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Memorandum

To: Transportation Committee
From: Tara C. Fifer
Subject: Self-Certification
Date: January 3, 2008

The MPO Policy Committee is charged with implementing the metropolitan planning process in accordance with applicable requirements of the SAFETEA-LU, the Clean Air Act, the Civil Rights Act, and the Americans with Disabilities Act. All agencies involved in the transportation planning process must also be held accountable to these federal requirements.

By federal law, agencies providing transportation services and/or receiving federal money must categorically adhere to the requirements as listed in the 'POLICY COMMITTEE: Resolution Number 08-01 – A RESOLUTION CERTIFYING THE PLANNING PROCESS'.

We have ascertained that regulations and policies of the programming agencies are in compliance with applicable federal and state employment opportunity laws and guidelines, affirmative action goals, equal employment opportunity requirements, employment practices, procurement activities and transportation services. The Unified Work Program includes documentation that as an agency and in partnership with members, the MPO Policy Committee adheres to the applicable requirements of SAFETEA-LU and the Clean Air Act.

The ten requirements for self-certification are listed in italics below.

(1) *23 U.S.C. 134, 49 U.S.C. 5303, and this subpart.* These citations summarize the metropolitan planning requirements. This region is currently certified and has an approved Transportation Improvement Program, Long Range Transportation Plan, Unified Work Program, Congestion Management Process, Public Participation Plan, required interagency agreements, approved metropolitan area boundaries, and annual listings of obligated projects.

(2) *In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93.* State and local transportation officials take part in the 3C planning process to determine

which planning elements will be implemented to improve air quality. Section I (Executive Summary) and Appendix J (UWP Development Process) of the Unified Work Program document how the state and local officials participate in the planning process.

(3) *Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d–1) and 49 CFR part 21.* Title VI prohibits exclusion from participation in, denial of benefits, and discrimination under federally assisted programs on grounds of race, color or national origin. Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a description of how the affected member agencies meet these requirements.

(4) *49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.* Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a discussion of how the affected member agencies meet these requirements. Additionally, member agencies have documented their adherence to these requirements on their websites.

(5) *Section 1101(b) of the SAFETEA–LU (Pub. L. 109–59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects.* The DBE program ensures equal opportunity in transportation contracting markets and the statute provides that at least 10% of the amounts made available for any federally funded projects be expended with certified DBEs. These policies are included on all of the partner websites and in their policy practices. Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a description of how the affected member agencies meet these requirements.

(6) *23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.* Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a discussion of how the affected member agencies meet these requirements. Additionally, member agencies have documented their adherence to these requirements on their websites.

(7) *The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38.* Programs and activities funded with federal dollars are prohibited from discrimination based on disability. Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a description of how the affected member agencies meet these requirements. Additionally, member agencies have documented their adherence to these requirements on their websites.

(8) *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.* Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a discussion of how the affected member agencies meet these requirements. Additionally, some member agencies are subject to triennial reviews by

the FTA where this and other requirements are evaluated. There has been no notice of any member agency not satisfying this requirement.

(9) *Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.* Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a discussion of how the affected member agencies meet these requirements. Additionally, some member agencies are subject to triennial reviews by the FTA where this and other requirements are evaluated. There has been no notice of any member agency not satisfying this requirement.

(10) *Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.* Appendix C (Civil Rights and Environmental Justice Requirements) of the Unified Work Program provides a discussion of how the affected member agencies meet these requirements. Additionally, some member agencies are subject to triennial reviews by the FTA where this and other requirements are evaluated. There has been no notice of any member agency not satisfying this requirement.

The current Unified Work Program for northeastern Illinois, including Section 1 and appendices C and J may be found here:

http://www.cmap.illinois.gov/uwp/fy08/uwp_program_document.pdf.

The products discussed under the first certification item are also available on the CMAP website.