

June 19, 2023



AGENDA ITEM 4 B

FDOT 2022 JOINT CERTIFICATION OF THE CRTPA

STATEMENT OF ISSUE

This item is seeking CRTPA approval of the agency's annual joint certification by the Florida Department of Transportation (FDOT).

BACKGROUND

Annually, the Florida Department of Transportation conducts a certification review of the planning process to certify that the CRTPA complies with state and federal planning requirements. In February, staff met with the FDOT to discuss and finalize the certification. In an email dated March 28, 2023, the FDOT stated that the CRTPA's planning process is certified and that the agency's status regarding financial management is low-risk.

Associated with the certification is a Joint Certification Statement (***Attachment 1***) that was signed by the CRTPA Executive Director and FDOT District Three Director of Transportation Development.

OPTIONS

Option 1: Approve the annual Joint Certification Statement of the CRTPA by the FDOT for the calendar year 2022.
(Recommended)

Option 2: Provide other direction.

ATTACHMENT

Attachment 1: Joint Certification Letter and Statements

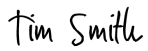
FLORIDA DEPARTMENT OF TRANSPORTATION
MPO JOINT CERTIFICATION STATEMENT

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

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

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on March 9, 2023.

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

DocuSigned by:

 Name: Tim Smith, P.E.
 Title: Director of Transportation Development

03/28/2023 | 9:44 AM EDT
 Date

DocuSigned by:

 Name: Greg Slay, AICP
 Title: Executive Director

03/28/2023 | 9:31 AM EDT
 Date



Capital Region TPA
Joint Certification 2022
3/9/2023

Contents

Purpose	1
Certification Process	2
Part 1 Section 1: MPO Overview	4
Part 1 Section 2: Finances and Invoicing.....	6
Part 1 Section 3: Title VI and ADA.....	9
Part 1 Section 4: MPO Procurement and Contract Review and Disadvantaged Business Enterprises.....	11
Part 1 Section 5: Noteworthy Practices & Achievements	15
Part 1 Section 6: MPO Comments.....	16

FDOT Joint Certification

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.

FDOT Joint Certification

Part 1

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

Part 1 Section 1: MPO Overview

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

Please Check: Yes No

The Intergovernmental and Coordination and Review and Public Transportation Coordination Joint Participation Agreement (ICAR) was updated and executed October 19, 2020. FDOT reviewed the draft agreement and provided comment. The ICAR was updated consistent with the new template prior to executing. In addition, the CRTPA has an approved (2021) Staff Services Agreement with the City of Tallahassee. Agreements are updated as necessary.

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

Please Check: Yes No

The CRTPA does not share any boundaries with another MPO.

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

Please Check: Yes No

The 10 Planning Factors are considered as part of the development of any project and/or program document. For program documents (i.e. TIP, LRTP, UPWP), a chart indicating what projects/tasks that address each factor is included.

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

Please Check: Yes No

The CRTPA develops transportation plans and programs based on the "3C" planning process. Key documents are continuously reviewed and updated annually (TIP, PPL) or when necessary (TIP, UPWP, CMP). For a comprehensive process, the CRTPA coordinates with the advisory committees, conducts meetings with local, federal, and state agencies, and engages the public and stakeholders. In addition, the process considers multiple transportation modes, demographic data

and access to transportation. Factors considered in the process include equity, accessibility, social justice, and employment.

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

Please Check: Yes No N/A

The current CMP was updated in 2018. An update is underway and scheduled to be finalized by the Fall of 2023.

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

Please Check: Yes No

An update to the PIP is currently underway. The draft of the updated PIP is planned to be presented at the April TAC and CMAC meetings. The formal 45-day public comment period will begin on April 18th (2023) with the presentation of the draft to the Board. The Public Involvement Plan is anticipated to be adopted at the June 19, 2023 CRTPA Board Meeting.

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

Please Check: Yes No

Yes, the previous plan was made available for public review for 45 days, The comment period for the update underway provides a comment period greater than the required 45 days.

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 CRTPA adopted Finance Policy establishes procedures for the expenditure of grant funds and the internal operating processes for handling funds, invoicing, and vendor payments. Accompanying the policy is a Memo on Internal Controls in Other Audit Areas. The CRTPA reviews the allowability of costs in accordance with the Federal Cost Principles and contract requirements.

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

The CRTPA submits invoices quarterly.

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

The CRTPA is a standalone entity, but not a direct recipient of federal funds, however, the agency is subject to the annual single audit. This past year's audit (FY 2021) marked three consecutive years with no findings, resulting in the CRTPA being categorized as a low-risk auditee pursuant to Federal guidelines.

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

The CRTPA's Finance Policy was developed consistent with the requirements of 2CFR200. The Policy is reviewed annually and updated as necessary. The Policy was reviewed and accepted by the FDOT Office of the Inspector General.

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

The CRTPA maintains electronic copies of billing detail reports for a minimum of five years. The reports categorize all incurred costs by type and date of expense and also identifies ineligible charges.

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

Yes, the supporting documentation provided to FDOT is sufficient for proper monitoring. The CRTPA appreciates the District recognizing that the supporting documentation and invoice details are in excellent order.

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 contractual agreements for consultant services contain the required federal and state clauses to ensure compliance with the CRTPA/FDOT Planning Agreement and the use of Federal-aid funds.

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

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

FDOT Joint Certification

Please Check: Indirect Rate De Minimis Rate N/A

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

N/A

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 CRTPA includes the Title VI language, and the contact information, on all documents and it is posted on the website. Both the policy and complaint filing procedure are posted for public view.

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

Please Check: Yes No

The CRTPA contracts contain the appropriate language and are consistent with the requirements of the Nondiscrimination Agreement with the State.

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

Please Check: Yes No

The CRTPA Title VI / Nondiscrimination Policy Statement and process for filing a complaint are posted on the CRTPA website. As a part of the update to the Public Involvement Plan the CRTPA will review and update the Title VI statement and policy.

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

Please Check: Yes No

The CRTPA does collect demographic Census data for the Limited English Proficiency, as well as demographic data related to specific projects. As part of the update to the Public Involvement Plan the CRTPA is considering including guidance related to the collection of demographic data to document nondiscrimination and equity in its plans, programs, services, and activities.

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

Please Check: Yes No

The CRTPA welcomes any opportunity to participate in Title VI training should it be offered.

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, any complaint would be maintained in summary for the five-year minimum period. No complaints have been filed for 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 CRTPA uses a qualifications-based selection process that is consistent with the Code of Federal Regulations and Florida statute as applicable. Qualifications-based selection is initiated through a publicly advertised notice, which includes detail about the requested services, evaluation criteria and a schedule and deadline for responses. Once the RFQ submittals are deemed responsive by Procurement staff, they meet with the CRTPA and present their determinations. Next, an Evaluation and Selection Committee (Committee) reviews the proposals. The Committee conducts a preliminary evaluation of all submittals on the basis of the information provided and other evaluation criteria as set forth in the Request for Qualifications. ***Firms that are selected are required to enter into an agreement with the CRTPA to provide the contracted services, which is subject to approval by the CRTPA Executive Committee and/or the CRTPA Board.***

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

All records regarding procuring, managing, and administering contracts are kept for a minimum of five years. These records include 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. The CRTPA maintains the Annual Audit reports for a minimum of ten years.

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 CRTPA procures services pursuant to the executed 2021 Staff Services Agreement with the City of Tallahassee. With regards to procurement, the Agreement states that, "The City purchasing function of the CRTPA shall comply with the provisions of Section 287.055, Florida Statutes ("The Consultants' Competitive Negotiation Act") and the federal and FDOT procurement requirements for the procurement of professional services. Per federal guidelines, CRTPA procurement activities

shall not include requirements for geographic preference.” Staff works closely with the City’s Procurement staff to ensure compliance.

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 CRTPA conducts periodic project meetings with our consultants, reviews all work draft and final work products, and receives monthly progress reports.

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

Please Check: Yes No

The CRTPA requests that FDOT and FHWA review all contracts to ensure that the required language and provisions are included. In addition, procurement and legal staff review for compliance with federal and state law.

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

Please Check: Yes No

The CRTPA follows the FDOT DBE goal and equal opportunity requirements. The non-discrimination and race-neutral language is included in all solicitations and contracts.

7. Are the MPOs tracking all commitments and payments for DBE compliance?

Please Check: Yes No

The CRTPA has developed an internal tracking form that the consultants complete with each invoice submitted. The form records indicates if the consultant has or has not used a DBE firm. If yes, then the name of the DBE is provided along with the payment amount. This information is imported to the DBE spreadsheet provided by FDOT.

8. The MPO must be prepared to use the Grant Application Process (GAP) to record their professional services contract information starting on July 1, 2022. Has the MPO staff been trained on the GAP system? If yes, please provide the date of training. If no, please provide

the date by when training will be complete (Recordings are available on the FDOT Local Programs [webpage](#)).

Please Check: Yes No

Viewed Recorded Webinar July 2021
In-Person Training with Romero Dill 9-29-22

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

Please Check: Yes No

Yes, the CRTPA's contracts include the DBE policy statement. The CRTPA submits Consulting and Professional Services contracts to the Federal Highway Administration and the Department for review. Any recommendation(s) made regarding the required DBE policy statement is incorporated into the final contract. Revised contracts are provided to both agencies prior to executing.

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

FDOT Joint Certification

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

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

Please Check: Yes No N/A

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

Please Check: Yes No N/A

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

Please Check: Yes No N/A

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

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

Please Check: Yes No N/A

Part 1 Section 5: Noteworthy Practices & Achievements

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

The CRTPA has undertaken a number of operational and feasibility studies in 2021 and 2022. A key part of the project development was engaging citizens, business owners, environmental and civic organizations, agency partners, or advocacy groups as appropriate to the project and project phase. Some examples of the enhanced public involvement includes meeting with neighborhood and homeowners associations, conducting pop-up events, mail-outs, as well as virtual and one-on-one meetings. These tools resulted in a robust and effective public engagement.

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.

The CRTPA adopted a travel policy pursuant to Section 112.061, Florida Statutes. Adopted by Resolution No. 2022-10-7D, the policy is consistent with the applicable sections of the City's [Travel] Policy 602 and satisfies the requirement of Section 7 of the CRTPA and City of Tallahassee Staff Services Agreement. Accordingly, the policy includes guidance on the purpose of, and procedures for, the processing of CRTPA travel using [City] travel forms.

It is our understanding that travel reimbursement complies with MPO and State travel policies and regulations. If this is not the case, we would like to discuss during the Certification meeting.

The signed Resolution, along with agenda item are attached.



Capital Region TPA
Joint Certification 2022
3/9/2023

Contents

Purpose 2

Certification Process 3

 Risk Assessment Process 4

 Part 2 Section 1: Risk Assessment 9

 Part 2 Section 2: Long-Range Transportation Plan (LRTP)..... 13

 Part 2 Section 3: Transportation Improvement Program (TIP)..... 14

 Part 2 Section 4: Unified Planning Work Program (UPWP)..... 15

 Part 2 Section 5: Clean Air Act..... 16

 Part 2 Section 6: Technical Memorandum 19-03REV: Documentation of FHWA PL
 and Non-PL Funding 17

 Part 2 Section 7: MPO Procurement and Contract Review 18

 Part 2 Section 8: District Questions..... 20

 Part 2 Section 9: Recommendations and Corrective Actions..... 21

 Part 2 Section 10: Attachments..... 22

FDOT Joint Certification
Part 2 – FDOT District

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
Part 2 – FDOT District

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

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

Risk Assessment Process

Part 2 Section 1: Risk Assessment evaluates the requirements described in [2 CFR §200.332 \(b\)-\(e\)](#), also expressed below. It is important to note that FDOT is the recipient and the MPOs are the subrecipient, meaning that FDOT, as the recipient of Federal-aid funds for the State, is responsible for ensuring that Federal-aid funds are expended in accordance with applicable laws and regulations.

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

- (1) The subrecipient's prior experience with the same or similar subawards;*
- (2) The results of previous audits including whether the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;*
- (3) Whether the subrecipient has new personnel or new or substantially changed systems; and*
- (4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).*

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

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

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

*FDOT Joint Certification
Part 2 – FDOT District*

(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and written confirmation from the subrecipient, highlighting the status of actions planned or taken to address Single Audit findings related to the particular subaward.

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

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

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

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

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

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

FDOT Joint Certification
Part 2 – FDOT District

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

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

The questions in Part 2 Section 1: Risk Assessment are quantified and scored to assign a level of risk for each MPO, which will be updated annually during the joint certification process. The results of the Risk Assessment determine the minimum frequency by which the MPO's supporting documentation for their invoices is reviewed by FDOT MPO Liaisons for the upcoming year. The Risk Assessment Scoring Sheet is available [here](#) on the MPO Partner Library. The frequency of review is based on the level of risk in **Table 1**.

Table 1. Risk Assessment Scoring

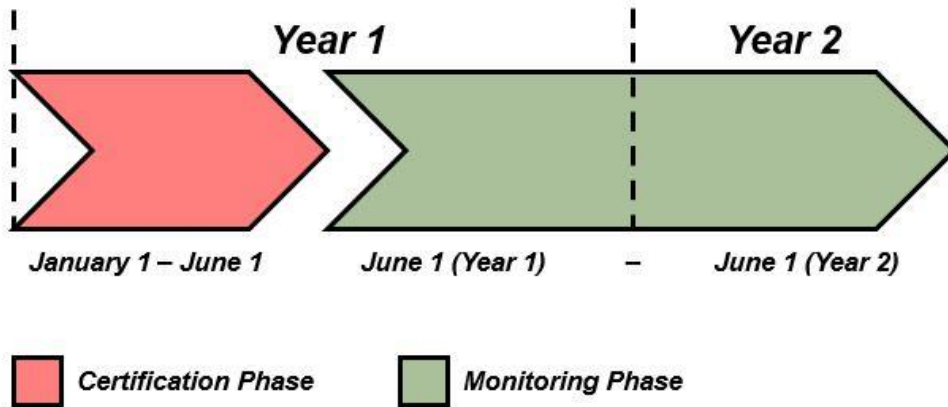
Score	Risk Level	Frequency of Monitoring
> 85 percent	Low	Annual
68 to < 84 percent	Moderate	Bi-annual
52 to < 68 percent	Elevated	Tri-annual
< 52 percent	High	Quarterly

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

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 this 6-month period, a Risk Assessment is performed assessing the previous calendar year.
2. Monitoring phase: After the joint certification review has been completed, the Risk Assessment enters the Monitoring phase, where the MPO is monitored for a 12-month period 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 18 months in total. On January 1 of each year, the new Certification phase will begin, which will overlap with the previous year's Monitoring phase. **Figure 1** shows the timeline of Risk Assessment phases.

Figure 1. Risk Assessment: Certification and Monitoring Phases



FDOT Joint Certification
Part 2 – FDOT District

Part 2

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

Part 2 Section 1: Risk Assessment

MPO Invoice Submittal

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

Table 2. MPO Invoice Submittal Summary

Invoice #	Invoice Period	Date the Invoice was Forwarded to FDOT for Payment	Was the Invoice Submitted More than 90 days After the End of the Invoice Period? (Yes or No)
PL-5	7/1/21-9/30/21	12/30/21	N Stamped 12/30/21
SU-5	7/1/21-9/30/21	12/30/21	N, Stamped 12/30/21
PL-6	10/1/21-12/31/21	3/31/22	N, Stamped 3/31/22
SU-6	10/1/21-12/31/21	3/31/22	N, Stamped 3/31/22
PL-7	1/1/22-3/31/22	6/30/22	N, Stamped 6/30/22
SU-7	1/1/22-3/30/22	6/30/22	N, Stamped 6/30/22
PL-8	3/1/22-6/30/22	11/30/22	N, Stamped 11/30/22 Approved Ext by FHWA
SU-8	4/1/22-6/30/22	11/30/22	N, Stamped 11/30/22 Approved Ext by FHWA
CM-1	4/1/22-6/30/22	11/30/22	N, Stamped 11/30/22 Approved Ext by FHWA
MPO Invoice Submittal Total			
Total Number of Invoices that were Submitted on Time			9
Total Number of Invoices Submitted			9

FDOT Joint Certification
Part 2 – FDOT District

MPO Invoice Review Checklist

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

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

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

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

Table 3. MPO Invoice Review Checklist Summary

MPO Invoice Review Checklist	Number of Correct Materially Significant Finding Questions
<i>PL-5</i>	7
<i>SU-5</i>	7
<i>PL-6</i>	7
<i>SU-6</i>	7
<i>PL-7</i>	7

SU-7	7
PL-8	7
SU-8	7
CM-8	7
MPO Invoice Review Checklist Total	
Total Number of Materially Significant Finding Questions that were Correct	63

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

MPO Supporting Documentation Review Checklist

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

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

Table 4. MPO Supporting Documentation Review Checklist Summary

MPO Supporting Documentation Review Checklist	Number of Correct Materially Significant Finding Questions
Completed January 2023	25

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

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

Technical Memorandum 19-04: Incurred Cost and Invoicing Practices

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

Please Check: Yes No N/A

Risk Assessment Score

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

Table 5. Risk Assessment Scoring

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

Risk Assessment Percentage: 100

Level of Risk: **Low**

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

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

Please Check: Yes **No**

If yes, please ensure any correspondence or comments related to the draft and final LRTP and the LRTP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

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Part 2 Section 3: Transportation Improvement Program (TIP)

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

Please Check: Yes **No**

If yes, please ensure any correspondence or comments related to the draft and final TIP and the TIP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

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

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

Please Check: Yes **No**

If yes, please ensure any correspondence or comments related to the draft and final UPWP and the UPWP checklist used by Central Office and the District are in the [MPO Document Portal](#) or attach it to Part 2 Section 10: Attachments. List the titles and dates of attachments uploaded to the MPO Document Portal below.

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

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Part 2 Section 5: Clean Air Act

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

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

Title(s) of Attachment(s)

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

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

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

Part 2 Section 7: MPO Procurement and Contract Review

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

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

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

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

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

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

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

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

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

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

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

FDOT Joint Certification
Part 2 – FDOT District

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

Please Check: Yes No N/A

Part 2 Section 8: District Questions

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

1. Question

PLEASE EXPLAIN

2. Question

PLEASE EXPLAIN

3. Question

PLEASE EXPLAIN

4. Question

PLEASE EXPLAIN

5. Question

PLEASE EXPLAIN

Part 2 Section 9: Recommendations and Corrective Actions

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

Status of Recommendations and/or Corrective Actions from Prior Certifications

PLEASE EXPLAIN

Recommendations

PLEASE EXPLAIN

Corrective Actions

PLEASE EXPLAIN

*FDOT Joint Certification
Part 2 – FDOT District*

Part 2 Section 10: Attachments

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

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

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