectivity of the transportation system, across and between, modes for people and freight;

- Plan the fixed route transit system, including multimodal corridor studies, transit supportive land use analysis; Transit Development Plan (TDP) updates. (UPWP Task 2-A)

- Plan the TD system, including TD Service Plan updates and Community Transportation Coordinator evaluations (UPWP Task 2-B).

- Plan the non-motorized transportation system, including evaluating the TPA's pedestrian and bicycle priority networks, upcoming resurfacing projects, and high crash locations to identify pedestrian and bicycle infrastructure improvements and collect pedestrian and bicycle count and safety data (UPWP Task 2-C);

- Develop transportation data related to the LRTP and travel demand model, including population, employment, hotel/motel, school enrollment data, and transportation facility updates. (UPWP Task 2-D)

- Plan the freight system, including prioritization of freight projects, participation on committees, and coordinating with stakeholder (UPWP Task 3-B)

7. Promote efficient system management and operation

- Plan the fixed route transit system, including multimodal corridor studies, transit supportive land use analysis, and health impact assessments to improve access to transit service; TDP updates; and analysis of rail crossing safety and quiet zone eligibility (UPWP Task 2-A)

- Plan the TD system, including TD Service Plan updates (UPWP Task 2-B).

- Plan the non-motorized transportation system, including evaluating the TPA's pedestrian and bicycle priority networks, upcoming resurfacing projects, and high crash

locations to identify pedestrian and bicycle infrastructure improvements and collect pedestrian and bicycle count and safety data (UPWP Task 2-D)

- Plan the freight system, including prioritization of freight projects, participation on committees, and coordinating with stakeholder. (Task 2-G)

8. Emphasize the preservation of the existing transportation system;

- LRTP Goal focused on resiliency infrastructure and the TPA is also required to track bridge and pavement performance on the National Highway System

9. Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation;

- LRTP Goal focused on resiliency infrastructure and the TPA is also required to track bridge and pavement performance on the National Highway System.
- LRTP Goal focused on efficient transportation system - which encompasses federal performance measure for National Highway System reliability as well as encouraging transportation options.

10. Enhance travel and tourism;

- Present information and seek input from the public and partner agencies (UPWP Task 1-C). This includes presentations and collaboration with travel and tourism-related stakeholders.

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

**Please Check:** Yes  No

The TPA routinely:

- Cooperates with neighboring MPOs, transportation and regional agencies and the public on a continuous basis through regulary scheduled public meetings, touch base meetings, and ongoing coordination calls.
- Cooperated and made a comprehensive Long Range Transportation Plan through a call for projects and ongoing stakeholder engagement throughout the process.
- TPA staff continuously and cooperatively comments on project scoping for FDOT, County and City projects to ensure advancement of the TPA's vision.
- The TPA aligns corridor studies and planning efforts with those of the LRTP and of local planning efforts, including partial funding of local studies and completing comprehensive corridor visioning and safety analyses. These projects are then continued through the prioritization and funding process.
- Reaches out to airport, seaport, railway, and road-based shipping partners to ensure that its plans are comprehensive of all modes of travel.
- Presents to area local governments to solicit feedback and ensure collaboration.

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

The TPA updates the performance measures adopted in the 2045 LRTP and now the 2050 LRTP. An interactive dashboard is available at [PalmBeachTPA.org/PM](http://PalmBeachTPA.org/PM). This dashboard includes the Congestion Management Process (CMP) and provides enhanced focus on the monitoring of selected targets for federally mandated and locally identified performance measures based on the Goals and Objectives of the LRTP. The dashboard is updated throughout the year as new data becomes available. Presentation and selection of new performance targets by the TPA Governing Board occurs annually in February.

The performance measures related specifically to congestion management include the federal travel time reliability measures, safety, person miles traveled, and capital investment condition. Additionally, the TPA has additional non-federal performance measures, termed "indicators" to track low stress pedestrian and bicycle infrastructure, walk-bike-transit mode split, and transit efficiency

6. Has the MPO recently reviewed and/or updated its Public Participation Plan (PPP)? 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 current PPP was last updated in March 2023. The latest revision includes information about the TPA's website redesign to be more ADA accessible; updates to include the Vision Zero Advisory Committee (VZAC), previously the Bicycle-Trailways Pedestrian Advisory Committee (BTPAC); information about the TPA's printed and digital collateral used for outreach; social media channels; and outreach methods including public meetings, digital tools, meeting minutes and more.

The revised PPP can be viewed at [www.PalmBeachTPA.org/PPP](http://www.PalmBeachTPA.org/PPP).

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

**Please Check:** Yes  No

The revised PPP public review period began on January 30, 2023 and ended with the adoption of the revised PPP on March 16, 2023.

## 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 TPA ensures that all expenditures submitted for reimbursement are allowable under 2 C.F.R. §200. TPA finance staff reviews all new expenditures against 2 C.F.R. §200, Florida Purchasing Statutes, and FDOT Technical Memo 20-01. Additionally, the TPA periodically reviews its procurement policy and purchasing procedures for conformity.

Purchases that require prior approval are brought to the attention of FDOT and FHWA staff for approval. Local Funds are also programmed in a separate Task of the UPWP.

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

The TPA currently submits invoices monthly.

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

**Please Check:** Yes  No

The TPA is an independent, standalone entity and receives funding through sub-recipient agreements with FDOT. The TPA has contracted with an external auditor to perform the single audit and is currently in the process of completing its single audit for FY 2024.

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

As an independent agency, the TPA has established a financial management system that complies with requirements of 2 CFR 200.302. The TPA monitors Governmental

Accounting Standards Board (GASB) statements and industry practices for currency and best practices.

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

All records are maintained as required by state statute and federal regulation. The TPA records all costs incurred in a Financial System (Aclarian) which is balanced to the bank accounts monthly. All backup documentation for each reimbursement is sent to the FDOT with the request for verification.

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

The TPA submits all required documentation to FDOT with each invoice. Supporting documentation is maintained by the TPA to facilitate auditing and monitoring.

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

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

8. **Indirect Cost Rates:**

- a. If the MPO uses an indirect cost rate, do they use a federally approved indirect cost rate, state approved indirect cost rate, or the de minimis rate? The de minimis rate recently changed from 10% to 15% of modified total direct costs, which may be used indefinitely

by the MPO ([2 C.F.R. 200.414\(f\)](#)). Either de minimis rate is allowable (10% or 15%). Please check one of the indirect cost rate options below:

MPO has a Federally Approved Indirect Cost Rate

MPO has a State Approved Indirect Cost Rate

MPO uses the De Minimis Rate (either the 10% or 15% indirect cost rate)

N/A (The MPO does not use an Indirect Cost Rate)

*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.*

- b. If the MPO has an existing federal or state approved indirect cost rate, did the MPO submit a Cost Allocation Plan?

The TPA does not use an Indirect Cost Rate.

- c. If the MPO does not use an indirect cost rate, does it charge all eligible costs as direct costs?

**Please Check:**      Yes  No

## 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

The FDOT Title VI/Nondiscrimination Assurance was signed by the TPA Executive Director on May 21, 2020 as included in the TPA's Unified Planning Work Program. It is also included in the PPP adopted on March 16, 2023.

The TPA's Public Relations Director, Melissa Eble, serves as the Title VI and ADA Officer.

The TPA's Title VI and ADA Nondiscrimination Policy and Plan, the official complaint form and filing procedure, and the Title VI/Nondiscrimination Assurance can be viewed on the TPA website at [PalmBeachTPA.org/nondiscrimination](http://PalmBeachTPA.org/nondiscrimination)

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

All TPA Federally funded agreements and contracts include the following wording:  
Title VI – Nondiscrimination Policy Statement.

The Palm Beach Transportation Planning Agency (TPA) values diversity and both welcomes and actively seeks input from all interested parties, regardless of cultural identity, background or income level. Moreover, the TPA does not tolerate discrimination in any of its programs, services or activities. The TPA will not exclude participation in, deny the benefits of, or discriminate against anyone on the grounds of race, color, national origin, sex, age, disability, religion, income, or family status. Additionally, the TPA extends these same assurances to any protected class as recognized by any of the local governments within its service area. The TPA will actively work to ensure inclusion of everyone in our community so that our programs, services and activities represent the diversity we enjoy.

The purpose of the TPA Title VI program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), as well as other related federal and state statutes and regulations. These procedures have been adopted to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well to Florida Department of Transportation (FDOT) guidelines.

During the performance of this Agreement, the CONTRACTOR agrees for itself, its assignees and successors in interest as follows:

A. Compliance with Regulations: The CONTRACTOR shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. DOT 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.

B. Nondiscrimination: The CONTRACTOR, with regard to the work performed during the Agreement, 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 Agreement covers a program set forth in Appendix B of the Regulations.

C. 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 Agreement and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

D. 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 FDOT, FHWA, FTA, Federal Aviation Administration (FAA), 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 the CONTRACTOR is in the exclusive possession of another who fails or refuses to furnish this information, the CONTRACTOR shall so certify to the FDOT, FHWA, FTA, FAA, and/or the Federal Motor Carrier Safety Administration as appropriate and shall set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance: In the event of the CONTRACTOR's noncompliance with the nondiscrimination provisions of this Agreement, the FDOT shall impose such contract sanctions as it or the FHWA, FTA, the FAA, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

1. Withholding of payments to the CONTRACTOR until the CONTRACTOR complies; and/or
2. Cancellation, termination, or suspension of the Agreement, in whole or in part.

F. Incorporation of Provisions: The CONTRACTOR shall include the provisions of paragraphs (A) through (E) of this section in every subcontract, including procurements of materials and leases of equipment, unless excepted by the Regulations, or directives issued pursuant thereto. The CONTRACTOR shall take such action with respect to any subcontract or procurement as the FDOT, FHWA, FTA, the FAA, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event the 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 FDOT to enter into such litigation to protect the interests of the FDOT, and, in addition, the CONTRACTOR may request the United States to enter into such litigation to protect the interests of the United States.

G. The CONTRACTOR does hereby represent and certify that it will comply with all the requirements imposed by Title VI of the Civil Rights Acts of 1964 and Title VII of the Civil Rights Act of 1968, as they have been and may be modified from time to time (42 U.S.C. 2000d, et. seq. and 3601 et. seq.), and all applicable implementing regulations of the U.S.DOT and its agencies.

H. Accessibility: The CONTRACTOR will abide by Title II and Title III of the Americans with Disabilities Act of 1990. Where CONTRACTOR work items include assessing or planning pedestrian rights of way, it will follow the FDOT Design Manual or Florida GreenBook, as applicable. The CONTRACTOR does hereby represent and certify that it will comply with all the requirements of the Americans with Disabilities Act (42. U.S.C. 12102, et. seq.) and all applicable implementing regulations of the U.S.DOT and its agencies.

I. The CONTRACTOR shall report all grievances or complaints pertaining to its actions and obligations under this Article to the TPA.

J. 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 Estate 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; (prohibit 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 U.S.C. §471, Section 47123), as amended, (prohibits discrimination based on age, creed, color, national origin, or sex); The Civil rights Restoration Act of 1987 (P.L. 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 status (49 U.S.C. §47123)(prohibits discrimination of the basis 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 and low-income populations by discouraging programs, policies, and 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 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.).

K. Required Activities for Compliance. Pursuant to Section 9 of the U.S. DOT Order 1050.2A, the TPA 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 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 TPA and the CONTRACTOR further assure FDOT that they will undertake the following with respect to 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 through the Recipient’s organization and to the general public.

Such information shall be published where appropriate in languages other than English;

3. Insertion of the clauses set forth in Section 21. A. - E. and J. of this Agreement;
4. Development 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; and
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 TPA's signatory is authorized to sign this assurance on behalf of the Recipient.

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, CONTRACTOR 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, CONTRACTOR agrees to comply with all applicable federal implementing regulations and any other implementing requirements FTA may issue.

The TPA does not discriminate on the basis of race, color, national origin, sex, age, religion, disability and family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), or those requiring language assistance (free of charge) should contact Melissa Eble at (561) 725-0813 or [Info@PalmBeachTPA.org](mailto:Info@PalmBeachTPA.org).

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, CONTRACTOR agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract 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. CONTRACTOR 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, CONTRACTOR 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, CONTRACTOR agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, CONTRACTOR 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, CONTRACTOR 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, CONTRACTOR agrees to comply with any implementing requirements FTA may issue.

3. CONTRACTOR 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.

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

**Please Check:** Yes  No

The TPA's Title VI and ADA Nondiscrimination Policy and Plan includes the complaint procedure and a complaint form in both English and Spanish, which can be viewed on the TPA website at [PalmBeachTPA.org/nondiscrimination](http://PalmBeachTPA.org/nondiscrimination).

4. 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

The TPA Public Relations Director participated in an Online Accessibility Training and Webinar on May 5, 2022. The PR Director also attended the Public Relations Society of America International Conference (PRSA ICON) November 13 – 15, 2022 which included Title VI sessions and training.

The TPA website was redesigned and launched in late 2022 and has an increased focus on accessibility for all. This allows for increased participation in TPA activities, public comment periods, general feedback and the transportation planning process.

The TPA Public Relations Director also attended the Association of Metropolitan Planning Organizations (AMPO) Annual Conference in September 2023 and attended sessions that including Title VI training and information.

The TPA Public Relations Director attended the FDOT & FHWA LAP Title VI and ADA Sub-Recipient Compliance Assessment Training on February 15, 2024. This training included program requirements for compliance with Title VI of the Civil Rights Act of 1964 (Title VI) and the Americans with Disabilities Act of 1990 (ADA). FDOT also presented the key elements of safe, accessible design of pedestrian facilities. Lastly, the event included a training with FDOT and FHWA officials on ADA Transition Plans

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

**Please Check:** Yes  No

The TPA monitors countywide and Census Block Group statistical data for nondiscrimination and equity based on American Community Survey (ACS) five-year estimates. Metrics include race, ethnicity, poverty, limited English proficiency, disability status, elderly, youth, zero vehicle households, and education attainment. This data is used in the scoring of transportation projects and is used to consider socioeconomic needs for all TIP projects

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

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

## 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 TPA Procurement Policy details the process. Procurement and finance staff review the procurements individually to determine appropriate competitive processes. Procurements are separated by purchase amount into three classes. (1) Procurements less than \$10,000 require vendor quotes when applicable, (2) Procurements \$10,000 or greater and less than \$35,000 are accomplished through a Request for Services (RFS) or Request for Quotes (RFQ). Procurements in excess of \$35,000 are accomplished through Request for Proposals (RFP), Invitation of Bids (IFB), or CCNA procurement. Procurements of \$10,000 and above have clear evaluation criteria, selection criteria, and public notification procedures. The TPA also utilizes General Services Agreements (GSA) to fulfill operational needs in compliance with Federal procurement standards.

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 TPA maintains a complete record of rationale, submissions, evaluations, selections, public notices, and meeting recordings for procurements in excess \$10,000 and above. Smaller scale and exempt procurements contain cost comparisons in the associated files.

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 TPA has an agreement with the Florida League of Cities to participate in the Florida Municipal Trust Fund's 457b Deferred Compensation Plan. The TPA also has agreements with the following municipalities for administrative services and advanced funding: City of Boca Raton, City of Palm Beach Gardens, Town of Jupiter, and Village of

Royal Palm Beach. The TPA has an interlocal agreement with the Treasure Coast Regional Planning Council for Transportation Planning 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

The TPA maintains Vendor Contract Summaries to track work orders and manage payments. In addition, the TPA uses Work Orders with associated agreements and maintains a record of all deliverable work provided as part of the agreement/work order. For General Service Contracts, the applicable TPA manager reviews and approves all work order invoices to ensure tasks are completed before payment is released. This process is documented within the financial system for each contract and invoice. The TPA has routine communications with vendors to review contract status.

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

**Please Check:** Yes  No

All contracts include the necessary MPO agreement language.

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

**Please Check:** Yes  No

The TPA cooperates with FDOT directives for DBE reporting and the FDOT DBE participation goals.

7. Is the MPO tracking all commitments and payments for DBE compliance?

**Please Check:** Yes  No

The TPA tracks DBE participation with each contract and work order to determine compliance with the FDOT DBE goal.

8. The MPO must be prepared to use the Grant Application Process (GAP) for DBE compliance with the EOC System. 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.

**Please Check:** Yes  No

The TPA has submitted all grant applications, UPWP documentation, amendments, and modifications in the GAP system.

9. 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:  
Disadvantaged Business Enterprises (DBE) and Prompt Payment.

A. This Agreement is subject to the requirements of 49 CFR Part 26. As required by 49 CFR 26.13, the CONTRACTOR will not discriminate on the basis of race, color, national origin, or sex in the performance of any U.S. DOT - assisted contract or the requirements of 49 CFR Part 26. The CONTRACTOR shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the performance of this Agreement. The TPA's DBE Program, as required by 49 CFR Part 26 and approved by DOT is incorporated by reference into this Agreement. Implementation of this program is a legal obligation and the failure to carry out its terms shall be treated as a violation of this Agreement.

It the policy of the TPA that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO/TPA 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 removed 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 TPA, the CONTRACTOR, and the TPA's other contractors, shall take all necessary and reasonable steps to ensure disadvantaged businesses have an opportunity to compete for and perform the contract work of the TPA, in a non-discriminatory environment.

The TPA requires that the CONTRACTOR, and the TPA's other contractors, shall not discriminate on the basis of race, color, national origin, and sex, in the award and performance of this contract. The 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.

B. Subcontracting Required Statement. Under 49 CFR 26.13(b), each subcontractor agreement signed by the CONTRACTOR must include the following assurance:

"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 the applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the CONTRACTOR to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the TPA deems appropriate which may include but is not limited to:

1. Withholding monthly progress payments;
2. Assessing sanctions;
3. Liquidated damages, and/or
4. Disqualifying CONTRACTOR from future contracts as non-responsible.

C. The CONTRACTOR shall include the statements set forth in paragraphs A. and B. above in each subcontract or sub-consultant contract it lets.

D. Race Neutral Achievement. In accordance with 49 CFR Part 26.21, and the FDOT DBE Program Plan, DBE participation on FHWA-assisted contracts must be achieved through race-neutral methods. The TPA is required to implement the FDOT DBE Program on any contracts with FHWA funds. FDOT operates a 100% race and gender-neutral DBE program. This means that FDOT's current overall goal of 10.65% may be achieved without the use of contract DBE goals.

1. The TPA will not require use of DBEs by the CONTRACTOR as a matter of contract, nor will it seek sanctions for failing to use DBEs.
2. The TPA will not use bidder DBE commitments to evaluate bidder proposals or to select the winning CONTRACTOR.
3. The TPA will not employ local or regional preferences in the evaluation or award of the contract.
4. The TPA is precluded from using any business program besides the FDOT DBE program. County or municipal small, minority or women's programs will not be used in award, evaluation or delivery of the contract.

E. Eligible DBE Participants. For the purpose of this Agreement, the TPA will accept only DBE's who are:

1. Certified, at the time of bid opening or proposal evaluation, by the FDOT DBE & Small Business Development Program at 850-414-4745; or
2. An out-of-state firm who has been certified by either a local government, state government or Federal government entity authorized to certify DBE status or a TPA whose DBE certification process has received FTA approval; or
3. Certified by another TPA approved by the FDOT.

F. Availability of Supportive Services. The TPA and FDOT are committed to sustainability and growth of DBEs and other small businesses. The TPA urges the selected CONTRACTOR to make considered efforts to identify and use these firms. For assistance with locating DBEs, the CONTRACTOR may access the Florida DBE Directory. Further assistance may be obtained by contacting FDOT DBE supportive services provider at <https://www.fdotdbesupportservices.com/>, 866-378-6653. Supportive services are offered free of charge to DBEs and contractors/consultants.

G. DBE Reporting Requirements.

1. All bidders must provide Bidders Opportunity List information in the FDOT Equal Opportunity Compliance (EOC) System. Instructions for doing so are located on the FDOT website at [https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5\\_0](https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/content/equalopportunity/eoc-help/bidders-opportunity-list/report-bidders-list.pdf?sfvrsn=dde4e3b5_0)
2. The selected CONTRACTOR must use the FDOT EOC system to report the use (or lack thereof) of DBEs. The CONTRACTOR must enter both its DBE commitments and subcontractor list in EOC. Instructions for doing so are located on the FDOT website at <https://www.fdot.gov/equalopportunity/eoc.shtm>.
3. The selected CONTRACTOR must access FDOT at least every thirty (30) days to update commitments and enter EOC payments. Instructions for doing so are located on the FDOT website at <https://www.fdot.gov/equalopportunity/eoc.shtm>.

The TPA reserves the right to accept the use of a subcontractor or to reject the selection of a particular subcontractor and to inspect all facilities of any subcontractors in order to make a determination as to the capability of the subcontractor to perform properly under this Agreement.

H. The CONTRACTOR will only be permitted to replace a certified DBE subcontractor who is unwilling or unable to perform. If a subcontractor fails to perform or make progress as required by this Agreement and it is necessary to replace the subcontractor to complete the work in a timely fashion, the CONTRACTOR shall promptly do so, subject to acceptance of the new subcontractor by TPA. The CONTRACTOR shall notify the TPA immediately of the DBE's inability or unwillingness to perform and provide reasonable documentation of such. The CONTRACTOR must obtain the TPA's representative's prior approval to substitute a DBE. The CONTRACTOR shall provide copies of new or amended subcontracts, or documentation of good faith efforts, as required by the TPA. If the CONTRACTOR fails or refuses to comply in the time specified, the TPA may issue an order stopping all or part of the work and payments therefor until satisfactory action has been undertaken, terminate this Agreement for noncompliance/default, impose sanctions, or take other action deemed appropriate by the TPA under the circumstances.

I. The CONTRACTOR shall provide the TPA with a copy of the CONTRACTOR's contract with any subcontractor and any other related documentation requested by TPA's representative.

J. The CONTRACTOR agrees to maintain in Palm Beach County, Florida or such other location in Florida approved by the TPA's representative, all relevant records, documents of payments and information necessary to document payments to DBEs for at least five (5) years following the termination of this Agreement. In the event litigation is commenced involving or relating to a DBE, the CONTRACTOR agrees to maintain such records until the conclusion of all litigation and the expiration of any appeal periods. All such records and information shall be immediately made available for reproduction, examination or inspection upon the request of TPA's representative or any authorized representative of FDOT or the U.S. DOT or any agency thereof. The CONTRACTOR agrees to require all of its DBE subcontractors to comply with the same records and information maintenance and availability requirements that it is subject to in this Agreement.

K. Prior to receiving any progress payment due under this Agreement, the CONTRACTOR shall certify that it has disbursed to all subcontractors and suppliers, having an interest in the Agreement or performing work or providing materials or supplies used by the CONTRACTOR in its performance of the Work, their pro-rata share(s) of the payment received by the CONTRACTOR from previous progress payments for all work completed and materials furnished in the previous period, less any retainage withheld by the CONTRACTOR pursuant to an agreement with a subcontractor for payment, as approved by the TPA and FDOT, and as deemed appropriate by TPA. The CONTRACTOR shall return all retainage payments withheld by the CONTRACTOR within thirty (30) days after each subcontractor's work has been satisfactorily completed. The CONTRACTOR shall not be entitled to any progress payment before certification, unless the CONTRACTOR demonstrates good cause for not making any such required payment and furnishes written notification of such good cause, acceptable to the TPA, to both the TPA and the affected subcontractors and suppliers.

L. Within thirty (30) days of the CONTRACTOR's receipt of any payment(s) received under this Agreement and any final progress payment received thereafter, the CONTRACTOR shall pay all subcontractors and suppliers having an interest in the Agreement or performing work or providing materials or supplies used by the CONTRACTOR in its performance of the Work, their pro-rata share(s) of the payment(s), unless the CONTRACTOR demonstrates good cause, acceptable to the TPA, for not making any required payment(s) and furnishes written notification to the TPA and the affected subcontractors and suppliers within said thirty (30) day period.

M. Cooperation with TPA Oversight: The TPA is responsible for conducting and documenting oversight of the RFP, bidding process, award and delivery of the CONTRACTOR contract for compliance with civil rights authorities. This includes but is not limited to conducting Commercially Useful Function (CUF) reviews on all DBEs used by the selected CONTRACTOR (or the CONTRACTOR itself, if a DBE), and by reviewing payments and retainage to ensure subcontractors are paid promptly as defined in Section 5 D. The selected contractor will cooperate fully with TPA oversight efforts, as well as those instituted by FDOT and/or FHWA.

N. The provisions of this section shall be construed in conformity with any requirement of state or federal law. In the event of any conflict, state or federal law will control the resolution of the conflict.

O. Sanctions for Noncompliance: The selected contractor is responsible for compliance with this section, both for itself and its subcontractor, if any. Failure to comply with any provision of this section is a material breach of contract and could result in sanctions taken by the MPO or the primary recipient, FDOT, including but not

limited to termination of the contract; withholding progress or final payments; assessing liquidated damages; disqualifying the CONTRACTOR from future work; or referral of noncompliance determination(s) to the FDOT or USDOT Offices of Inspector General, if appropriate.

P. The provisions of this section shall be construed in conformity with any requirement of state or federal law. In the event of any conflict, state or federal law will control the resolution of the conflict.

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's contracts only permit the use of the approved FDOT race-neutral program?

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

14. Do the MPO's contracts specify the race neutral or 'aspirational' goal of 10.54%?

**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's 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 MPO's noteworthy practices and achievements below.

### Engage the Public

- Continued to improve the TPA's bi-weekly newsletter to achieve an open rate to an average of 40% and our click rate to an average of 6%, both being 4% above the industry average and increase from the previous year.
- Expanded TPA social media presence by increasing the number of users reached across all platforms, with a goal of reaching 125,000 total followers in FY24. A total of 336,244 users were reached from July 2023 to June 2024.
- Hosted in-person workshops for the TPA's Long Range Transportation Plan, Transportation Funding Options, South Florida Transportation Roundtable, Housing and Transportation, Transportation Funding opportunities, Safe Streets and Roads for All, Micromobility Safety and a South Florida Transportation Roundtable.
- Updated the TPA's "About Us" video, further explaining the TPA's Mission and Vision and the county's existing transportation system.
- Provided and promoted online transportation comment map and a transportation projects map to receive public comments and suggestions to improve the transportation system, updating the maps to gather feedback for the 2050 Long Range Transportation Plan.

### Plan the System

- Initiated a planning study to connect Downtown West Palm Beach with the Palm Beach International Airport with premium transit and complete streets.
- Completed a planning study to evaluate multimodal transportation studies on the remaining 561 Planning Corridors through the "Mobility Vision" Plan.
- Developed a Vision Zero Crash Dashboard for viewing and better understanding crash trends within Palm Beach County.
- Staff completed a desktop analysis of the traffic stress at interchanges along interstate 95 and of crashes along Florida Route A1A.
- Initiated the study of West Avenue A in the City of Belle Glade to complete a Main Streets and Complete Streets Assessment.
- Continued to develop the Transportation Demand Management Policy in coordination with the West Palm Beach Mobility Coalition and City of West Palm Beach.
- Worked with two communities to develop SUN Trail applications for the 2024 Funding Cycle.
- Led local Vision Zero initiatives, including advancing the TPA's Vision Zero Action Plan goals and encouraging 13 local municipalities to adopt Vision Zero Resolutions.

- Provided seventeen (17) letters of support for municipalities and partner agencies seeking federal discretionary grants.

#### Collaborate with Partners

- Organized and hosted a regional Safe Streets Summit with the Broward MPO and Miami-Dade TPO in February 2024 that was held in Miami.
- Hosted walk and bicycle safety audits with community and government partners on NW 4<sup>th</sup> Street in Delray Beach, Silver Beach Road in Lake Park and Riviera Beach, and at Seminole Ridge Community High School in Wetslake to identify pedestrian and bicycle safety concerns by experiencing the built environment and recording findings through an internet-browser based tool created in-house.
- Held a South Florida Transportation Roundtable with partners in Broward and Miami-Dade counties to understand and explain the transportation systems and funding mechanisms in both counties.
- Coordinated a Florida Bicycle Month ride in March 2024, inviting elected officials, municipal staff, partner agencies and the public. Staff hosted a similar event in October for Mobility Week.
- Encouraged local agencies to adopt Florida Bicycle Month Proclamations, resulting in 21 local municipal adoptions, private organizations, Port of Palm Beach, Palm Beach County's Board of County Commissioners, and the TPA Governing Board.
- Participated in partner agency outreach events, including the Get on the Bus Challenge from April to August in partnership with Palm Tran; FDOT Mobility Week Challenge 2024 (ranked #2 for agency size in Florida); and Florida Bicycle Month in March.
- Coordinated with agency partners to plan and participate peer exchanges, including visiting the Miami-Dade TPO on Tri-Rail alongside elected officials from Palm Beach County to learn about Miami-Dade's enhanced transit system and partnerships to advance multimodal facilities and transit-oriented development. Elected officials also visited Orlando on Brightline to learn about connections from South Florida to Central Florida.

#### Administer the Agency

- Implemented a new financial system geared towards governmental accounting for FY 2025. The system has improved efficiency, includes opportunity for managerial approval to be recorded for each transaction, includes the ability to attach backup documentation for each transaction, improves reporting capabilities, includes a module for purchasing which adhere to the policies adopted by the TPA, includes a module for fixed asset tracking to enable better accounting of assets, and enables the finance staff to have the ability to ensure separation of duties. The TPA also implemented a new payroll system to integrate with the new financial system. The payroll system has increased functionality which includes employee benefit management which was previously a paper driven effort.
- Received a Gold Designation for Bicycle Friendly Business, up from Silver, and renewed Commuter Friendly Workplace designations.

## 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.

### Obligated Projects Listing

TPA staff continues to request more information on federal obligated projects. The intent of the obligation list is to compare it to the programmed amounts for the fiscal year. However, it can be difficult to provide a clear understanding of programmed amounts and obligated amounts when obligations do not include state funding sources.

### Transit programming in the work program and transit project status

It can be difficult to track implementation of transit projects in the FDOT work program. Staff find it difficult to track: transit capital funding programmed, funding obligated (in an account), funding spent, status of projects. MPO access to FTA's Transit Award Management System (TrAMS) or a similar system to track funds would be helpful.

### Local Agency Program project status

The GAP Program and Locally Administered Projects do not provide funding updates on a regular basis to the TPA. TPA Staff are required to attend monthly progress meetings to receive a funding update to keep the TIP and Project Funding information current. The TPA would benefit from access to a funding tracking system for projects to keep project details current in addition to detailed access to the scheduling system.



**Palm Beach TPA**

Calendar Year of Review Period: January 1, 2024, through December 31, 2024.

4/28/2025

Part 2 is to be completed by the FDOT District

## **Contents**

|  |    |
|--|----|
| Purpose.....   | 3  |
| Certification Process.....   | 4  |
| Risk Assessment Process.....   | 5  |
| Part 2 Section 1: Risk Assessment.....   | 10 |
| Part 2 Section 2: Long-Range Transportation Plan (LRTP).....   | 20 |
| Part 2 Section 3: Transportation Improvement Program (TIP).....                                      | 21 |
| Part 2 Section 4: Unified Planning Work Program (UPWP).....  | 22 |
| Part 2 Section 5: Clean Air Act.....   | 23 |
| Part 2 Section 6: Technical Memorandum 19-03REV: Documentation of FHWA PL<br>and Non-PL Funding..... | 24 |
| Part 2 Section 7: MPO Procurement and Contract Review.....   | 25 |
| Part 2 Section 8: District Questions.....  | 26 |
| Part 2 Section 9: Recommendations and Corrective Actions.....  | 28 |
| Part 2 Section 10: Attachments.....  | 30 |

## Purpose

Each year, the District and the Metropolitan Planning Organization (MPO) must jointly certify the metropolitan transportation planning process described in [23 C.F.R. §450.336](#). The joint certification begins in January, which 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 the MPO's noteworthy achievements and, if applicable, a list of any recommendations and/or corrective actions.

The Certification Package and statement must be submitted to the Central Office, Office of Policy Planning (OPP), by 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 10: 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 10: Attachments.

Please note that the District shall report the identification 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 District's satisfaction, the District shall report the resolution to the MPO Board.

The final Certification Package should include Part 1, Part 2, Risk Assessment Scoring Sheet, and any required attachments and be transmitted to the Central Office no later than June 1 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 of federal funds 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 subrecipient's activities 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:*

*FDOT Joint Certification  
Part 2 – FDOT District*

- (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 about 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 the risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be helpful 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 due to the Single Audit, it may be assigned a 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 District MPO Liaisons review the MPO’s supporting documentation for their invoices for the upcoming year. The [Risk Assessment Scoring Sheet](#) is available in the [Liaison Resources Libray](#). This spreadsheet must be used to calculate the Risk Assessment Score. 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               |

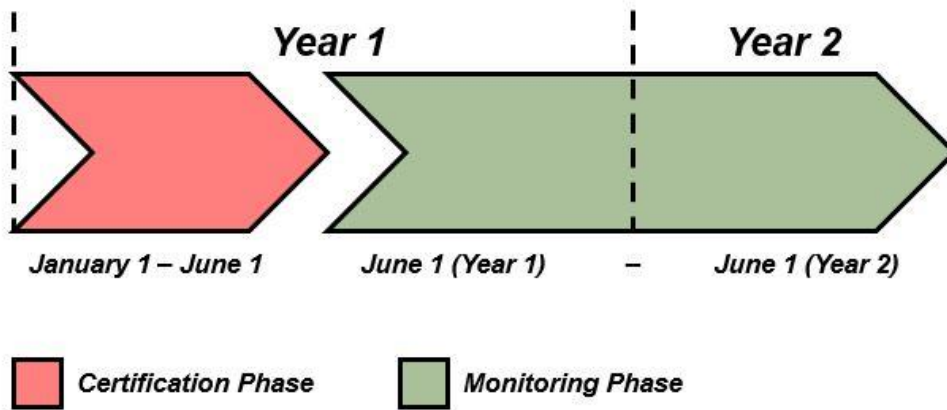
The Risk Assessment part of this joint certification has two main components, the Certification phase and the Monitoring phase, and involves regular reviewing, checking, and surveillance.

1. Certification phase: the first step is to complete this Risk Assessment during the joint certification review, which runs from January 1 to June 1 (*The red arrow in **Figure 1***). During these 5 months, a Risk Assessment assesses the previous calendar year (January 1 through December 31).
2. Monitoring phase: After the joint certification review has been completed, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for 12 months

starting on June 1 (*The green arrow, Year 1 in **Figure 1***) and ending on June 1 of the following year (*The green arrow, Year 2 in **Figure 1***).

This process takes 17 months in total. On January 1 of each year, the new Certification phase begins, which overlaps with the previous year’s Monitoring phase. **Figure 1** shows the timeline of the Risk Assessment phases.

**Figure 1. Risk Assessment: Certification and Monitoring Phases**



*FDOT Joint Certification*  
*Part 2 – FDOT District*

## **Part 2**

The District MPO Liaison must complete part 2 of the Joint Certification.

## 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) |
|---------------|-------------------------|--|--|
| FHWA-G2917-05 | 07/01/2022 – 09/30/2023 | 01/19/2024   | NO   |
| FHWA-G2917-06 | 10/01/2022 – 12/31/2023 | 03/12/2024   | NO   |
| FHWA-G2917-07 | 07/01/2022 – 12/31/2023 | 03/21/2024   | NO   |
| FHWA-G2917-08 | 07/01/2022 – 12/31/2023 | 03/26/2024   | NO   |
| FHWA-G2917-09 | 01/01/2024 – 03/31/2024 | 05/21/2024   | NO   |
| FHWA-G2917-10 | 04/01/2024 – 04/30/2024 | 07/01/2024   | NO   |
| FHWA-G2917-11 | 05/01/2024 – 05/31/2024 | 08/12/2024   | NO   |
| FHWA-G2917-12 | 06/01/2024 – 06/30/2024 | 09/16/2024   | NO   |

*FDOT Joint Certification  
Part 2 – FDOT District*

|   |                            |            |    |
|---|----------------------------|------------|----|
| <b>FHWA-G2Y14-01</b>  | 07/01/2024 –<br>07/31/2024 | 10/21/2024 | NO |
| <b>FHWA-G2Y14-02</b>  | 08/01/2024 –<br>08/31/2024 | 11/13/2024 | NO |
| <b>FHWA-G2Y14-03</b>  | 09/01/2024 –<br>09/30/2024 | 12/10/2024 | NO |
| <b>MPO Invoice Submittal Total</b>                          |                            |            |    |
| <b>Total Number of Invoices that were Submitted on Time</b> |                            |            | 11 |
| <b>Total Number of Invoices Submitted</b>                   |                            |            | 11 |

*FDOT Joint Certification*  
*Part 2 – FDOT District*

## MPO Invoice Review Checklist

List all MPO Invoice Review Checklists that were completed during the certification period  
in

**Table 3** and attach the checklists to this risk assessment. Provide the total number of questions marked with a red asterisk (\*) marked “Yes” on each MPO Invoice Review Checklist. “Yes” indicates that the question was addressed satisfactorily and is not a Materially Significant Finding. 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.
- Not using a federally approved indirect cost rate.
- Not providing an overhead cost rate when claiming overhead costs.

Corrections not considered materially significant do not warrant elevation of MPO risk. Examples of corrections 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 “Yes” Responses on * Questions |
|---|--|
| FHWA-G2917-05   | 7  |
| FHWA-G2917-06   | 7  |
| FHWA-G2917-07   | 7  |
| FHWA-G2917-08   | 7  |
| FHWA-G2917-09   | 7  |
| FHWA-G2917-10   | 7  |
| FHWA-G2917-11   | 7  |
| FHWA-G2917-12   | 7  |
| FHWA-G2Y14-01   | 7  |
| FHWA-G2Y14-02   | 7  |
| FHWA-G2Y14-03   | 7  |
| <b>MPO Invoice Review Checklist Total</b>             |  |
| <b>Total Number of “Yes” Responses on * Questions</b> | <i>77/77</i>                             |

*\*Note: There are 7 \* questions per MPO Invoice Review Checklist for MPOs that do not have Indirect Costs. There are 12 \* questions per MPO Invoice Review Checklist for MPOs with Indirect Costs.*

*FDOT Joint Certification*  
*Part 2 – FDOT District*

## MPO Supporting Documentation Review Checklist

List all MPO Supporting Documentation Review Checklists that were completed in the certification period in

*FDOT Joint Certification*  
*Part 2 – FDOT District*

**Table 4** and attach the checklists and supporting documentation to this risk assessment. Provide the total number of questions marked with a red asterisk (\*) marked “Yes” on each MPO Supporting Documentation Review Checklist. This indicates that the question was addressed satisfactorily and is not a Materially Significant Finding. Examples of Materially Significant Findings include:

- Submitting an invoice with charges not on the Itemized Expenditure Detail Report.
- Submitting an invoice with an expense that is not allowable.
- Not using a federally approved indirect rate
- 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 “Yes” Responses on * Questions |
|--|--|
| FHWA-G2917-09  | 23                                       |
| FHWA-G2917-10  | 23                                       |
| FHWA-G2917-11  |  |
|  |  |
|  |  |
| <b>MPO Supporting Documentation Review Checklist Total</b> |  |
| <b>Total Number of “Yes” Responses on * Questions</b>      | 69/69                                    |

*\*Note: There are 23 \* questions per MPO Supporting Documentation Review Checklist for MPOs that do not have Indirect Costs. There are 25 \* questions per MPO Supporting Documentation Review Checklist for MPOs with Indirect Costs.*

**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 Scoring Sheet](#) to calculate the MPO’s risk score. Use **Table 5** as a guide for selecting the MPO’s risk level. As previously mentioned, the Risk Assessment Scoring Sheet is available in the [Liaison Resources Library](#). This spreadsheet must be used to calculate the Risk Assessment Score, which determines the MPO’s level of risk. A screenshot of this spreadsheet is provided in **Figure 2**. The values input into the spreadsheet must match those in this Risk Assessment.

**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 Score:** 100%

**Level of Risk:** Low

# FDOT Joint Certification Part 2 – FDOT District



## Florida Department of Transportation Metropolitan Planning Program Annual Joint Certification Risk Assessment Methodology

The Risk Assessment evaluates the requirements described in 2 CFR §200.331 (b)-(e). As the recipient of Federal-aid funds for the State, FDOT is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations. This worksheet accompanies the Risk Assessment and calculates the MPO's risk score. The risk score determines the minimum frequency by which the MPO's supporting documentation for their invoices is reviewed by the District MPO Liaisons for the upcoming year. This page describes the methodology used to evaluate risk.

The methodology to determine an MPO's risk score is a percentage based system. The score is based on the number of correct items per question and the weight assigned to each question. The tables below describe the methodology for each question and provide an example calculation.

| Table 1. Risk Assessment Methodology Summary                      |   |  |                   |
|---|---|--|-------------------|
| Question Category   | Question  | Methodology  | Weight Percentage |
| MPO Invoice Submittal   | Was invoice submitted within 90 days from the end of the invoice            | On-time invoices / total invoices * weight percentage = total score  | 30%               |
| MPO Invoice Review Checklist                                      | How many materially significant findings questions are correct?             | Correct materially significant questions / total materially significant questions = percent.<br>If the percent is 100, the score is 5. If the percent is between 90-99, the score is 4. If the percent is between 80-89, the score is 3. If the percent is between 70-79, the score is 2. If the percent is between 60-69 the score is 1. If the percent is less than 60, the score is zero.<br>The score is multiplied by the weight percentage to determine the total score. | 30%               |
| MPO Supporting Documentation Review Checklist                     | How many materially significant findings questions are correct?             | Correct materially significant questions / total materially significant questions = percent.<br>If the percent is 100, the score is 5. If the percent is between 90-99, the score is 4. If the percent is between 80-89, the score is 3. If the percent is between 70-79, the score is 2. If the percent is between 60-69 the score is 1. If the percent is less than 60, the score is zero.<br>The score is multiplied by the weight percentage to determine the total score. | 35%               |
| Technical Memorandum 19-04: Incurred Cost and Invoicing Practices | Were incurred costs billed appropriately at the end of the contract period? | If the incurred costs were billed appropriately, the score is 1. If the incurred costs were not billed appropriately, the score is 0. The score is multiplied by the weight percentage to determine the total score.   | 5%                |

| Table 1. Risk Assessment Example Score                            |   |  |  |                |          |                   |         |       |             |
|---|---|--|--|----------------|----------|-------------------|---------|-------|-------------|
| Question Category   | Question  | Example Response   | Directions   | Number Correct | Subtotal | Weight Percentage | Percent | Score | Total Score |
| MPO Invoice Submittal   | Was invoice submitted within 90 days from the end of the invoice period?    | All invoices were submitted within 90 days from the end of the invoice period.   | <b>Number Correct Column:</b> Enter the number of invoices that were submitted on time.<br><b>Subtotal Column:</b> Enter the total number of invoices that were submitted.   | 11             | 11       | 30%               |         |       | 30%         |
| MPO Invoice Review Checklist                                      | How many materially significant findings questions are correct?             | There were 21 opportunities for materially significant findings, 18 of the materially significant finding questions were answered correctly. | <b>Number Correct Column:</b> Enter the number of correct materially significant questions.<br><b>Subtotal Column:</b> Enter the total number of materially significant questions.   | 77             | 77       | 30%               | 100%    | 5     | 30%         |
| MPO Supporting Documentation Review Checklist                     | How many materially significant findings questions are correct?             | There were 75 opportunities for materially significant findings, 72 of the materially significant finding questions were answered correctly. | <b>Number Correct Column:</b> Enter the number of correct materially significant questions.<br><b>Subtotal Column:</b> Enter the total number of materially significant questions.   | 69             | 69       | 35%               | 100%    | 5     | 35%         |
| Technical Memorandum 19-04: Incurred Cost and Invoicing Practices | Were incurred costs billed appropriately at the end of the contract period? | The MPO billed incurred costs appropriately at the end of the invoice period.  | <b>Number Correct Column:</b> Enter a 1 if incurred costs were billed appropriately at the end of the contract period, or if this question is not applicable. Enter a 0 if incurred costs were not billed appropriately at the end of the contract period. | 1              | 1        | 5%                |         | 1     | 5%          |
| <b>Risk Assessment Score</b>                                      |   |  |  |                |          |                   |         |       | <b>100%</b> |

Figure 2: Image of the Risk Assessment Scoring Sheet

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

Did the MPO adopt a new LRTP in the year this certification addresses?

**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 the Central Office and the District are in the [Grant Application Process \(GAP\) System](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the [GAP System](#) below.

Title(s) and Date(s) of Attachment(s) in the [GAP System](#)

"TPA-LRTP-2050-adopted-2024.12.12" - April 28, 2025

## **Part 2 Section 3: Transportation Improvement Program (TIP)**

Did the MPO update their TIP for the year this certification is addressed?

**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 the Central Office and the District are in the [GAP System](#) or attach them to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the [GAP System](#) below.

Title(s) and Date(s) of Attachment(s) in the [GAP System](#)

|  |
|--|
| "FY_2024_2028_TIP_Amended_04.18.2024" – June 20, 2024<br>"TIP_Review_Checklist_PBTPA_20240524" – June 26, 2024<br>"FY_25_29_TIP_Adopted_06.20.2024" – June 26, 2024<br>"TIP_Review_Checklist_PBTPA_20240626" – June 26, 2024 |
|--|

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

Did the MPO adopt a new UPWP in the year this certification addresses?

**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 the Central Office and the District are in the [GAP System](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the [GAP System](#) below.

Title(s) and Date(s) of Attachment(s) in the [GAP System](#)

|   |
|---|
| "Palm_Beach_TPA_FY_2025_2026_UPWP_Activities_05172024" – May 17, 2024<br>"G2Y14_439325_5_TPA_FY_25_26_UPWP_Rev_1_Mod_1_20240812" – October 16, 2024 |
|---|

## **Part 2 Section 5: Clean Air Act**

The requirements of [Sections 174 \(Planning Procedures\)](#) and [176 \(c\) and \(d\) \(Limitations on Certain Federal Assistance\)](#) of the Clean Air Act as codified in [42 USC 7504](#) and [42 USC 7506](#) can be found [here](#).

The Clean Air Act requirements affecting transportation only apply to areas designated for nonattainment and maintenance of the National Ambient Air Quality Standards (NAAQS). Florida is currently in attainment for all NAAQS. No certification questions are required at this time. If the Environmental Protection Agency issues a revised NAAQS, this section may need 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 is no, the MPO is not penalized. FDOT uses this information to determine technical support and training for the MPOs. Any new procurements after July 1, 2024, 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 using the approved FDOT race-neutral program?

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

4. Does the contract specify the race-neutral or 'aspirational' goal of 10.54%?

**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 a 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 discretion based on experience interacting with the MPO that were not included in the sections above. Please fill in the question(s) and the response(s) in the blanks below. This section is optional and may cover any area the District would like more information on.

1. Can you describe how your MPO is incorporating FTP goals such as "Connected, efficient, and reliable mobility for people and freight" into your planning documents like the LRTP and TIP? What specific challenges and opportunities have arisen from these efforts, and how could FDOT support further integration?

The TPA adopted the federal performance measures related to reliability in the 2050 LRTP. The TPA also continues to prioritize projects that improve connectivity, efficiency, and reliability, including transit signal prioritization, dozens of non-motorized projects, and roadway network expansion projects. The TIP also provides an appendix that summarizes the projects that will improve the federal performance measures.

In addition to funding prioritization, The TPA is also implementing the following studies and initiatives:

- Enhanced Transit Corridor Studies
- Palm Beach International Airport to Downtown West Palm Beach connector Study
- Tri-Rail (SFRTA) Access Studies and a Transit Oriented Communities Policy Guide

2. How has your MPO collaborated with FDOT and other stakeholders over the past year to address the FTP goals of maintaining infrastructure and expanding transportation choices? Could you share examples of successful initiatives or areas where further collaboration could enhance outcomes?

In 2024, the TPA’s 2050 LRTP Call for Projects included a request of FDOT, Palm Beach County, Transit Operators, and Municipalities for all transportation project needs. As part of the submittal, stakeholders submitted multiple future bridge reconstructions. These projects were included in the LRTP to quantify specific needs. Typically, the Operations & Maintenance of LRTP documents provide bulk funding forecasts without direct mention of needed maintenance upgrades.

The TPA has also participated in Statewide discussions related to federal bridge and pavement condition performance measures. The TPA Governing Board has emphasized the importance of data-driven performance target setting for bridge and pavement condition.

Further collaboration that could be beneficial is direct links to the available site-level data instead of County-wide totals that are provided. Providing planning-level asset condition forecasts would also be beneficial.

**Transportation Choices**

The TPA continues to advance transportation choices for people of all ages, abilities, and backgrounds. Prioritization of TPA projects and many local agency submittals for funding assistance are to enhance all modes of transportation. The TPA has also partnered with local communities to host E-Bicycle and E-Scooter safety education workshops throughout the county.

3. What best practices has your MPO developed that align with the FTP’s vision elements, particularly regarding safety and minimizing environmental impacts? How could these practices be shared or adapted across other regions to benefit the broader transportation network?

The TPA strives to approach the design of all projects with safety as the most important outcome. The TPA staff continues collaborate with FDOT and local partners on ensuring context sensitive design and setting appropriate target speeds for roadways. Most recently, the TPA has worked with FDOT District 4, and other transportation stakeholders, on a Speed Management Study to identify and provide countermeasures for the high injury network in Palm Beach.

The TPA continues to provide resources for the implementation of Vision Zero in its communities. There are currently 14 Vision Zero municipalities in Palm Beach County and another six who adopted Complete Streets Policies.

4. Question

PLEASE EXPLAIN

5. Question

PLEASE EXPLAIN

## 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 problem 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 MPO must correct the problem.

### Status of Recommendations and Corrective Actions from Prior Certifications

**CY 2023 Joint Certification Recommendations/Comments:**

FDOT District 4 is assigning an “Elevated” Level of Risk for the Palm Beach TPA, with a Tri-Annual Frequency of Monitoring. This designation means 3 invoices from the 4 quarters of the Calendar year (CY) 2023 will require a full review by FDOT to evaluate compliance with Federal statutes, regulations, and terms and conditions of the current Agreement.

Results will be included in next year’s Joint Certification process. This Level of Risk is based on the following:

- Results from the CY 2023 invoice review – These reviews included invoice submittal dates/invoicing period, invoicing frequency (monthly versus quarterly), document accuracy, etc.;
- Staff turnover – At the time of this Joint Certification Review, the Chief Financial Officer is no longer with the TPA and the remaining finance staff are fairly new additions to the TPA’s staff with little experience in preparing the invoices and progress reports;

*FDOT Joint Certification  
Part 2 – FDOT District*

- CY 2023 UPWP amendments and modifications – Timeliness, complexity of revisions, frequency, completeness, methods, etc.;
- Double billing was identified in invoices audited for the CY 2023 Joint Certification.

Frequent District monitoring will continue to assist with identifying potential areas for improvements, e.g., accuracy, timely invoice submittals, maintaining proper documentation in support of invoices, etc. The FDOT District 4 MPO Liaison will continue bi-weekly meetings with the TPA Finance staff (for as long as necessary) in calendar year 2024 to assist with training and answer questions about the UPWP and invoicing processes, and to ensure timely, accurate, and complete submittal of invoices and UPWP revisions (amendments/modifications), or to provide time extensions when needed.

The bi-weekly coordination meetings between the TPA and the District 4 Planning team will continue. These have been extremely beneficial in facilitating communication, planning, and coordination of discussion items and projects with stakeholders (external departments, agencies, and municipalities).

Recommendations for all invoices moving forward:

- If not already in place, have a second person to review the invoice and backup in relation to the billing period to ensure appropriate entries and no double billing occurs.
- Salary and Fringe documentation needs to be made simpler and QA/QC to be done. Show how it is dispersed amongst each grant type.
- Timesheet approvals should be shared as part of audit backup, even if approved digitally (Program Exports or approval system).
- Consultant Services should be included in the progress reports in the time period when the work/service was performed.

Add a line item on the Invoice Payment Release Form to indicate Amount of Reimbursement. This will then be matched with the Direct Expense Detail report if the full invoice amount is not being submitted for reimbursement.

- Add payment information and fund type on each vendor invoice.
- Review allowable expenses and document only what is being submitted for reimbursement.

## Recommendations for this Certification

### **PBTPA response to CY 2023 FDOT Recommendation/Comments:**

As recommended in the CY 2023 Certification, the Palm Beach TPA has implemented revised procedures for invoicing to the District. The invoicing frequency has been adjusted to monthly instead of quarterly. The prior year certification classified the TPA as "Elevated Risk" and required 75% of invoices to include backup for a full review by FDOT. All backup has been provided for 100% of the invoices for CY 2024. Changes have been made to the format of the invoices as requested by FDOT. All invoices in CY 2024 were submitted within 90 days after the end of the invoice period. Based on these changes, the TPA believes that the recommendation has been sufficiently completed, and further corrective actions are not necessary.

**FDOT Recommendation/Comments:**

FDOT District 4 is assigning a “Low” Level of Risk for the Palm Beach TPA, with a Tri-Annual Frequency of Monitoring. This designation means 1 invoice from one of the 4 quarters of the Calendar year (CY) 2024 will require a full review by FDOT to evaluate compliance with Federal statutes, regulations, and terms and conditions of the current Agreement.

The FDOT District 4 MPO Liaison will continue bi-weekly meetings with the TPA Finance staff (for as long as necessary) in calendar year 2024 to assist with training and answer questions about the UPWP and invoicing processes, and to ensure timely, accurate, and complete submittal of invoices and UPWP revisions (amendments/modifications), or to provide time extensions when needed.

The bi-weekly coordination meetings between the TPA and the District 4 Planning team will continue. These continue to be extremely beneficial in facilitating communication, planning, and coordination of discussion items and projects with stakeholders (external departments, agencies, and municipalities).

With regards to invoicing, it is recommended that the TPA correct the following that was found within their accounting system practices on future invoices to the Florida Department of Transportation:

- Personnel Services Expensed: The payroll register and timesheets were not initially provided and had to be requested. These documents should be included with the backup, as they are part of the checklist review. Additionally, it is recommended that the timesheets and payroll registers be organized in separate folders for each invoice, rather than being grouped together, to prevent confusion or errors during the organization process.
- Direct Expenses: It is recommended to include more backup documentation, especially when the direct cost exceeds \$5,000, to confirm what was paid for by providing a description of the services provided and if they were paid. For example, if the monthly rent increases or clarify services provided in LinkedIn invoices.

**Corrective Actions for this Certification**

PLEASE EXPLAIN

**Part 2 Section 10: Attachments**

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

*FDOT Joint Certification*  
*Part 2 – FDOT District*

Title(s) and Date(s) of Attachment(s) in the [GAP System](#)

Click or tap here to enter text.