



Lincoln MPO Technical Committee Agenda Summary

AGENDA ITEM NO. 6
MEETING DATE April 10, 2024
REQUEST VOTE: 2024 Self-Certification Review
ASSOCIATED MEETINGS None
STAFF CONTACT Rachel Christopher, rchristopher@lincoln.ne.gov, 402-441-7603

RECOMMENDATION: AUTHORIZE EXECUTIVE OFFICER TO SIGN THE SELF-CERTIFICATION STATEMENT

SUMMARY OF REQUEST

Concurrent with the submittal of the annual Transportation Improvement Program (TIP), the Lincoln Metropolitan Planning Organization (MPO) and the Nebraska Department of Transportation (NDOT) certify to the Federal Highway Administration and Federal Transit Administration that the planning process is being carried out in accordance with all applicable requirements set forth in 23 CFR 450.336. The Lincoln MPO must submit the Self-Certification of the Planning Process to NDOT with the submittal of a new TIP. The MPO Self-Certification, which will be included in the Proposed FY 2025-2028 TIP, is enclosed.

BUDGET CONSIDERATIONS

Compliance with federal requirements regarding the metropolitan transportation planning process is necessary for the Lincoln MPO planning area to continue receiving federal transportation funds.

**JOINT NDOT-MPO CERTIFICATION STATEMENT
ON THE
METROPOLITAN TRANSPORTATION PLANNING PROCESS**

In accordance with 23 U.S.C. Sec. 134 - Metropolitan transportation planning, 23 CFR Part 450.336 (a), the Nebraska Department of Transportation and Lincoln Metropolitan Planning Organization certify that the transportation planning process is addressing the major issues in the Metropolitan Planning Area and is being conducted in accordance with all applicable requirements of:

(1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;

The Lincoln MPO collaborates with local, state and public transportation agencies to carry out a continuous, cooperative, and comprehensive (3-C) metropolitan planning process for the Lincoln Metropolitan Planning Area through its Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), and other transportation planning activities.

(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;

Since February of 1989, Lincoln has been designated by U.S. EPA as being in attainment for all the National Ambient Air Quality Standards (NAAQS). An on-going ambient air quality monitoring program for particulate matter (PM2.5) and ozone is in place to monitor transportation related air emissions.

**(3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
and**

(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;

The Lincoln MPO's Public Participation Plan together with the MPO Management Plan, Unified Planning Work Program, Environmental Justice Action Strategy, Title VI Policy, and LEP Program/Plan ensures that no person will be excluded from participation in the planning process and in the development of plans and programs.

(5) Section 11101(e) of the Infrastructure Investment and Jobs Act (Pub. L. 117-58) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

The City of Lincoln-StarTran maintains the Disadvantaged Business Enterprise Program that was submitted to FTA in 2014 that includes the Small Business Utilization elements and continues to meet the requirements of the Federal Transit Administration.

- (6) **23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;**
Selection of private consultants for transportation planning related contractual projects utilizing FHWA and State PL funds is coordinated by and adheres to NDOT and City of Lincoln Purchasing guidelines; reviews of all proposals are conducted by the City EEO Officer to assure compliance with applicable Title VI regulations. Per Federal guidelines under Title VI, a plan has been developed to provide meaningful access to Limited English Proficient individuals.
- (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;**
- (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;**
- (9) **Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender;**
and
- (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.**
The City of Lincoln has an Equal Employment Policy (Lincoln City Municipal Code: Chapter 11.08) that prohibits discrimination on the basis of race, color, creed, or national origin, and prohibits discrimination of age, non-job related physical or mental disability and gender. This policy along with the MPO Public Participation Plan and Environmental Justice Action Strategy ensures that "particular attention will be given to impacts upon specific identifiable minority groups in relationship to Title VI of the Civil Rights Act 1964, and Title VIII of the Civil Rights Act of 1968, and ensures that no person will be excluded from participation in the planning process and the development of plans and programs.

Based on a joint review and evaluation, the Nebraska Department of Transportation and the Lincoln Metropolitan Planning Organization recommend that the Metropolitan Planning Process for the Lincoln Metropolitan Planning Organization be certified with conditions as identified in the *Action Plan for Addressing the Quadrennial Certification Review*.

Lincoln Metropolitan Planning Organization

Nebraska Department of Transportation

 Mayor Leirion Gaylor Baird, Executive Officer

 Ryan Huff, Strategic Planning Division
 Nebraska Department of Transportation

 Date

 Date