

This report was prepared by the Mid-Ohio Regional Planning Commission (MORPC), 111 Liberty St., Columbus, Ohio 43215, 614-228-2663. Funding was provided by the Federal Highway Administration, Federal Transit Administration, Ohio Department of Transportation, and Delaware, Fairfield, Franklin, Licking and Union Counties. The report reflects the views and policies of the Mid-Ohio Regional Planning Commission.

In accordance with requirements of the U.S. Department of Transportation, MORPC does not discriminate on the basis of age, race, color, national origin, gender, sexual orientation, familial status, ancestry, military status, religion or disability in programs, services or in employment. Information on non-discrimination and related MORPC policies and procedures is available at <u>Title VI Non-Discrimination – MORPC.org</u>.

¹ Title VI of the U.S. Civil Rights Act of 1964

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally-assisted program, a recipient cannot, on the basis of race, color, or national origin, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or,
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

- U.S. Department of Justice

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SUMMARY OF MORPC ONGOING TITLE VI RELATED ACTIVITES

NAME	DESCRIPTION	DATE
TITLE VI ASSURANCES	DOT Title VI assurances are required by FHWA and FTA. MORPC includes these with the annual MPO self-certification resolution.	May 2024
DATA COLLECTION	MORPC is required to collect and map data on Title VI protected populations in the planning area. This is an on-going activity of the transportation department.	Ongoing
PUBLIC PARTICIPATION PLAN	MORPC is required to proactively encourage public participation – seeking out and considering the needs of those traditionally- underserved – the transportation department maintains a separate public participation plan.	September 2024
TITLE VI EXTERNAL COMPLAIN PROCESS	MORPC is required to maintain a complaint process.	Current
BENEFICIARY TITLE VI NOTIFICATIONS	MORPC is required to let beneficiaries know MORPC's obligations in regards to Title VI and how complaints can be filed.	Current
LEP (LIMITED ENGLISH PROFICIENCY)	MORPC is required to take sound measures and reasonable steps to serve the non-English speaking populations in the area. MORPC takes steps to better reach out to these populations and to produce various materials in different languages.	October 2024
ODOT TITLE VI REPORT	ODOT requires this report annually. It is included as an appendix in the transportation planning work program document.	May 2024
CONTRACTS, RFPs, RFQs REVIEWS	MORPC contracts, RFPs and RFQs are required to include specific Title VI related language. Individual departments and the finance director are responsible for making sure that this is done correctly.	Current

I. INTRODUCTION

A. THIS PROGRAM

This program, in response to FTA C4702.13, provides an overview of the responsibilities that the Mid-Ohio Regional Planning Commission (MORPC) has regarding the Civil Rights Act of 1964 (and related law) and how these responsibilities are carried out by MORPC. The program focuses primarily on Title VI of the Civil Rights Act and on the Metropolitan Planning Organization (MPO) functions at MORPC (see U.S. Code Title 23, section 134 and Title 49, section 5303). MORPC documents some of its non-discrimination-related activities in other reports and these are referenced and/or the current versions are included herein.

The information presented in this program is current as of the date of the report and will continue to provide an overview of Title VI and related non-discrimination activities and requirements. However, the information is subject to change and revision in accordance with new legislation, rules and policies at the federal, state, or MORPC levels, or due to MORPC updates of various documents. Therefore, it is strongly recommended that the MORPC staff or MORPC website and other internet links in Appendix A be consulted for the latest information.

THIS PROGRAM IS INTENDED TO SERVE THREE PRIMARY AUDIENCES AND PURPOSES:

- Federal and State Oversight Agencies: To provide information to state and federal oversight
 agencies on how MORPC carries out its responsibilities in regard to Title VI and related nondiscrimination requirements.
- **MORPC Staff:** As a reference for MORPC staff on Title VI-related requirements and responsibilities and procedures that MORPC follows related to non-discrimination.
- **General Public:** Information for the general public on the non-discrimination regulations that MORPC is obligated to follow (due to being a federal fund recipient and a public entity) and how MORPC responds to these requirements.

It should be noted that MORPC is responsible, contractually, to various jurisdictions in carrying out and properly and sensitively following non-discrimination requirements. The state and federal governments have significant oversight responsibility for MORPC in regards to non-discrimination, and for some MORPC funding sources, local governments or other entities also may have an oversight role. (See Appendix B.)

B. CIVIL RIGHTS ACT OF 1964 AND TITLE VI

At a time when significant amounts of open, overt and even government-sanctioned discrimination still existed against Americans of African descent across the United States, the U.S. Congress passed the landmark Civil Rights Act of 1964. President Lyndon Johnson signed the Civil Rights Act of 1964 into law on July 2, 1964. In considering the Title VI legislation, one senator addressed how North Carolina hospitals received substantial federal monies for construction, that such hospitals discriminated against blacks as patients and as medical staff, and that, in the absence of legislation, judicial action was the only means to end these discriminatory practices:

"That is why we need Title VI of the Civil Rights Act, H.R. 7152 - to prevent such discrimination where Federal funds are involved...Title VI is sound; it is morally right; it is legally right; it is constitutionally right...What will it accomplish? It will guarantee that the money collected by colorblind tax collectors will be distributed by Federal and State administrators who are equally colorblind. Let me say it again: The title has a simple purpose – to eliminate discrimination in Federally-financed programs." This made entities that receive federal funding, such as MORPC, directly subject to the federal Civil Rights Act and requirements to operate in accordance with federal non-discrimination law. Current Title VI law requires non-discrimination in <u>all</u> programs and activities, <u>whether federally-funded or not</u>, of those who receive federal funds.

The term "program or activity" and the term "program" mean all of the operations of:

- 1. A department, agency, special purpose district, or other instrumentality of a state or of a local government; or
- 2. The entity of such state or local government that distributes such assistance and each such department or agency (and each other state or local government entity) to which the assistance is extended, in the case of assistance to a state or local government;

Any part of which is extended federal financial assistance. 42 U.S.C. § 2000d-4a(1)

In the 50-plus intervening years, following the passage of the 1964 Civil Rights Act, the specific applicability of the Act has been clarified or expanded to include more than race, color and national origin. Discrimination protections based on age, handicap/disability, sex, religion, limited English proficiency, and income level have also been included in various federal statutes, regulations, executive orders, and policies.

MORPC and other federal fund recipients must adjust their programs and policies to conform with these requirements, as well. Federal, state and local discrimination prohibitions against lesbian, gay, bi-sexual, and transgender (LGBT) individuals also are common (e.g., see June 2010 HUD press release No. 10-119).

Many programs have two recipients. The primary recipient or conduit directly receives the federal financial assistance. The primary recipient then distributes the federal assistance to a subrecipient to carry out a program. Both the primary recipient and subrecipient must act in accordance with Title VI. MORPC is a primary and subrecipient.

The specific Title VI-related activities discussed in this program are mostly in response to regulations and directives of the U.S. Department of Transportation (DOT), particularly the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). DOT Title VI implementing regulations are contained in the Code of Federal Regulations, 49 CFR 21.

C. AUTHORITIES

Most federal agencies have adopted regulations that prohibit recipients of federal funds from using criteria or methods of administering their programs that have the *effect* of subjecting individuals to discrimination based on race, color, or national origin. The Supreme Court has held that such regulations may validly prohibit practices having a disparate impact on protected groups, even if the actions or practices are not intentionally discriminatory. *Guardians*, 463 U.S. 582; *Alexander v. Choate*, 469 U.S. at 292-94; see *Elston v. Talladega County Board of Education*, 997 F.2d 1394, 1406 (11th Cir.), *reh'g denied*, 7 F.3d 242 (11th Cir. 1993).

While each federal agency extending federal financial assistance has primary responsibility for implementing Title VI with respect to its recipients, overall coordination in identifying legal and operational standards, and ensuring consistent application and enforcement, rests with the Civil Rights Division of the Department of Justice.

Title VI claims against an entity such as MORPC may be proven under two primary theories:

- Intentional discrimination/disparate treatment; and
- Disparate impact/effects.

The first refers to intentional discrimination based on race, color, or national origin. The second refers to actions that use a neutral procedure or practice that has a disparate impact on individuals of a particular race, color, or national origin, and when such a practice lacks a "substantial legitimate justification."

The documents below are some of the major federal civil rights-related legislation, regulations, executive orders, and federal agency guidance that MORPC is subject to. These are generally listed chronologically by date enacted and are not all-inclusive. See Appendix A for links to actual documents and other related information.

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000):

Prohibits discrimination on the grounds of race, color, or national origin

1970 UNIFORM ACT (42 USC 4601):

Related to persons displaced/property acquired

FEDERAL-AID HIGHWAY ACT OF 1973 (23 U.S.C. 324):

Prohibits discrimination on the basis of sex

SECTION 504 OF THE REHABILITATION ACT OF 1973 (29 U.S.C. 794):

Prohibits discrimination based on handicap/disability

AGE DISCRIMINATION ACT OF 1975 (42 U.S.C. 6101):

Prohibits discrimination based on age

IMPLEMENTING REGULATIONS (49 CFR 1.51, 49 CFR 21 AND 23 CFR 200):

U.S. DOT and FHWA Title VI implementing regulations

FEDERAL TRANSIT LAWS:

Title 49 U.S.C. Chapter 53 as amended by MAP-21

CIVIL RIGHTS RESTORATION ACT OF 1987 (P.L. 100-259):

Restored original intent and scope of Title VI to include all programs and activities of federal-aid recipients and contractors whether federally-funded or not

FAIR HOUSING ACT AMENDMENTS OF 1988 (42 U.S.C. 3601-3631):

Adds religion as a protected group for relocation purposes

AMERICANS WITH DISABILITIES ACT OF 1990 (P.L. 101-336):

Non-discrimination based on disability

DOT ORDER 1000.12: Implementation of DOT Title VI Program

EXECUTIVE ORDER 12250:

(28 CFR 42.401) Department of Justice coordination of enforcement of non-discrimination in federally assisted programs

EXECUTIVE ORDER 12898 (EJ) IN 1994:

Federal actions to address equity and fairness in minority and low-income populations ("Environmental Justice")

EXECUTIVE ORDER 13166 (LEP) IN 2000:

Requires meaningful access to services for people with limited English proficiency

E. STATE OF OHIO NON-DISCRMINATION LAWS

The State of Ohio also includes many of the same non-discrimination requirements as the federal government in various sections of the Ohio Revised Code, Ohio Administrative Code, Executive Orders, and other documents. The location for some of this information is Section 4112 of the ORC. MORPC, in all of its functions, is also subject to following these state laws and regulations.

D. MORPC ORGANIZATION AND FUNDING

MORPC is organized per sections 713.21 and 713.23 of the Ohio Revised Code as a "Regional Planning Commission" (RPC) and serves member jurisdictions in the Central Ohio area. The MORPC Transportation Policy Committee acts as the "Metropolitan Planning Organization" or "MPO" for the Columbus Urbanized Area (see "Prospectus" in MORPC Transportation Planning Work Program – link in Appendix A) as designated by the Ohio Governor and U.S. Department of Transportation.

MORPC has served as the MPO (or "Transportation Study") since 1964 and as a planning entity per the Ohio Revised Code since 1943 (under different organizational arrangements and names). The current organization, under the name "Mid-Ohio Regional Planning Commission," was formed in 1969.

MORPC currently includes four major "production" departments: 1) Transportation and Infrastructure Development (the "MPO"); 2) Data and Mapping; 3) Planning and Sustainability; that includes Energy and Air Quality. 4) Residential Services that includes home weatherization and housing rehab and within Transportation Infrastructure and Development there is a separate demand management program that provides ridesharing services in 15 counties. MORPC also includes several "support" departments including Executive Management, Finance, Information Technology, Communications and Engagement and Government Affairs and Strategic Initiatives.

MORPC is an independent, voluntary membership-run planning entity and receives part of its operations funding from member dues, which are also used to match grants. The MPO service area includes Delaware and Franklin Counties, and portions of northwest Fairfield County, southeast Union County and southwest Licking County.

The current MPO geographic area was generally established in 1973 except that portions of middle and northern Delaware County, not previously included in the MPO, were added in the early 1990s. Due to the increasing spread of urban growth beyond the central county in the past decade or so, and due to the larger 8-county U.S. Census Bureaudefined metropolitan statistical area, MPO work considers and sometimes includes, or extends into, areas beyond the MPO boundary.

MORPC is governed by a "commission" (or "board") composed of officials appointed from member governments per MORPC bylaws and articles of agreement. The MPO is governed by the "Transportation Policy Committee" under advisement from the Transportation Advisory Committee and the Community Advisory Committee. The Transportation Policy Committee includes the members of the Commission who are from geographic areas within the MPO boundary and some additional members, per Transportation Policy Committee bylaws.

BOARD DIVERSITY

To understand and effectively serve the needs of a diverse population, an organization's board should reflect the communities in which it represents, along with include the perspective of diverse voices. MORPC has made a concerted effort to recommend potential diverse leaders to fill Board vacancies.

Below are the demographics of the MORPC Board, which includes gender, race, and age. This data was collected in the spring of 2024.

Total: 172 Board Members

- 52 Females
- 120 Males
- 10 African American
- 0 Hispanic
- 1 Native American
- 141 White
- 9 Between the ages of 25 44
- 119 Between the ages of 45 64
- 44 65 or older

MORPC operates differently from most public entities in that agency funding comes not from a committed or dedicated tax source but from the voluntary participation of local governments, and from performing work associated with various grants and agreements, which can change over time. These grants and agreements are from federal agencies, the State of Ohio, local governments, utility companies, foundations, and from other public and private entities, to perform, implement or administer specific programs, services or studies.

The funding for a large portion of this work comes directly or indirectly from the federal government, often through state agency recipients. Sometimes these funds come through other subrecipients. The primary federal agencies that provide funding to MORPC include the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), the Department of Energy (DOE), and the Department of Health and Human Services (HHS). MORPC currently operates three major programs, which normally provide the bulk of federal funding to the agency:

- Transportation/MPO functions funded by the DOT
- Home Weatherization program funded by the DOE & HHS
- Housing programs funded by HUD

SECTION 5310 FUNDS

PROVIDING ASSISTANCE TO SUBRECIPIENTS CHAPTER III, 11

MORPC is the Designated and Primary Recipient of FTA Section 5310 funds in the Columbus, Ohio urbanized area. MORPC passes Section 5310 funds through to subrecipients as required by the grant program. MORPC is in the process of developing agreements/contracts using FFY 2018, 2019, and 2020 funds executed with FTA.

Subrecipients are to be held to the same non-discrimination standards and accountable to the FTA Master Agreement as well as more defined guidelines based on their particular projects as MORPC when using these funds. MORPC also complies FTA's Certification and Assurances each federal fiscal year as they become available.

Subrecipients can access MORPC's Title VI notice of rights, complaint form and procedures and adopted policies at morpc.org/title-vi/. All Title VI complaints regarding services provided with Section 5310 funds are to be addressed to MORPC as well as the recipient using MORPC's complaint procedures. Sample notices, procedures, demographic and other information will be coordinated and provided by MORPC to assist subrecipients in their Title VI compliance.

MONITORING SUBRECIPIENTS CHAPTER III, 12

MORPC has developed a process and schedule to track subrecipients Title VI Program compliance and submissions. MORPC's grant administrator will perform site visits as appropriate to each subrecipient to ensure their projects are in compliance with the signed agreement and FTA standards. The administrator will receive reports that will be entered into FTA TrAMS.

As required by the project, selected subrecipients will submit invoices to MORPC for reimbursement. Additional information may be requested in the event documentation is needed for reimbursement to ensure they are in compliance.

Conduct Equity Analysis for Determination of Site or Location of Facilities Chapter III, 13

MORPC and its subrecipients do not use FTA funds to determine the location of a new facility or make renovations to existing facility. No projects require an equity analysis for land acquisition and the displacement of persons from their residences or businesses.

Procedures MORPC uses to pass through FTA financial assistance to subrecipients in a nondiscriminatory manner Chapter VI, 2, c (2)

MORPC has a Section 5310 Program Management Plan (PMP) approved by FTA. The PMP documents the pass through of FTA financial assistance to subrecipients in a nondiscriminatory manner. As part of the Section 5310 funding request process, Title VI data collection and general reporting requirements, Limited English Proficiency Requirements and FTA Certification and Assurances is required. A description of procedures to request funding is also included in the PMP. (See Appendix K.)

When funding becomes available, MORPC submits a press release, posts on MORPC's website and social media, sends email blasts and mails post cards to potential subrecipients. MORPC's email and USPS mailing lists are inclusive of minority population organizations.

Each applicant is required as part of its Section 5310 funding request to provide information relating to the clientele to be served by the project, including the number of minority individuals broken down by African American, Hispanic, Asian or Pacific Islander, Native American, and Asian-Indian population groups. MORPC's Title VI complaint process will be used to solicit any complaints based on perceived discrimination based on race, color, or national origin. As a Designated and Primary Recipient, MORPC will monitor subrecipients with regard to Title VI.

Procedures MORPC uses to provide assistance to potential subrecipients applying for funding, including its efforts to assist applicants that would serve predominantly minority populations. Chapter VI, 2, c (3)

As stated in MORPC's PMP when the funding cycles are announced the selection process is open and transparent, and every effort will be made to reach multiple agencies that provide services to the primary target populations, ensuring equity of access to the benefits of the grant programs among eligible groups, as required by Title VI of the Civil Rights Act.

MORPC contacts interested parties representing all segments of the study area, including advocates for people with disabilities, the elderly and minority populations have been maintained. In addition to mailing announcements and web postings, funding availability will be communicated using MORPC's Transportation Public Participation Plan. (See Appendix G.)

The selection process includes an informational workshop where outlining the development of project and criteria is offered. The workshop and assistance in developing proposals are advertised and offered to all interested parties.

II. TITLE VI ORGANIZATION AT MORPC

A. INTRODUCTION

In general, routine Title VI and related non-discrimination responsibilities at MORPC are handled in a decentralized manner, being primarily the responsibility of individual departments. This reflects the reality that MORPC operates through many different agreements, contracts and programs, and each of them may have somewhat different requirements and responsibilities relating to Title VI and non-discrimination.

Though MORPC is one entity, each production department operates their programs in different functional areas, somewhat independently utilizing different funding sources and agreements, and under varying requirements, roles, and constraints, which individual departments are most familiar with. This affects how Title VI responsibilities are organized at MORPC.

It should be noted that all of MORPC, without exception and across all departments, is subject to following federal Title VI and non-discrimination requirements. In that MORPC receives any federal funds, it is subject to these regulations, but in fact, MORPC receives significant amounts of federal funds that infiltrate every activity and operation of MORPC. This makes the entire agency subject to the related federal laws in all its operations.

B. KEY STAFF RESPONSIBILITIES

As shown in the MORPC Title VI organization chart in Appendix F, the agency Executive Director, who is hired by the Commission, has overall responsibility for non-discrimination and implementation of the Title VI program. Directly reporting to the Executive Director on non-discrimination and civil rights issues is the Senior Communications and Engagement Director who serves as the overall agency, "Title VI Coordinator."

This person is the key contact person that has general responsibility over civil rights-related and non-discrimination issues that may arise within the agency. The Senior Communications and Engagement Director is responsible for Title VI as it relates to public outreach and Title VI notifications.

The other key staff member related to Title VI, is the DEI and Engagement Officer. This individual is responsible for making certain that the agency meets Title VI requirements in purchasing and in professional service or other contracts. This person is also responsible for employment and hiring and for the agency's Equal Employment Opportunity reporting.

MORPC has an internal Diversity, Equity and Inclusion Committee, which consist of staffers from each department. The purpose of the DE&I Committee is to cultivate an environment where individuals of diverse race, gender, and ethnicity may succeed and feel comfortable in the workplace. The committee will convene and engage MORPC employees while promoting the agency's diversity initiatives. Committee members will work alongside the Diversity Officer in achieving MORPC's strategic goals within the Diversity & Inclusion Work Plan. The committee will also guide the diversity efforts of the MORPC Board and Staff. While not specifically designated to address federal Title VI compliance issues, this committee may have participation in this in the future. Ultimately though, most of the on-going responsibility for meeting program-related Title VI requirements at MORPC rests with each department director.

III. KEY MPO TITLE VI ACTIVITIES

A. INTRODUCTION

MORPC conducts various activities to address and respond to Title VI-related issues, concerns, and requirements, Section III focuses on the primary Transportation and Infrastructure Development Funding/MPO and related departments activities regarding Title VI and includes planning sub-sections on data collection.

B. PLANNING PROCESS

1. INTRODUCTION

The MORPC Planning Department carries out a *comprehensive, cooperative and continuing* planning process in accordance with the Code of Federal Regulations, Title 23, Section 450. The principal products of this process are the Metropolitan Transportation Plan and the Transportation Improvement Program MORPC continually monitors the impacts of its planning to avoid, minimize or mitigate disproportional impacts on Title VI-protected populations through various impact analyses and performance monitoring. These activities are carried out through data collection and public participation, as described in subsections 2 and 3.

- Data collection
- Public participation

The primary responsibility for ensuring that these tasks are appropriately and sensitively carried out lies with the Chief Mobility and Infrastructure Officer and Senior Director of Programming, while the specific tasks are normally sub-delegated within the department. The Senior Communication and Engagement Director also has a significant role in the public participation and notification responsibilities.

The MORPC Planning Department has often performed special activities or planning studies outside the MPO's core planning process that are specifically directed to the Title VI-protected populations. Examples include the MPO's past participation with (and ongoing interest in) developing and maintaining the following:

- Human services transportation planning, mobility, and job access for the transportation disadvantaged as elements of the *Regional Mobility Plan* or *Coordinated Plan*.
- Transportation Demand Management Plan that incorporates mobility management.
- Planning Framework for the Evacuation of the Transportation Needs Populations in Central Ohio.
- *Insight2050* study that proactively plans for development and growth over the next 30+ years. This report considers changing demographics and impacts to the mobility of the transportation system.
- *Active Transportation Plan* encourages comprehensive and long-range active transportation planning to move the region towards and equitable and connected transportation network.
- *Rickenbacker Area Study* a community driven study of the intermodal hub to develop comprehensive approaches to economic development, infrastructure improvement, workforce mobility and affordable housing.

Minority Mobility Needs: During our outreach we did not identify any transportation needs specific to minority populations. Our planning process continuously reaches out to minority populations. To date we have not identified that minority populations in our region have transportation needs different from the population as a whole. These needs are access to jobs and other services; improve the safety of the transportation system; and minimize congestion. MORPC also considers the needs of the population with lower incomes, older adults and the transportation challenges associated with not having a car or the ability to drive in our region. Over the last several years, the agency has seen an increase in the need to improve transit services and provide more biking and walking infrastructure to create better and more sustainable neighborhoods. Our transportation planning process includes minority population groups and viewpoints.

Impacts of State and Federal Funds: MORPC's analysis of the impact of the distribution of State and Federal funds is shown in Figures IV-1 to IV-35 on pages 15- 31 of the Environmental Justice documentation. The charts identify the impacts of the TIP projects with respect to particular measures on various populations groups which specially include minority and non-minority populations groups. A disparate impact would show up in these graphs if the trends depicted on the graph would be different between minority and non-minority population. In all measures the trend lines of minority and non-minority population follow a similar pattern as a result of the TIP projects when compared to the no build situation. More details can be derived by the paragraph associated with each measure. (See Appendix H.)

This type of work is done periodically in addition to the standard MPO activities discussed below.

2. DATA COLLECTION

MORPC is a major collector, user and generator of economic, demographic, land use, transportation, and other data. Collecting certain types of data is a regulatory requirement: Develop procedures for the collection of statistical data (race, color, sex, age, disability, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocates, impacted citizens and affected communities (23 CFR 200.9(b)(4)). Some of the purposes identified for collecting data, include:

To Identify:

- Impacts and persons/businesses impacted by transportation projects
- Transportation needs of all persons/groups within plans or project area
- People to include in the decision-making process
- Leaders/"Champion(s)" for various modes and transportation options
- Benchmark and monitor MORPC diversity efforts

Historically, the major need for data at MORPC has been related to the travel demand modeling component of the transportation work program and is a core part of MORPC's ongoing work. The need for data, however, goes beyond modeling and permeates most planning and service outreach activities at MORPC.

The MPO provides forecasts of population, housing, economic and transportation trends that provide the basis for addressing current issues and exploring future needs. Additional MORPC data for planning purposes includes infrastructure inventories, development inventories, traffic counts, crash analysis, bicycle travel level of stress and travel flow patterns. MORPC also serves as a center for the collection, analysis, and dissemination of information in Central Ohio.

Some data is important to the planning process and Title VI because it helps identify the geographic locations and extent of traditionally underserved populations that are protected through Title VI plans and projects.

Demographic data regarding characteristics of these target populations for the metropolitan planning area is gathered and distributed into MORPC's traffic analysis zones. This is done so that the data can be further analyzed through the travel demand model. The analyses result in the identification of planning measurements that can be used to identify geographic areas of high densities of target populations and monitor the impacts of transportation plans and projects.

3. PUBLIC PARTICIPATION

An effective public participation process is a cornerstone to due process protection under the law. The rationale is the desire for a public participation process that proactively seeks and is open to addressing the needs of all persons, including those traditionally underserved or underrepresented. Furthermore, the rationale is to provide public access and the opportunity for input in the development of agency programming.

The public participation, consultation and notification requirements of MPOs are described in the Code of Federal Regulations Title 23, Section 450.316. CFR 450.316 (1) (vii): Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services.

Public participation is defined as the process by which interested and affected individuals or entities are consulted and included in decision-making process. The public participation process includes:

- Information dissemination (timely and relevant)
- Consultation (honest and open exchanges)
- "Stakeholder" participation (collaborative engagement)

Communication and public outreach are important to MORPC programs and activities. Planning studies conducted by staff often need to include participation by a broad spectrum of area residents. Services offered by the housing or weatherization programs particularly, must reach lower and moderate-income groups, minorities, non-English speaking persons, and others. Results of the public participation efforts are included in the Public Participation Appendix of each document. The Diversity and Inclusion plan also benchmarks the effectiveness of reaching out to these populations. See Focus Area: Service to Diverse Populations in the Diversity and Inclusion Plan. (See Appendix N.)

MORPC's Public Participation Plan for the metropolitan planning organization is updated periodically, and helps to guide the engagement and outreach efforts for the transportation planning process. The current version of this plan is in Appendix G.

Some of the tools that MORPC uses to help keep the public informed include the following:

Website: MORPC maintains an extensive website that is updated frequently. The site includes information on the agency's responsibilities, policies, programs, publications, on-going activities, and press releases. Direct staff links are provided for most of the information on the website.

Social media: MORPC's social media efforts include Facebook, Instagram, YouTube, and LinkedIn.

Publications: Each year, MORPC issues a multitude of publications, reports, and maps as part of the agency's work, and responds to and processes a large number of data requests. Much of this can be accessed through the website. Plans and programs – such as the Metropolitan Transportation Plan and the Transportation Improvement Program are also distributed to the metropolitan libraries located within the transportation planning area.

Electronic newsletters: MORPC utilizes electronic newsletters such as its regional eSource and other periodic emails to inform the public of its programs, projects, events, and initiatives.

Press Releases: Press releases are routinely sent to media contacts, including daily and weekly newspapers, and television and radio stations throughout the Central Ohio area. These include numerous Title VI protected groups. The press releases are also placed on the website.

Meetings Open to the Public: All MORPC board and committee meetings are open to the public. Meeting dates, times and agendas for board and major committee meetings are posted in advance on the agency's website, with some meetings taking on a hybrid, in-person and online format as a result of the COVID-19 pandemic.

Opportunities for Public Comment: MORPC routinely provides opportunities for public comment through social media, online, email, U.S. mail, fax, phone, and through public comment at meetings. MORPC responds to all comments received.

Staff is Accessible: Staff is accessible in person, on the phone, by mail, by fax, and by email. Contact information for many staff members is included on the agency website.

Mailings: MORPC routinely uses direct mail and email to keep the public informed of the agency's services, programs, public comment periods, meetings, and publications. These mailings include a large number of community groups and social service agencies, some of which represent Title VI protected groups. MORPC also sends press releases to newspapers that are published by and for traditionally underserved populations.

Events: Events such as workshops, open houses, and forums are held regularly. MORPC routinely offers the following different ways for people to comment on activities, programs, and decisions made at the agency, as follows:

- **Comments are Accepted at Any Time:** Comments are accepted through social media, online, phone, email, U.S. mail, through interactive web maps, and in person at any board, committee or public meeting.
- Formal Public Comment Periods for Major Activities: Formal public comment and review periods are used to solicit comments on major planning and programming activities. This includes major amendments to the Metropolitan Transportation Plan and the Transportation Improvement Program and changes to important MORPC policies such as the Public Participation Plan.

MORPC also has an active Community Advisory Committee that is a major component of the public participation process and provides public input and recommendations to the Transportation Policy Committee. It is the responsibility of MORPC Staff to make sure that the Community Advisory Committee has representation from Title VI relevant populations.

The Community Advisory Committee includes diverse members from different backgrounds who represent minorities and people with disabilities. MORPC consistently recruits for new committee members. MORPC also reviews and requires that project-specific committees include representation of diverse populations from the study areas.

The Transportation Advisory Committee serves as the technical component of the public participation process and provides recommendations to the Transportation Policy Committee.

In recent years, MORPC has taken steps to reach out to the growing non-English speaking communities in Central Ohio. MORPC has some of its outreach material translated into Spanish, Somali and French. It also makes efforts to distribute information to Spanish and Somali residents and publications in the region. The MORPC website can be translated into various languages. MORPC also has under contract various agencies that provide interpretation, translation and services for the deaf and hearing impaired. This information is available to all staff members so they can assist people who require translation services. See additional information in the Diversity and Inclusion plan under Focus Area: Service to Diverse Populations. (See Appendix N.)

Additional information on public participation is included on the MORPC website. See the MORPC "Public Participation Plan and "Metropolitan Transportation Plan" links in Appendix A.

4. DIVERSITY AND INCLUSION PLAN

In 2009 MORPC formed the Diversity & Inclusion Committee to investigate the agency's approach to diversity. The committee inventoried each department's policies in serving diverse populations. The committee also hired a consultant, Multiethnic Advocates for Cultural Competence (MACC), to help MORPC enhance its diversity efforts.

In 2013, MORPC created the first MORPC Diversity & Inclusion Work Plan. The plan utilized the suggestions from MACC based on surveys and focus group interviews with staff and board members, as well as information provided from a MORPC self-assessment for cultural competence in the workplace completed for United Way.

The goal of the yearly work plans is to cultivate a work environment that is welcoming and inclusive; provide services and programs to the Central Ohio community creating a special place to live, work, and raise a family; and create a place for businesses to want to locate. The work plans assist MORPC in its planning and decision-making, establishing priorities, providing relevancy to the MORPC region, building capacity, maintaining accountability, allocating resources and improving services to the Central Ohio community.

MORPC's commitment to diversity is evident in its Diversity Statement:

"Diversity refers to the differences that make us unique. MORPC recognizes, values, embraces and celebrates diversity by respecting and utilizing all of our differences to enhance our lives and our society."

The current Diversity Work Plan reviewed the efforts of the previous Work Plan and the six focus areas.

The matrices, sorted by focus area, identifies: the process in which to achieve desired outcomes (Infrastructure); the capability to implement the processes (Competency); and the MORPC Team Member(s) responsible for the specific infrastructure (Staff). Each matrix provides an area for reporting results (Outcome).

Workforce & Leadership: Commit to the preparation of a culturally competent workforce and Board.

Workplace: Improve accessibility and accommodations for all.

Supplier Diversity & Procurement: Maintain agency spend of 15%.

Service to Diverse Populations: Increase/enhance service to diverse populations.

Diversity Requirements: Continue to meet the federal requirements for DBE and Section 3 HUD monitoring and reporting.

Diversity Communications: Increase the promotion of MORPC's services and programs to diverse audiences, and increase the awareness of MORPC's Diversity & Inclusion efforts.

As a result of the outcomes from the previous Work Plan new actions were developed to improve performance on priority Diversity & Inclusion goals and to implement new internal structure to improve capacity, results and priority. The results of those efforts are revealed in the current Diversity Work Plan.

See Appendix N for the complete Diversity and Inclusion Work Plan.

IV. OTHER TITLE VI-RELATED RESPONSIBILITIES AT MORPC

A. TITLE VI RESOLUTION, POLICY STATEMENT AND

MORPC is required by the U.S. Department of Transportation to submit approval of the three-year Title VI program and to maintain a Title VI policy statement signed by the Executive Director and Title VI assurances. (See Appendix J.) The policy statement, included in Appendix C, is an express commitment to non-discrimination and is signed by the chief administrative officer. The <u>policy statement is required</u> to be circulated throughout the organization and general public.

The Title VI <u>assurances</u> are now included as part of the annual MPO self-certification resolution, usually adopted in May of each year. Appendix C includes a copy of this from FY 2021.

It is relevant to note that by signing an assurance, the recipient has provided documentation that may be a basis for a 'breach of contract' action. Even without such writing, courts describe Title VI obligations (and other non-discrimination laws) as similar to a contract; "the recipients' acceptance of the funds triggers coverage under the non-discrimination provision" (Paralyzed Veterans, 477 U.S. at 605).

Assurances serve two important purposes: they remind prospective recipients of their non-discrimination obligations, and they provide a basis for the federal government to sue to enforce compliance with these statutes.

The notice, Notifying the Public of Rights Under Title VI, can be found on MORPC's website at <u>Title VI Non-Discrimination – MORPC.org</u> in MORPC's lobby, and in the employee lounge.

B. ON-SITE TITLE VI FEDERAL OR STATE REVIEWS

The federal agency providing the financial assistance is primarily responsible for enforcing Title VI as it applies to its recipients. Federal agencies have several mechanisms available to evaluate whether recipients are in compliance with Title VI, and additional means to enforce or obtain compliance should a recipient's practices be found lacking. Evaluation mechanisms include pre-award reviews, post-award compliance reviews, and investigations of complaints.

Much more common, are special Title VI reviews pertaining to one project (see next section), activity or to complaints, usually requiring a written response. Title VI issues are also usually reviewed as part of the MPO on-site certification review conducted by FHWA and FTA every four years. MORPC strives to comply to proper procedures and maintenance of documentation of all activities related to Title VI.

C. SPECIAL GRANTS

It is not unusual for MORPC to apply for special grants from various federal agencies or for federal grants through state agencies. These grants may be initiated by the MPO or another department at MORPC and may be a joint effort across departments. Often, in these cases, the federal agency (or state agency representing the federal agency) will require their own Title VI assessment – primarily answering various questions (and perhaps providing documentation) regarding Title VI at MORPC. This assessment is in accordance with U.S. Justice Department - recommended procedures for federal agencies.

Completing the required forms and documentation may be a combined effort at MORPC. As noted in the previous section, MORPC having correctly followed and documented Title VI procedures in the past can make responding to these Title VI reviews less difficult. The current document also should help with this.

Federal agencies typically require that an applicant submit an assurance of compliance with Title VI (and other applicable non-discrimination related laws) as part of a pre- grant award review. They may request information on pending lawsuits or compliants, prior compliance determinations, ethnic makeup of staff and decision-making bodies, and other related information. As part of the federal agency internal screening process, agency civil rights officials are normally notified of potential assistance grants and are provided the opportunity to raise a "red flag" or concern about potential grant recipients, such as MORPC.

D. COMPLAINT PROCESS

Any individual may exercise their right to file a complaint with MORPC, or oversight federal or state agencies, if that person believes that they have been subject to unequal treatment or discrimination, in their receipt of benefits/services on grounds of race, color, or national origin. MORPC adopted an external Title VI complaint process in 2004.

Under MORPC's Requirement to Record and Report Transit-Related Investigations, Complaints, and Lawsuits, MORPC has not, in the past three years, received a Title VI complaint, investigation or lawsuit.

MORPC makes a concerted effort to resolve complaints informally at the lowest level, using the agency's nondiscrimination complaint process or other procedures. The complaint process is intended to be used for external discrimination complaints. It includes a multi-step process for resolving complaints in conjunction with the Ohio Department of Transportation and federal agencies.

MORPC is also required to make it known that discrimination-related complaints can be submitted to MORPC using this procedure or through the federal highway or transit administrations, or other federal agencies.

Per the complaint process, complaints would first be submitted to the Senior Director of Communications and Engagement. This person will review the complaint then request assistance in the response from the appropriate department director. The current complaint process is in Appendix E and on the MORPC website.

E. NOTIFYING BENEFICIARIES OF PROTECTION UNDER TITLE VI

In order to comply with 49 CFR Section 21.9(d) and the FTA Civil Rights Assurance (that MORPC has signed) and other requirements, recipients and subrecipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded them by Title VI. The information shall include:

- A statement that the agency operates programs without regard to race, color, and national origin.
- A description of the procedures that members of the public should follow in order to request additional information on the recipient's or sub-recipient's non-discrimination obligations.
- A description of the procedures that members of the public should follow in order to file a discrimination complaint against the recipient or subrecipient.

Notices of Title VI obligations and protections against discrimination are located on MORPC's website <u>Title VI Non-</u> <u>Discrimination – MORPC.org</u> in MORPC's main lobby and in the employee lunchroom. The notices are written in English and Spanish. Information regarding the notices is also available in the Diversity and Inclusion Plan under Area of Focus: Workplace.

The FTA Title VI Assurance says:

The Mid-Ohio Regional Planning Commission will make it known to the public that the person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and

transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

F. LIMITED ENGLISH PROFICIENCY (LEP) AND OTHER COMMUNICATIONS ISSUES

A limited English proficiency or LEP person is one who does not speak English as primary language and has limited ability to read, speak, write, or understand English. MORPC is required to implement *sound measures* and take reasonable steps for meaningful access to programs and activities by LEPs.

Requirement to Provide Meaningful Access to LEP Persons: Language Assistance Plan or LEP Plan is located in Appendix I.

Additional information on the LEP population is available in the Diversity and Inclusion Plan under Area Focus: Service to Diverse Populations and the ODOT Title VI Assessment. (See Appendix N.)

Illiteracy is another situation that can make communication, especially written communication, difficult. MORPC staff is available to help client's complete applications for service and other documents and to take verbal comments. Public meetings are also frequently held which allow for communication verbally with staff and in written form.

G. ANNUAL TITLE VI REPORT FOR ODOT

Annually, in May, in conjunction with developing the coming year's planning work program, MORPC updates the Title VI report required by the Ohio Department of Transportation. The MPO is mostly a subrecipient of federal transportation funds and ODOT is usually the primary recipient for MORPC.

The ODOT report, which helps to satisfy federal requirements for the primary recipient and the subrecipient, is submitted to ODOT with the transportation work program and currently includes information related to: the composition of the MPO staff; Title VI complaints; use of minority contractors; and citizen participation activities. A copy of the most recent report is included in Appendix D and on the MORPC website.

H. CONTRACT PROCEDURES

Contract Procedures

MORPC's contracting and pre-contracting steps are generally done on a decentralized basis by individual departments, though all contracts are reviewed by the MORPC Chief Operating Officer. MORPC's current contracting procedures, as adopted by the Commission, are contained and available in Appendix O. These are general requirements that apply agency-wide.

The requirement is to include specific Title VI related text in all MORPC requests for proposals (RFPs), requests for qualifications (RFQs) and contracts. MORPC is required to include the following language in all RFPs or RFQs:

[The following section is for projects funded by federal transportation funds.]

The Mid-Ohio Regional Planning Commission in accordance with Title VI of the Civil Rights Act of 1964 and the related nondiscrimination statutes, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all bidders including disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, disability, low-income status, or limited English proficiency in consideration for an award.

The following text is required to be included in all contracts:

The background of this Agreement is as follows:

- 1. Pursuant to the FAST Act of 2016, the Federal Highway Administration ("FHWA") made certain funds available to the State of Ohio for surface transportation planning programs. MORPC is the sub-recipient of some of these funds ("GRANT").
- 2. The Mid-Ohio Regional Planning Commission (hereinafter referred to as the "SUBRECIPIENT") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, nondiscrimination in Federally-Assisted Programs of the Department of Transportation- Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no persons the United States shall, on the grounds of race, color, creed, religion, ancestry, national origin, sex or gender, sexual orientation, gender identity or expression, age, disability or other handicap, genetic information, marital/familial status, veteran status, or income or status with regard to public assistance, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the SUBRECIPIENT receives Federal financial assistance including the Ohio Department of Transportation, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.71(a) of the regulations.

Non-Discrimination

CONSULTANT shall carry out the applicable requirements of 49 CFR part 26 in the award and administration of DOTassisted contracts. Failure by CONSULTANT to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as MORPC deems appropriate.

To effectuate compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as amended, the following notice to the CONSULTANT regarding federal aid recipients applies. MORPC has made similar notice of compliance via the GRANT agreement. During the performance of this Agreement, CONSULTANT for itself, its assignees and successors in interest agrees as follows:

- CONSULTANT will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, military status (past, present, or future), creed, gender identification, marital/familial status, limited English proficiency, or status with regard to public assistance. 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.
- 2. CONSULTANT agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. CONSULTANT will, in all solicitations or advertisements for employees placed by or on behalf of CONSULTANT, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, military status (past, present, or future), creed, gender identification, marital/familial status, limited English proficiency, or status with regard to public assistance.

CONSULTANT agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec 2000. CONSULTANT shall not discriminate on the basis of race, color, or national origin in its programs or activities. MORPC may monitor OONSULTANT's compliance with Title VI.

- 3. Compliance with Regulations: CONSULTANT will 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 amended, (hereinafter referred to as "Regulations"), which are herein incorporated by reference and made a part of this Agreement.
- 4. *Nondiscrimination:* CONSULTANT, with regard to the work performed by it after the execution of this Agreement, will not discriminate on the grounds of race, color, national origin, sex, age, disability, low-income status, limited English proficiency, religion, genetic information, sexual orientation, gender identification, creed, military status (past, present, or future) or marital/familial status in the selection and retention of contractors and consultants, including in the procurement of materials and leases of equipment. The CONSULTANT will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B to Part 21 of the Regulations.
- 5. Solicitations for Contracts, including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by CONSULTANT for work to be performed under a contract, including procurement of materials or equipment, each potential contractor or supplier will be notified by CONSULTANT of the CONSULTANT's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, religion, color, national origin, sex, age, disability, low-income status, limited English proficiency, genetic information, sexual orientation, gender identification, creed, military status (past, present, or future) or marital/familial status.
- 6. Information and Reports: CONSULTANT will provide all information and reports required by the Regulations or directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by ODOT, FHWA, or FTA to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of CONSULTANT is in the exclusive possession of another who fails or refuses to furnish this information, the CONSULTANT will so certify to ODOT, FHWA or FTA as appropriate, and will set forth what efforts it has made to obtain the information.
- 7. Sanctions for Noncompliance: In the event of CONSULTANT'S noncompliance with the nondiscrimination provisions of this Agreement, ODOT will impose such Agreement sanctions as ODOT, FHWA, or FTA may determine to be appropriate, including, but not limited to:

i. Withholding of payments to CONSULTANT under this Agreement until CONSULTANT complies, and/or; ii. Cancellation, termination, or suspension of this Agreement, in whole or in part.

8. Incorporation of Provisions: CONSULTANT will include the provisions of paragraphs a) through g) in every contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. CONSULTANT will take such action with respect to any contracts or procurement as ODOT, FHWA, or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event CONSULTANT becomes involved in, or is threatened with, litigation with a contractor, consultant, or supplier as a result of such direction, MORPC may request ODOT to enter into such litigation to protect the interests of ODOT, and, in addition, MORPC may request the United States to enter into such litigation to protect the interest of the United States.

 During the performance of this contract, the CONSULTANT, for itself, its assignees, and successors in interest (hereinafter referred to as the 'CONSULTANT") agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

Pertinent Non-Discrimination 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 Property 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 (prohibits 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 race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 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 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 (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits 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)
- The Federal Aviation Administration's Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority or lowincome populations)
- Executive Order 13166, Improving Access to Services for People 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 that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended (prohibits discrimination in the sale, rental, and financing of dwellings on the basis of race, color, religion, sex, national origin, disability, or familial status (presence of child under the age of 18 and pregnant women)
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1682 et seq.) (prohibits discrimination on the basis of sex in education programs or activities)

MPO contracts also need to include the "Contractor Contractual Requirements." This is included as part of the "Standard DOT Assurances" document, currently included as part of MORPC's annual self-certification resolution. A copy of this is in Appendix C.

APPENDICES

Note: The documents included herein are current as of the date of this document. All the appendices though, are subject to revisions according to various schedules. For current documents, please contact MORPC staff or check the MORPC website.

APPENDIX A - CIVIL RIGHTS AND NON-DISCRIMINATION RELATED INTERNET LINKS

Internet Links for Additional Civil Rights-Related Information (**Key Title VI-Related Documents and Links**)

MORPC WEBSITE

MORPC Front Page http://www.morpc.org/

Job Opportunities and Equal Employment Opportunities http://www.morpc.org/careers/

Housing Department Section http://www.morpc.org/program-service/home-repair-services/

http://www.morpc.org/title-vi/

Weatherization Program Section http://www.morpc.org/program-service/home-energy-efficiency/

MORPC TRANSPORTATION DEPARTMENT (MPO)

Federal Regulations Related to Metropolitan Planning Organizations <u>https://www.ecfr.gov/cgi-bin/text-</u> <u>idx?c=ecfr&sid=51162154cdbf6d6d4f7a8bba5aadd1d0&rgn=div5&view=text&node=23:1.0.1.5.11&idno</u> =23

Disadvantaged Business Enterprise Program https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise

Planning Work Program (PWP) http://www.morpc.org/program-service/planning-work-program/

MPO Public Involvement https://www.morpc.org/about-morpc/public-participation/

Metropolitan Transportation Plan (includes Environmental Justice and Public Involvement documentation) <u>http://www.morpc.org/program-service/metropolitan-transportation-plan/</u> **RELATED FEDERAL LEGISLATION AND EXECUTIVE ORDERS** (LISTED CHRONOLOGICALLY GENERALLY BY DATE ENACTED):

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000) – prohibits discrimination on the grounds of race, color, or national origin <u>https://www.justice.gov/crt/fcs/TitleVI-Overview</u>

1970 Uniform Act (42 USC 4601 – related to persons displaced/property acquired http://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter61&edition=prelim

Federal-aid Highway Act of 1973 (23 U.S.C. 324) – prohibits discrimination on the basis of sex <u>https://www.justice.gov/crt/federal-coordination-and-compliance-section-5</u>

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) – prohibits discrimination based on handicap/disability

https://www.hhs.gov/civil-rights/for-individuals/disability/laws-guidance/index.html or

https://www.gpo.gov/fdsys/pkg/USCODE-2010-title29/pdf/USCODE-2010-title29-chap16-subchapVsec794.pdf

Age Discrimination Act of 1975 (42 U.S.C. 6101) – prohibits discrimination based on age <u>http://www.dol.gov/oasam/regs/statutes/age_act.htm</u>

Civil Rights Restoration Act of 1987 (P.L. 100-259) – Restored original intent and scope of Title VI to include <u>all</u> programs and activities of federal-aid recipients and contractors <u>whether federally-funded or not</u>.

https://www.fhwa.dot.gov/environment/environmental_justice/legislation/restoration_act.cfm

Fair Housing Act Amendments of 1988 (42 U.S.C. 3601-3631) – adds religion as a protected group for relocation purposes

https://www.justice.gov/crt/fair-housing-act-2

Americans with Disabilities Act http://www.dol.gov/dol/topic/disability/ada.htm

Executive Order 12250 – Department of Justice leadership and coordination of non-discrimination laws https://www.justice.gov/crt/executive-order-12250

Executive Order 12898 (EJ) in 1994 – Federal actions to address equity and fairness in minority and low-income populations ("Environmental Justice") http://www.archives.gov/federal-register/executive-orders/pdf/12898.pdf

Executive Order 13166 (LEP) in 2000 – Requires meaningful access to services for people limited English proficiency https://www.lep.gov/13166/eo13166.html

2024 MORPC Title VI Program

FEDERAL AGENCY WEBSITES JUSTICE DEPARTMENT

Civil Rights Division http://www.justice.gov/crt/

Information and Technical Assistance on Americans with Disabilities Act http://www.ada.gov/

Limited English Proficiency http://www.lep.gov/resources/resources.html

DEPARTMENT OF TRANSPORTATION

Departmental Office of Civil Rights https://www.transportation.gov/civil-rights/

Office of Small and Disadvantaged Business https://www.transportation.gov/osdbu

Accessibility https://www.transportation.gov/accessibility

Federal Highway Administration (FHWA) – Office of Civil Rights <u>https://www.fhwa.dot.gov/civilrights/</u>

FHWA – Environmental Justice https://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

Federal Transit Administration (FTA) – Civil Rights and Accessibility https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Fair Housing/Equal Opportunity https://www.hud.gov/program_offices/fair_housing_equal_opp

Small/Disadvantaged Business Utilization https://www.hud.gov/program_offices/sdb

Ohio https://www.hud.gov/states/ohio

OTHER FEDERAL LINKS

U.S. Commission on Civil Rights http://www.usccr.gov/

FEDERAL AGENCY WEBSITES (CONTINUED):

Department of Energy (DOE) – Office of Impact and Diversity <u>https://www.energy.gov/diversity/office-economic-impact-and-diversity</u>

Department of Commerce – Minority Business Development Agency http://www.mbda.gov/

U.S. Access Board http://www.access-board.gov/

FEDERAL REGULATORY-RELATED INFORMATION WEBSITES:

DEPARTMENT OF TRANSPORTATION

FHWA Title VI Program Implementing Regulations (49 CFR 21 and 23 CFR 200) – U.S. DOT and FHWA Title VI implementing regulations <u>https://www.fhwa.dot.gov/legsregs/directives/fapg/cfr0200.htm</u>

FHWA Accessibility Guidance https://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/index.cfm

FHWA Resource Center and Disadvantaged Business Enterprise Program – Civil Rights Team https://www.fhwa.dot.gov/resourcecenter/teams/civilrights/

OTHER AGENCIES

DOJ – Title VI Legal Manual https://www.justice.gov/crt/fcs/T6manual

DOE http://www.energy.gov/

Fair Housing Regulations https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.2.1.1.1

Ohio and Local Government Links

CITY OF COLUMBUS

Mayor's Office of Diversity & Inclusion https://www.columbus.gov/Government/ Mayors-Office/Office-of-Diversity-and-Inclusion

STATE GOVERNMENT

Ohio Department of Administrative Services - Equal Opportunity Office http://das.ohio.gov/Divisions/Equal-Opportunity

Ohio Unified DBE Certification Program http://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/UCP.aspx

Ohio Department of Development – Minority Business Enterprise Division <u>https://development.ohio.gov/bs/bs_mbac.htm</u>

Ohio Department of Transportation – Equal Opportunity Division <u>https://www.transportation.ohio.gov/wps/portal/gov/odot/programs/business-economic-opportunity/resources/eeo-ojt</u>

MISCELLANEOUS NON-GOVERNMENTAL LINKS (FOR INFORMATION PURPOSES ONLY – NO ENDORSEMENT BY MORPC INTENDED OR IMPLIED)

Everyday Democracy https://www.everyday-democracy.org/

Civil Rights in Transportation Programs https://www.fhwa.dot.gov/civilrights/programs/

Ohio State University – Kirwan Institute for the Study of Race and Ethnicity http://kirwaninstitute.osu.edu/

Poverty and Race Research Action Council http://www.prrac.org/

South Central Ohio Minority Supplier Development Council http://ohiomsdc.org/

Conference of Minority Transportation Officials (Columbus Chapter) https://www.comtocolumbus.org/

Central Ohio Diversity Consortium https://www.centralohiodiversity.org/



SUBAWARD GRANT AGREEMENT

(1) Pass-Through Entity	(2) Subrecipient's Name					
Ohio Department of Transportation	Mid-Ohio Regional Planning Commission					
(3) Federal Awarding Agency	(4) Subrecipient's OAKS ID Number					
Federal Highway Administration (FHWA)	0000045665					
(5) CFDA Program Number & Name	(6) ODOT PID Number					
20.205 Highway Planning and Construction	Refer to Project Data Sheet					
(7) Federal Agreement Number (FAN)	(8) ODOT Agreement Number					
Refer to Project Data Sheet	38475					
(9) FHWA's Federal Authorization Date	(10) Subrecipient's DUNS Number					
Refer to Project Data Sheet	716-438-37					
(11) Research & Development Subaward	(12) Subrecipient's Indirect Cost Rate					
Not R & D Subaward	Refer to Agreement Section XI: COMPENSATION					
(13) Subaward Period of Performance Start Dat	te and End Date					
Refer to Project Data Sheet						
(14) Federal \$ Obligated by this Action by ODO	Γ to the Subrecipient					
Refer to Project Data Sheet						
(15) Total Federal \$ Obligated to the Subrecipie Refer to Project Data Sheet	ent by ODOT, Including Current Obligation					
(16) Total Federal Award \$ Committed to the Su	ubrecipient by ODOT					
\$7,330,423						
(17) Federal Subaward Project Description, as I	Required to be Responsive to FFATA					
Refer to Agreement Section I: PURPOSE						

PROJECT DATA SHEET

Subrecipie Name	ent's Mi	d-Ohio Regional	Planning Commis	sion	ODOT Agreement #	3847	75 V	Data Sheet ersion Date	03/31/2023	Data Sheet Version #	#1
ODOT PID Number	FHWA FAN Number	Federal Authorization Date	ODOT Project Name	Period of Performance Start Date	Period of Performance End Date	State Prorata Share %	State \$ Obligated This Action	Cumulative State \$ Obligated	e Federal Prorata Share %	Federal \$ Obligated This Action	Cumulative Federal \$ Obligated
118130	Pending	Pending	SFY24 MPO Planning	7/1/23	6/30/24	10%	\$419,428	3 \$419,42	8 80%	\$3,355,423	\$3,355,423
110225	E200238	Pending	FRA MORPC FY 24 AQ Program	7/1/23	6/30/24	N/A	N/A	N/.	A 80% w/TRC	\$575,000	\$3,930,423
110227	E210122	Pending	FRA MORPC FY 25 AQ Program	7/1/24	6/30/25	N/A	N/A	N/.	800%	\$550,000	\$4,480,423
110230	E200239	Pending	Paving the Way SFY 24	7/1/23	6/30/24	N/A	N/A	N/.	A 80% w/TRC	\$50,000	\$4,530,423
110231	E210123	Pending	Paving the Way SFY 25	7/1/24	6/30/25	N/A	N/A	N/.	A 80% w/TRC	\$100,000	\$4,630,423
110232	E200240	Pending	FRA MORPC FY 24 Rideshare	7/1/23	6/30/24	N/A	N/A	N/.	A 100%	\$750,000	\$5,380,423
110233	Pending	Pending	FRA MORPC FY 25 Rideshare	7/1/24	6/30/25	N/A	N/A	N/.	A 100%	\$775,000	\$6,155,423
110234	E200241	Pending	FRA MORPC FY 24 Supp Planning	7/1/23	6/30/24	N/A	N/A	N/.	A 80% w/TRC	\$400,000	\$6,555,423
110235	E210124	Pending	FRA MORPC FY 25 Supp Planning	7/1/24	6/30/25	N/A	N/A	N/.	A 80% w/TRC	\$300,000	\$6,855,423
110241	E200242	Pending	FRA Insight2050 Tech Assistance	7/1/23	6/30/24	N/A	N/A	N/.	800%	\$275,000	\$7,130,423
110242	E210125	Pending	FRA Insight2050 Tech Assistance	7/1/24	6/30/25	N/A	N/A	N/.	Q00/	\$200,000	\$7,330,423
						Totals	\$419,428	3 \$419,42	8	\$7,330,423	\$7,330,423

AGREEMENT BETWEEN THE MID-OHIO REGIONAL PLANNING COMMISSION AND THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR URBAN TRANSPORTATION PLANNING AND TRANSPORTATION PROGRAMS

The Mid-Ohio Regional Planning Commission *(AGENCY)*, created pursuant to Sections 307.14 through 307.19 and Section 307.85 Ohio Revised Code, having its principal office at 111 Liberty Street, Columbus, Ohio 43215, and the State of Ohio, Department of Transportation (ODOT), having its principal office at 1980 West Broad Street, Columbus, Ohio 43223, agree as follows:

SECTION I: PURPOSE

The purpose of this Agreement is to implement 23 United States Code (U.S.C.) §134 and 49 U.S.C. §5303, as may be amended, requiring designation of a Metropolitan Planning Organization (MPO) for the Columbus, OH urbanized area and for such MPO to conduct a continuing, cooperative, and comprehensive urban transportation planning process, including corridor and subarea studies, for the metropolitan area, hereinafter referred to as the "PROCESS". The PROCESS is to result in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods. It is the intent of the parties hereto that the PROCESS shall be carried forward on a continuing basis.

SECTION II: DEFINITIONS

- 1. *Catalog of Federal Domestic Assistance (CFDA) number*. §200.10 CFDA number means the number assigned to a Federal program in the CFDA.
- 2. *CFDA Program Title*. §200.11 CFDA program title means the title of the program under which the Federal award was funded in the CFDA.
- 3. *Federal Awarding Agency*. §200.37 Federal awarding agency means the Federal agency that provides a Federal award directly to a non-Federal entity.
- 4. *Federal Award Date*. §200.39 Federal award date means the date when the Federal award is signed by the authorized official of the Federal awarding agency.
- 5. *Pass-Through Entity*. §200.74 Pass-through entity means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.
- 6. *Period of Performance*. §200.77 Period of performance means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award.
- 7. **Subrecipient**. §200.93 Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.
- 8. Subrecipient's *DUNS Number*. See §200.331(a)(1)(ii) *Subrecipient's unique entity identifier*. The DUNS Number [is] the "unique entity identifier" used to identify a specific commercial,

nonprofit, or government entity. Dun & Bradstreet is the designated entity to establish and maintain the DUNS Number, which is required for registration in SAM and used throughout federal procurement, financial assistance, and financial management systems. The subrecipient needs a Data Universal Numbering System (DUNS) number to register the entity in the U.S. Federal government's System for Award Management (SAM). A subrecipient must have an active registration in SAM to do business with the Federal Government.

SECTION III: MPO DESIGNATION

ODOT, acting on behalf of Ohio's Governor, has designated the Transportation Policy Committee of the AGENCY as the Metropolitan Planning Organization for the Columbus, OH urbanized area. The Transportation Policy Committee is hereby delegated the authority and responsibility for the direction, coordination, and administration of the PROCESS. Consistent with 23 Code of Federal Regulations (CFR) Part 450.310(d), the Transportation Policy Committee shall be comprised of local elected officials and officials of public agencies that administer or operate major modes of transportation within the "AREA" (as defined in Agreement Section V) and ODOT, as enumerated in an AGENCY PROSPECTUS.

This Transportation Policy Committee, as the forum for cooperative transportation decision making, shall be comprised of at least 51% locally elected officials.

The Transportation Policy Committee shall be assisted by a Technical Advisory Committee comprised as enumerated in the PROSPECTUS.

SECTION IV: SUBRECIPIENT DESIGNATION

The AGENCY is hereby designated as the SUBRECIPIENT of the Federal funds awarded by this SUBAWARD GRANT AGREEMENT.

SECTION V: MPO BOUNDARY

The parties agree the conduct of the PROCESS will be for the area of all of Delaware and Franklin counties, Ohio, the cities of Pataskala, Reynoldsburg, and New Albany and Etna Township and areas of Jersey Township engulfed within the New Albany boundary in Licking County, Ohio, Bloom and Violet townships in Fairfield County, Ohio, and Jerome Township in Union County, Ohio, including the incorporated municipalities therein, which is hereinafter referred to as the "AREA", or as may be modified by mutual consent of the signatories to this Agreement. At a minimum, without need for additional written consent of the signatories to this Agreement, the AREA will consist of the Urbanized Area as defined by the U.S. Bureau of the Census and the contiguous geographic area(s) likely to be urbanized within the twenty year forecast period covered by the Transportation Plan (23 CFR Part 450.312(a), except as may be located within the jurisdiction of another Metropolitan Planning Organization. The AGENCY shall prepare an official map of the AREA, for approval by the Transportation Policy Committee and shall submit such map to ODOT.

SECTION VI: CARRY FORWARD FUNDING

The parties agree that upon completion of the state fiscal year (June 30th) any unexpended balance of U.S. DOT (49 U.S.C. Section 5303), Federal Metropolitan Planning Funds (PL), or State Planning and Research funds (SPR) funds and any associated state matching funds allocated by ODOT may be carried forward into the next state fiscal year. The carry forward funding will remain available for

eligible WORK PROGRAM expenses through December 31st of the new state fiscal year. On January 1st of each year, the unexpended balance of any prior year U.S. DOT (49 U.S.C. Section 5303), PL, or SPR funds and any associated state matching funds carried forward will lapse. The AGENCY agrees to submit invoices for the eligible expenses financed with the carry forward funding, prior to the January 1st deadline, by January 31st.

SECTION VII: TRANSPORTATION PLANNING PROCESS PRODUCTS AND SERVICES

Annually, the AGENCY shall prepare a WORK PROGRAM and budget describing the planning process and program activities to be performed under this Agreement, with the cost relating to individual work elements and the source of funding thereof. Such WORK PROGRAM and budget shall be approved by the Transportation Policy Committee, ODOT, and other state and federal agencies as necessary, prior to the first day of July of each fiscal year, in accordance with ODOT's MPO Administrative Manual, as may be modified. The WORK PROGRAM, budget and any updates which can be found at https://extranet.dot.state.oh.us/divisions/Planning/plan/STIP/default.aspx, are made a part hereof and incorporated by this reference as if fully rewritten herein.

Specifically, the WORK PROGRAM and budget shall record the AGENCY's progress in developing and keeping current the following items, as further described in 23 CFR Parts 450 and 490, as may be amended:

- 1. A PROSPECTUS describing the AGENCY's organizational structure, committee bylaws, and the work to be performed in the conduct of the PROCESS. The PROSPECTUS shall document the interagency agreements and describe the respective agency roles and responsibilities for conducting the PROCESS and transportation related air quality planning.
- 2. A Transportation Plan, with a minimum 20-year planning horizon, resulting from the PROCESS.
- 3. A Transportation Improvement Program, with a 4-year regional project listing, resulting from the PROCESS.
- 4. A Participation Plan that provides reasonable opportunities for interested public and private parties to participate in the PROCESS.
- 5. A Congestion Management Process in Transportation Management Areas (urbanized areas exceeding 200,000 in population).
- 6. A periodic reporting of events, developments, and accomplishments resulting from the PROCESS.
- 7. In cooperation with ODOT, implementation of a performance-based PROCESS to include transportation programming and performance metrics.

SECTION VIII: COORDINATION

The AGENCY shall secure agreements of cooperation with the county(ies), all incorporated municipalities, and the operators of publicly owned transit services, within the AREA for carrying forward the PROCESS. In the event that there is an unwillingness on the part of any of these entities to participate in the continuation of the PROCESS, a determination shall be made by the parties hereto as to whether the percentage of the AREA or population affected is such as to negate an effective

PROCESS for the entire AREA; such determination will be submitted by ODOT to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for concurrence.

The AGENCY will make provisions for operators of other major modes or systems of transportation (airports, maritime ports, rail operators, freight operators) operating within the AREA, to participate in the PROCESS.

In areas designated as nonattainment or maintenance for mobile source pollutants under the Clean Air Act, the AGENCY shall secure agreements with affected state and local agencies describing the respective roles and responsibilities for addressing transportation related air quality planning in the performance of the PROCESS and determining the transportation conformity of the MPO Transportation Plan and Transportation Improvement Program, in accordance with the U.S. EPA Conformity Rule (40 CFR part 93).

The AGENCY acting for itself and as agent for the county(ies) and each of the incorporated municipalities within the AREA shall continue the PROCESS for the AREA in conformance with the approved urban transportation planning PROSPECTUS and WORK PROGRAM describing the continued treatment of the elements of the PROCESS, both of which are made a part hereof, and incorporated by reference as if fully rewritten herein, or as the same may be modified by the AGENCY with the prior approval of the ODOT in accordance with this Agreement.

SECTION IX: PERIOD OF PERFORMANCE

The work under this Agreement shall commence on July 1, 2023 and will terminate on June 30, 2025. At that time, ODOT may renew this Agreement on substantially the same terms and conditions, in conformance with applicable Federal and State law.

This Agreement and any renewal thereof is subject to the determination by ODOT that sufficient funds have been appropriated by the Ohio General Assembly to ODOT for the purposes of this Agreement, and to the certification of funds by the Ohio Office of Budget and Management, as required by §126.07 Ohio Revised Code. If ODOT determines that sufficient funds have not been appropriated for the purposes of this contract, or if the Ohio Office of Budget and Management fails to certify the availability of funds, this Agreement or any renewal thereof will terminate on the date that the funding expires without any further obligation by either party.

SECTION X: TERMINATION

This Agreement may be terminated by any party to this Agreement upon written notice to all other parties. Any such written notice of termination shall include the terminating party's reasons for electing to terminate this Agreement, and the terminating party shall send such written notice of termination by certified U.S. Mail, return receipt requested, not less than ninety (90) days prior to the effective date of termination.

If it appears to ODOT that the AGENCY has failed to perform any of the requirements of this contract, or that the AGENCY is in violation of a specific provision of this contract, ODOT may provide the AGENCY with notice of the failure to perform or the violation and shall provide a thirty (30) day period to cure any and all defaults under this contract. During the thirty (30) day cure period, the AGENCY shall incur only those obligations or expenditures which are necessary to enable the AGENCY to continue its operation and achieve compliance as set forth in the notice.

In the event of termination under this Article, the AGENCY shall cease work, terminate all subcontracts relating to such terminated activities, take all necessary or appropriate steps to limit disbursements and minimize costs, and furnish a report describing the status of all work under this contract, including without limitation, results accomplished, conclusions resulting therefrom, and such other matters as ODOT may require.

In the event of termination under this Article, the AGENCY shall be entitled to compensation, upon submission of a proper invoice, for the work performed prior to receipt of notice of termination, less any funds previously paid by or on behalf of ODOT. ODOT shall not be liable for any further claims, and the claims submitted by the AGENCY shall not exceed the total amount of consideration stated in this contract. In the event of suspension or termination, any payments made by ODOT in which services have not been rendered by the AGENCY shall be returned to the State.

SECTION XI: COMPENSATION

The approved WORK PROGRAM and budget therein referenced in Section VII shall determine the total compensation to be reimbursed by ODOT to the AGENCY for professional and technical services in accordance with the terms and conditions specified in this Agreement. Prior to the beginning of each fiscal year, the WORK PROGRAM and budget shall be provided to ODOT and other state and federal agencies for their approval. Upon receipt of the WORK PROGRAM and budget, ODOT will determine the degree of eligibility for ODOT participation in the cost of various work elements.

The AGENCY shall obtain and provide the local funds to finance its share of the work contemplated by this Agreement. The AGENCY shall initially pay all costs of the work performed.

Reimbursement for the AGENCY's WORK PROGRAM expenses financed through this Agreement will be based on AGENCY initiated costs incurred invoices. The AGENCY shall submit periodic billings, not more frequently than monthly, to ODOT for reimbursement for those charges which are eligible for reimbursement in accordance with ODOT's MPO Administration Manual, ODOT's MPO Contract Audit Circulars, and 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, each as may be modified. Said Standard Operating Procedure and MPO Contract Audit Circulars in 2 CFR Part 200 are made a part hereof and incorporated by this reference as if fully rewritten herein.

For the purposes of the program:

- (A) **Direct Labor Costs** do not include any type of paid leave or fringe benefits. Direct labor costs must be supported by personnel activity reports maintained in accordance with 2 CFR Part 200.
- (B) *Fringe Benefits Costs* are considered overhead expenses and include employee paid leave as well as other fringe benefits costs. Fringe benefits costs are allocable to direct labor and indirect labor.
- (C) *Indirect Costs* include indirect labor, indirect labor fringe benefits, and other allocable agency indirect costs.
- (D) Other Direct Costs include direct expenses necessary to implement the program as provided for in the Scope of Work and Budget, and do not include costs defined in other categories. Other direct costs are based upon actual expenses incurred during the program period.

Any fringe benefit and/or indirect costs rates charged by the AGENCY during the period of performance of this Agreement must be in compliance with a separately executed FRINGE BENEFIT AND INDIRECT COST RATE AGREEMENT between ODOT and the AGENCY.

ODOT shall process the AGENCY's invoices within 30 days, following submission and shall be obligated to pay the AGENCY that amount determined by ODOT to be eligible for payment. If the invoice submitted to ODOT contains a defect or impropriety, ODOT shall send written notification to the AGENCY within fifteen days after receipt of the invoice. The notice shall contain a description of the defect or impropriety and any additional information necessary to correct the defect or impropriety. If ODOT sends such written notification to the AGENCY, the required payment date shall be thirty days after ODOT receives a proper invoice.

ODOT shall initially pay all costs of the work performed which are incurred by ODOT and may, owing to the multi-funding sources, directly invoice the AGENCY for the cost of services provided by ODOT for expenses within the approved WORK PROGRAM, in accordance with the terms and conditions specified in this Agreement.

In no instance shall reimbursement payments for the cost of the work to be performed exceed the maximum cost shown in the approved WORK PROGRAM and budget without prior written approval of ODOT. Any expenditure in excess of the budget, without prior written approval from ODOT, will be the exclusive responsibility of the AGENCY.

No expenditure shall be included in the cost of the work performed and no part of any funds reimbursed to the AGENCY shall be used by the AGENCY for expenditures or charges that are (1) contrary to the provisions of this Agreement, (2) not directly related to the work performed, (3) incurred without the consent of ODOT, or (4) after written notice of the suspension or termination of any or all of the AGENCY's obligations under this Agreement.

In the event that funding generally made available to ODOT by the U.S. DOT is limited either in scope or magnitude, ODOT reserves the right to mutually negotiate with the AGENCY a revision to this Agreement as an alternative to termination.

SECTION XII: AUDIT

The AGENCY shall have an independent financial statement audit performed on an annual basis in accordance with 31 U.S.C. Chapter 75, the Single Audit Act of 1984 (with amendment in 1996) and 2 CFR Part 200 *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and ODOT's MPO Contract Audit Circulars, each as may be modified, and any other applicable regulation. Completion or termination of this Agreement shall not alter this obligation.

SECTION XIII: INSPECTION OF WORK

As often as deemed necessary by ODOT, or U.S. DOT, the AGENCY shall provide ODOT, or U.S. DOT, or both, or any of their duly authorized representatives, upon reasonable notice, proper facilities for the review, inspection, and programmatic audits of the work performed under this Agreement and any records in support of the work performed. This will include provision for office space for ODOT's representative. The AGENCY shall include in all its subcontracts under this Agreement a provision that ODOT, U.S. DOT, or any of their duly authorized representatives, will have full access to and the right to examine any pertinent books, documents, papers, and records of any contractor or consultant involving transactions related to this Agreement for three years from the final payment under this Agreement.

SECTION XIV: PERSONNEL

The AGENCY agrees to establish a Transportation Section and agrees that all services required in the approved WORK PROGRAM will be performed by the AGENCY or by its contractors or consultants. The AGENCY represents that it has, or will secure, all personnel required to perform the services under this Agreement. The AGENCY shall submit a listing of such personnel, salary ranges, and person-hours allocated to each work element in the approved WORK PROGRAM and budget to ODOT. None of the AGENCY's personnel, nor any of its contractors or consultants may be current employees of ODOT.

SECTION XV: REPORTS, INFORMATION, AND RIGHTS IN DATA

The AGENCY's progress in completing the WORK PROGRAM will be monitored through annual AGENCY progress reports. Each progress report shall include a narrative description and financial expenditure summary for each work element in the approved WORK PROGRAM and budget. ODOT and the U.S. DOT will review the progress reports to assure the AGENCY is making satisfactory progress toward meeting the WORK PROGRAM commitments to justify reimbursement payments. If the progress reports demonstrate the AGENCY is not satisfactorily advancing a WORK PROGRAM product or activity, ODOT will notify the AGENCY in writing and work with the AGENCY to identify corrective actions. The AGENCY will have 30 days from the date of ODOT's written notification to begin good faith efforts to correct the deficiency. Whenever ODOT and the AGENCY are unable to agree on corrective actions, and the situation is such, in the opinion of ODOT, that it indicates there has been gross malfeasance, misfeasance, or nonfeasance by the AGENCY, ODOT may withhold funds until the AGENCY takes corrective actions deemed acceptable to ODOT.

Publication of reports is limited to those shown in the approved WORK PROGRAM unless otherwise authorized by ODOT or the U.S. DOT and only after satisfactory resolution of all comments made by these agencies. Acknowledgment of the cooperative effort of appropriate parties shall be made in each report; for example, "Prepared in cooperation with the U.S. Department of Transportation's Federal Highway Administration and Federal Transit Administration, the Ohio Department of Transportation, and local communities." A disclaimer statement, where appropriate and requested by ODOT, shall also be included; for example, "The contents of this report reflect the views of the AGENCY/author, which is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official view and policies of ODOT and/or the U.S. DOT. This report does not constitute a standard, specification, or regulation."

The foregoing limitations are not applicable to dissemination of data necessary to perform a service function of the AGENCY. Such dissemination of data shall be made in accordance with the AGENCY's established policy contained in the approved WORK PROGRAM.

The AGENCY shall retain the copyright for all documents, data, materials, information, processes, studies, reports, surveys, proposals, plans, codes, scientific information, technological information, regulations, maps, equipment, charts, schedules, photographs, exhibits, software, software source code, documentation, and other materials and property that are prepared, developed, or created under or in connection with this Agreement. The AGENCY agrees to grant to ODOT and the U.S. DOT, a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, disclose, distribute, or otherwise use, and to authorize others to use, for State or Federal Government purposes: (a) the copyright in any work developed under this Agreement; and (b) any rights of copyright to which the AGENCY purchases ownership for this Agreement.

The patent rights provisions of 35 U.S.C Section 1 et seq., and CFR Title 37 regarding rights to inventions are made a part hereof and incorporated by this reference as if fully rewritten herein.

SECTION XVI: NON-DISCRIMINATION

To effectuate compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.,) as amended, the following notice to the AGENCY regarding federal aid recipients applies.

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

- 1. AGENCY will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex (including pregnancy, gender identification and sexual orientation), national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, or future). 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.
- 2. AGENCY agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. AGENCY will, in all solicitations or advertisements for employees placed by or on behalf of AGENCY, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex (including pregnancy, gender identification and sexual orientation), national origin (ancestry), disability, genetic information, age (40-years or older), sexual orientation, or military status (past, present, or future).

AGENCY agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec 2000. AGENCY shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the AGENCY's compliance with Title VI.

- 3. <u>Compliance with Regulations</u>: The AGENCY (hereinafter includes consultants) will comply with the regulations relative to nondiscrimination in Federally-assisted programs of the U.S. DOT, 49 CFR Part 21, as amended, (hereinafter referred to as "Regulations"), which are herein incorporated by reference and made a part of this Agreement.
- 4. <u>Nondiscrimination</u>: The AGENCY, with regard to the work performed by it after the execution of this Agreement, will not discriminate on the grounds of race, color, national origin, sex (including pregnancy, gender identification and sexual orientation), age (40 years or older), disability, low-income status, or limited English proficiency in the selection and retention of contractors and consultants, including in the procurement of materials and leases of equipment. The AGENCY will not participate either directly or indirectly in the discrimination prohibited by 49 CFR 21.5 including employment practices when the contract covers a program set forth in Appendix B to Part 21 of the Regulations.
- 5. <u>Solicitations for Contracts, including Procurement of Materials and Equipment</u>: In all solicitations either by competitive bidding or negotiation made by the AGENCY for work to be performed under a contract, including procurement of materials or equipment, each potential contractor or supplier will be notified by the AGENCY of the AGENCY's obligations

under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex (including pregnancy, gender identification and sexual orientation), age (40-years or older), disability, low-income status, or limited English proficiency.

- 6. <u>Information and Reports</u>: The AGENCY will provide all information and reports required by the Regulations or directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by ODOT, FHWA, or FTA to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of the AGENCY is in the exclusive possession of another who fails or refuses to furnish this information, the AGENCY will so certify to ODOT, FHWA or FTA as appropriate, and will set forth what efforts it has made to obtain the information.
- 7. <u>Sanctions for Noncompliance</u>: In the event of the AGENCY's noncompliance with the nondiscrimination provisions of this Agreement, ODOT will impose such Agreement sanctions as ODOT, FHWA, or FTA may determine to be appropriate, including, but not limited to:
 - a. withholding of payments to the AGENCY under the Agreement until the AGENCY complies, and/or
 - b. cancellation, termination, or suspension of the Agreement, in whole or in part.
- 8. <u>Incorporation of Provisions</u>: The AGENCY will include the provisions of paragraphs one through nine in every contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The AGENCY will take such action with respect to any contracts or procurement as ODOT, FHWA, or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event the AGENCY becomes involved in, or is threatened with, litigation with a contractor, consultant, or supplier as a result of such direction, the AGENCY may request ODOT to enter into such litigation to protect the interests of ODOT, and, in addition, the AGENCY may request the United States to enter into such litigation to protect the interest of the United States.
- 9. During the performance of this contract, the AGENCY, for itself, its assignees, and successors in interest (hereinafter referred to as the "AGENCY", which includes consultants) agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

Pertinent Non-Discrimination 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 Property 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 (prohibits 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 race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 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 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 (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits 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)
- The Federal Aviation Administration's Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations)
- Executive Order 13166, Improving Access to Services for People 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 that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended (prohibits discrimination in the sale, rental, and financing of dwellings on the basis of race, color, religion, sex, national origin, disability, or familial status (presence of child under the age of 18 and pregnant women))
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq*.) (prohibits discrimination on the basis of sex in education programs or activities)
- Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 U.S.C. 4301-4333) (prohibits discrimination on the basis of present, past or future military service).
- Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. 2000 ff)

SECTION XVII: DISADVANTAGED BUSINESS ENTERPRISE

It is the policy of the AGENCY that disadvantaged businesses, as defined by 49 CFR, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise (DBE) Program are to ensure nondiscrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove 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 AGENCY and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the AGENCY in a nondiscriminatory environment.

AGENCY agrees not to discriminate on the basis of race, color, national origin, or sex (including pregnancy, gender identification and sexual orientation) in the performance of this Agreement. AGENCY agrees to carry out applicable requirements of 49 CFR Part 26 in the award and

administration of DOT-assisted contracts. AGENCY understands that failure 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 Ohio Department of Transportation 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 the AGENCY from future bidding as non-responsible.

SECTION XVIII: PROHIBITED INTEREST

AGENCY agrees that it has read and will comply with 23 CFR 1.33, and Ohio Revised Code sections 2921.42 and 2921.43.

No member, officer, or employee of ODOT shall have any personal interest, direct or indirect, in this Agreement or the proceeds thereof.

No personnel of AGENCY who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of any such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

Any such person who acquires an incompatible or conflicting personal interest, on or after the effective date of this contract, or who involuntarily acquires any such incompatible or conflicting personal interest, shall immediately disclose his or her interest to ODOT in writing. Thereafter, he or she shall not participate in any action affecting the work under this contract, unless the State shall determine that, in the light of the personal interest disclosed, his or her participation in any such action would not be contrary to the public interest.

SECTION XIX: INTEREST OF MEMBERS OF CONGRESS

No member of the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefits arising therefrom.

SECTION XX: DRUG-FREE WORKPLACE

The AGENCY agrees to comply with all applicable state and federal laws regarding drug-free workplace. The AGENCY shall make a good faith effort to ensure that all AGENCY employees, while working, will not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way.

SECTION XXI: CONDUCT, ETHICS AND INTEGRITY

The AGENCY agrees that they are currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

Further, the AGENCY agrees, by its signature hereto, that to the best of its knowledge, information, and belief, that it will not engage or otherwise employ or utilize or award contracts to contractors or consultants that, or have principals who:

1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or AGENCY;

- 2. Within a three year period immediately preceding the date on which this Agreement was executed, have been convicted of or had a civil judgment against them for commission of fraud or a felony offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract under public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- 3. Are presently indicted for or otherwise criminally or civilly charged by a government entity with commission of any felony;
- 4. Within a three-year period immediately preceding the date on which this Agreement was executed, have had one or more public transactions terminated for cause or default; and
- 5. Have a conflict of interest as covered in 23 CFR 1.33, and Ohio Revised Code sections 2921.42 and 2921.43.

The AGENCY certifies or affirms the truthfulness and accuracy of the contents of the statements submitted by this certification and understands the provisions of 31 U.S.C. Sections 3801 et seq., are applicable thereto.

SECTION XXII: RESTRICTIONS ON LOBBYING

The AGENCY agrees to comply with the provisions of 31 U.S.C. Section 1352, which prohibit the use of federal funds to lobby any official or employee of any federal AGENCY, or member or employee of Congress; and to disclose any lobbying activities in connection with federal funds.

The AGENCY certifies by its signature hereto that:

- 1. No funds appropriated by the United States have been paid or will be paid by or on behalf of the AGENCY to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with awarding any federal contract, making any federal grant, making any federal loan, entering into of any cooperative agreement, and extending, continuing, renewing, amending or modifying any federal contract, grant, loan or cooperative agreement.
- 2. If funds, other than those appropriated by the United States have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the AGENCY shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- 3. The AGENCY shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. The AGENCY's certification is a prerequisite imposed by 31 U.S.C. Section 1352, for making or entering into this Agreement. Any person who fails to file the

required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SECTION XXIII: OHIO ELECTIONS LAW

The AGENCY affirms that, as applicable to it, no party listed in Division (I) or (J) of Section 3517.13 of the Revised Code or spouse of such party has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of \$1,000.00 to the Governor or to his campaign committees.

SECTION XXIV: TRADE

Pursuant to Division (B) of Section 9.76 of the Revised Code, AGENCY warrants that AGENCY is not boycotting any jurisdiction with whom the State of Ohio can enjoy open trade, including Israel, and will not do so during the term of this Agreement.

SECTION XXV: GOVERNING THE EXPENDITURE OF PUBLIC FUNDS ON OFFSHORE SERVICES

The AGENCY affirms to have read and understands State of Ohio Executive Order 2019-12D and shall abide by those requirements in the performance of this Agreement. Notwithstanding any other terms of this Agreement, ODOT reserves the right to recover any funds paid for services the AGENCY performs outside of the United States for which it did not receive a waiver. ODOT does not waive any other rights and remedies provided ODOT in this Agreement.

The AGENCY agrees to complete the attached Executive Order 2019-12D Affirmation and Disclosure Form, **Exhibit I** which is incorporated and becomes a part of this Agreement.

SECTION XXVI: INDEMNIFICATION/HOLD HARMLESS

To the extent allowed by law, AGENCY shall indemnify and hold harmless ODOT for any and all claims, damages, lawsuits, costs, judgments, expenses and any other liabilities which arise as a result of the services performed by the AGENCY, or its employees or agents which is in any way connected with or based upon the services rendered in performing this Agreement.

SECTION XXVII: STATE AUDIT FINDINGS

AGENCY affirmatively represents to ODOT that it is not subject to a Finding for Recovery under R.C. 9.24, or that it has taken the appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section. AGENCY agrees that if this representation is deemed to be false, the Agreement shall be void *ab initio* as between the parties to this Agreement, and any funds paid by ODOT hereunder shall be immediately repaid to ODOT, or an action for recovery may be immediately commenced by ODOT for recovery of said funds.

SECTION XXVIII: DEBARMENT

AGENCY represents that it is not debarred from consideration for contract awards by the Director of the Department of Administrative Services, pursuant to either R.C. 5513.06 or R.C. 125.25. If this representation is found to be false, this Agreement is void *ab initio* and AGENCY shall immediately repay to ODOT any funds paid under this Agreement.

SECTION XXIX: DISPUTES

The AGENCY agrees that all disputes concerning questions of fact in connection with the work and not otherwise disposed of by the specific terms of this Agreement or by mutual agreement among the parties hereto shall be resolved as follows:

The AGENCY shall notify ODOT in writing within 60-days following any determination by ODOT which in the estimation of the AGENCY is in material conflict with facts concerning the subject matter. In such notification, the AGENCY shall present evidentiary matters as may support the AGENCY's position and shall request a review of said previous determination. Within a reasonable period of time, ODOT shall cause the circumstances and facts be reappraised for the purposes of redetermination.

The AGENCY hereby agrees that ODOT will decide such questions which may arise including, for example, the quality or acceptability of materials furnished and work performed, the rate of progress of the work, the acceptable fulfillment of the Agreement on the part of the AGENCY, matters concerning compensation, and all other matters in dispute relating to facts in connection with this Agreement and the services or work to be performed thereunder.

SECTION XXX: COMPLIANCE WITH LAWS AND PERMITS

The AGENCY shall give all notices and comply with all existing and future federal, state and municipal laws, ordinances, rules regulations, and orders of any public authority bearing on the performance of the Agreement, including but not limited to, the laws referred to in these provisions of the Agreement and the other Agreement documents. If the Agreement documents are at variance therewith in any respect, any necessary changes shall be incorporated by appropriate modification. Upon request, the AGENCY shall furnish to ODOT certificates of compliance with all such laws, orders, and regulations. AGENCY accepts full responsibility for payment of all taxes including without limitation, unemployment compensation insurance premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by the AGENCY in the performance of the work authorized by this Agreement. ODOT shall not be liable for any taxes under this Agreement.

SECTION XXXI: COUNTERPARTS

This Agreement may be executed in more than one (1) counterpart, and each counterpart shall be deemed and considered an original instrument for any and all purposes.

SECTION XXXII: CHANGE OR MODIFICATION

This Agreement constitutes the entire agreement between the parties, and any changes or modifications to this contract shall be made and agreed to in writing.

SECTION XXXIII: GOVERNING LAW/SEVERABILITY

This Agreement and any claims arising out of this Agreement shall be governed by the laws of the United States and the State of Ohio. Any provision of this Agreement prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this Contract or the performance thereunder shall be brought only in the courts of Ohio, and the AGENCY hereby irrevocably consents to such jurisdiction. To the extent that ODOT is a party to any litigation

arising out of or relating in any way to this Contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.

If any provision of this Agreement or application of any such provision shall be held by a court of competent jurisdiction to be contrary to law, the remaining provisions shall remain in full force and effect.

(The remainder of this page is left blank intentionally.)

SECTION XXXIV: SIGNATURES

Any person executing this Agreement in a representative capacity hereby represents that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or email. Each party hereto shall be entitled to rely upon a facsimile signature of any other party deliver is such a manner as if such signature were an original.

The parties hereto have caused this Agreement to be duly executed as of the day and year last written below.

Mid-Ohio Regional Planning Commission	STATE OF OHIO OHIO DEPARTMENT OF TRANSPORTATION
William Murdock By: William Murdock (Jun 13, 2023 14:22 EDT)	By: Jack Marchbanks/JWG
William Murdock Executive Director	Jack Marchbanks, Ph.D. Director
Date: Jun 13, 2023	Date: 6/30/23



111 Liberty St., Suite 111 Columbus, Ohio 43215 www.morpc.org

Memorandum

TO: Transportation Policy Committee Transportation Advisory Committee Community Advisory Committee

FROM: Nick Gill, Transportation Study Director

DATE: April 22, 2024

SUBJECT: Resolution T-7-24: "Certification of the MORPC Metropolitan Transportation Planning Process"

In urbanized areas, which have a population of 50,000 or more, federal planning law (49 U.S.C. 5303) calls upon local officials to cooperate with states and public transportation providers in undertaking a continuing, comprehensive, and cooperative (3C) multimodal transportation planning process. This metropolitan transportation planning process is carried out through MORPC as a federally designated metropolitan planning organization (MPO).

Every four years, the Secretary of the U.S. Department of Transportation (DOT) must certify that each MPO serving a transportation management area (TMA), a designation by DOT of an urbanized area with a population over 200,000 as defined by the Bureau of the Census, is carrying out the metropolitan planning process in adherence with federal statutes and regulations. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) last conducted this review, on the Secretary's behalf, at MORPC in 2022 and will conduct another recertification review of MORPC in September 2026.

However, federal regulations also specify that the state and MPO must annually self-certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements.

Resolution T-7-24 self-certifies MORPC's metropolitan transportation planning process and affirms that MORPC, as an MPO, is meeting all requirements in its transportation planning work.

Attachment: Resolution T-7-24

William Murdock, AICP Executive Director Chris Amorose Groomes Chair Michelle Crandall Vice Chair **Ben Kessler** Secretary

RESOLUTION T-7-24

"Certification of the MORPC Metropolitan Transportation Planning Process"

WHEREAS, the Transportation Policy Committee of the Mid-Ohio Regional Planning Commission is designated as the metropolitan planning organization (MPO) for the Columbus Urbanized Area; and

WHEREAS, 23 CFR 450.334 requires that the state and MPO certify, at least every four years, that the transportation planning process is being carried out in accordance with all applicable requirements, including:

- 1) 23 U.S.C. 134 and 49 U.S.C. 5303 (Metropolitan Transportation Planning requirements);
- 2) 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;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 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;
- 5) Section 11101(e) of the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law") and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT-funded projects;
- 6) 23 CFR part 230, regarding the implementation of the equal employment opportunity program on federal and federal-aid highway construction contracts;
- 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; and

WHEREAS, this "self-certification" is separate from the MPO certification done by the Federal Highway Administration and Federal Transit Administration, which was last conducted at MORPC in 2022 and will be conducted again in 2026; and

WHEREAS, as a prerequisite to the receipt of federal financial assistance (per 49 CFR Subtitle A, Section 21.7), MORPC is required to provide the Title VI Assurances included in Attachment A; and

WHEREAS, the Community Advisory Committee at its meeting on April 29, 2024 and the Transportation Advisory Committee at its meeting on May 1, 2024 recommended approval of this resolution by the Transportation Policy Committee; now therefore

BE IT RESOLVED BY THE TRANSPORTATION POLICY COMMITTEE OF THE **MID-OHIO REGIONAL PLANNING COMMISSION**:

Section 1. That it certifies that the urban transportation planning process is carried out in conformance with all the applicable federal requirements to the degree that is appropriate for the size and complexity of the area.

Resolution T-7-24 April 22, 2024 Page 2 of 2

Section 2. That it provides the Title VI Assurances in Attachment A, Parts 1 and 2.

Section 3. That this committee finds and determines that all formal deliberations and actions of this committee concerning and relating to the adoption of this resolution were taken in open meetings of this committee.

Chris Amorose Groomes, Chair MID-OHIO REGIONAL PLANNING COMMISSION

Date

Prepared by: Transportation Staff

Attachments:

A. Part 1 – Standard DOT Title VI Assurances Part 2 – Contractor Contractual Requirements

PART 1 STANDARD DOT TITLE VI ASSURANCES

The Mid-Ohio Regional Planning Commission (MORPC) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d <u>et seq.</u>) and all requirements imposed by 49 CFR Part 21 - Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MORPC receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, MORPC agrees that:

- 1. Each "program" and "facility" (as defined in Sections 21.23(e) and 21.23 (b)) will be conducted or operated in compliance with all requirements of the Regulations.
- 2. It will insert the clauses of Part 2 of this assurance in every contract subject to the Act and the Regulations.
- 3. This assurance obligates MORPC for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates MORPC or any transferee for the longer of the following periods:
 - (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits, or
 - (b) the period during which MORPC retains ownership or possession of the property.
- 4. It will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom they delegate specific authority to give reasonable guarantee that it, other sponsors, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants or Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.
- 5. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this Project and is binding on MORPC, its contractor, subcontractors, transferees, successors in interest and other participants in the Project. The person whose signature appears on this resolution is authorized to sign this assurance on behalf of MORPC.

PART 2 CONTRACTOR CONTRACTUAL REQUIREMENTS

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations**. The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter "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 contract.

2. **Nondiscrimination**. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, gender or sex (including pregnancy, gender identification or expression, and sexual orientation), age (including federally protected 40 years or older), disability or other handicap, low-income status, limited English proficiency, religion, genetic information, gender identification, creed, military status (past, present, or future), medical conditions, or marital/familial 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 49 CFR 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B to part 21 of the Regulations.

3. Solicitations for Subcontracts, including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor 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 contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, gender or sex (including pregnancy, gender identification or expression, and sexual orientation), age (including federally protected 40 years or older), disability or other handicap, low-income status, limited English proficiency, religion, genetic information, gender identification, creed, military status (past, present, or future), medical conditions, or marital/familial status.

4. **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 Mid-Ohio Regional Planning Commission (MORPC), the Ohio Department of Transportation (ODOT), or U.S. DOT to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to MORPC, ODOT or U.S. DOT, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance**. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, MORPC shall impose such contract sanctions as it, ODOT or the U.S. DOT may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. **Incorporation of Provisions**. The contractor and subcontractor(s) shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor and subcontractor(s) shall take such action with respect to any subcontract or procurement as MORPC, ODOT or U.S. DOT may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor or subcontractor(s) becomes involved in, or is threatened

Attachment A

Resolution T-7-24

with, litigation with a subcontractor or supplier as a result of such direction, the contractor or subcontractor(s) may request MORPC or ODOT to enter into such litigation to protect the interests of MORPC or ODOT and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



TITLE VI COMPLIANCE QUESTIONNAIRE

Metropolitan Planning Organizations (MPOs) & Regional Transportation Planning Organizations (RTPOs)

General

- 1. Which office within your organization has lead responsibility for Title VI compliance?
 - Communications & Engagement
- 2. Who is your designated Title VI Coordinator? Please provide the person's name, title and contact

information.

Ralonda Hampton Interim Sr. Director of Communications & Engagement rhampton@morpc.org 614-233-4127

3. Does your organization have a Title VI Program Plan? If so, please provide the website link or attach a

copy.

- Yes -- <u>https://www.morpc.org/title-vi</u>
- 4. Does your organization have a Title VI policy? If so, please provide the website link or attach a copy.
 - Yes -- <u>https://www.morpc.org/title-vi</u>
- 5. Does your organization have written Title VI complaint procedures? If so, please provide the website link or attach a copy.
 - Yes -- https://www.morpc.org/title-vi
- 6. Does your organization have a Title VI complaint form? If so, please provide the website link or attach a

copy.

- Yes -- https://www.morpc.org/title-vi
- 7. Does your organization make the public aware of the right to file a complaint? If so, describe how this is accomplished.
 - Yes. MORPC utilizes the website and public notices to post Title VI information and the public's right to file a complaint.

- 8. In the past three years, has your organization been named in any Title VI and/or other discrimination complaints or lawsuits? If so, please provide the date the action was filed, a brief description of the allegations and the current status of the complaint or lawsuit. Describe any Title VI-related deficiencies that were identified and the efforts taken to resolve those deficiencies.
 - None
- 9. Has your organization provided written Title VI Assurances to ODOT? Is the Title VI Assurance included in

the MPO self-certification resolution (Note, this only applies to MPOs, RTPOs do not approve self-

certification resolutions)? If so, please provide a copy as an attachment.

- Yes, to both questions. The written assurances were last provided in the 2023 selfcertification resolution and will be included in the 2024 self-certification. <u>https://www.morpc.org/title-vi</u>
- 10. Does your contract language include Title VI and other non-discrimination assurances?
 - Yes. While the agency does not include 49 CFR 26.13 (a) and (b) verbatim (and the regulations do not state the language must be included verbatim), language is included that we will comply with Title VI of the Civil Rights Act of 1964, 78 Stat.252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. See the attached contract template.
- 11. Do you use any of the following methods to disseminate Title VI information to the public (select all that

apply):

- i. Title VI posters in public buildings
 - Yes. Title VI Notices are in the MORPC building, located in the front lobby and the

lounge/break room.

- ii. Title VI brochures at public events
 - Title VI language included on brochures.
- iii. Title VI complaint forms in public buildings
 - No
- iv. Title VI complaint forms at public events
 - No
- v. Title VI policy posted on your website

- Yes. The notice is posted on the MORPC website.
- vi. Title VI Program Plan posted on your website
 - Yes
- vii. Other (Please explain)

Public Involvement

12. Does your organization have a Public Participation Plan? If so, please provide the website link or attach

a copy. When was the Public Participation Plan most recently updated?

• Yes -- https://www.morpc.org/about-morpc/public-participation. This was updated in

September 2021.

13. Please select which of the following outlets your organization uses to provide notices to different

population groups (select all that apply):

- i. Neighborhood and community paper advertisements
 - We provide notices directly through U.S. mail and emails to neighborhood, community, and civic associations.
- ii. Community radio station announcements
 - Paid radio announcements are typically featured on a project basis specifically, air quality alerts and Gohio Commute.
- iii. Church and community event outreach
 - Programs are typically featured at community events. The programs are usually air quality alerts and Gohio Commute, but also TIP and MTP if a process is in progress.
- iv. Targeted fliers distributed in particular neighborhoods
 - We typically work with the City of Columbus, Department of Neighborhoods to distribute information and fliers to particular neighborhoods.
- v. Other (Please explain)
- 14. Do you coordinate with local community groups to facilitate outreach to minorities and low-income

populations? If so, please list groups.

• The YWCA of Central Ohio, The Columbus Urban League, The Columbus Branch of the

NAACP, National Center for Urban Solutions, The African American Male Wellness Agency,

The African American Leadership Academy, Conference of Minority Transportation Officials,

Central Ohio Diversity Consortium, the Community Advisory Committee (CAC) and more.

15. Do you take the following into consideration when identifying a public meeting location (select all that

apply):

- i. Parking
 - Yes
- ii. Accessibility by public transportation
 - Yes. We provide alternative transportation options on our public meeting invitations.
- iii. Meeting times
 - Yes
- iv. Existence of ADA ramps
 - Yes. A site review is conducted on all meetings located outside of MORPC.
- v. Familiarity of community with meeting location
 - This occurs in coordination with the project location or boundaries.
- 16. Have meeting participants requested special assistance (e.g., interpretation services) ahead of any

public event in the past year? If so, describe how the request was addressed.

• None

Limited English Proficiency (LEP) and Language Assistance

17. Are you familiar with the LEP four-factor analysis methodology?

- Yes
- 18. Are you familiar with the LEP language assistance Safe Harbor threshold?
 - Yes
- 19. Does your organization have an LEP Plan and/or a Language Assistance Plan (LAP)? If so, please provide the website link or attach a copy.
 - Yes -- https://www.morpc.org/title-vi

20. Has your organization identified vital documents that need to be made available in languages other than

English? If so, describe how that need is being addressed.

- Yes. Brochures, applications for service, executive summaries are translated into Spanish, Somali and last year we also offered French for Gohio.
- 21. Do you have a list of staff who speak languages other than English?
 - Yes
- 22. Do you provide free translation services in languages other than English to the public upon request?
 - Yes. We cover the cost of having the information translated and for interpreters, if needed.
- 23. How often do you receive requests for language assistance?
 - Not often

Title VI Training

- 24. Who provides Title VI training to your staff?
 - i. ODOT staff
 - Yes
 - ii. Title VI Coordinator
 - Not exclusively on Title VI included in diversity training. See below.
 - iii. Other (Please explain)
 - We provide Diversity, Equity & Inclusion (DE&I) training, and elements from Title VI are included.
- 25. How often are Title VI trainings conducted?
 - Annually, as part of our diversity training.
- 26. How many staff were trained on Title VI this year?
 - More than 50 people attended our training session on Title VI.

Transportation Planning Program - Data Collection and Analysis

27. Does your agency maintain documentation describing its procedures for incorporating Title VI

requirements into the region's transportation planning program?

• Yes. MORPC's documentation for incorporating Title VI into the metropolitan transportation

planning program is included in the "Environmental Justice Report" and the "Environmental Justice Technical Analysis" prepared in conjunction with the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP), respectively. Title VI considerations in public participation are documented in the MPO Public Participation Plan and in the appendix of the MTP and the appendix to the TIP.

28. Does your organization maintain socio-demographic data and mapping for the transportation planning

region?

- Yes
- 29. Does your organization use data to identify protected groups for consideration in the planning process?
 - Yes
- 30. Does your organization conduct Transportation Plan and Transportation Improvement Program

environmental justice analyses of the impacts that planned transportation system investments will have

on both minority (including low-income status populations) and non-minority areas? Discuss the

assessment methodology and resulting documentation.

- Yes. There is an EJ appendix included for each TIP and MTP. Full methodologies are included in them.
- TIP webpage: https://www.morpc.org/program-service/transportation-improvement-program
- MTP webpage: <u>https://www.morpc.org/mtp2050</u>
- 31. Does your organization track demographic information of participants in its transportation planning

program public involvement events?

• Only our Community Advisory Committee

Technical Assistance

32. Provide the name, title, and contact information for the person who completed this questionnaire and the date the questionnaire was completed. Is this the person who should be contacted with follow-up questions? If not, please provide the name, title, and contact information for that individual.

Ralonda Hampton Interim Sr. Director of Communications & Engagement rhampton@morpc.org 614-233-4127 Nick Gill Transportation Study Director ngill@morpc.org 614-233-4151

33. Do you have any questions regarding this questionnaire? If so, please include them here along with your

email address or telephone number and an ODOT representative will respond.

- None
- 34. Would your organization like Title VI training or other Civil Rights technical assistance from ODOT? If

yes, please explain.

• Yes, please keep us informed on upcoming training opportunities.

NON-DISCRIMINATION COMPLAINTS

These procedures cover all external complaints regarding MORPC programs and activities filed under Title VI of the Civil Rights Act of 1964 or 49 CFR 21.1,

"The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 (hereafter referred to as the Act) to the end that no person in the United States shall, on the grounds of **race, color, or national origin (including limited English proficiency)**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation."

These procedures, required per 23 CFR 200.9 (b)(3), also cover external complaints regarding MORPC programs or activities filed under other related non-discrimination laws that additionally prohibit discrimination on the basis of disability, sex, age or low income. This includes, but is not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, 23 USC 324, 42 USC 610, and the DOT Order on Environmental Justice and Executive Order 12898. These procedures are for any external discrimination complaints relating to any program or activity administered by MORPC.

49 CFR 21 outlines types of prohibited discriminatory actions per that law. It follows, in part:

(1) A recipient under any program to which this part applies may not, directly or through contractual or other arrangements, on the grounds of race, color, or national origin.

(i) Deny a person any service, financial aid, or other benefit provided under the program;

(ii) Provide any service, financial aid, or other benefit to a person, which is different, or is provided in a different manner, from that provided to others under the program;

(iii) Subject a person to segregation or separate treatment in any matter related to his receipt of any service, financial aid, or other benefit under the program;

(iv) Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program;

(v) Treat a person differently from others in determining whether he satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit provided under the program;

(vi) Deny a person an opportunity to participate in the program through the provision of services or otherwise or afford him an opportunity to do so which is different from that afforded others under the program; or

(vii) Deny a person the opportunity to participate as a member of a planning, advisory, or similar body, which is an integral part of the program.

The law prohibits intimidation or retaliation of any kind. The procedures do not deny the right of the complainant to file formal complaints with other federal, state or local agencies, or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible.

Procedure

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the MORPC Director of Operations. A formal complaint must be filed within 180 calendar days of the alleged occurrence.

2. Upon receipt of the complaint, the MORPC Director of Operations will determine its jurisdiction, acceptability, and need for additional information. MORPC also will acknowledge receipt of the complaint by notifying the complainant in writing within 10 days.

3. The MORPC Director of Operations will assign or designate a staff person from whose area is affected by the complaint to investigate the merit of the complaint.

4. The complaint will receive a case number and will be logged in the MORPC records identifying its basis and the race, color, national origin, and gender of the complainant. The assigned staff will start the investigation.

5. Within 50 calendar days of receipt of the complaint, MORPC's investigator will prepare an investigative report for the Executive Director's review. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. MORPC also will include signed affidavits from all parties – complainant, accused, and witnesses, as applicable. Any reports or documents gathered during the investigation also will be included.

6. The investigative report and its findings may be sent to MORPC's legal counsel for review. The counsel will review the report and associated documentation and will provide input within 10 calendar days.

7. MORPC's investigator will review any comments or recommendations from MORPC's legal counsel. The investigator will discuss the report and recommendations with the Executive Director. The report will be modified as needed and made final for its release.

8. Once MORPC's investigative report becomes final, the parties will be properly notified of the outcome and appeal rights.

9. MORPC's investigative report and a copy of the complaint will be forwarded to the appropriate oversight agency (for example, the Ohio Department of Transportation), if applicable, within 70 calendar days of the receipt of the complaint.

10. If the complainant is not satisfied with the results of the investigation, s/he shall be advised of their right to appeal. The first appeal is to the Discrimination Complaint Appeal Board of the MORPC Executive Committee. The chair of the Executive Committee, or their designee, serves as chair of the Appeal Board, along with two other Executive Committee members selected by the chair. The Appeal Board is the final review process within MORPC. If the complainant remains unsatisfied, MORPC's determination can be appealed to federal or state entities, as applicable, or to the United States Department of Justice (USDOJ). Appeals to the MORPC Appeal Board must be filed within 30 days of notification (per step 8) of a decision on the complainant of such within 60 days. Appeals outside

MORPC must be filed within 180 days after MORPC's final resolution. Absent new facts, MORPC will not reconsider its determination.

11. If it is determined, following the initial investigation or following any appeals that MORPC acted in a discriminatory manner MORPC will take whatever action is needed, per the recommendations in the investigative report, to remedy the discriminatory practice.

For more information regarding the MORPC complaint process or for filing complaints, please contact the MORPC Interim Senior Director of Communications & Engagement, Ralonda Hampton at 614-233-4157 or rhampton@morpc.org.

Completed complaint forms can be mailed or faxed to:

Ralonda Hampton MORPC 111 Liberty Street, Suite 100 Columbus, Ohio 43215

Fax: 614-228-1904

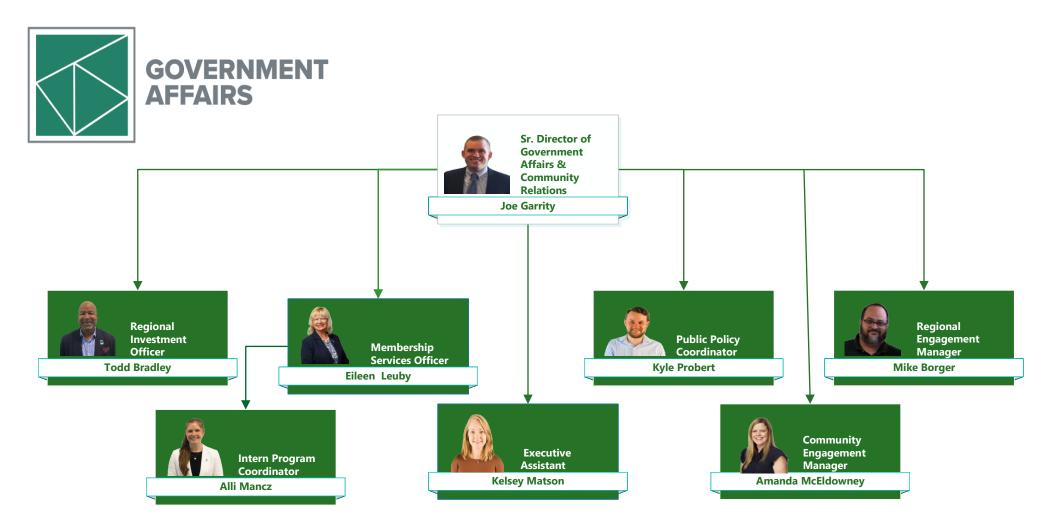
The completed and signed form also can be scanned and emailed to: rhampton@morpc.org >> .

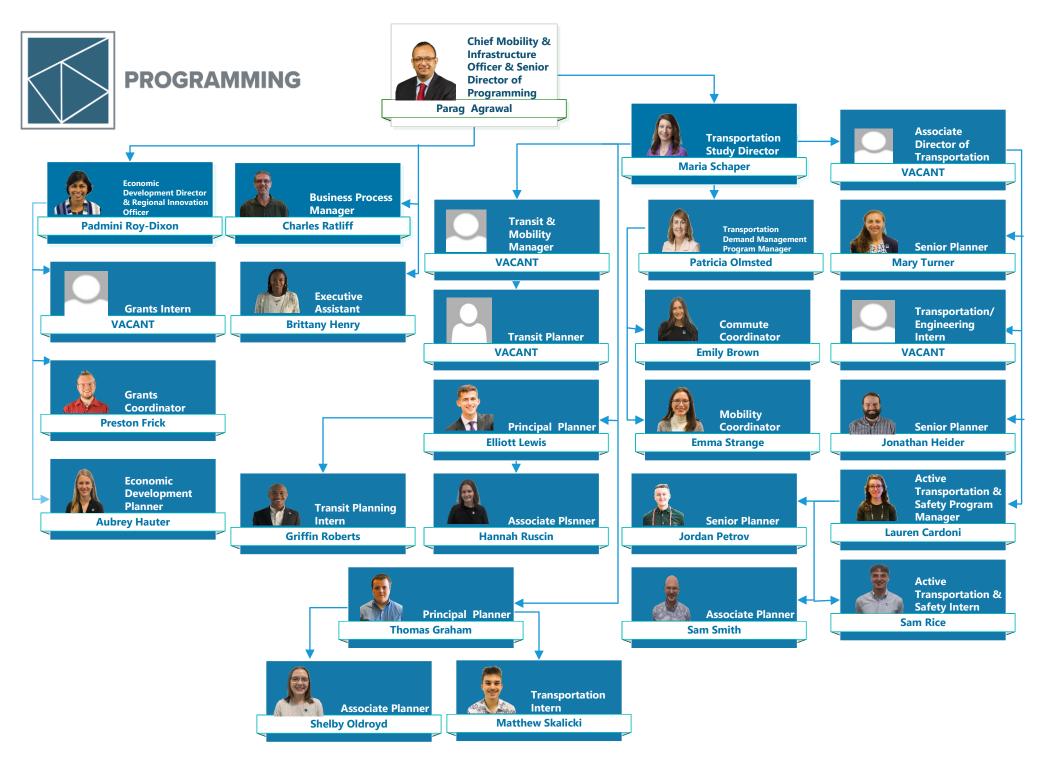
Please call 614-233-4157 following the submittal of a complaint form to make sure that the completed form has been received.

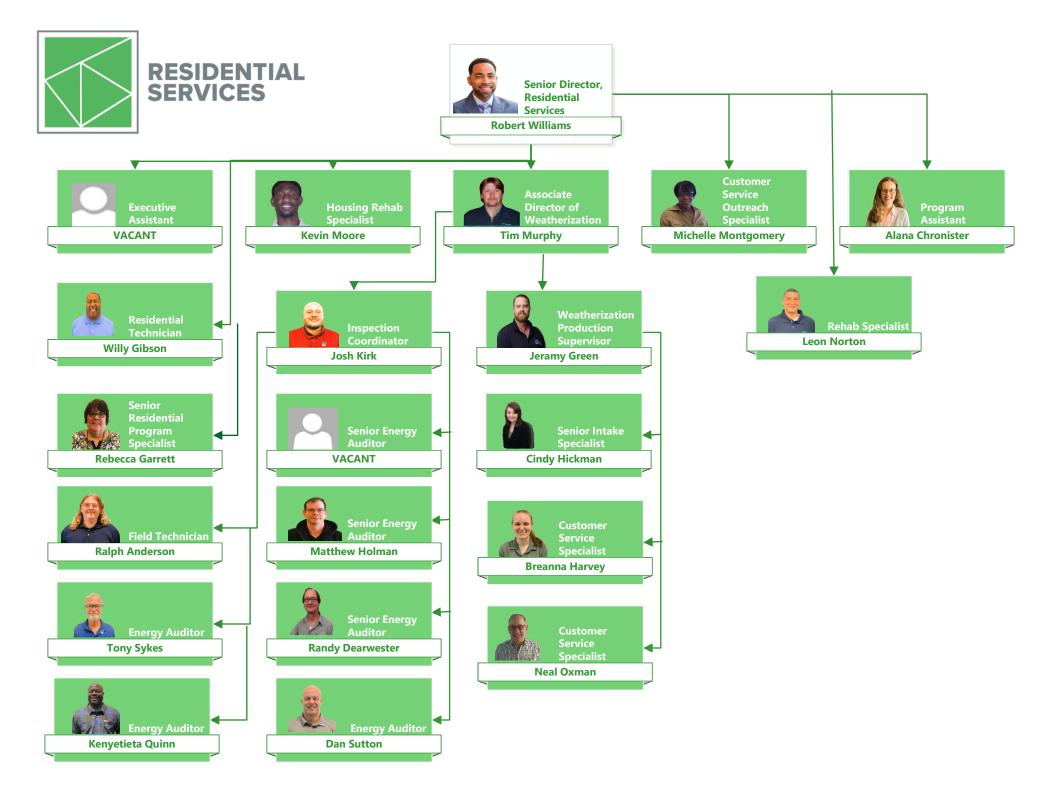
Thank you.

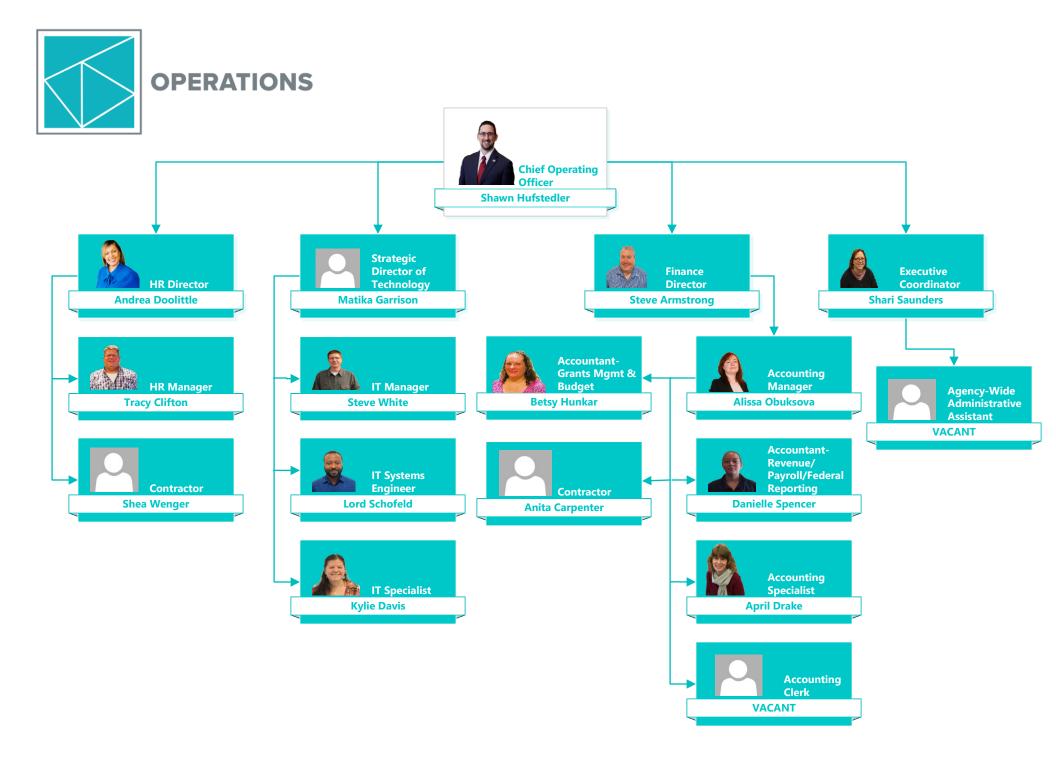




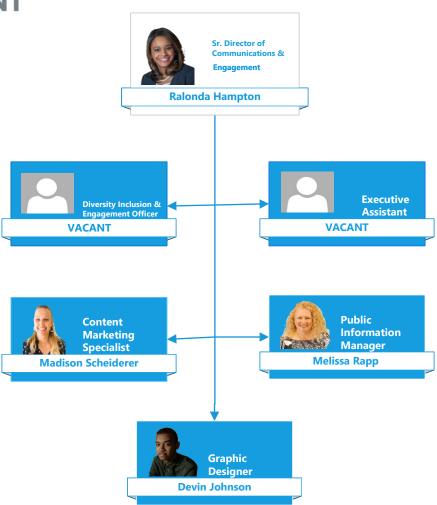


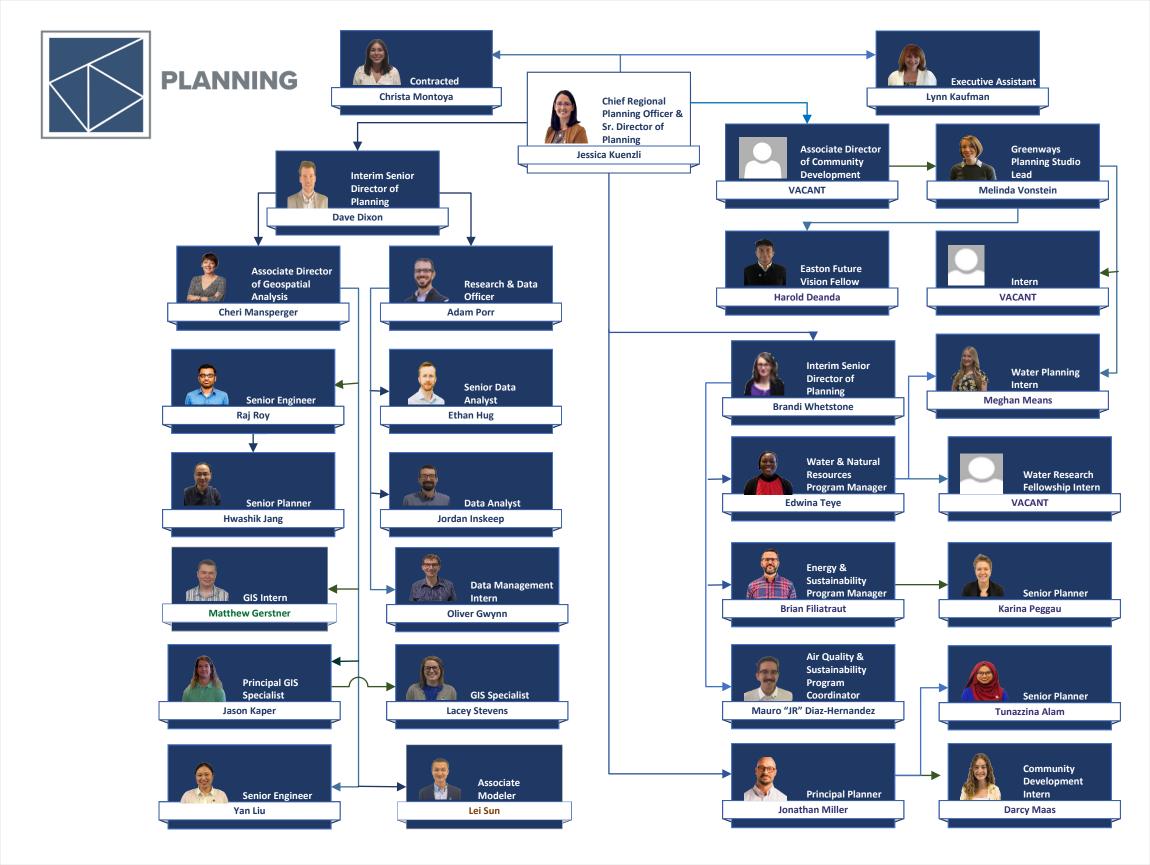












Appendix G

- Public Involvement Plan -



METROPOLITAN PLANNING ORGANIZATION

PUBLIC PARTICIPATION PLAN

September 2024

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INTRODUCTION

The Public Participation Plan specifies the procedures that the Mid-Ohio Regional Planning Commission (MORPC) will use to reach members of the public for their input while conducting its transportation planning process. The plan also includes a section on environmental justice, the Americans with Disabilities Act, and nondiscrimination complaint procedures for programs and activities of MORPC.

BACKGROUND

The Mid-Ohio Regional Planning Commission (MORPC) is composed of local governments in Central Ohio. Franklin County and nearby counties, as well as their cities, villages and townships, are eligible for membership.

The agency's envisioned future for the 15 urban and rural counties it serves is one of prosperity and growth. The members and staff take pride in bringing communities of all sizes and interests together to collaborate and build consensus on economic and community development, transportation and other infrastructure projects, energy, and environmental sustainability.

Elected and appointed officials from local governments serve as representatives on the commission, which determines the strategic direction of the agency and sets its policies. All meetings are open to the public.

Because of MORPC's role in the region, its Transportation Policy Committee was formed and designated by the U.S. Department of Transportation as the metropolitan planning organization (MPO) for the Columbus urbanized area in 1964. The Transportation Policy Committee maintains that role today.



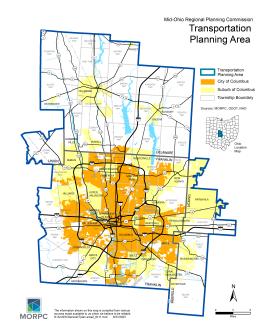
MORPC AS THE METROPOLITAN PLANNING ORGANIZATION (MPO)

As the MPO, MORPC's Transportation Policy Committee conducts the federally required "3C" transportation planning process – a process that is continuous, cooperative and comprehensive.

The Transportation Policy Committee serves as a forum for decision making within the MPO boundaries, and the members approve required actions of the transportation planning process.

AS OF 2024, MORPC'S MPO AREA INCLUDES:

- Franklin County (including all cities, villages and townships)
- Delaware County (including all cities, villages and townships)
- Pataskala City
- Pickerington City
- Lithopolis Village
- Bloom Township (Fairfield)
- Etna Township (Licking)
- Jerome Township (Union)
- Violet Township (Fairfield)



There are no tribal lands or federal public lands identified in the MPO planning area. The MPO boundaries are updated every 10 years based on the results of the federal decennial census.

The transportation planning process results in plans and programs that consider all transportation modes for all people. It is the basis for the development of MORPC's long-range <u>Metropolitan Transportation Plan (MTP)</u> and four-year <u>Transportation Improvement Program (TIP)</u>. The MTP and TIP are lawfully required products of MPOs.

View Federal Regulations Related to Metropolitan Planning Organizations

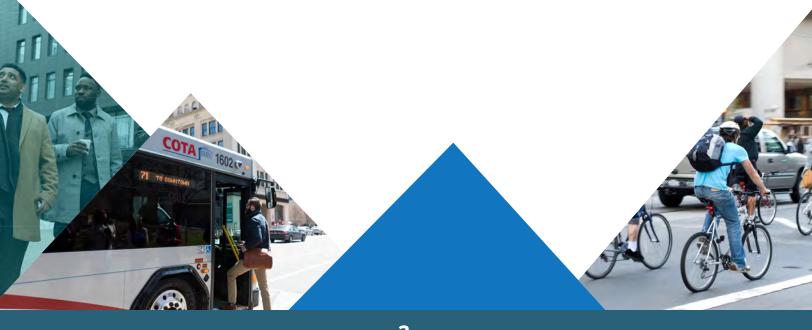
The MPO plans and programs lead to the development and operation of the region's integrated, multimodal transportation system that facilitates the efficient and economic movement of people and goods.



Public participation provides a deliberative and transparent process for people affected by the projects, strategies, and initiatives to be involved. "People," as defined here, includes:

The general public			
Minorities (Black or African Americans, Hispanic or Latinx, Asian or Asian Americans, American Indian or Alaska Natives, Native Hawaiian or Pacific Islanders)			
Foreign-born residents and foreign-speaking populations			
Those with disabilities			
Older adults			
Lower-income individuals and families			
Bicyclists			
Pedestrian facility users			
Public agencies			
Neighborhood/civic associations and area commissions			
Public transportation employees			
Intercity bus and rail operators			
Public transportation users			
Natural and built environment interests			
Business and employer interests			
Freight shippers and providers of freight transportation services			
Private providers of transportation			
Other interested parties			

Input from all these groups creates a more inclusive process in shaping the development of the Metropolitan Transportation Plan and Transportation Improvement Program, as well as other actions and considerations of the MPO.



The public participation process encourages early and continuous involvement that not only helps to develop plans that accommodate personal mobility needs, but also the efficient movement of goods. Public participation is also required by the Metropolitan Planning Regulations of the United States Department of Transportation in <u>23 CFR</u> <u>450.316</u>, 49 U.S.C. 5307(b)(1-7) and FTA Circular 9030.1E.

This Public Participation Plan is the process through which public participation activities are conducted by MORPC in fulfilling its MPO role. Through it, MORPC strives to provide a transparent and accessible process, ensure adequate notice of public participation activities, and educate stakeholders and the public on transportation-planning processes and products.

The transportation-planning process is complex. Because of this complexity, all interested groups are encouraged to view the <u>morpc.org</u> website, solicit presentations, and attend meetings and other public forums to gain an understanding of the process and plans.

The meetings are designed not only to educate and inform the public, but also to allow the public the opportunity to provide input into the various elements of the planning and decision-making process.

MORPC, as the MPO, will consult agencies and officials responsible for other planning activities within the metropolitan planning area that are affected by transportation – state and local planned growth agencies, airport operations, freight movements, safety agencies, active transportation groups, non-profit organizations, environmental protection groups, economic development agencies – and provide for the design and delivery of transportation services. The input will be considered and provided to the public for review and comment during each of the plan or study milestones.

Furthermore, the public is encouraged to contact MORPC to answer questions related to its transportationplanning work.

The procedures and strategies contained in this plan to ensure a full and open participation process are to be periodically reviewed for effectiveness.



INTENT OF THE PUBLIC PARTICIPATION PLAN

The Public Participation Plan is designed to provide the public with the opportunity to participate in, review, and comment on the formulation of transportation policies, plans, and programs.

This process provides a set of procedures to be consistently and comprehensively applied to incorporate the public's involvement in the transportation planning process, including the planning and development of the Central Ohio Transit Authority's (COTA's) and Delaware County Transit's (DCT's) programs and projects.

The plan further serves to satisfy the public participation requirements for the Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program grant funding received by both COTA and DCT.

In addition, as the designated recipient for FTA Section 5310 funds – Enhanced Mobility for Seniors and Individuals with Disabilities – that awards grants to sub-recipients, MORPC makes the draft list of all projects being considered for funding available for public review and comment.

It is the intent of the MPO to utilize the participation process in a proactive manner to solicit input from a broad representation of the community. The MPO will secure data and consult with resource agencies, social service agencies, environmental groups and associations, state, county and local governmental agencies, and other non-governmental agencies.

The MPO actively seeks the views of the minority, people with disabilities, older adults, low-income, and other populations traditionally underserved by transportation to ensure that a broad representation is obtained.

The overall process is based upon the following goals:

Provide timely information about planning issues and processes to the public

Foster transparency by providing public access to technical and policy information used in the development of transportation plans/programs

Employ visualization techniques to describe plans/programs (maps, charts, graphs, pictures)

Provide adequate notice of public participation and planning activities

Continually seek specific ways to engage and consider the needs of all segments of the population

Obtain early and continuous public participation in the transportation planning process

The Public Participation Plan is reviewed periodically by the Ohio Department of Transportation, Federal Highway Administration, and Federal Transit Administration to ensure that full and open access is provided by the MPO, COTA, and DCT in the transportation decision-making process.

The plan outlined in the following sections enhances the opportunity for public input and satisfies federal requirements for public participation.



PUBLIC PARTICIPATION PLAN

MORPC uses a three-tier process to solicit input in the development of transportation plans, programs, and policies. This process includes:

- 1. A structured MPO committee process
- 2. A study/project-specific process
- 3. A public outreach/information collection and dissemination effort tailored to meet specific needs

TIER 1: METROPOLITAN PLANNING ORGANIZATION COMMITTEE PROCESS

The MPO's existing public involvement structure incorporates the activities of three transportation committees: the Transportation Policy Committee; the Transportation Advisory Committee (TAC); and the Community Advisory Committee (CAC).



The Transportation Policy Committee is the MPO, and therefore serves as the final decision-making body. The policy committee includes the representation of local elected officials, officials of agencies that administer or operate major modes or systems of transportation, appropriate state officials, and the chair of the Community Advisory Committee.

It is responsible for the review and adoption of all MPO planning work products such as the Public Participation Plan, the Planning Work Program, the long-range Metropolitan Transportation Plan, the four-year Transportation Improvement Program, major area studies or corridor plans, amendments to adopted plans and programs, COTA's and Delaware County Transit's programs and projects, and FTA funding such as the Section 5307 Urbanized Area Formula annual Program of Projects. The actions of the Transportation Policy Committee are based upon recommendations from the Transportation Advisory Committee and Community Advisory Committee.

The policy committee meetings take place in tandem with MORPC's full commission meetings, allowing many representatives from outside the MPO area to also be aware of MPO transportation-related decisions. For more information, see the Transportation Policy Committee Bylaws (Appendix A).

The Transportation Advisory Committee (TAC) provides technical advice, assistance, and recommendations to the Transportation Policy Committee and MPO staff. TAC reviews the procedures for and results of the various phases of the transportation planning process and special studies, methodology, projections, assumptions, and recommended plans, programs, strategies and solutions before submission to the Transportation Policy Committee.

TAC's membership represents state, local, and federal transportation agencies, public utilities, public and private transportation providers, environmental and freight interests, and consultants. For more information, see the TAC Bylaws (Appendix B).

<u>The Community Advisory Committee (CAC)</u> provides recommendations to the Transportation Policy Committee from the perspective of residents, special interests, and communities. The CAC is one method by which the public can review and participate in all current transportation planning efforts, projects, and issues.

The CAC membership, as defined by its bylaws, is a broad representation of the community including, but not limited to, low-income and minority households, special interest groups, neighborhood and area commissions, and those traditionally underserved by transportation.

By having a membership that usually serves for several years, the CAC becomes educated about transportation issues, constraints, and processes and their relationship to other conditions in the community. For more information, see the CAC Bylaws (Appendix C).

We strive to ensure that we are continuously improving diverse representation and voices on our committees and within our membership. Also, our goal is to commit to culturally competent committee members, which represent the diverse region that we serve.

All of these committees offer the chance for input to be provided on the MPO's transportation work. The committees meet regularly throughout the year. In addition, MORPC's MPO committee work is supplemented and informed by additional committees of MORPC, including the agency's <u>Sustainability Advisory Committee</u>, <u>Regional</u> <u>Data Advisory Committee</u>, <u>Regional Policy Roundtable</u>, and the <u>Central Ohio Rural Planning Organization</u>.

All MORPC meetings are open to the public – in accordance with Ohio law – with advance notice and meeting materials posted at <u>morpc.org</u>. Although it is standard for these meetings to be held in person – and usually at the MORPC office – there may be virtual options for some people to participate.

Special assistance can be provided to individuals such as those who are hearing impaired, provided that arrangements are made reasonably in advance of the meetings.



TIER 2: STUDY/PROJECT-SPECIFIC PUBLIC PARTICIPATION

Participation in specific studies occurs through the formation of committees or the utilization of standing committees, with these special studies having their own participation efforts as defined during the scoping of the study. Committee structure need is reviewed to ensure that the appropriate segments of the population and specific special interests are represented and encouraged to participate.

The committee members for these projects assist by addressing study issues through reviewing and providing feedback on information presented, answering questions at public meetings, and by providing information to their constituents. Study team members may supplement committee meeting presentations with presentations to committee member constituent groups.

Agencies that undertake area studies and corridor plans, where there is a specific need of intensive study to determine potential transportation needs and impacts, follow this process.

People who may be impacted directly by the study results are involved through the following process:

- Advisory groups may be established for the study, and standing committees that include representation of specific target groups may be formed. Representatives from appropriate neighborhood and area commissions, employers, resource agencies, businesses, special interests, and local, state and federal transportation agencies are invited to participate. The advisory group meetings are held in venues convenient to the study area and may include virtual options.
- Public meetings are scheduled in or near the study area at accessible locations, and they may also include virtual options. Invitations to attend the meetings are marketed through website postings, social media (including paid or boosted posts), electronic newsletters, and through direct and/or electronic mail to neighborhood and civic associations, employers, businesses, resource agencies, media, local communities, and other representative group in the study and transportation planning area.

Interim updates and final results of these studies or projects are presented to the advisory groups, Community Advisory Committee, Transportation Advisory Committee, Transportation Policy Committee, and other interested groups and communities. Short, written reports on progress may also be provided.

Information on the study milestones may be displayed in a newsletter and distributed to the media, general public, and public libraries, as well as placed on a website and on social media.

A web page or website specifically for these studies or projects may be developed. If this is the case, all written documents and presentations will include the web address of the study.

MORPC's website has the capability of being automatically translated into various languages. Draft and final versions are available for public review and comment on the website and with print materials available. Comments can be submitted written or orally.

Comments are to be summarized by the study team and included with the final plan/program documents. If a plan or program is changed significantly from the original format made available for public comment and raises new issues, additional opportunity for public comment on the revised document will be provided.

TIER 3: PUBLIC OUTREACH/INFORMATION COLLECTION & DISSEMINATION

MORPC engages the public in the transportation planning process through an array of outreach methods and options, including:

- Public meetings or focus groups (in person and/or virtual)
- One-on-one or small-group contacts
- Surveys
- Social media
- E-mail blasts
- Community events/festivals
- Presentations
- Website
- Interactive web maps and story maps
- Videos and podcasts
- Various printed marketing and collateral materials (often translated to additional languages)
- Public engagement digital platforms and applications

Upon request, MPO work products and documents are made available in alternative formats, if they can be reasonably accommodated by staff or consultants.

PUBLIC OUTREACH

The public outreach program for the Metropolitan Transportation Plan, the Transportation Improvement Program, COTA, DCT and FTA Section 5307 Program of Projects includes the following:

- Legal notices are placed, as required by <u>23 CFR 450.316</u>, in local newspapers (with the largest circulation for each county and minority newspapers) at the beginning of work on a new Metropolitan Transportation Plan or Transportation Improvement Program.
- Legal notices are placed for public hearings.
- MORPC's website is updated and press releases are distributed to the media announcing the availability of draft and final major reports, public review periods, public meetings, and other transportation planning efforts.

Posting of information on all transportation programs and projects can be found at <u>morpc.org</u> or on project-specific websites. MORPC's website has the capability of being translated into various languages. Public comments can be submitted through the website, by electronic mail, or sent through U.S. mail.

Announcements to review draft reports and attend public meetings are sent to a list maintained by MORPC that includes neighborhood and civic associations, local communities, special interest groups, businesses, resource agencies, and other representative groups by direct and electronic mail. They are also placed on social media (including paid and boosted posts) and included in electronic newsletters.

MORPC's periodic publications that provide information pertaining to various transportation activities include an electronic newsletter, the Regional eSource, and an annual printed report distributed to a mass audience – typically associated with the agency's annual State of the Region event.

Copies of drafts and final reports for plans and programs are distributed to local libraries and are placed on the website.

EMERGENCY SITUATIONS

In a period of a public health emergency or disaster recovery – when social distancing is required, or when a weather-related or other disaster prevents regular public involvement processes from going forward – alternative arrangements may be made to the participation process that continue to allow for meaningful involvement from members of the public. These may include alternative in-person meetings, virtual-only meetings, or other methods. MORPC will use the resources available to it to notify and inform the public of such changes.

METROPOLITAN TRANSPORTATION PLAN (MTP) PUBLIC PARTICIPATION PROCEDURES

The various components of the Metropolitan Transportation Plan are presented to the Community Advisory Committee, Transportation Advisory Committee, and Transportation Policy Committee for review and comment over the course of its development.

A notice of availability of the draft documents for review with a minimum 30-day comment period by the general public is distributed by social media (including paid and boosted posts), and by direct and electronic mail to neighborhood and civic associations, employers, resource agencies, media, and local communities. A web map with proposed projects is also available. A notice of availability and copies of draft documents are distributed to area libraries and placed on the website at morpc.org/mtp.

MTP OPEN HOUSE

The MPO hosts an open house at an accessible location at least 30 days prior to the adoption of the transportation plan. At the open house, a formal presentation that can be generally understood is provided, the various components of the transportation plan are displayed, and MPO staff is available to answer questions.

Invitations to attend the open house are posted on the website and social media (including paid and boosted posts), and distributed by direct and electronic mail to a list maintained by MORPC that includes: the Community Advisory Committee, Transportation Advisory Committee, Transportation Policy Committee members; neighborhood and civic associations; employers; resource agencies; social service agencies; media; local communities; and other representative groups in the transportation planning area.

The open house may include virtual components, and a copy of the formal presentation slides and/or video is placed on the website.

COMMENTS ON THE MTP

Comments are received electronically, by U.S. mail, or submitted in writing at public meetings. MORPC will accommodate the needs of any member of the public in submitting comments within the allotted time period.

All comments received are considered public comments, and therefore are subject to disclosure under Ohio's Public Records Act. All public comments received are reviewed for consideration and if found appropriate, are incorporated into the document. All responses are included in the final adopted document in a separate appendix. Copies of the final adopted document are sent to area libraries in the transportation planning area.

AMENDMENTS TO THE MTP

In order for transportation projects to be eligible for federal funding, they must be included in the Metropolitan Transportation Plan. At times, it may be necessary to amend the Metropolitan Transportation Plan – part of the continuous planning process. Amendments to the Metropolitan Transportation Plan will be made available to the public for a 30-day comment period prior to approval.

Amendments are brought before the Community Advisory Committee, Transportation Advisory Committee, and Transportation Policy Committee for approval after being included on the committee agendas and in the meeting materials in advance. The amendment and the revised Metropolitan Transportation Plan – including the revised project listing, map, and other amendment changes – will be placed on the website.

Upon request, MPO work products and documents are made available in alternative formats, if they can be reasonably accommodated by staff or consultants.



TRANSPORTATION IMPROVEMENT PROGRAM (TIP) PUBLIC PARTICIPATION PROCEDURES

Prior to the development of the draft Transportation Improvement Program, a legal notice is placed in the major local and minority newspapers announcing the update. The notice will satisfy requirements for public participation in the development of the FTA Section 5307 Program of Projects.

A notice announcing the availability of the draft TIP for review, with a minimum 30-day comment period, is sent to neighborhood and civic associations, employers, resource agencies, media, and local communities. A web map with proposed projects is also available.

The notice distributed by direct and electronic mail and social media (including paid and boosted posts) announces the comment period and states where a copy of the document can be obtained or viewed. The draft document is distributed to area libraries in the planning area and placed on the website at <u>morpc.org/tip.</u>

TIP OPEN HOUSE

MORPC hosts an open house at an accessible location at least 30 days prior to the adoption of the TIP. Elements of the TIP, including the FTA Section 5307 Program of Projects, are displayed, and a presentation that can be generally understood is conducted on the information. MPO staff members are available to answer questions.

Invitations to attend the open house are posted on the website and social media (including paid and boosted posts), and distributed by electronic and direct mail to a list maintained by MORPC that includes: the Community Advisory Committee, Transportation Advisory Committee, Transportation Policy Committee members; neighborhood and civic associations; employers; resource agencies; social service agencies; media; local communities; and other representative groups in the transportation planning area.

The open house may include virtual components, and a copy of the formal presentation slides and/or video is placed on the website.

COMMENTS ON THE TIP

Comments are received electronically, by U.S. mail, or submitted in writing at public meetings. MORPC will accommodate the needs of any member of the public in submitting comments within the allotted time period. All public comments received are considered, and responses are included in the final adopted document located in a separate appendix. Copies of the final document are placed on the website and sent to area libraries in the transportation planning area.

AMENDMENTS TO THE TIP

Periodically amendments to the TIP are needed because the schedule, scope, or funding of a transportation project needs to be revised or a new project needs to be added to the TIP. This is part of the continuous planning process. Notice of the amendment will also satisfy the public participation requirements for the FTA Section 5307 annual Program of Projects.

The amendment is brought before the Community Advisory Committee, Transportation Advisory Committee, and Transportation Policy Committee for approval after being included on the committee agendas and in the meeting materials in advance. All amendments to the TIP are placed on the website. Significant amendments – those that simultaneously require a MTP amendment – are made available to the public for a 30-day comment period prior to approval.

Upon request, MPO work products and documents are made available in alternative formats, if they can be reasonably accommodated by staff or consultants.

ENVIRONMENTAL JUSTICE

Recognizing that federal policies, programs, rules and activities could have a disproportionate impact on protected groups, <u>Executive Order 12898</u>, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," was issued in February 1994.

The needs of those traditionally underserved by the existing transportation system are sought and considered by the MPO. The following actions are meant to reduce the barriers faced by low-income and/or minority residents, older adults, or people with disabilities for participation in the decision-making process:

- Notices are mailed informing the underserved populations of opportunities to participate, major milestones, public meetings, and other avenues to participate and provide input.
- When possible, public meetings are held in locations that are located along a transit bus route, convenient to low-income populations, and accessible to people with disabilities. Such locations include public libraries, schools, community centers, and churches.
- Agencies and organizations that represent these populations are included in mailings, or contacted through e-mail, when possible.

Outreach to these groups is also part of MORPC's broader diversity, inclusion, and equity efforts.

Upon request, MPO work products and documents are made available in alternative formats, if they can be reasonably accommodated by staff or consultants.

AMERICANS WITH DISABILITIES ACT

The <u>Americans with Disabilities Act of 1990 (ADA)</u> is a civil rights statute that prohibits discrimination against people with disabilities in all aspects of life. The ADA, therefore, calls for federally assisted programs to be accessible to people with disabilities.

People with disabilities are represented on MORPC's Community Advisory Committee and encouraged to be involved in the transportation planning process, including the development and improvement of transportation and paratransit plans and services, through any of the various means described previously.

All public meetings conducted by the MPO take place at locations that have accessible facilities to accommodate people with mobility limitations.



NONDISCRIMINATION COMPLAINT PROCEDURES FOR PROGRAMS OR ACTIVITIES OF MORPC

MORPC does not discriminate on the basis of age, race, color, national origin, gender, sexual orientation, familial status, religion or disability in programs, services or in employment.

Information on non-discrimination and related MORPC policies and procedures is available at <u>morpc.org.</u> The information is also publicly displayed in the lobby and breakrooms of MORPC's office.

Nondiscrimination procedures cover all external complaints regarding MORPC programs and activities filed under <u>Title VI of the Civil Rights Act of 1964</u> or <u>49 CFR 21</u>, "Nondiscrimination in the Federally Assisted Programs of the Department of Transportation."

Information on how to file a complaint can be viewed on MORPC's website at <u>morpc.org/title-vi</u>, where the agency's Title VI Plan and Limited English Proficiency Plan are posted. Printed versions of the complaint process and the complaint form may be requested by calling or e-mailing MORPC's Senior Director of Communications & Engagement at 614.233.4127 or rhampton@morpc.org.

CHANGES TO THE PUBLIC PARTICIPATION PLAN

MORPC staff is given the authority to make minor changes to wording and update hyperlinks within this Public Participation Plan to ensure the information is current and directed toward relevant and accurate supplementary sources.

Significant changes or amendments to the plan must be made available to the public for at least a 45-day comment period prior to approval. The updated plan or amendment is brought before the Community Advisory Committee, Transportation Advisory Committee, and Transportation Policy Committee for approval.

The most up-to-date version of the plan will be made available in a web-friendly format that includes a link to the printable PDF version. Printed copies are available upon request.

MORPC staff will periodically review the effectiveness of the procedures and strategies contained in the Public Participation Plan with regard to technology, people, and strategies in an effort to ensure a full and open participation process.

Appendix 3 to SFY 2024-2027 MORPC TIP

Environmental Justice Analysis

May 2023

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I. INTRODUCTION TO ENVIRONMENTAL JUSTICE

A. Definition of Environmental Justice

The U.S. EPA's Office of Environmental Justice defines environmental justice as follows:

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including racial, ethnic, or socio-economic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies."

B. Regulatory Framework for Environmental Justice

Recognizing that the impacts of federal programs and activities may raise questions of fairness to affected groups, President Clinton, on February 11, 1994, signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. MORPC has extended this target population to also include people with disabilities.

Environmental justice, while not a new requirement, amplifies the provisions found in the threedecade old Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discriminatory practices in programs and activities receiving federal funds. The transportation planning regulations, issued in October 1993, require that metropolitan transportation planning processes be consistent with Title VI. MORPC complies with Title VI by preparing and submitting Title VI documentation reports, as directed by ODOT. MORPC also has a Title VI assurance resolution currently in force, which states that MORPC complies with Title VI and US DOT-related requirements. Finally, MORPC operates a Disadvantaged Business Enterprise Program per US DOT requirements and provides periodic reporting to ODOT.

The executive order also refocuses attention on the National Environmental Protection Act (NEPA), a 30-year-old law that set policy goals for the protection, maintenance, and enhancement of the environment.

Environmental justice strengthens Title VI by requiring federal agencies to make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. The Ohio Department of Transportation developed DOT Order 5610.2 to address environmental justice and to respond to Executive Order 12898.

The Policy of DOT Order 5610.2 is to:

"Promote the principles of environmental justice through the incorporation of those principles in all DOT programs, policies, and activities. This shall be done by fully considering environmental justice principles throughout planning and decision-making processes in the development of

programs, policies, and activities, using the principles of the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and other DOT statutes, regulations, and guidance that address or affect infrastructure planning and decision-making; social, economic, or environmental matters; public health; and public involvement."

C. MORPC's Approach to Environmental Justice

MORPC in its response to this very important challenge devised a process to assess the impacts of the transportation planning process, the regional transportation plan and the Transportation Improvement Program on the target populations. MORPC identified three principles to ensure environmental justice considerations were properly integrated into the transportation planning process.

- Adequate public involvement of low-income and minority populations in regional transportation decision making.
- Assess whether there were disproportionately high and adverse impacts on low-income and minority populations resulting from federal programs.
- Assure that the low-income and minority populations receive a proportionate share of benefits of federal transportation investments.

MORPC assembled an Advisory Task Force and completed an initial preliminary assessment in April 2000, which addressed each of the three principles. This initial assessment also established EJ analysis as an ongoing aspect of MORPC's planning work program and that each Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) update will include a quantitative environmental justice analysis.

This appendix provides demographic information for the MORPC area and the results of applying the quantitative measures to the set of projects included in the SFY 2021-2024 Transportation Improvement Program (TIP). The public involvement environmental justice issues are discussed in the public participation components of the TIP.

II. DEMOGRAPHICS

The population of Central Ohio is diverse. To protect people from being overlooked or taken advantage of in the course of regional transportation planning, special populations are identified to protect them from disproportional impact from transportation projects. This effort is part of the Environmental Justice process that MPO's use in preparing regional transportation plans. The EJ target populations include minorities and people in poverty (low-income).

Demographic data were sought regarding characteristics of these target populations for the MORPC Transportation Study Area. The selected data were distributed into MORPC's Traffic Analysis Zones (TAZs). This was done so that the data could be further analyzed through the travel demand model. The analysis resulted in the identification of planning measurements that were used to identify a geographic target area of high densities of these target populations to test effects of changes to the transportation system on these populations.

A. Data Set Review

The 2014-2018 American Community Survey (ACS) from the U.S. Census contains comprehensive information detailed for pertinent data sets at low geographical levels. The 2014-2018 ACS was used to calculate Target Populations which include people in poverty and minority population. These data are reported at the census tract level. An equivalency table was created between the census tracts and the MORPC Traffic Analysis Zone (TAZ) geography to transfer data from census tract to TAZ geographies. Characteristics of the Census Tract data available from the ACS were applied to 2021 estimated populations of the TAZ. Averages of regional totals for the target populations were calculated to identify concentrations of these populations in the study area. Using the breakpoint at which areas fall above or below the average for the study area alerts planners to special areas of consideration when analyzing the effects of changes to the transportation system.

B. EJ Target Populations

Demographic data for the special populations used in the Environmental Justice analysis were estimated for year 2021 using the methodology mentioned above. An equivalency between the census block group and MORPC Traffic Analysis Zone (TAZ) geographies was developed to report the data at TAZ level. The totals and averages for the demographic variables identified for measuring environmental justice are shown on Figures II-1 and II-2. The data are displayed in two ways on each map. They are density maps, where dots on the map represent people or households. These graphics show concentrations of the target populations. These dots are overlaid on a thematic display in which the traffic zones are shaded based on how the characteristics of the traffic zone compare the threshold for that specific variable.

Details regarding the special populations that include minorities and people in poverty are described below. Table II-1 is a comparison between the percentages of these target populations in MORPC MPO area and the entire state of Ohio.

Table II-1: 2021* Environmental Justice Target Populations in Central Ohio and State Totals

Special Population	MORPC MPO	State of Ohio
Minority Population	30.19%	18.71%
Population in Poverty	14.63%	14.54%

*Sources: using percentages from 2014-2018 American Community Survey as 2021 approximates

Minority Populations

People considered minorities are identified in the census as people of African-American, Hispanic/Latino, Asian American, American Indian and Alaskan Native, Native Hawaiian and other Pacific Islander. The minority population in the MORPC MPO area was 30.19 percent of the total population in 2021.

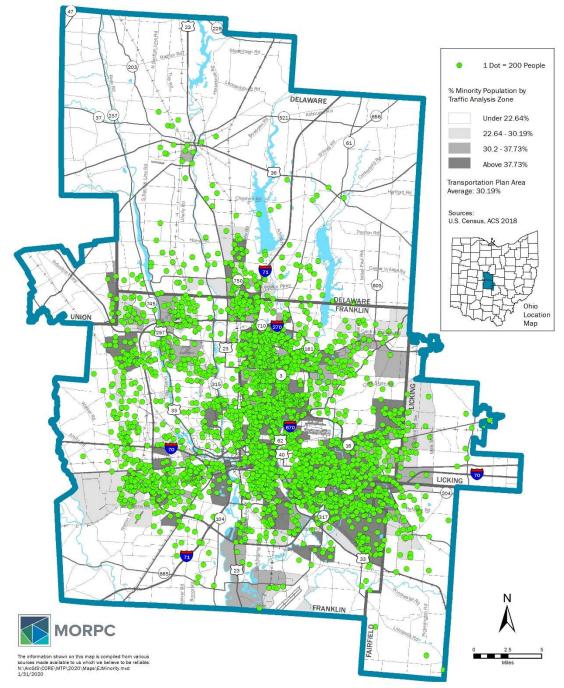
Most higher percentages of minority populations were located in the central parts of the city rather than in the outlying areas including neighborhoods in and around downtown Columbus, the Near East Side, Ohio State University, the Short North, the Linden area, Whitehall, and in the near northeast. In addition, neighborhoods around Eastland Shopping Center and in the south in the area of Groveport Road and SR 104 had much higher percentages of minority populations than the average for the study area. Neighborhoods around Polaris and Dublin have seen much growth in minority populations.

Low-Income Population

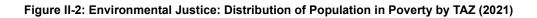
Low-income population was identified as people living below the level of poverty. The national poverty guidelines are issued annually by the Department of Health and Human Services. National poverty thresholds vary based on family size. About 14.6 percent of the population within the MORPC MPO area was living below the level of poverty in 2021. Approximately 50 percent of the people in poverty were concentrated in areas that exceeded the threshold. The highest concentration of people living in poverty was in the communities near the Columbus central business district, including the Ohio State University (OSU) area. Areas along Cleveland Avenue, West Broad Street, and East Main Street west of the City of Bexley also showed high concentrations of people living below the poverty level.

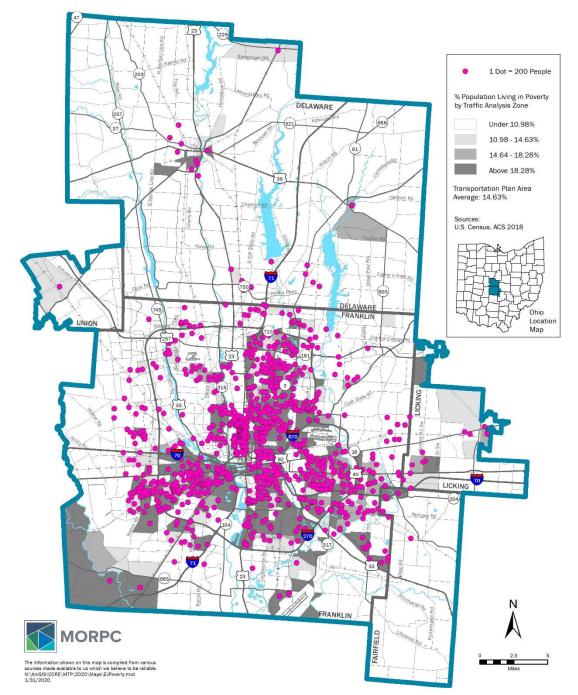
C. Distribution of Target Populations

Figure II-1: Environmental Justice Distribution of Minority Population by TAZ (2021)









Sources: 2014-2018 American Community Survey

III. QUANTITATIVE MEASURES METHODOLOGY

This section describes the environmental justice measures MORPC has identified and applied to the set of projects in the Transportation Improvement Program. These measures should provide some information on whether or not the transportation investments being made in the region are having disproportionate adverse impacts on the target populations and if the benefits from these investments are equitably distributed.

A. Identification of Measures

In order to identify if there are any adverse or disproportionate impacts on the target populations, measures are needed. Measures compare the relative treatment of the target populations and non-target populations in the planning process and the Transportation Improvement Program. They are not intended to measure how the implementers carry out the plan.

Characteristics of Measures:

- should be meaningful
- should be able to be applied or determined
- may be quantifiable or qualitative
- may be applied to compare targeted areas to other areas or to compare target populations to the other populations throughout the region
- some may be mode-specific (they are either unavailable for some modes or have little meaning)

B. Measures considered

While developing the list of possible measures it seemed that there were different types of measure data that could be developed. The types of measure data are:

- Population based
- Geographic based
- Visual

Population-based measures best address the environmental justice definition in that they provide information on the target population regardless of where they are located. Population-based measures take into consideration small pockets of target populations within non-target populations.

Geographic-based measures, on the other hand, provide information specific to a geographic area. Some information such as congested vehicle miles of travel can only be reported for an identified geographic area. The data reported within these areas are applicable to all of the populations that reside in the particular area. Thus, for an environmental justice analysis identification of the geographic area(s) of interest is very important. The geographic area(s) should have higher than average percentages of the target population and in total account for a large majority of the target population.

The goal of the population- and geographic-based measures is to be able to provide a series of numbers that can be compared to determine if there are environmental justice concerns. There

are, however, some data that just can't be boiled down to a number for comparison. These can be classified as visual data. The visual data are usually in the form of maps. It is not possible to identify one measure that will determine if there are environmental justice issues. However, it is necessary to look at a variety of measures that provide information on different issues. Likewise some measures may only be applicable for autos while others may be transit measures.

Some measures are accessibility measures while others reflect estimated travel. For example, the number of jobs within 20 minutes is a measure of accessibility to jobs. However, average work trip length is based on the estimated pattern of trip making. Estimates of congested vehicle miles of travel are another example of a travel measure.

Some measures could be either an accessibility measure or a travel measure depending on how they are calculated. For example, average travel time to CBD, if based on the estimated pattern of trip making, would be a travel measure. However, if it were calculated based on the average as if everyone made a trip to the downtown, it would be an accessibility measure.

C. Measurements Identified for Application

During the preliminary environmental justice completed in 2000 various measures were identified as appropriate environmental justice measures. Based on the data and methodologies available now, the measures were narrowed down for application in the EJ analysis, which will be described in more details in the next section. Over time additional measures may be developed depending on the available data and methodology.

D. Measurement Methodology

All of the measures described in this section were developed from MORPC's latest activitybased travel demand forecasting model process. The travel demand forecasting process takes basic land use and transportation system information and estimates travel patterns and volumes on the transportation system.

The activity-based model needs land uses and socioeconomic data aggregated at traffic analysis zones (TAZs). There are 2,107 TAZs in MORPC's transportation planning area. From this information the number of trips generated by each TAZ is estimated. In the travel demand modeling chain, the model micro-simulates daily activities for each individual household. The activity locations will be chained together to form a tour, which would start and end at the same base location (i.e., home or workplace). These tours for each person are then aggregated into the trips by modes at the TAZ level. Then trips made in a vehicle are "assigned" to the highway network taking into account the characteristics of the highway network. Similarly, trips made by transit are assigned to the transit network. The results provide estimates of the daily number of vehicles or passengers on the network facilities.

MORPC compiles comprehensive land use sets regularly. The most current set is for 2018. In addition, MORPC reviews local land use plans, regional population projections and other information to create future horizon year estimates of the data. Our horizon year is 2050.

For most measures, networks for three different scenarios are presented. The first represents the 2021 conditions. The next two represent projected 2050 conditions under two transportation system assumptions. The first scenario is the No-Build condition that means no other projects are completed except for those currently in construction today. The other scenario assumes all of the projects in the Transportation Improvement Program are constructed.

The following describes measures in more detail and the methodology used to develop the value of the various measures. Section IV presents the results of the measures.

Estimating 2050 Target and Non-Target Populations by Zone

In order to create the population-based measures, it is necessary to estimate the target and non-target population within each TAZ. However, in the land use variables for 2050 only total population by TAZ is developed. The most recent data are from the 2014-2018 American Community Survey. Thus, it was necessary to develop a procedure to estimate 2050 target populations by zone.

In estimating the target populations by traffic zone, it was assumed that the total regional percentage for each population would be the same percentage as the 2021 percentage. For example, the regional percentage in poverty in 2021 was 14.6 percent. Thus, for the forecasted 2050 populations, it was assumed that the regional poverty percentage would remain at 14.6 percent.

By using the 2021 zonal percentages as a starting point, adjustments were made to zones throughout the region in order to achieve the same regional percentage as in 2021. The adjusted population was spread throughout the region based on this starting distribution of the particular target population. For example, assume 10,000 additional poverty population is needed for the horizon year 2050 to achieve the same 14.6 percent as in 2021. If, in the starting 2050 distribution, one TAZ had 1 percent of the total poverty population, an additional 100 (=10,000*.01) poverty persons were added to the zone. Likewise, a zone with 0.1 percent of the total poverty population received an additional 10 (=10,000*0.001) poverty persons. During this process, it was ensured that total target population did not exceed the total population of each zone.

Average Number of Job Opportunities Close

This measure estimates the average number of jobs there are within a specified travel time. The number of jobs by TAZ is one of MORPC's standard variables. First, the model was used to estimate peak period auto travel times and peak and off-peak transit travel times from each TAZ to every other TAZ. This is commonly referred to as a travel-time skim. Next, for each TAZ based on the skim, the total number of jobs within 20 minutes by auto and 40 minutes by transit were calculated. Finally, a weighted average of the number of jobs was calculated based on the number of each population group within each TAZ.

Average Number of Shopping Opportunities

This measure estimates the average number of shopping attractions there are within a specified travel time. Shopping attractions is an item that is estimated through the modeling process. As stated previously, in the MORPC's model, the base travel unit of modeling is a tour that is a closed chain of trips starting and ending at the same base location and connecting activity locations in between. Each activity location has a trip purpose. One shopping attraction is added to a zone wherever an activity with shopping purpose occurs. Therefore, the shopping attractions are not a measure of the number of stores, but a measure of how many trips these stores attract on a typical day. This measure is developed in the same manner as job opportunities. Auto and transit travel-time skims were first developed, the total number of attractions within various travel times was calculated and a weighted average of the number of

attractions was calculated based on the number of each population group within each TAZ. A 20-minute auto travel time and a 40-minute transit travel time were selected as the thresholds.

Average Number of Non-Shopping Opportunities

This measure estimates the average number of non-shopping attractions there are within a specified travel time. These attractions are for quality-of-life trips such as doctor's appointments, going to the bank and other non-shopping errands from home (namely, the purposes of the tours are other maintenance, discretionary and eating out in the model). Once again this is an item that is estimated through the modeling process and it is not a measure of the number of places, but a measure of how many trips these places attract on a typical day. This measure is developed in the same manner as shopping opportunities. Auto and transit travel-time skims were first developed, the total number of attractions within various travel times was calculated and a weighted average of the number of attractions was calculated based on the number of each population group within each TAZ. A 20-minute auto travel time and a 40-minute transit travel time were selected as the thresholds.

Percent of Population Close to a College

This measure estimates the percentage of population groups that are within a specified time to the closest college. A travel-time threshold of 20 minutes for auto and 40 minutes for transit were selected to match the thresholds used for job opportunities. The following colleges were used: Ohio State, Columbus State, Capital, Columbus College of Art & Design, Otterbein, DeVry Institute of Technology, Franklin, Mount Carmel College of Nursing, and Ohio Dominican. The measure was developed by using the travel-time skims to identify the travel time from every zone to each college. The minimum time was then determined and the population for each group was summed for all the zones that were less than 20 minutes for auto and 40 minutes for transit.

Percent of Population Close to a Hospital

This measure estimates the percentage of population groups that are within a specified time to the closest hospital. A travel-time threshold of 20 minutes for auto and 40 minutes for transit was selected to match the thresholds used for other home-based opportunities. The following hospitals were used in the analysis for all scenarios: Grady Memorial Hospital, Dublin Methodist Hospital, Mount Carmel St. Ann's Hospital, Mount Carmel New Albany Surgical Hospital, Riverside Methodist Hospital, the Woods at Parkside Hospital, Ohio State University Hospital, Select Specialty Hospital - Columbus, Doctors Hospital, Mount Carmel West Hospital, Grant Medical Center, Ohio State University Hospital East, Nationwide Children's Hospital, Mount Carmel Grove City Medical Center, and Ohio Health Medical Campus at Hill Road. Hospitals were chosen not for the purposes of transport to emergency rooms, but because hospitals usually have complexes of medical offices in their vicinity. The original task force suggested using the various outpatient clinics and other small medical facilities, but these are too numerous and cannot be predicted into the future.

The measure was developed in the same manner as percent of population close to colleges. Travel-time skims were used to identify the travel time from every zone to each hospital. The minimum time was then determined and the population for each group was summed for all the zones that were less than 20 minutes for auto and 40 minutes for transit.

Percent of Population Close to a Major Retail Destination

This measure estimates the percentage of population groups that are within a specified time to the closest major retail destination. A travel-time threshold of 20 minutes for auto and 40 minutes for transit was selected to match the thresholds used for shopping opportunities. The following major retail destinations were used in the analysis: Polaris Fashion Place area, Tuttle Crossing Mall area, Easton Square area, Sawmill & SR 161 area, North Pointe Plaza area, Carriage Place area, Graceland area, Columbus Square area, Stone Ridge Plaza area, Westpointe Plaza area, Consumer Square west area, Lennox Town Center area, Eastland Mall area, Chantry Square area, and Taylor Square area.

The measure was developed in the same manner as percent of population close to colleges. Travel-time skims were done to identify the travel time from every zone to each major retail destination. The minimum time was then determined and the population for each group was summed for all the zones that were less than 20 minutes for auto and 40 minutes for transit.

Average Travel Time from Home to Mandatory (Work, University and School) Destinations

Through the modeling process, different activity locations are associated with different activity purposes. One of these purposes is mandatory purposes as Work, University and School. The previous measures discussed were accessibility measures. This measure, however, is a measure of average travel estimate from persons' home to their mandatory activity destinations. Instead of tracing through all the other possible activity locations, the measure is a direct travel time measure between home and mandatory destinations, by travel mode, for different population groups.

To compute this measure, first the different-period travel-time skims were matched up with each mandatory activity arrival time simulated in the model. The direct travel time from individuals' home to their mandatory destinations was added up for EJ and Non-EJ population groups, respectively. Then, the travel time was averaged on each originating home zone. Finally, the average travel time was weighted by population group in each home zone.

It should be noted that when estimating the average travel time for each mode it is calculated only when the specific travel mode was made to reach the destination in the model, by individuals in the exact population groups. However, certain travel mode may not always be available by the transit when traveling directly from home to mandatory destinations, which would then be thrown out when estimating this measure for transit.

Average Travel Time from Home to Shopping Destinations

This measure is similar to the measure "Average Travel Time from Home to Mandatory (Work, University, and School) Destinations". The only different is the activity purpose is shopping. This measure is a direct travel time measure between home and shopping destinations, by travel mode, for different population groups.

This measure is estimated in the same manner, as is the measure "Average Travel Time from Home to Mandatory (Work, University, and School) Destinations".

Average Travel Time from Home to Other Destinations

There are still other activities that are neither shopping nor work related. These include going to the doctor, bank, restaurant, recreation and other errands. We grouped all these activities as other purposes. This measure is a direct travel time measure between home and other destinations, by travel mode, for different population groups.

This measure is estimated in the same manner, as is the measure "Average Travel Time from Home to Mandatory (Work, University, and School) Destinations".

Average Travel Time from Home to All Destinations

This measure includes all the destinations (except home itself). This measure a direct travel time measure between home and all destinations, by travel mode, for different population groups. The measure is estimated in the same manner, as were the three previous measures.

Average Travel Time to Columbus CBD

The average travel time to the Columbus CBD is a measure of the accessibility to the downtown. It is determined by using the travel-time skims and determining the time from each zone to the statehouse in the downtown. A weighted average for each population group was then calculated based on the population in each zone. For transit average travel time to the CBD, only the zones that have walk access to transit are included in the average.

Transit Accessibility to Columbus CBD

This measure determines the percentage of each population group that has access to the CBD by transit because the entire region does not have transit service. This measure is determined by identifying zones that have walk access to transit service accessible to CBD area. Then the population within these zones for each group is summed and the percentage of the total population for the group calculated.

Congested Vehicle Miles of Travel during Peak Hours

This measure is a geographic measure. Before preparing this measure it is necessary to define a geographic target area. The geographic target area should constitute a large portion of the target population groups, have higher than average percentages of target population groups, and be defined in such a way that it is whole with smooth boundaries. The area defined will be discussed in the application section.

This measure estimates the percentage of travel in the target and non-target areas that are either moderately or highly congested during the peak hours that includes both AM and PM peak periods.

Transportation Investments

This is also a geographic measure. The location of projects that have been included in the Transportation Improvement Program was compared to the geographic target areas and the total dollar amount of these highway investments calculated.

Displacements from Highway Projects

The projects on MORPC's Transportation Improvement Program have been submitted for inclusion by ODOT, local agencies, or municipalities. In general, ODOT or the local community has reviewed a transportation project prior to the project's submission to MORPC. Therefore, it is somewhat unlikely that a project that has a high amount of displacement would be submitted for inclusion on the TIP without significant public involvement and analysis. As the projects proceed through the environmental process, the number of displacements will be determined and any environmental justice issues will be addressed at that time.

IV. ANALYSIS AND RESULTS

This section presents the results of applying the measures to the three scenarios, year 2021, year 2050 No-Build (NB) and year 2050 TIP. Much of the data are presented through charts with the data tables included in Attachment A.

A. Average Number of Job Opportunities Close

Figures IV-1 through IV-3 shows the target populations on average have access to much more jobs than non-target populations do by either auto or transit. Also, when compared to the 2050NB, 2050 TIP populations have access to more jobs by auto and the gains appear to be relatively uniform across all of the population groups. When compared to the 2050NB, 2050 TIP populations have access to more jobs by both peak and off-peak period transit travel and the gains appear to be relatively uniform across all of the groups. This increase by transit travel is mainly due to the improved level of service along roadways. With regard to this measure it would appear that there are no adverse impacts on the target populations and no prominent disproportionate impacts among the population groups.

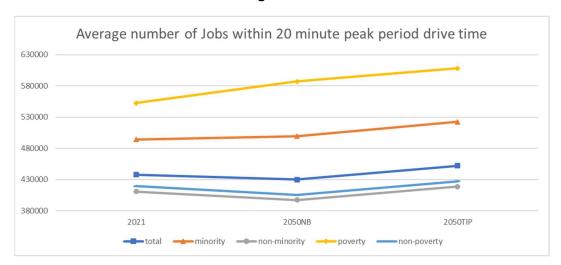
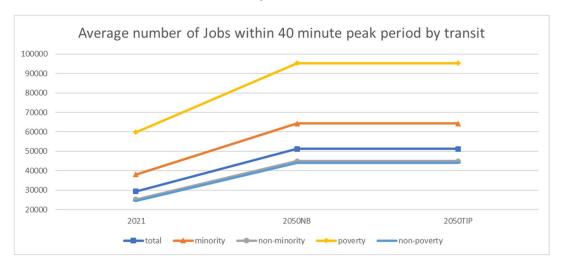
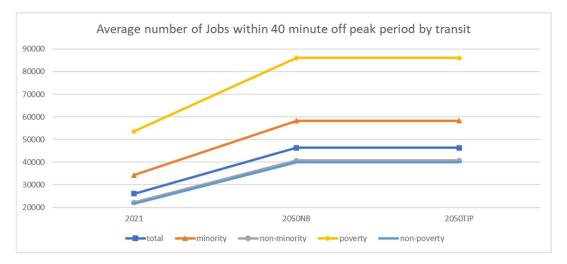


Figure IV-1





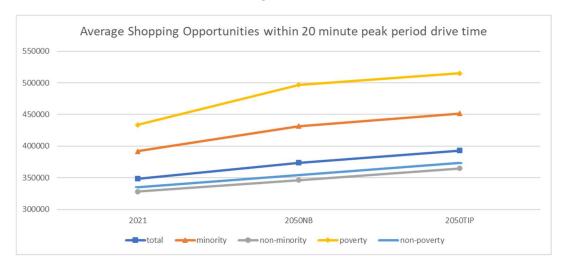




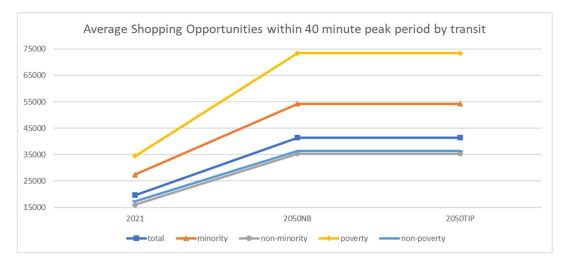
B. Average Number of Shopping Opportunities

Figures IV-4 through IV-6 show that the target populations on average have access to more shopping opportunities than non-target populations do by either auto or transit. Also, when compared to the 2050NB, 2050 TIP populations have access to more shopping opportunities by auto and the gains appear to be relatively uniform across all of the population groups, except for poverty population. However, the poverty population still has much more shopping opportunities than all other population groups. When compared to the 2050NB, 2050 TIP populations have access to more shopping opportunities by both peak and off-peak period transit travel and the gains appear to be relatively uniform across all of the groups. This increase by transit travel is mainly due to the improved level of service along roadways. With regard to this measure, it would appear that there are no adverse impacts on the target populations and no prominent disproportionate impacts among the population groups.

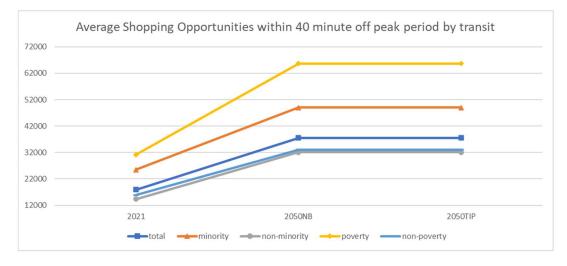












C. Average Number of Non-Shopping Opportunities

Figures IV-7 through IV-9 show that the target populations on average have access to more opportunities for non-shopping trips than the non-target populations. Also, when compared to the 2050NB, 2050 TIP populations have access to more opportunities by auto and the gains appear to be relatively uniform across all of the population groups. When compared to the 2050NB, 2050 TIP populations have access to more opportunities by both peak and off-peak period transit travel and the gains appear to be relatively uniform across all of the groups. This increase by transit travel is mainly due to the improved level of service along roadways. With regard to this measure it would appear that there are no adverse impacts on the target populations and no prominent disproportionate impacts among the population groups.

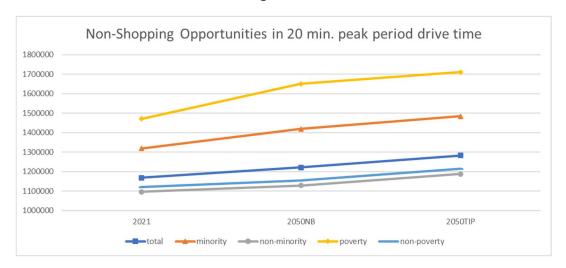
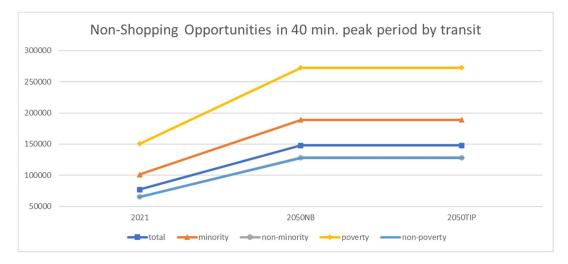
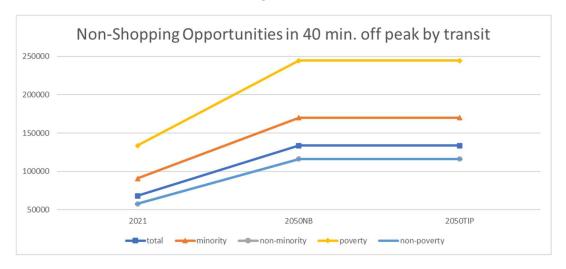


Figure IV-7

Figure IV-8







D. Percent of Population Close to a College

Figures IV-10 through IV-12 shows a higher percentage of target populations within 20 minutes of auto drive time or 40 minutes of transit time to a college than are non-target populations. When compared to the 2050NB, a higher percentage of 2050 TIP populations is within 20 minutes' auto drive time to a college and the gains appear to be relatively uniform across all the population groups. When compared to the 2050NB, there are no gains in 2050 TIP populations that are within 40 minutes' both peak and off-peak transit travel time to a college and the changes appear to be relatively consistent between target and non-target populations. With regard to this measure it appears that there would be no disproportionate negative impacts on the target populations.

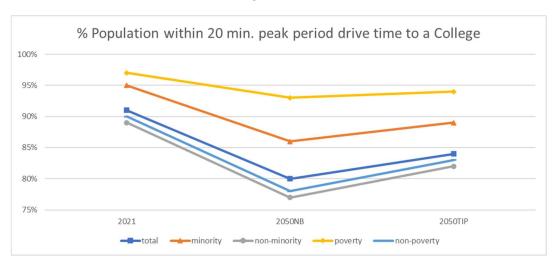
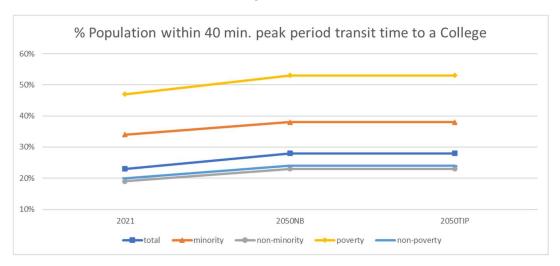
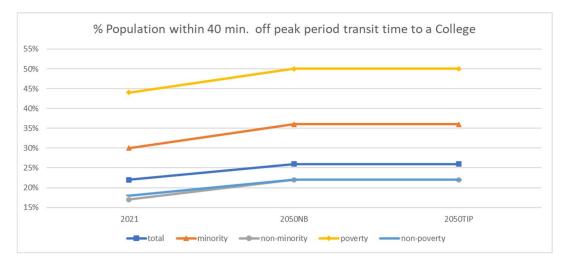


Figure IV-10





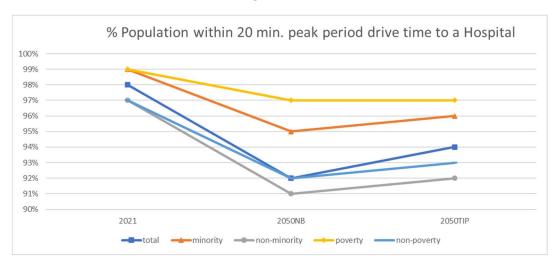




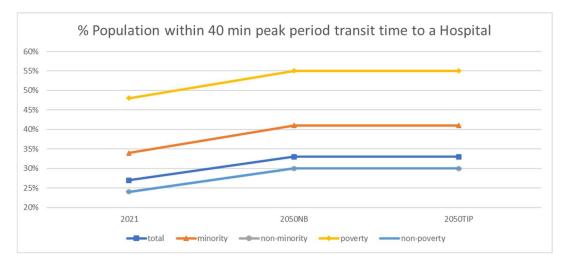
E. Percent of Population Close to a Hospital

Figures IV-13 through IV-15 shows a higher percentage of target population is within 20 minutes of auto drive time or 40 minutes of transit time to a hospital than non-target populations. Also, when compared to the 2050NB, a higher percentage of 2050 TIP populations is within 20 minutes to a hospital by auto and the gains appear to be relatively uniform across all of the population groups. When compared to the 2050NB, a similar percentage of 2050 TIP populations is within 40 minutes' both peak and off-peak transit travel time to a hospital and the changes appear to be relatively consistent between target and non-target populations. With regard to this measure it appears that there would be no disproportionate negative impacts on the target populations.

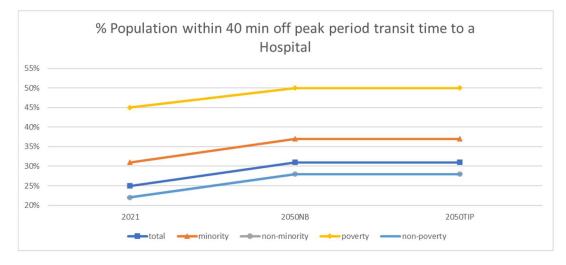












F. Percent of Population Close to a Major Retail Destination

Figures IV-16 through IV-18 shows higher percentages of target populations within 20 minutes of auto drive time or 40 minutes of transit time to a major retail destination than are non-target populations. When compared to the 2050NB, a same or slightly higher percentage of 2050 TIP populations is within 20 minutes to a major retail destination by auto or transit and the gains appear to be relatively uniform across all of the population groups. With regard to this measure it would appear that there are no adverse impacts on the target populations and no prominent disproportionate impacts among the population groups.

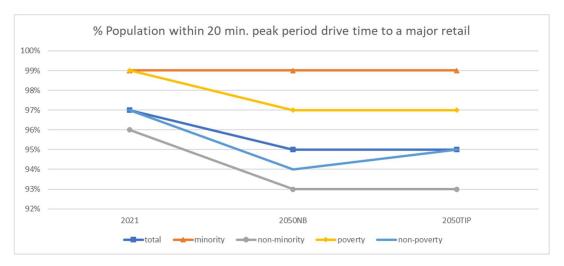
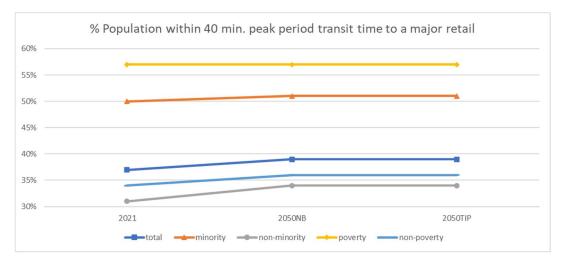
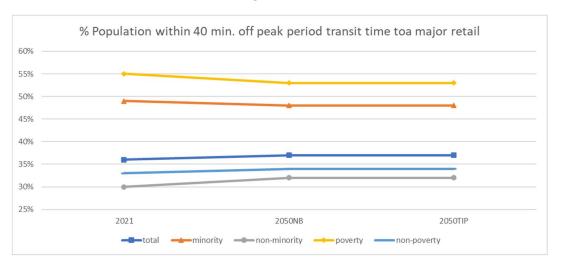


Figure IV-16

Figure IV-17







G. Average Travel Time from Home to Work, University and School Destinations

Figures IV-19 through IV-20 shows the average travel time between one's home and their work, university or school destination for target populations is less than that for non-target populations. Also, when compared to the 2050NB, auto travel time decreases for 2050 TIP populations and the improvements appear to be relatively uniform across all of the population groups. Compared to the 2050NB, transit travel time decreases for 2050 TIP populations. With regard to this measure, it appears that there would be no disproportionate negative impacts on the target populations.

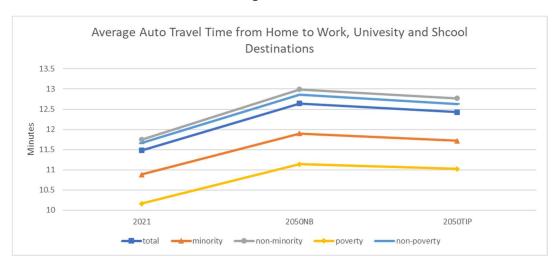
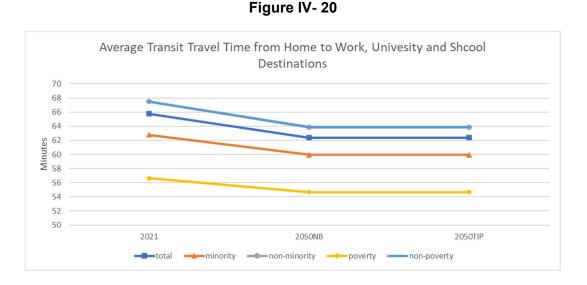


Figure IV-19



H. Average Travel Time from Home to Shopping Destinations

Figures IV-21 through IV-22 shows the average travel time between one's home and their shopping destination for target populations is less than or similar to that for non-target populations. Also, when compared to the 2050NB, auto travel time decreases for 2050 TIP populations and the improvements appear to be relatively uniform across all of the population groups. When compared to 2050NB, transit travel time decreases slightly or remains the same for 2050 TIP populations. With regard to this measure it would appear that there are no adverse impacts on the target populations and no prominent disproportionate impacts among the population groups.

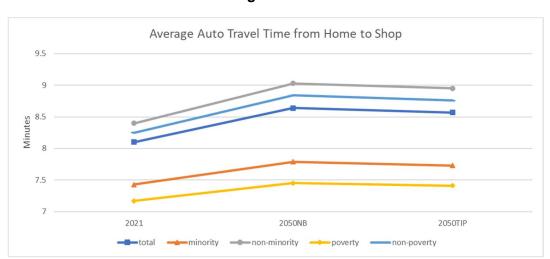
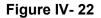
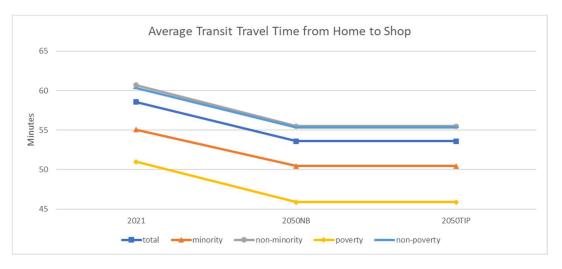


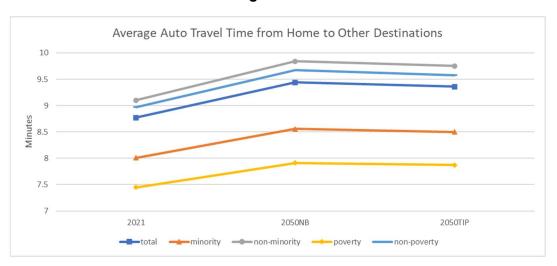
Figure IV-21





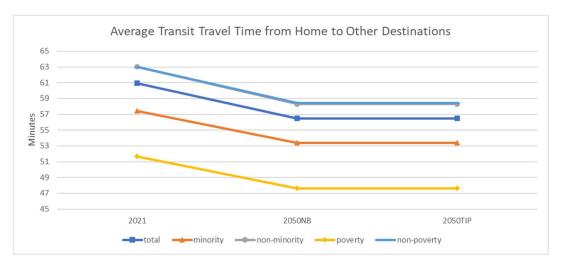
I. Average Travel Time from Home to Other Destinations

Figures IV-23 through IV-24 shows the average travel time between one's home and their destination for other purposes for target populations is less than or similar to that for non-target populations. Also, when compared to the 2050NB, both auto and transit travel time decreases for 2050 TIP populations and the improvements appear to be relatively uniform across all of the population groups. With regard to this measure it appears that there would be no disproportionate negative impacts on the target populations.



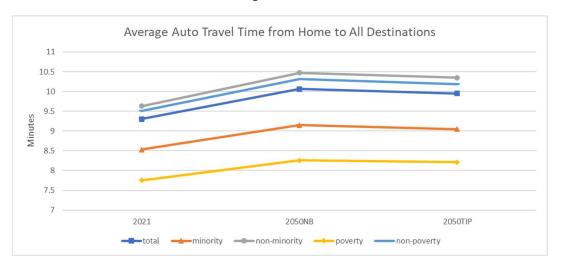






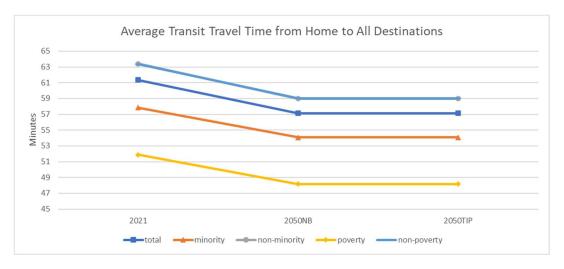
J. Average Travel Time from Home to All Destinations

Figures IV-25 through IV-26 shows the average travel time between one's home and all their destinations for target populations is less than that for non-target populations. Also, when compared to the 2050NB, auto travel time decreases for 2050 TIP populations and transit travel keeps the same. The improvements appear to be relatively uniform across all of the population groups. With regard to this measure it appears that there would be no disproportionate negative impacts on the target populations.









K. Average Travel Time to Columbus CBD

Figure IV-27 to IV-30 shows that for each scenario the average travel time to the Columbus CBD is less for the target populations than for non-target populations. Also, when compared to the 2050NB, peak auto travel time to CBD decreases for 2050 TIP populations while off-peak auto travel time to CBD remains the similar. When compared to 2050NB, peak transit travel time decreases for all 2050 TIP populations while off-peak transit travel time remains the same or slightly decreases. The improvements appear to be relatively uniform across all of the population groups. With regard to this measure it would appear that there are no adverse impacts on the target populations and no disproportionate impacts among the population groups.

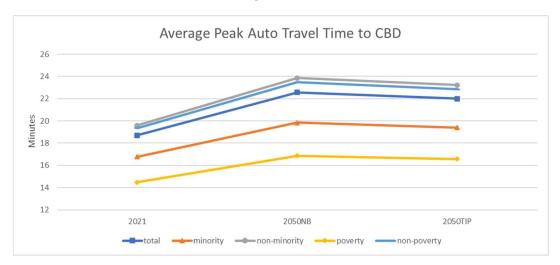


Figure IV-27



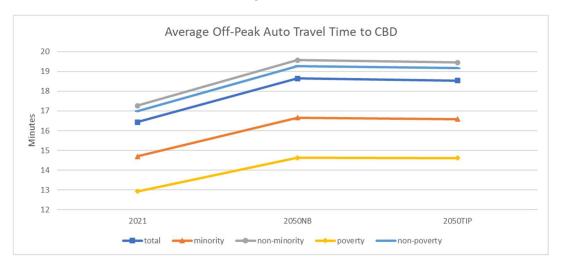
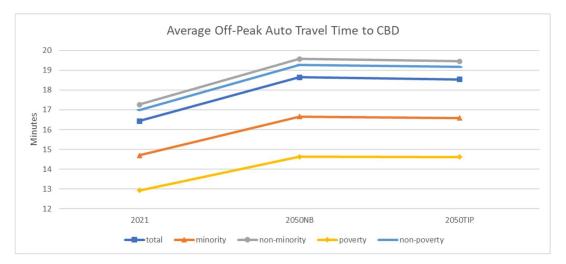
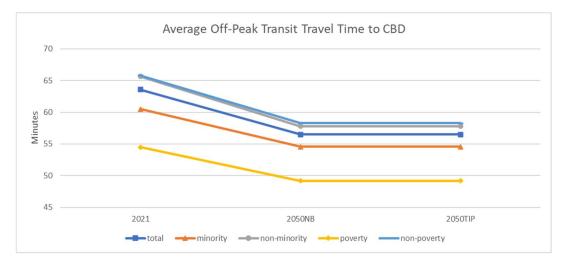


Figure IV-29







L. Transit Accessibility to Columbus CBD

Figures IV-31 and IV-32 show the percent of population that is accessible to the Columbus CBD by transit. This figure shows that for each scenario the percent of population accessible to the Columbus CBD is higher for the target populations than for non-target populations. When compared to the 2050NB, a similar percentage of 2050 TIP population is accessible to the CBD during peak hours, and it appears to be relatively uniform across all of the population groups. With regard to this measure it appears that there would be no disproportionate negative impacts on the target populations.

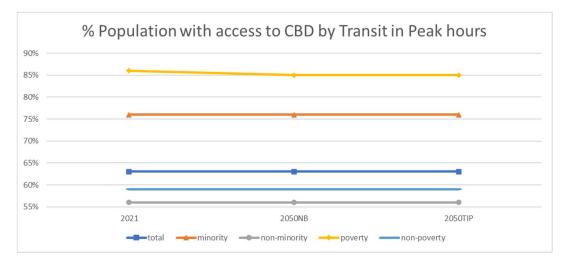
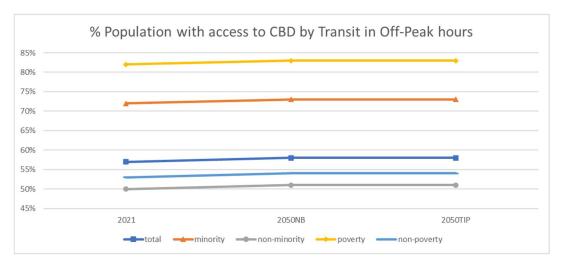


Figure IV-31

Figure IV-32



M. Congested Vehicle Miles of Travel during Peak Hours

Figure IV-33 shows the geographic target area that was identified. This target area generally includes areas that fall above twice the regional average for minority or poverty populations. The shape of the area is irregular, falling roughly between Morse Road and Bethel Road on the north and the southern boundary follows Refugee Road going down along Alum Creek Road and following Williams Road. The western and northern edges are roughly around I-270. Bexley and neighborhoods in the near south of Columbus are excluded. This area includes the majority of the target populations in 2021.

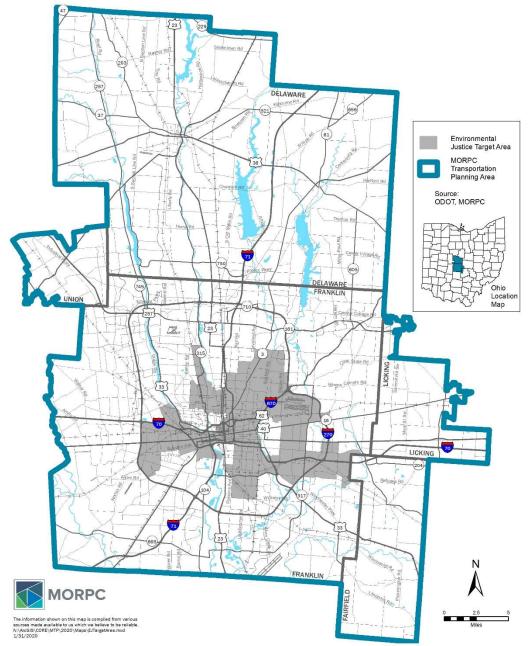


Figure IV-33 Geographic Target Area

Figures IV-34 and IV-35 shows that for the year 2021, 2050NB and 2050 TIP scenarios, the percent of congested vehicle miles during peak hours is higher for target populations than for non-target populations. When comparing all three scenarios together, percent of congested vehicle miles traveled (VMT) and the respective scenario improvements appear to be relatively uniform for the Target and Non-target areas. Also, when compared to the 2050NB, percent congested VMT traveled in 2050 TIP decreases for both Target and Non-target areas. With regard to this measure it would appear that there are no adverse impacts on the target populations and no disproportionate impacts among the population groups.



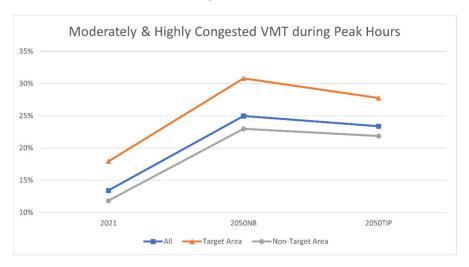
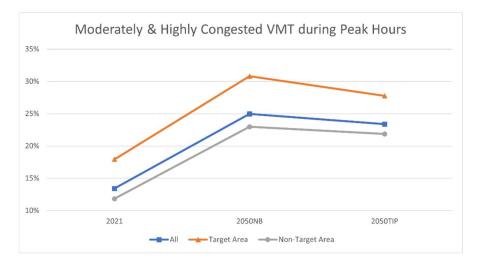


Figure IV-35



N. Transportation Expansion Investments

Millions of dollars are spent on transportation projects in the Central Ohio area. These include maintenance projects and major transportation projects are projects that add capacity to the transportation system. Major projects are projects that would include additional lanes and new or reconfigured interchanges.

Table IV-2 shows the amount of estimated transportation funding included in the Transportation Improvement Program. The target area totals include only location-specific projects. This does not include the region-wide transit funds or studies. These funds are included in the total and thus, by default in the non-target area value. However, many of these activities do benefit the target area. Most of the population growth in the Columbus area is occurring outside the outer belt, especially in Delaware County. To accommodate the growth in the outer areas, more transportation projects are needed and expected in these growing areas.

	TIP F	unding (in Thousands)	Proportion
Target Area	\$	763,064	28%
Non-Target Area	\$	1,927,965	72%
Total	\$	2,691,029	100%

It is important to note that these cost estimates include only the large projects of the transportation system and do not include most local agencies' routine maintenance costs. Because a significant portion of the target area is heavily developed, there are fewer capacity expansion projects in the area. Furthermore, it is worth noting that transportation investments in a particular area may provide increased benefits beyond that area. Therefore, it may be more worthwhile to assess the benefits and the displacements and disruptions of a transportation project to a particular area than the amount of dollars spent.

O. Displacement from Projects

The projects on MORPC's TIP have been submitted for inclusion by ODOT, local agencies, or municipalities. In general, ODOT or the local community has reviewed a transportation project prior to the project's submission to MORPC. Therefore, it is somewhat unlikely that a project that has a high amount of displacement would be submitted for inclusion on the TIP without significant public involvement and analysis. As the projects proceed through the environmental process, the number of displacements will be determined and any environmental justice issues will be addressed at that time.

V. Summary

A variety of quantitative measures was presented in the previous section. Many measures are provided because one measure cannot capture all aspects of an environmental justice analysis. And in fact, these measures in total cannot take into account all things that can be considered with regard to environmental justice issues. These measures, however, are developed to provide some insight on whether significant environmental justice issues are present.

In general, the quantitative analysis did not indicate disproportionate impacts to environmental justice or other target populations. Furthermore, the benefits realized from the projects were proportionate with regard to both the environmental justice and other target populations and the non-environmental justice and other non-target populations. It is important to keep in mind that this was done at a systems level and additional refinement will be made as the various projects go through additional project development process steps.

Attachment A - Data Tables

		Ave	rage Numbe	r of Jobs								
	Average Nu	mber of Jobs	s within 20-n	ninute peak p	period drive	time						
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP-NB					
total	437697	44%	430050	34%	452017	36%	2%					
minority	494364	50%	499458	40%	522544	41%	2%					
non-minority	410794	41%	397096	32%	418532	33%	2%					
poverty	552425	55%	587012	47%	608228	48%	2%					
non-poverty	419390	42%	405005	32%	427092	34%	2%					
	Avorago Nu	mbor of Job	o within 10 n	ainuto nooku	pariad by tr	anait						
	Average Number of Jobs within 40-minute peak period by transit 2021 % of total 2050NB % of total 2050TIP % of total TIP-N											
40401	29453	3%	2030NB 51195	% OT LOCAT 4%	2050 TIP 51195	% OT LOTAT 4%	0%					
total		-										
minority	38158	4%	64229	5%	64229	5%	0%					
non-minority	25321	3%	45006	4%	45006	4%	0%					
poverty	59852	6%	95292	8%	95292	8%	0%					
non-poverty	24602	2%	44159	4%	44159	4%	0%					
	Average Num			-								
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP-NB					
total	26112	3%	46390	4%	46390	4%	0%					
minority	34271	3%	58260	5%	58260	5%	0%					
non-minority	22239	2%	40755	3%	40755	3%	0%					
poverty	53638	5%	86074	7%	86074	7%	0%					
non-poverty	21720	2%	40059	3%	40059	3%	0%					
	Total ish-	2024	007500									
	Total jobs	2021	997533									
		2050	1259668									

	A۱	verage Num	ber of Sho	pping Oppo	rtunities		
Average Nu	mber of Sh	opping Op	portunities	within 20-m	inute peak	period driv	e time
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP- NB
total	348588	39%	373614	31%	392922	33%	2%
minority	391736	44%	431519	36%	451818	38%	2%
non- minority	328102	37%	346122	29%	364959	31%	2%
poverty	433615	48%	497054	42%	515127	43%	2%
non-poverty	335020	37%	353918	30%	373423	31%	2%
Average Nu	mber of Sl	nopping Op	portunities	within 40-n	ninute peak	c period by	transit
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP- NB
total	19710	2%	41440	3%	41440	3%	0%
minority	27476	3%	54234	5%	54234	5%	0%
non- minority	16024	2%	35366	3%	35366	3%	0%
poverty	34451	4%	73388	6%	73388	6%	0%
non-poverty	17358	2%	36343	3%	36343	3%	0%
Average Num	ber of Sho	opping Oppo	ortunities v	vithin 40-mi	nute off pe	ak period b	y transit
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP- NB
total	17968	2%	37568	3%	37568	3%	0%
minority	25468	3%	49062	4%	49062	4%	0%
non- minority	14407	2%	32110	3%	32110	3%	0%
poverty	31176	3%	65669	5%	65669	5%	0%
non-poverty	15860	2%	33084	3%	33084	3%	0%
Total Shoppin	ig Opportu	inities	2021	898292			
			2050	1194513			

	Aver	age Number	of Non-Sl	nopping Opp	oortunities	;	
Average Nun	nber of No	n-Shopping			20-minute	peak period	l drive
	2021	% of total	time 2050NB	% of total	2050TIP	% of total	TIP- NB
total	348588	12%	373614	10%	392922	10%	0%
minority	391736	13%	431519	11%	451818	12%	1%
non-minority	328102	11%	346122	9%	364959	9%	0%
poverty	433615	14%	497054	13%	515127	13%	0%
non-poverty	335020	11%	353918	9%	373423	10%	0%
Average Nu	mber of N	on-Shoppin			า 40-minut	e peak perio	od by
	2021	% of total	transi 2050NB	t % of total	2050TIP	% of total	TIP-
	2021	% OI LOLAI	ZUJUND		2050115		NB
total	19710	1%	41440	1%	41440	1%	0%
minority	27476	1%	54234	1%	54234	1%	0%
non-minority	16024	1%	35366	1%	35366	1%	0%
poverty	34451	1%	73388	2%	73388	2%	0%
non-poverty	17358	1%	36343	1%	36343	1%	0%
Average Numb	per of Non	-Shopping C	Opportunit	ies within 40)-minute o	ff-peak perio	od by
	2021	% of total	2050NB	% of total	2050TIP	% of total	TIP- NB
total	17968	1%	37568	1%	37568	1%	0%
minority	25468	1%	49062	1%	49062	1%	0%
non-minority	14407	0%	32110	1%	32110	1%	0%
poverty	31176	1%	65669	2%	65669	2%	0%
non-poverty	15860	1%	33084	1%	33084	1%	0%
Total Non-Sho	pping Opp	ortunities	2021	2995010			
			2050	3922036			

	Access to	College	
Percentage of Populati	on within 20-min	ute peak period drive	time to college
	2021	2050NB	2050TIP
total	91%	80%	84%
minority	95%	86%	89%
non-minority	89%	77%	82%
poverty	97%	93%	94%
non-poverty	90%	78%	83%
Percentage of Population with	-		•
	2021	2050NB	2050TIP
total	23%	28%	28%
minority	34%	38%	38%
non-minority	19%	23%	23%
poverty	47%	53%	53%
non-poverty	20%	24%	24%
Percentage of Population wit			•
	2021	2050NB	2050TIP
total	22%	26%	26%
minority	30%	36%	36%
non-minority	17%	22%	22%
poverty	44%	50%	50%
non-poverty	18%	22%	22%

Colleges include: The Ohio State University, Columbus State Community College, Capital University, Columbus College of Art & Design, Otterbein College, DeVry Institute of Technology, Franklin University, Mount Carmel College of Nursing, Ohio Dominican College.

	Access to	Hospital	
Percentage of Population	on within 20-min	ute peak period drive	time to hospital
	2021	2050NB	2050TIP
total	98%	92%	94%
minority	99%	95%	96%
non-minority	97%	91%	92%
poverty	99%	97%	97%
non-poverty	97%	92%	93%
Percentage of Population with	-		-
	2021	2050NB	2050TIP
total	27%	33%	33%
minority	34%	41%	41%
non-minority	24%	30%	30%
poverty	48%	55%	55%
non-poverty	24%	30%	30%
Percentage of Population with			-
	2021	2050NB	2050TIP
total	25%	31%	31%
minority	31%	37%	37%
non-minority	22%	28%	28%
poverty	45%	50%	50%
non-poverty	22%	28%	28%

Hospitals include in all scenarios are:

Grady Memorial, Dublin Methodist, Mount Carmel St. Ann's, Mount Carmel New Albany Surgical, Riverside Methodist, the Woods at Parkside, Ohio State University, Select Specialty -Columbus, Doctors, Mount Carmel West, Grant Medical Center, Ohio State University East, Nationwide Children's, Mount Carmel East, Regency, and OhioHealth Westerville Medical Campus Mount Carmel Grove City Medical Center and Ohio Health Medical Campus at Hill Rd.

	Access to M	ajor Retail	
Percentage of Population with	thin 20-minute p	eak period drive time t	to Major Retail
	2021	2050NB	2050TIP
total	97%	95%	95%
minority	99%	99%	99%
non-minority	96%	93%	93%
poverty	99%	97%	97%
non-poverty	97%	94%	95%
Developtions of Develoption with	this 10 minute a	a a la mani a di buu énama ié é	a Maian Datail
Percentage of Population with	-		•
	2021	2050NB	2050TIP
total	37%	39%	39%
minority	50%	51%	51%
non-minority	31%	34%	34%
poverty	57%	57%	57%
non-poverty	34%	36%	36%
Percentage of Population with	thin 40-minute o	ff noak noried by trans	sit to Major Potail
reicentage of ropulation wi	2021	2050NB	2050TIP
total	36%	37%	37%
	49%	48%	48%
minority			
non-minority	30%	32%	32%
poverty	55%	53%	53%
non-poverty	33%	34%	34%

Major Retail Locations include:

Polaris Fashion Place area, Tuttle Crossing Mall area, Easton Square area, Sawmill & SR 161 area, North Pointe Plaza area, Carriage Place area, Stone Ridge Plaza area, Westpointe Plaza area, Graceland area, Columbus Square area, Consumer Square west area, Lennox Town Center area, Eastland Mall area, Chantry Square area, and Taylor Square area

	Average travel time to Mandatory Destinations											
Average Auto Travel Time from Home to Work, University, and School Destinations (minutes)												
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs	5 TIP					
total	11.48	12.64	10%	12.43	8%	-0.21	- 2%					
minority	10.88	11.9	9%	11.72	8%	-0.18	- 2%					
non-minority	11.75	12.99	11%	12.77	9%	-0.22	- 2%					
poverty	10.16	11.14	10%	11.02	8%	-0.12	- 1%					
non-poverty	11.66	12.86	10%	12.63	8%	-0.23	- 2%					

Average Transit Travel Time from Home to Work, University, and School Destinations (minutes)

	2021	2050NB	% Increased	2050TIP	% Increased	NB vs	s TIP
total	65.78	62.38	-5%	62.38	-5%	0	0%
minority	62.79	59.94	-5%	59.94	-5%	0	0%
non-minority	67.5	63.83	-5%	63.83	-5%	0	0%
poverty	56.64	54.66	-3%	54.66	-3%	0	0%
non-poverty	67.5	63.9	-5%	63.9	-5%	0	0%

	Average travel time to Shopping Destinations											
Average Auto Travel Time from Home to Shopping Destinations (minutes)												
	2021	2021 2050NB % Increased 2050TIP % Increased NB vs					s TIP					
total	8.1	8.64	7%	8.57	6%	-0.07	-1%					
minority	7.43	7.79	5%	7.73	4%	-0.06	-1%					
non-minority	8.4	9.03	8%	8.95	7%	-0.08	-1%					
poverty	7.17	7.45	4%	7.41	3%	-0.04	-1%					
non-poverty	8.25	8.84	7%	8.76	6%	-0.08	-1%					

Average Transit Travel Time from Home to Shopping Destinations (minutes)

	2021	2050NB	% Increased	2050TIP	% Increased	NB v	s TIP
total	58.55	53.6	-8%	53.6	-8%	0	0%
minority	55.06	50.46	-8%	50.46	-8%	0	0%
non-minority	60.69	55.49	-9%	55.49	-9%	0	0%
poverty	51	45.89	-10%	45.89	-10%	0	0%
non-poverty	60.3	55.36	-8%	55.36	-8%	0	0%

Average travel time to Other Destinations									
Average Auto Travel Time from Home to Other Destinations (minutes)									
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs TIP			
total	8.77	9.44	8%	9.36	7%	-0.08	-1%		
minority	8.01	8.56	7%	8.5	6%	-0.06	-1%		
non-minority	9.1	9.84	8%	9.75	7%	-0.09	-1%		
poverty	7.45	7.91	6%	7.87	6%	-0.04	-1%		
non-poverty	8.97	9.67	8%	9.58	7%	-0.09	-1%		
Average Transit Travel Time from Home to Other Destinations (minutes)									

Average Transit Travel Time from Home to Other Destinations (minutes)								
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs TIP		
total	60.95	56.48	-7%	56.48	-7%	0	0%	
minority	57.44	53.4	-7%	53.4	-7%	0	0%	
non-minority	63.03	58.3	-8%	58.3	-8%	0	0%	
poverty	51.66	47.63	-8%	47.63	-8%	0	0%	
non-poverty	63	58.4	-7%	58.4	-7%	0	0%	

Average travel time to All Destinations								
Average Auto Travel Time from Home to All Destinations (minutes)								
	2021	2050NB	2050NB % Increased 2050TIP % Increased NB vs TIP					
total	9.3	10.06	8%	9.95	7%	-0.11	-1%	
minority	8.53	9.15	7%	9.05	6%	-0.1	-1%	
non-minority	9.63	10.47	9%	10.35	7%	-0.12	-1%	
poverty	7.75	8.26	7%	8.21	6%	-0.05	-1%	
non-poverty	9.51	10.31	8%	10.19	7%	-0.12	-1%	

Average Transit Travel Time from Home to All Destinations (minutes)								
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs TIP		
total	61.35	57.15	-7%	57.15	-7%	0	0%	
minority	57.84	54.07	-7%	54.07	-7%	0	0%	
non-minority	63.4	58.97	-7%	58.97	-7%	0	0%	
poverty	51.89	48.18	-7%	48.18	-7%	0	0%	
non-poverty	63.34	59.03	-7%	59.03	-7%	0	0%	

		Aver	age travel time	to CBD			
A	verage Pe	eak Auto Tr	avel Time from	Home to C	BD (minutes)		
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs TIP	
total	9.3	10.06	8%	9.95	7%	-0.11	-1%
minority	8.53	9.15	7%	9.05	6%	-0.1	-1%
non-minority	9.63	10.47	9%	10.35	7%	-0.12	-1%
poverty	7.75	8.26	7%	8.21	6%	-0.05	-1%
non-poverty	9.51	10.31	8%	10.19	7%	-0.12	-1%
Av	erage Pea	ak Transit 1	Travel Time from	m Home to	CBD (minutes)		
	2021	2050NB	% Increased	2050TIP	% Increased	NB vs TIP	
total	61.35	57.15	-7%	57.15	-7%	0	0%
minority	57.84	54.07	-7%	54.07	-7%	0	0%
non-minority	63.4	58.97	-7%	58.97	-7%	0	0%
poverty	51.89	48.18	-7%	48.18	-7%	0	0%
non-poverty	63.34	59.03	-7%	59.03	-7%	0	0%
Ave	•		Travel Time fro	om Home to			
	2021	2050NB	% Increased	2050TIP	% Increased	NB v	
total	9.3	10.06	8%	9.95	7%	-0.11	-1%
minority	8.53	9.15	7%	9.05	6%	-0.1	-1%
non-minority	9.63	10.47	9%	10.35	7%	-0.12	-1%
poverty	7.75	8.26	7%	8.21	6%	-0.05	-1%
non-poverty	9.51	10.31	8%	10.19	7%	-0.12	-1%
Aver			t Travel Time fr				
	2021	2050NB	% Increased	2050TIP	% Increased	NB v	-
total	61.35	57.15	-7%	57.15	-7%	0	0%
minority	57.84	54.07	-7%	54.07	-7%	0	0%
non-minority	63.4	58.97	-7%	58.97	-7%	0	0%
poverty	51.89	48.18	-7%	48.18	-7%	0	0%
non-poverty	63.34	59.03	-7%	59.03	-7%	0	0%

	Access to	CBD								
Percentage of Population with access to CBD by Transit in Peak hours										
	2021 2050NB 20501									
total	63%	63%	63%							
minority	76%	76%	76%							
non-minority	56%	56%	56%							
poverty	86%	85%	85%							
non-poverty	59%	59%	59%							
Percentage of Population	with access to	CBD by Transit in O	ff-Peak hours							
	2021	2050NB	2050TIP							
total	57%	58%	58%							
minority	72%	73%	73%							
non-minority	50%	51%	51%							
poverty	82%	83%	83%							

Percent of Vehicle Miles Traveled by Level of Congestion during Peak Hours								
	Level of Congestion	2050TIP						
All	Moderate + High	13%	25%	23%				
All	High	6%	11%	10%				
Target Area	Moderate + High	18%	31%	28%				
Target Area	High	7%	14%	12%				
Non-Target Area	Moderate + High	12%	23%	22%				
Non-Target Area	High	5%	10%	10%				

53%

non-poverty

54%

54%



LIMITED ENGLISH PROFICIENCY PLAN

SEPTEMBER 2024

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 - Foreign Born Population
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- Document Translation
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 - **o** Translation Interpretation Services
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 - Air Quality Brochure Spanish and Somali
 - **o** Gohio Brochure Spanish
 - Weatherization Flyer Spanish and Somali



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Mid-Ohio Regional Planning Commission

The Mid-Ohio Regional Planning Commission (MORPC) is a voluntary association of local governments in Central Ohio. Franklin County and nearby counties as well as their cities, villages and townships are eligible for membership. Elected and appointed officials sit on the Commission, which is the policy-making body of the organization.

As a regional planning commission, MORPC has the flexibility and capability to be responsive to its members' needs. MORPC assists with planning and implementing programs in areas of energy conservation, infrastructure, transportation, land use, economic prosperity, environmental protection and others.

MORPC serves as a forum for state and local governments on regional issues and helps represent local communities' interests and needs at the state and federal levels. MORPC recognizes and encourages public and private collaboration on a regional basis and works to build consensus, sound planning practices and realistic decision making for the future. Because of MORPC's role in the region, MORPC's Transportation Policy Committee was originally designated the Metropolitan Planning Organization (MPO) for the Columbus urbanized area in 1964 and re-designated in 1973.

As the MPO, MORPC's Transportation Policy Committee conducts the federally required 3C (continuous, cooperative and comprehensive) transportation planning process. This process results in plans and programs that consider all transportation modes and supports the goals of the metropolitan transportation plan. It is the basis for the development of the 20-year Metropolitan Transportation Plan and the 4-year Transportation Improvement program (TIP). The plans and programs lead to the development and operation of the region's integrated, multimodal transportation system that facilitates the efficient and economic movement of people and goods.

MORPC's Data and Mapping services provides quick answers to specific questions or performs analysis that helps inform decision makers about transportation, housing, economics, environment, energy, or sustainability policies. MORPC serves as a clearinghouse for Census data; population, housing and job forecasts; traffic counts; historic aerial photography; and downloadable GIS data.

MORPC provides support and expertise for local governments to align community needs proactively with regional energy use and development, including regional air quality forecasting and alerts; Residential Energy Efficiency programs; policy and programs related to cleaner air, financing, energy reliability and infrastructure; and manufacturing, building, and housing energy assessments.

MORPC provides services and planning to serve and enhance Central Ohio's natural environment; and to improve quality of life, public health, and economic prosperity and growth through bicycle and pedestrian planning, complete streets policies and tools, local foods, transportation safety and greenways and water quality.

MORPC provides a number of housing services to help stabilize and redevelop neighborhoods in communities around Central Ohio. Services vary by community and include home repairs.





Limited English Proficiency

Compliance with Title VI includes Limited English Proficient (LEP) persons. The Limited English Proficiency (LEP) portion of this plan addresses Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color or national origin. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities with limited-English proficiency to participate in a federally funded program violates Title VI (Federal-Aid Recipient Programs & Activities) regulations. Additionally, requirements are outlined in Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, signed on August 11, 2000. Its purpose is to ensure accessibility to programs and services to eligible persons who have limited proficiency in the English language. Furthermore, the U.S. Department of Transportation (DOT) published Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons in the December 14, 2005 Federal Register, Volume 70; Number 239. The guidance explicitly identifies Metropolitan Planning Organizations (MPOs) as organizations that must follow this guidance. The Limited English Proficiency (LEP) Plan must be consistent with the fundamental mission of the organization, though not unduly burdening the organization.

Federal Transit Administration's Circular FTA C 4702.1B, October 1, 2012, provides recipients of FTA's financial assistance with guidance and instructions necessary to carry out U.S. DOT Title VI regulations (49 CFR, part 21) and to integrate into their programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005).

In March 2014, MORPC approved Resolution T-1-14: **"REQUESTING APPOINTMENT OF THE TRANSPORTATION POLICY COMMITTEE AS THE DESIGNATED RECIPIENT FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5310 FUNDS FOR THE COLUMBUS URBANIZED AREA**". T-1-14 appointed the Transportation Policy Committee as the Designated Recipient for FTA's §5310 (*Enhanced Mobility of Seniors and Individuals with Disabilities*) funds for the Columbus Urbanized Area with all of the responsibilities incumbent upon that appointment.

Plan Summary

MORPC has developed this *Limited English Proficiency Plan* to identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access MORPC services. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and who have limited ability to read, speak, write or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. In order to prepare this plan, MORPC undertook the U.S. DOT four-factor LEP analysis which considers the following factors:

- 1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MORPC program, activity or service.
- 2. The frequency with which LEP persons come in contact with MORPC programs, activities or services.
- 3. The nature and importance of programs, activities or services provided by MORPC to the LEP population.
- 4. The resources available to MORPC and overall cost to provide LEP assistance.

A summary of the results of MORPC's four-factor analysis is in the following section.



FOUR FACTOR ANALYSIS

LEP Persons Encountered by the Services

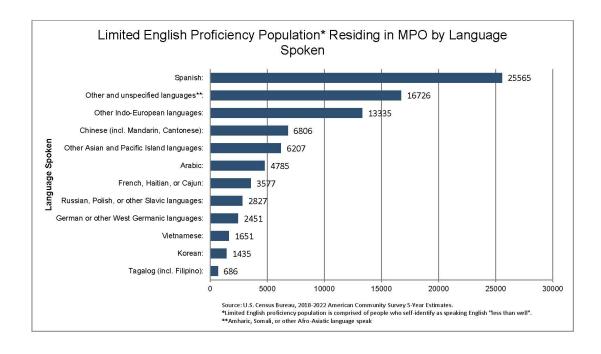
MORPC collaborates with the general public, local communities, transit agencies, county engineers and the Ohio Department of Transportation to conduct the federally required metropolitan planning process for the region and to identify transportation projects for funding. MORPC does not provide bus service, rail service or other transportation services to the public other than a rideshare program.

MORPC has additional programs that interact with or could interact with LEP persons:

- Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities program provides Federal funding to improve mobility for seniors and people with disabilities. This program distributes grant funds for capital expenses for vehicles and related equipment used to transport seniors and people with disabilities and activities related to mobility management. Funds may also be used for operating projects, travel training to instruct persons with disabilities on using fixed-route bus services, and capital projects to remove barriers at bus stops for persons with disabilities.
- The Residential Energy Efficiency program improves the comfort of homes and creates energy savings for income-eligible renters and homeowners in Franklin County. These free services are available year-round in Franklin County and include assessment of the home to identify energy improvements.
- MORPC Housing Rehab program helps low- and moderate-income homeowners maintain and improve their homes through several housing rehabilitation programs. With funding provided by multiple agencies, MORPC has programs available to help with exterior repairs, emergency repairs and whole home rehabilitation. Basic program eligibility requirements are based on total household income, ownership of the home, and area of residency.
- MORPC's Gohio program promotes sustainable transportation alternatives with the goal of reducing congestion in the region, saving commuters on their fuel costs and improving the environment.
- MORPC's Air Quality Awareness program seeks to address our region's air quality issues, and to inform and alert the public, local governments, businesses, organizations and individuals of the actions they can take to protect public health and reduce air pollution.

MORPC identified the LEP populations within its MPO boundary, including Delaware and Franklin counties, Bloom and Violet townships in Fairfield County, New Albany, Pataskala and Etna Township in Licking County and Jerome Township in Union County. According to the 2018-2022 Census American Community Survey (5-year estimates), the total number of individuals who reported speaking English less than "very well" is 25,704,846 or 8.2% of the total US populations (312,092,668). The largest LEP group in the MPO area speaks Spanish with an estimated 25,565 people. See below for a list of languages spoken within the MPO boundary.







Frequency of Contact with MORPC Services

As the MPO, LEP persons may come into contact with MORPC through participation in the transportation planning process, the Gohio program and the Air Quality Awareness program. MORPC's public involvement processes are outlined in the Public Involvement Plan (PIP), which was last updated in 2024. The PIP outlines MORPC's policies with regard to public involvement, public outreach and public comments. MORPC conducts public open houses and attends community meetings to receive input regarding the region's prioritization list or for special projects, as they may occur. Public outreach is achieved through a three-tier process; Advisory Committees, Public Outreach/Information and Project-Specific Public Involvement.

The Gohio program reaches out to the public through MORPC's website, telephone hotline, Facebook and Twitter social media, highway signs, employer programs, community festivals and fairs, summits and conferences, radio, television and newspaper advertising and interviews. Information on the program has been provided in Spanish, Somali and English.

The Air Quality program reaches out to the public through MORPC's website, telephone hotline, Facebook and Twitter social media, employer programs, community festivals and fairs, summits and conferences, radio, television and highway message signs. Information on Air Quality Alerts is provided in Spanish and English. The telephone hotline provides air quality alerts in both English and Spanish.

The Residential Energy Efficiency program and the Housing Rehab programs reach out to the public through direct mail, MORPC's website, Facebook and Twitter, community festivals and fairs and television. The Residential Energy Efficiency program has provided information in Spanish and English.

Attached is a summary of diverse populations, compiled through our Diversity, Equity & Inclusion Plan, who have requested services from MORPC. While it does not include those necessarily considered LEP, it does provide some indication of the populations utilizing our services. MORPC provides interpreters and translators, as needed, for all programs.

Nature and importance of the Service

The designation of MORPC as the recipient of FTA's Section 5310 funds requires consideration of the regional LEP population when providing access to people with a disability and seniors. MORPC's 5310 funds are distributed to subrecipients who provide service to people with disabilities and seniors. Air Quality Alerts, Section 5310, Gohio and MORPC Residential Energy and Housing Rehab programs provide services that benefit people with disabilities and seniors in all diverse populations.





Resources for LEP Outreach

There are several funding resources available to MORPC for LEP outreach. MORPC membership dues, through the Diversity, Equity and Inclusion program, are currently budgeted for translation and interpretation services. Program transportation funds (Public Involvement, Gohio, Air Quality and Section 5310) are also eligible for translation and interpretation services.

Translation of major transportation documents has been researched and found to be extremely costly, especially in Somali. A focus group was held with members where English is their second language (ESL) to determine if it would be beneficial to translate MORPC's large technical transportation documents. The members of the focus group felt that it would not be beneficial, but a less expensive option, the translation of applications, brochures, newsletters, one-page fact sheets, and executive and popular summaries would be more appropriate. See attached.

MORPC will continue to reach out to the LEP community and provide language translation and interpretation services when practical and in consideration of the funding available. When applicable, the translation of documents will begin after the final English version has been completed. Some documents, such as brochures, can be produced in multiple languages in the same document where size is not an issue.

Based on the four-factor analysis, MORPC has developed its LEP Plan as outlined in the following section.

Historical and Current Efforts

Previously, MORPC completed a Limited English Proficiency Summary that identified the three primary LEP populations and their locations in the MPO planning area. When seeking input on our transportation planning process, special projects, and communicating the availability of our services and programs, MORPC has utilized a variety of tools in reaching out to our LEP populations, which include the following:

- A language translation tool on its website
- Language Identification cards available in the front lobby for walk-ins
- Process created to assist persons with limited English proficiency
- Partner organizations within the Latino and Asian communities that assist MORPC in outreach to LEP individuals specifically and to the Latino community in general (Hispanic Coalition, Empleos & Employment, Columbus New Americans, US Together, Council on World Affairs)
- Title VI notice to the public in English and Spanish located in MORPC's Lobby and Lounge
- Air Quality Hotline in Spanish

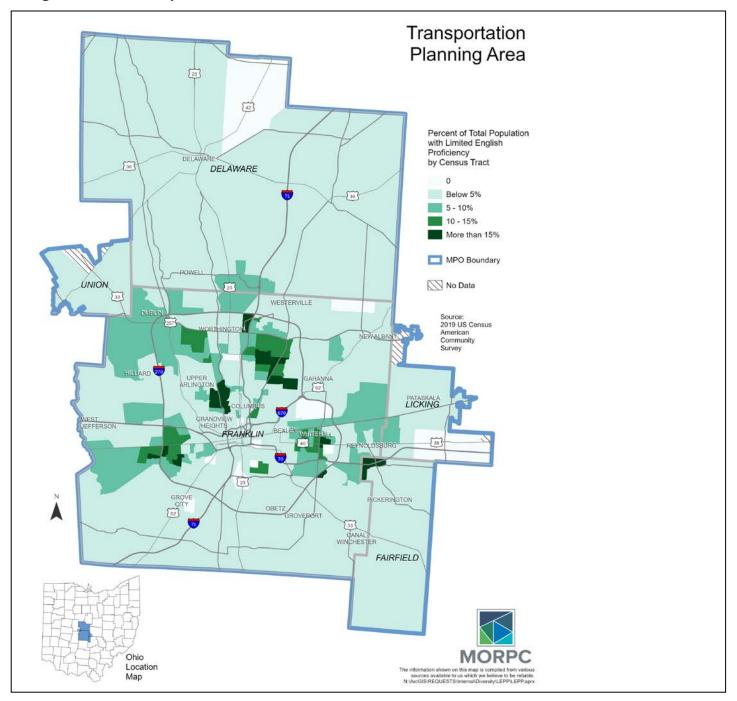
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- Air Quality brochure produced in Spanish and English
- Weatherization flyers produced in Spanish
- Gohio radio ads produced in Spanish
- Gohio postcard produced in English
- Gohio television ads produced in Somali
- Table display at the Somali Mall, Latino Job Fairs, Columbus International Festival and Asian Festival
- Advertisements placed in event programs
- Intercept surveys conducted at a Hispanic grocery store/restaurant

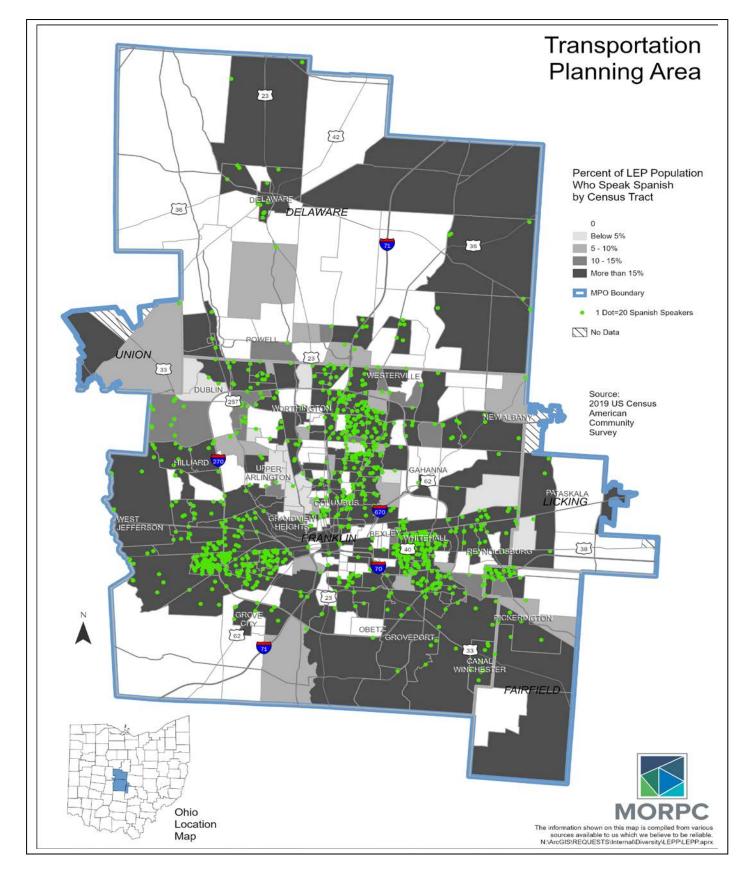


Identification of LEP population

The LEP population was mapped to show LEP individuals as a percent of total population by census tract as shown in the attached map. There are several concentrations of LEP populations located mostly in Franklin County. These areas include: around Morse Rd., and SR3/Cleveland Ave, between SR 161 and I-270, The Ohio State University, along SR 33 south of SR 161 and along west I-270 and West Broad Street. Individually, Spanish-speaking LEP populations are located throughout Franklin County, and Chinese-speaking primarily on the Northwest side of Franklin County. The "Other," languages are fairly scattered throughout Franklin County, as well.





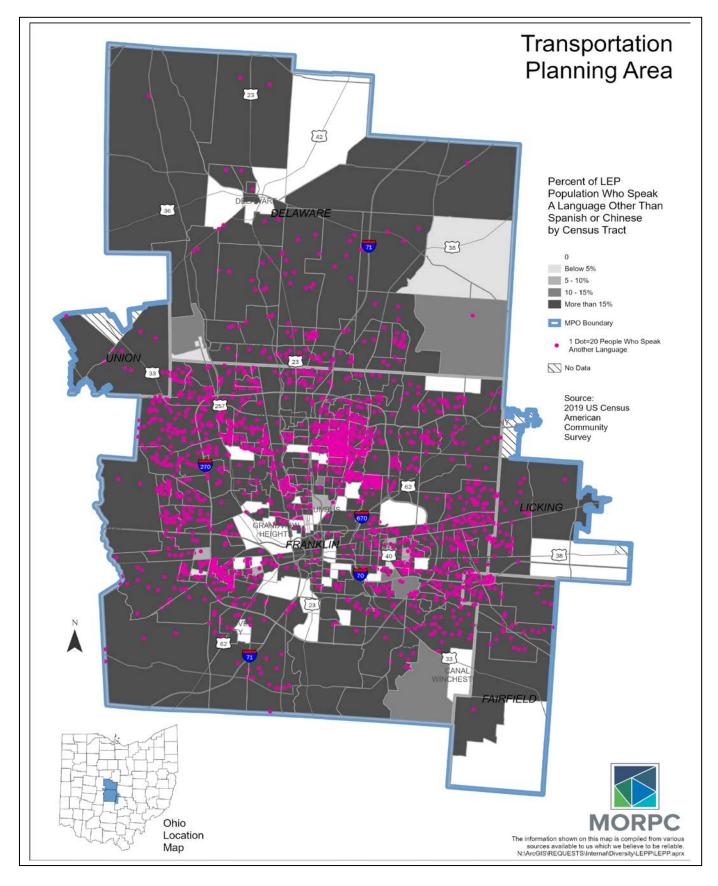




LIMITED ENGLISH PROFICIENCY PLAN

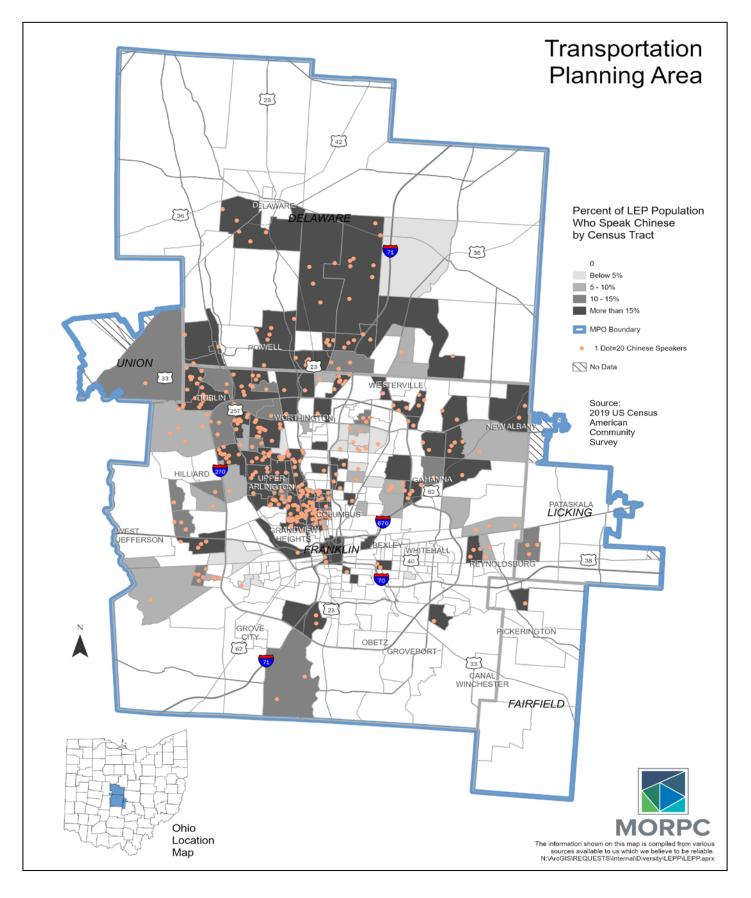














Language Assistance Measures

MORPC prides itself on reaching out to the public by attending community and neighborhood meetings to present information on the transportation planning process. Before attending a community meeting to present the long-range transportation plan or the transportation improvement program, MORPC will determine if an interpreter and translation of the information is needed. With special projects or to gain access to LEP neighborhoods, MORPC utilized representatives from the City of Columbus's New Americans Initiative and utilized staff who speak alternative languages when attending/hosting meetings in the region. To accommodate this population, staff has held meetings in the Somali Mall, Hispanic grocery store/restaurant, Hispanic churches, ESL schools and neighborhood centers.

MORPC pays particular attention at open houses or public meetings to determine who may exhibit low literacy skills. In the past, MORPC has asked participants to notify us when an interpreter was needed. While we have not needed an interpreter at MORPC open houses or public meetings, our Residential Energy and Gohio programs have utilized this service. MORPC's Air Quality Alert program's hotline is provided in English and Spanish.

Interpreters can attend meetings to accommodate participants who don't speak English or speak English, "less than very well." When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and then access language assistance services.

MORPC continues to make every effort to arrange for translation, sign language or other special assistance at meetings for individuals with special needs who request them before the meeting. To date, there have been no such requests.

In the past, MORPC has surveyed its employees to determine those who can fluently speak another language. We have from time to time utilized staff to record a hotline script in an alternative language. Due to changes in personnel, MORPC will conduct another survey to determine employees who are bilingual and include a request for this information in employee orientation.

Along with the annual tracking of diverse populations in the Diversity, Equity & Inclusion Plan, MORPC will track and monitor the efforts to serve LEP populations by the following:

- Frequency of encounters seeking interpreters or translation services
- Nature and importance of activity to LEP persons
- Agency documents translated into alternative languages
- Distribution of translated outreach material (location, frequency, number)



Providing Notice to LEP Persons

When staff schedules a meeting for which the target audience is expected to include LEP individuals, outreach material will be printed in the alternative language and a request will be made for an interpreter. Brochures, maps, applications and other publications will be made available in an alternative language when a specific LEP population is identified. Information will also be distributed to area libraries within the targeted areas in alternative languages.

MORPC works closely with the City of Columbus neighborhood and civic organizations. We request that they inform us when translation or interpretation services are needed especially in targeted areas.

MORPC will let LEP persons know that language services are available free of charge by the following:

- Notice placed in outreach material
- Providing notices in newspapers, radio and television stations whose audiences are LEP populations about the availability of language assistance services
- Notice to contractors and subcontractors of their obligation to provide language assistance to LEP individuals who participate in their programs and services and/or to whom services are provided

Informing MORPC Staff

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MORPC employees are educated on the region's ever changing population. MORPC will inform staff how to serve people who speak English, "less than very well." Many front-line employees are already familiar with the process on how to obtain interpretation services for that population. The information will also be featured on OneMORPC, to serve as a reminder and to inform all new hires.

MORPC's Title VI Policy and LEP responsibilities provided to MORPC's staff will include the following:

- Types of language services available.
- Process to serve LEP individuals when they call in, walk in or attend a public meeting hosted by MORPC.
- How to respond to written communications from LEP persons.
- Documentation of language assistance requests.
- The process to handle a potential Title VI/LEP complaint.



Expansion of Outreach Efforts

MORPC will expand its LEP outreach efforts to also include:

- Posting a Title VI complaint form on MORPC's website in Spanish.
- Posting a Title VI notice to the public in Spanish on the website.
- Producing outreach material (applications, GRH, TIP Popular Summary, TIP brochure, printed newsletters and one-page fact sheets) in Spanish.
- MORPC will survey its employees to determine those who speak another language fluently. This request will be included in new employee orientations.
- The outreach material produced in alternative languages will be distributed to metropolitan libraries located in the target areas identified in the map. See Page 8.

Evaluation and Update

MORPC will update the LEP Plan as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when data from current and future U.S. Censuses are available, or when it is clear that higher concentrations of LEP individuals are present in the region.

Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Update of LEP population in the region.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether MORPC's financial resources are sufficient to fund language assistance resources needed.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Develop criteria for deciding which materials will be translated.
- Explore the feasibility of producing outreach material in languages other than English and Spanish.

Questions regarding this plan should be submitted to Ralonda Hampton, Senior Director of Communications and Engagement, Mid-Ohio Regional Planning Commission, 111 Liberty Street, Suite 100, Columbus, OH, 43215, <u>rhampton@morpc.org</u>, 614-233-4157.



MID-OHIO REGIONAL MORREC PLANNING COMMISSION

DIVERSITY, EQUITY & INCLUSION WORK PLAN



Prepared by:

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This report was prepared by the Mid-Ohio Regional Planning Commission (MORPC) with funding from member agencies. The contents of this report reflect the views of MORPC, which is solely responsible for the information presented herein.

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Background

The Mid-Ohio Regional Planning Commission (MORPC) was created in 1969 as a successor to the Franklin County Regional Planning Commission under authority granted by Ohio Revised Code Section 713.21. As Central Ohio's regional council for local governments, MORPC provides tools and resources to its members comprised of counties, cities, villages and townships. Since its inception, MORPC has grown to over 80 members comprised of regional agencies representing rural, suburban, and urban communities across Central Ohio.

Recognizing the changing landscape in our region, MORPC previously formed the Diversity & Inclusion Committee in 2009 to investigate the agency's approach to diversity. The committee membership included MORPC's Board Chair and team members representing all departments and various positions. The committee inventoried each department's policies in serving diverse populations. The committee also hired a consultant, Multiethnic Advocates for Cultural Competence (MACC), to help MORPC determine and enhance its diversity efforts.

The 2014 Diversity & Inclusion Work Plan was built on the achievements and challenges of the 2013 Plan. As a response to the performance indicators from the 2013 Plan, the Diversity and Inclusion Committee placed greater emphasis on capturing data specifically in the areas of Diversity Spend and Service to Diverse Populations.

The 2015 Diversity & Inclusion Work Plan showed improvement in the reporting of the data that provided a more accurate depiction of the diversity spend. While the total diversity spend for MORPC was more than 25 percent, the data revealed a continuing challenge to improve spending in the areas of Minority Business Enterprises (MBE) and Disadvantaged Business Enterprises (DBE). Service to diverse populations also showed little change, or in some cases a decline specifically to Hispanics, one of our largest minority populations in Central Ohio.

A review of the performance indicators of the six areas of focus in the 2016-2017 Diversity & Inclusion Work Plan allowed MORPC to identify accomplishments, to determine whether goals were met through the strategies selected, and areas to prioritize targeted efforts for 2018. The results continued to show challenges in diversity spend particularly with Minority Business Enterprises. A review of the MORPC Board of Commission and staff continued to show a need for more diversity when compared to the demographics of the MORPC region.

In 2018 and in response to the 2016-2017 performance indicators, MORPC embarked on new actions to address the challenges. The specific and actionable priority items included:

- · Better performance on priority diversity and inclusion goals
- · Implement a new internal structure to improve capacity, results, and priorities
- Create a new internal diversity and inclusion structure
- Create responsibility by Directors for participation and performance
- Assertively review and improve diversity spend
- · Assertively review and improve diverse hiring
- Provide focused data and technical assistance
- Increase Executive Committee reporting to two times per year
- Develop a focused external facing effort to improve diverse voices on MORPC's Board, committees and working groups

The 2019-2020 Diversity Work Plan incorporated the recommendations of the external facing Diversity in Local Government work group, and the specific actionable items designed to enhance and improve upon the Workforce and Leadership area of focus.





MORPC's Diversity Statement:

"Diversity refers to the differences that make us unique. MORPC recognizes, values, embraces, and celebrates diversity by respecting and utilizing all of our differences to enhance our lives and our society."

As the regional council of local governments, MORPC's work in diversity, equity & inclusion is a core value for the agency and its members. MORPC continues to align with the values and premises of diversity, equity & inclusion and aspires to meet the goals of the plan.

Why MORPC Supports Diversity, Equity and Inclusion:

Diversity is known as, "The state of being diverse; and the practice or quality of including or involving people from a range of different social and ethnic backgrounds and of different genders, sexual orientation, etc."

Equity is referred to as the, "Quality of being fair and impartial."

Inclusion is the, "Action or state of including or of being included within a group or structure."

MORPC is committed and dedicated to building a culture of inclusion for our agency, one in which a diverse workforce and region has equitable opportunities to prosper, succeed and grow.

Over the next three decades, the Central Ohio region is expected to experience dramatic changes in demographics and lifestyles that will affect the future success of our communities. The changing demographics and economic prosperity are placing the region in the same league as the nation's top cultural centers. As evidenced in *MORPC's 2016 insight2050* report, the results demonstrate the importance of a strategic focus on diversity, equity and inclusion:

- Current projections now reveal that our region will grow to three million people by 2050
- The number of seniors aged 65 or older is expected to more than double by 2050
- Racial and ethnic minorities are expected to account for most of our region's growth by 2050

Increasing evidence suggests that a region's ability to compete economically will depend more upon its ability to attract and retain young talent. To remain vital, competitive, and relevant in the global marketplace, MORPC must engage, partner, and collaborate with diverse populations. The inclusion of diverse populations (racial/ethnic, age, gender, sexual orientation, social background, religion, etc.) in MORPC's bodies of work provides a spectrum of thought, voices and perspectives. The intrinsic value of inclusion is to produce better products, plans, and services designed to improve the quality of life for the Central Ohio region.

The overarching goal of this work plan is to cultivate a work environment that is welcoming and inclusive; provides services and programs to the Central Ohio region creating a vibrant place to live, work, and raise a family; and contribute to local business growth and success. This work plan assists MORPC in its planning and decision-making, establishing priorities, providing relevancy to the region, building capacity, maintaining accountability, allocating resources, and improving services to the Central Ohio community.





Overview of the Current Diversity, Equity and Inclusion Work Plan

In March of 2020, MORPC hired a new Diversity, Inclusion and Engagement Officer. Still apart of the Communications & Engagement Team, the Officer was responsible for the agency's diversity, equity & inclusion programs and initiatives. Also, MORPC's outreach, engagement, and communication strategies to ensure compliance with branding.

The plan was revamped to include an equity lens and renamed the Diversity, Equity & Inclusion Work Plan. It will continue to analyze and assess the six focus areas identified in the previous plans with recommended changes to the goals as needed. The plan guides the diversity work of the MORPC Board and staff.

The matrices, sorted by focus areas, are a snapshot of goals, infrastructure and strategies that will help determine performance in each area. Each matrix identifies the infrastructure that will be used to achieve the stated goal; accompanying strategies best suited for that infrastructure that will help achieve the goals; and the MORPC team member(s) responsible. The matrix also provides an area for results which will be reported twice per year. A glossary of terms is included at the end for acronyms used throughout this document.

Following each matrix, a more detailed rationale is provided to lend insight into the specific infrastructure and strategy that were selected and why.



Workforce & Leadership

Goal 1. Improve diverse representation and voices in MORPC's work, committees, members and staff.

Goal 2. Commit to a culturally competent MORPC workforce and Board.

Workplace

Improve accessibility and ensure accommodations for all while at MORPC, including spaces used for meetings.

Supplier Diversity & Procurement

Maintain agency diversity spend at 15 percent or more; increase MBE spend to 5 percent or more; maintain WBE spend at 5 percent or more and SBE/EDGE spend at 5 percent or more. In RFPs, 10 percent or more to be the recommended goal, knowing some will end at zero percent.

Service to Diverse Populations

Increase and accommodate service to diverse populations

Diversity Requirements

Continue to meet the federal requirements for monitoring and reporting DBE, Section 3 HUD, Title VI, and Limited English Proficiency.

Diversity in Communications

Goal 1. Improve understanding and support of increasing MORPC's diversity. *Goal 2.* Increase the promotion of MORPC's services, plans, meetings, events, and programs to diverse audiences, and increase the awareness of MORPC's diversity, equity & inclusion efforts.













SERVICIOS DE CLIMATIZACIÓN EN EL HOGAR GRATUITOS EL PROGRAMA ES PARA POPIETARIOS E INQUILINOS **j Llame al 614.621.1171 hoy mismo!**





Focus Area: Workforce & Leadership

Goal 1: Improve diverse voices on MORPC's Commission, committees and in MORPC's work **Goal 2:** Commit to the preparation of a culturally competent workforce and Commission

Infrastructure	Strategy	Staff
		E.D.
		Chief Operating
		Officer
		C&E Senior
	It has been discussed to modify the Commission structure to add up to	Director
	seven at-large two-year term seats to the Board as regional representatives	Bylaws
		Committee
Executive	Also, to potentially add a regional representative to the Executive	Membership
Committee	Committee	Officer
	Help members understand the value of diversity, equity and inclusion	
	through community presentations, panel discussions and special events for the Board	
		C&E Senior
	Encourage and actively assist member communities in populating MORPC	Director
	committees and working groups with more diverse membership	Membership
Board		Officer
Doard	Identify training opportunities and resources for Board development	Diversity Officer
	Pipeline - Engage young adults (18-36) to help communicate agency goals	
	and activities, to obtain meaningful feedback on regional issues, and to	C&E Senior
	develop a pipeline of young leaders for MORPC and local government boards	Director
		Membership
	Engage a diverse, regional group of high school students in meaningful	Officer
Board	learning and feedback on regional issues	Diversity Officer
20010	Create a plan to add more diversity to MORPC committees and working	C&E Senior
	groups	Director
Committees		Diversity Officer
	Identify and provide diversity trainings twice per year for staff to attend	, , , , , , , , , , , , , , , , , , ,
	Identify additional opportunities to post job recruitment notices to amplify	Diversity Officer
Staff	MORPC careers amongst diverse talent	H.R.

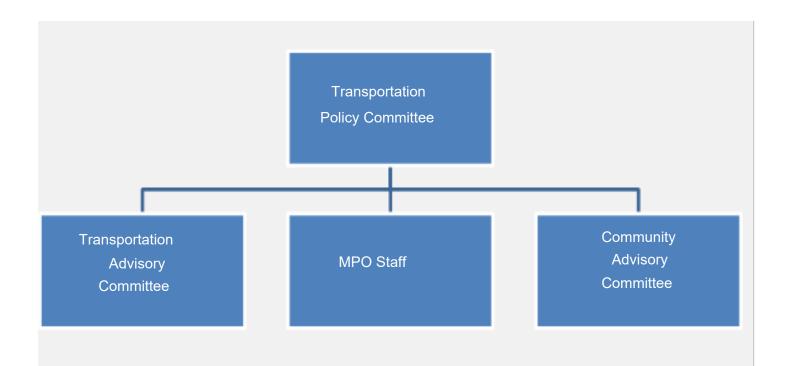
Many of the governance and structural recommendations in this area were the result of a five-month external facing effort in 2018 with the Diversity in Local Government Working Group, whose focus centered on three main goals:

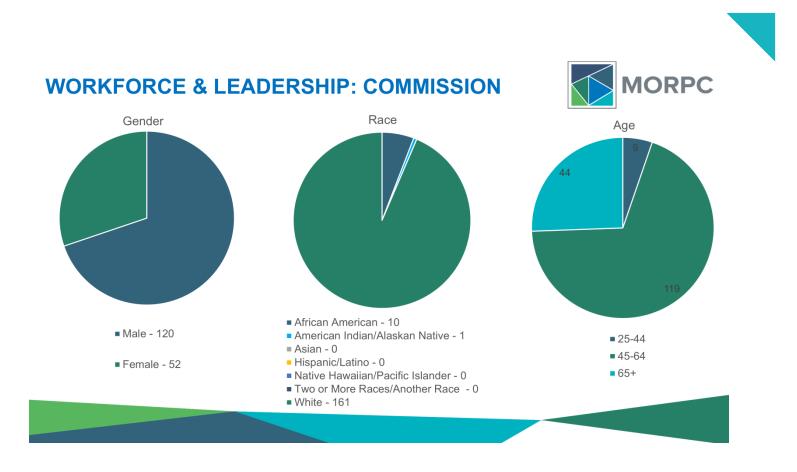
- 1. Discuss and review regionally focused diversity initiatives and communication strategies
- 2. Seek approaches to improve diverse representation and voices in MORPC's work, committees and members
- 3. Develop specific action items based upon best practices to be funded in the 2019 MORPC Budget

The working group was comprised of 18 representatives from local governments, diverse non-profit organizations and organizations who primary focus is to serve diverse populations. Speakers from Atlanta, GA, City of Kettering, OH and Brevard County, FL shared their efforts to include diverse voices in their engagement efforts, communications and governance.



Community Advisory Committee As stipulated in the Public Involvement Plan for the metropolitan planning organization (MPO), the CAC is a committee of citizens and special interest groups that advise the Transportation Policy Committee, a standing committee of the Commission. CAC is comprised of volunteers representing a broad segment of the population including, but not limited to, low-income and minority households and those traditionally underserved by transportation. The Chair of the CAC serves on the Transportation Policy Committee. The CAC members represent specific geographical areas and demographic representation of the transportation planning area. The transportation planning area for the MPO includes Delaware and Franklin counties, Bloom and Violet townships in Fairfield County, New Albany, Pataskala and Etna Township in Licking County, and Jerome Township in Union County. The committee meets once a month, eight times a year, in the evening where transportation related projects, studies and plans are reviewed, discussed and acted upon.





Board Diversity – MORPC's Board of Commissioners determines the strategic direction of the agency. The local government members appoint elected officials and staff to serve as their representatives to the commission.

To understand and effectively serve the needs of a diverse population, an organization's board should include the perspective of diverse voices at the table.

As of February 2024, 172 individuals (120 males and 52 females), served on the MORPC Board of Commissioners. The Diversity Officer has worked diligently with the Membership Officer to also recommend additional diverse individuals to serve. Above, is the Commission's diversity composition.





WORKFORCE & LEADERSHIP: STAFF DEMOGRAPHICS

Staff Diversity- As of December 2023, the makeup of MORPC staff consisted of 89 employees. This graph depicts the diversity of MORPC staff within a one-year comparison. To represent the communities in which we serve, the demographics of staff should reflect the population. MORPC has made a concerted effort to attract more diverse talent by partnering with local professional organizations who specialize in this effort.

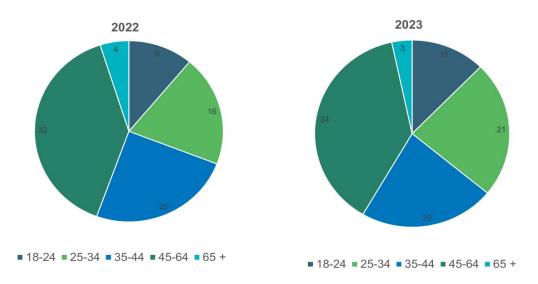
Regarding age, the pie chart to the left represents 2022, and to the right is 2023. As of 2023, MORPC had 11 individuals employed between the ages of 18-24, 21 people between the ages of 25-34, 20 people between the ages of 35-44, 34 people between 45 - 64 and 3 people age 65 and up.

At the time, majority of employees were a combination of Generation X and Baby Boomers. According to JobsOhio, our region's workforce is ever-changing, it's becoming more diverse, and the average age of employed Ohioans is between 20-30 years old. That is a combination of Millennials and Generation Z.



WORKFORCE & LEADERSHIP: STAFF DEMOGRAPHICS

Staff Count by Age: 2022 v. 2023



New Staff and Board Orientations – Information on MORPC's Diversity Program is presented to new employees and Board members during orientations. New employees are given a copy of the Diversity, Equity & Inclusion Work Plan and are required to view a workplace diversity awareness video. Board members are introduced to MORPC's diversity efforts during a new member orientation.

Diversity Training - In 2009, MACC recommended that MORPC provide training to staff in cultural competency and diversity. It was noted that although there was a strong awareness of and tolerance for diversity and cultural differences, that awareness and tolerance did not seem to translate to the inclusion of those differences into how "business is done" at MORPC. The goal of the proposed training is to help shift the organizational culture from one where the focus is on tolerance to one where diversity is respected, embraced, celebrated and incorporated into how day-to-day activities are conducted.

MORPC goal is to schedule between one to two mandatory diversity trainings for all staff on an annual basis. In addition to the trainings, MORPC partners with professional organizations to offer webinars, workshops, informative panel discussions and other educational opportunities. Below is a list of diversity trainings held since 2011.

<u>2011</u>

Cultural Competency

<u>2012</u>

- COSI's Race Exhibit
- Cultural Diversity Begins with You

<u>2013</u>

The Cost of Poverty Simulation



<u>2014</u>

• Learning the Language

<u>2016</u>

• Building Cross-Cultural Competence in Global Business Environments (Leadership team)

<u>2017</u>

- Global Fluency (Managers)
- Building Cross Cultural Competency
- Free to Ride: A Kirwan Institute Documentary Film (Board Members)

<u>2018</u>

Global Fluency

<u>2019</u>

Implicit Bias

<u>2020</u>

Bridging Differences Through Dialogue: LGTBQIA+ Cultural Humility

<u>2021</u>

- Racial Equity Foundations and Applications
- The Making of Metropolitan Inequality: The Formation of Metropolitan Space

<u>2022</u>

- Beyond Inclusion: Building a Community of Belonging
- My Pronouns, My Identity

<u>2023</u>

• "Undesign the Redline" (all staff) 2023

<u>2024</u>

- Empowerment through Self-Leadership: The Ultimate Game Changer
- Racial Equity Foundations and Applications

Diversity, Equity & Inclusion Committee – The internal Diversity & Inclusion Committee was renamed the Diversity, Equity, & Inclusion (DE&I) Committee, in 2022. Since it was last restructured the committee now consists of 11 staffers, including at least one employee from each department. In 2021, the committee created a new mission statement, membership duties & responsibilities, and goals & objectives. The committee will convene and engage MORPC employees while promoting the agency's diversity initiatives.

Individuals work alongside the Diversity, Inclusion & Engagement Officer in achieving MORPC's strategic goals within the Diversity Work Plan. Members will also guide the diversity efforts of the MORPC Board and staff.

The DE&I Committee meets every other month, and employees determine how to institutionalize diversity, equity and inclusion efforts into the agency. This means making sure diversity is an intentional part of every recruiting decision, every team assembled for a project, every educational opportunity, every promotion, and every



compensation decision. To be successful, research shows that this process must be driven from the top, with real buy-in at every level of management.

Previously, in 2018, the internal D&I Committee was also restructured to better perform on priority diversity and inclusion goals and to implement new internal structures to improve capacity, results and priority. The committee consisted of representation from the areas of the agency directly involved in monitoring, adjusting, and improving priority goals: Executive Director, Data & Mapping, Finance, Human Resources, and Board Membership with established specific goals:

- Improve the diversity of the applicant pool and in hiring
- Revise goals and assertively improve achievement in diversity spend
- Launch an effort to increase diverse voices and representation on the commission and its committees and in program planning
- Increase direct performance reporting to the Executive Director
- Create accountability by directors for participation and performance
- Establish new goal-specific staff contacts to advance the plan
- Provide focused data, context and technical assistance to the plan

The re-organization has encouraged a greater emphasis on the outcomes that we were striving for in the various focus areas. The committee continues to grow, implement events/activities and add new members, as needed.

Focus Area: Workplace

Goal: Continue to provide accessibility and assurance of accommodations for, people with physical disabilities, LEP and all while at MORPC and/or utilizing meeting spaces for MORPC meetings.

Infrastructure	Strategy	Staff
	Ongoing Assessment:	
	Conference rooms & halls	
	Equipment	
	Employee Lounge	
Facility	Restrooms	Operations
	Accommodate public whose English is their second language (LEP) and	
Foyer	people with disabilities	C&E
Foyer &		
Lounge	Review language and location of Title VI notices to ensure compliance	C&E

In early 2015, improvements were made to the building which eliminated the full-time receptionist position. Security doors were installed preventing access to the rest of the building. In the event of a meeting, a staff member is assigned to meet, greet and assist guests. At other times, individuals entering the building have access to a directory and instructions on how to contact staff.

Provisions were made to assist people with physical disabilities. A handicap button was installed for the largest door in the foyer. MORPC also replaced rugs in public places with tapered edges and added three additional handicap parking spaces for a total of six spaces. We also learned that people in wheelchairs found it difficult to use the phone and the directory due to its location on the bar-height desk. Therefore, this was remedied by removing it completely.



In 2020, the agency began a complete renovation on its existing building. The remodel included a single-user restroom which will provide users with individual privacy, as needed.

MORPC installed interior signage early in 2022 (room numbers and room names for conference rooms and common spaces). We also updated the last few remaining interior signs in December of 2023 and added exterior wayfinding signage.

Lastly, MORPC expanded the employee café to create a larger eating and/or sitting area, along with lowering the workstations to allow for a more inclusive space. In the Town hall MORPC added additional monitors to give individuals a better glimpse of presentations and information.

Public Notices – Notices in English and Spanish notifying the public of their Rights under Title VI are prominently located in MORPC's lobby and in the employee café. With changes in MORPC's organizational structure, minor edits were made to the notices announcing the Senior Director of Communications & Engagement as the point of contact.

Focus Area: Supplier Diversity & Procurement

Goal: Maintain agency diversity spending at 15 percent or more. Increase utilization of MBEs to 5 percent or more, WBE to 5 percent or more and SBE/EDGE to 5 percent or more.

Infrastructure	Strategy	Staff
Supplier	Monitor & report quarterly to MORPC Senior Leadership	Diversity Officer
Diversity	Continue development & implementation of the work plan to increase	
	minority spend	Diversity Officer
	Review the diversity spend report and distribute it to the departments	Diversity Officer
	Require departments to maintain annual identified utilization rates	Department Directors
	Improve categorization of vendors in reports from Finance	Finance Department
	Improve employee access to diverse suppliers	
	Provide training to staff on vendor database	Diversity Officer
	Monitor employee procurement of diverse vendors	Diversity Officer
	Compile & review responses and selection summary forms for all RFPs	
	& RFQs	Diversity Officer
Vendor	Assess & monitor diverse vendor list	Diversity Officer
Database	Annually update diverse vendor database	Data & Mapping

Diverse Vendor Procurement - A concerted effort has been undertaken to identify and capture diverse vendors in reporting. This included researching vendors MORPC has used in the past to determine if they are diverse vendors. (*The 2012 and 2013 data presented below was not adjusted because of this process). In 2015, the percentage of total diversity spend increased while the dollar amount spent on diverse vendors decreased. This was due to a reduction of the total agency expenditures by approximately \$1.3 million. Even though total dollars for eligible diversity spend increased in 2018, the total percentage of diverse procurement decreased from 18 to 15 percent. In 2020 and 2021 MORPC spent a larger dollar amount in total diversity spending, which resulted in an increase from the prior year.

	Diversity Spend Percentage of	Total Diversity	Change in Diversity Spend	Total Eligible
	Total Eligible Expenditures	Spend (\$)	from prior year (\$ and %) *	Expenditures
2012	4.13%	\$395,741		



2013	9.22%	\$473,248	\$77,507 (19.6% increase)	\$5,132,931
2014	23.05%	\$1,491,916	\$682,066 (60% increase)	\$6,473,592
2015	25.15%	\$1,285,044	\$206,872 (14% decrease)	\$5,109,006
2016	23.63%	\$1,126,276	\$158,768 (12% decrease)	\$4,766,575
2017	18.11%	\$1,046,484	\$79,792 (7% decrease)	\$5,777,569
2018	15.01%	\$1,063,362	\$16,878 (1.6% increase)	\$7,080,168
2019	15.57%	\$919,887	\$142,475 (15% decrease)	\$5,907,008
2020	18.83%	\$970,624	\$50,737 (5 % increase)	\$5,154,730
2021	19.02%	\$1,003,248	\$32,624 (3 % increase)	\$5,273,744
2022	18.98%	\$1,195,434	\$192,186 (13 % increase)	\$6,298,995
2023	19.53%	\$1,156,822	\$38,612 (3 % decrease)	\$5,924,494

Diverse Vendor Type – The chart below shows the percentage of diverse vendor type of eligible spending for WBEs, SBEs, and MBEs. The results depict the total percentage for the specific year. The data shows beginning in 2018, the percentage of MBEs have slightly increased.

% Di	% Diversity Spend				
Year	WBE	SBE/EDGE	MBE		
2013	8.82%	.10%	.29%		
2014	7.32%	14.69%	1.04%		
2015	12.15%	11.66%	.59%		
2016	8.89%	12.48%	1.0%		
2017	6.11%	11.59%	.32%		
2018	5.74%	5.78%	.64%		
2019	4.93%	6.81%	.98%		
2020	11.08%	5.25%	1.13%		
2021	10.79%	4.49%	1.10%		
2022	6.17%	9.87%	0.69%		
2023	4.59%	12.52%	1.08%		

To assist with utilizing more diverse vendors, new language has been added to non-DBE RFPs that states a MBE goal of ten (10) percent.

A ten (10) percent minority business enterprise (MBE) goal has been established for this contract consistent with MORPC's Diversity, Equity and Inclusion Plan. Respondents are strongly encouraged to meet or exceed this goal, and this section should include a description of how the contractor will do so. It is preferred that MBE firms are certified as a minority business enterprise



by the State of Ohio, the City of Columbus, or other similar certifying entity. MORPC will expect the selected proposer to meet the MBE percentage included in their contract and will require ongoing reporting of this percentage during the contract life. MORPC will also include MBE prompt payment requirements in all contracts.

MBE Strategy:

To continue efforts with increasing minority spend, in August of 2022, we created a MBE strategy to have a welldefined approach on an intentional procurement process regarding targeting minority suppliers. We wanted to develop a strategy to give us a competitive advantage and to meet our overall agency goal of 5% utilization. The four focus areas of concentration include;



- 1. Recognize Supplier Diversity Needs Ensure agency needs are communicated throughout each department and our commitment to DE&I is an agency-wide priority.
- 2. Diversify Diversifying spend is a great opportunity to seek out minorities who intend to support the operational and administrative need(s). This includes minority-owned partners uncovering existing opportunities to increase diversity spend through subcontract and their vendor relationships. The Diversity Officer will discover where vendor gaps exist and diversify with MBEs.
- 3. Sustain Maintaining and updating a diverse supply base is essential to generate opportunities for agency development. Increased diversity in the supply chain will allow MORPC to expand more easily into markets with different demographics. The Diversity Officer will continue to monitor the vendor database and include new businesses.
- 4. Partner Working directly with local and national organizations focused on advancing minority businesses can increase the success of an agency due to accessing key resources. Although, MORPC doesn't require businesses to be certified, utilizing certification agencies will assist with bridging the gaps. Establishing and maintaining strong partnerships will also allow MORPC to procure supplies, while encouraging friendly competition between vendors for not only the best price, but also the best service. The C&E Senior Director and Diversity Officer will seek out potential partnerships in an effort to strengthen relationships.





Focus Area: Service to Diverse Populations

Infrastructure	Strategy	Staff
	Increase marketing, outreach, and engagement amongst diverse populations. Diversify marketing to be more inclusive of targeted populations. Engage marginalized and underrepresented individuals also living in low	
	income and/or rural areas.	Program Staff
Applications	Report annually on the location, frequency and number of the distribution of	
Clients	translated outreach material.	Diversity Officer
		Intake Staff
	Monitor quarterly and report to DE&I Committee to determine performance.	Diversity Officer
	Improve the capturing of diverse applicants' demographics. Start tracking older	Data & Mapping
	adult participation.	Program Staff
	Assess and implement needed improvements to accommodate limited English proficiency and people with disabilities.	
Walk-ins	Monitor quarterly	Diversity Officer
Call-ins	Assess and implement when possible needed improvements to accommodate people who call in. Monitor quarterly	Diversity Officer Program Staff
	Report annually on the frequency of encounters seeking interpreters or	Program Staff
LEPP	translation services.	Diversity Officer
Point of Service	Allocate appropriate resources to accommodate communications with targeted populations. Monitor quarterly	Diversity Officer Program Staff

Goal: Increase and accommodate service to diverse populations.

Applications – In 2013, MORPC began monitoring applications to determine if diverse populations were utilizing its various services and programs: Residential Services also known as Weatherization and Housing Rehabilitation (Rehab); and RideSolutions. In 2017, MORPC changed the name of RideSolutions to Gohio Commute and implemented a state-wide application process.

Residential Services

MORPC works to help low- and moderate-income homeowners maintain and improve their homes through several home repair programs.

The Franklin County Home Repair program provides health and safety related home repairs for homeowners living within Franklin County but outside the limits of the City of Columbus. This program helps homeowners improve the functionality of their homes so they can live in a safe and comfortable environment.

Qualified homeowners can receive a grant for repair projects such as:

- Furnace/heating systems
- Leaking or failing roofs
- Faulty plumbing or electrical systems
- Structural issues
- Handicap accessibility modifications
- Upgrading sewage disposal and private water systems
- Other health and safety related issues



Franklin County Urgent Needs			
African American	23	Veteran	6
American Indian	2	Disabled	77
Asian	1	Female Head of Household	103
Hispanic	1	Male Head of Household	44
Multi-Racial	5	Head of Household Over 60	93
White	113	Head of Household Under 60	54

Since 2017, Residential Services has serviced 3,311 homes. All jobs were completed from 1/1/2017 – 10/22/24. From 2017-2021 the homes were 150% at or below the Federal Poverty Level. This was raised in 2022 to 175% at or below the Federal Poverty Level and again in 2023 at 200% at or below the Federal Poverty Level.

Housing Rehab Programs - MORPC will continue to market to vulnerable populations to increase utilization of the Weatherization Programs and Housing Rehab Programs. The Limited English Proficiency (LEP) Plan developed in 2018 and the DE&I Committee should help in these efforts.

Gohio Commute - In 2018, the Rideshare program was replaced by a new state-wide system, Gohio Commute. Under this new system, we were not able to monitor or track the diversity of Gohio applications. Currently the demographics of applicants are not measurable. Efforts are underway to devise a way to track and monitor the diversity of Gohio Commute applications. For example, implementing surveys have been discussed to determine demographic information such as race/ethnicity, age and income.

Air Quality Alerts – MORPC offers Air Quality Forecasts and Alerts. The public can sign up to receive alerts via email, text or by calling the toll-free number (1.888.666.1009). We currently have no way of measuring the demographics of those receiving Air Quality Alerts by email or over the phone. For more information and to sign up for the Air Quality Alerts, visit <u>Air Quality – MORPC.org</u>.

Linguistically Competent (Accommodate call-ins/walk-ins/Point of Service) – MORPC provides interpretation and translation services, including services to the deaf, through partnerships with bi-lingual organizations, such as CRIS. For example, if a person contacts MORPC offices and/or approaches them at a specific site or location. MORPC offers marketing materials in various languages, which can be left with the customer. In accordance to the LEP Plan, outreach materials that are designed for the public are also to be translated into other languages. The translation of collateral materials will incur an additional cost. Please contact the Diversity Officer to inquire about translation services and/or marketing materials.





Focus Area: Diversity Requirements

Goal: Continue to meet the federal requirements for monitoring and reporting DBE, Section 3 HUD, Title VI, and Limited English Proficiency.

Infrastructure	Strategy	Staff
DBE	Monitor & Report	Programming Development
Section 3	Monitor & Report	Residential Services
Title VI	Monitor & Report	All
LEPP	Review for Compliance	Communications & Engagement

Disadvantaged Business Enterprise – Disadvantaged Business Enterprise (DBE) monitoring and participation are federal requirements for Metropolitan Planning Organizations (MPOs) such as MORPC. The DBE program applies only to federal transportation funds and is established per the rules, requirements, and guidelines of the U.S. Department of Transportation (DOT) and Ohio Department of Transportation (ODOT).

U.S. DOT is recognized as a leader (among federal agencies) in operating a DBE program and requiring the same of its funding recipients. ODOT's Highway DBE goal for FFY 2020-2022 is 15.6 percent. This includes both construction and professional services. ODOT's Transit DBE goal for FFY 2020-2022 is 7.87 percent.

To be eligible for DBE participation:

- A business must be certified as a "disadvantaged" business by a U.S. DOT-authorized certification agency in order to qualify as a "DBE" (in Ohio, the certification entity is the Ohio DBE *Unified Certification Program*, who maintain a website listing certified contractors)
- Must be a small business per the Small Business Administration (SBA)
- Must be determined to be part of one of following groups: Black, Hispanic, Native American, Eskimo, Aleut, Native Hawaiian, Asian Pacific American, Subcontinent Asian American, Women, or other socially and economically "disadvantaged" (determined on a case-by-case basis)

A review of the process initially discovered that our accounting system was unable to capture DBE vendors because payments are made to the primary contractors and DBEs are traditionally subcontractors. Finance was able to create a way to track diverse subcontractor cost within a consultant's invoice. With this new process, we can get a full report of all dollars spent broken out by various diverse and non-diverse vendors by department.

Section 3 – Under Section 3 of the HUD Act of 1968, wherever HUD financial assistance is expended for housing or community development, to the greatest extent feasible, economic opportunities will be given to Section 3 residents and businesses in that area. A Section 3 business is a business that is 51 percent or more owned by Section 3 residents or employs Section 3 residents for at least 30 percent of its full-time, permanent staff; or provides evidence of a commitment to subcontract to Section 3 business concerns with 25 percent or more of the dollar amount of the awarded contract.

The only department within MORPC that utilizes HUD financial assistance is Residential Services, specifically the Housing programs.

Title VI–- MORPC has responsibilities regarding the Civil Rights Act of 1964. The Civil Rights Act of 1964 included eleven titles. Title VI, the primary focus of this program because of its applicability to the MPO and MORPC, address discrimination in federally funded programs and activities. A widely used passage related to Title VI sums up what the title is about:



No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (42 USC 2000 Section 601).

Current Title VI law requires non-discrimination in all programs and activities, whether federally funded or not, of those who receive federal funds. Notices in English and Spanish notifying the public of their Rights under Title VI can be found in MORPC's lobby and employee café.

Limited English Proficiency Plan (LEPP)— Compliance with Title VI includes Limited English Proficient (LEP) persons. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities with limited-English proficiency to participate in a federally funded program violates Title VI regulations. Additionally, requirements outlined in Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, ensures accessibility to programs and services to eligible persons who have limited proficiency in the English language.

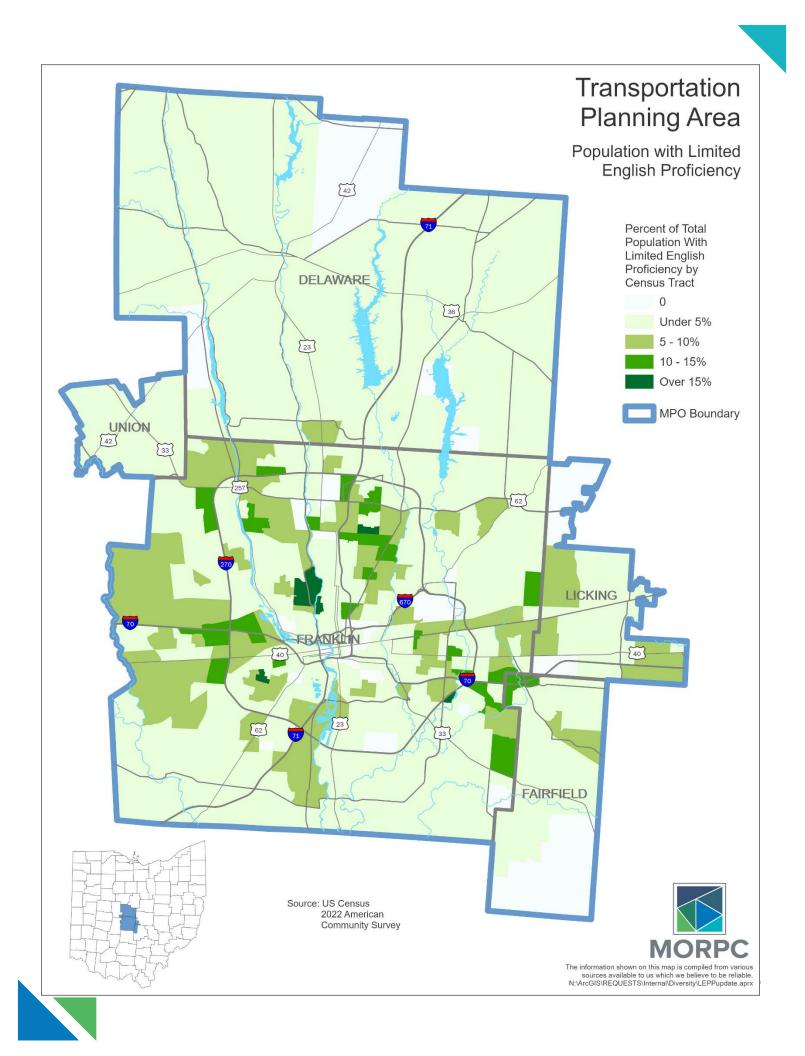
MORPC developed a LEP Plan, which considers the following four factors:

- 1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MORPC program, activity or service.
- 2. The frequency with which LEP persons encounter MORPC programs, activities or services.
- 3. The nature and importance of programs, activities or services provided by MORPC to the LEP population.
- 4. The resources available to MORPC and overall cost to provide LEP assistance.

Below, is a map that shows the percentage of total population in our region, with limited-English proficiency. The map features the 2022 American Community Survey data and this information reflects the 5-year dataset from the census years, 2017 – 2022.

More information on MORPC's LEPP can be found at <u>www.morpc.org</u> under Title VI.







Focus Area: Diversity in Communications

Goal 1: Improve understanding and support of increasing MORPC's diversity efforts.

Goal 2: Increase the promotion of MORPC's services, plans, meetings, events, and programs to diverse audiences, and increase the awareness of MORPC's Diversity, Equity Inclusion efforts.

Infrastructure	Strategy	Staff
Message	 Define diversity, equity and inclusion clearly and explicitly. Improve understanding and support of increasing MORPC's diversity. Create business case for diversity, equity and inclusion Articulate in core documents and other communications (process) ESG - 	C&E
	Present MORPC's diversity efforts to new employees, committee and Board members	Diversity Officer Membership
Media	Advertising & Press Releases	Diversity Officer Program Staff
	Prepare and/or consider diverse audiences in messages, core documents and other communications on the website and in social media (process)	
Websites and Social Media	Update MORPC's diversity page and keep it relevant Create information to post on social media to recognize national diversity observances	C&E Diversity Officer Diversity Officer
Collateral Materials	Create a check list on information to include and/or show in outreach material on: • Graphics • Language • Photographs	C&E Program Staff



Translation Services	Meet with departments to determine which marketing materials to translate into different languages Coordinate with Data and Mapping to gain insight on the most common languages in our region	Diversity Officer
Sponsorships	Select sponsorships and determine which organizations to fund and support that promote DEI	Diversity Officer C&E Senior Director
Meetings	Schedule meetings with community leaders representing diverse audiences to strengthen our network and to have representation of the communities that we serve	Diversity Officer C&E Senior Director

Messaging— One component that top companies share in diversity, equity and inclusion is that they promote their diversity efforts to the public. Diversity is evident in their outreach, their website and in notices to the media. The populations they serve are stated consistently and emphatically. MORPC promotes that it values DEI through its advertising and sponsorships. MORPC often creates ads that target diverse audiences and are used with sponsorship opportunities.

Websites and social media - MORPC utilizes several opportunities to promote diversity, equity and inclusion through the website, social media and its collateral materials. For example, MORPC also recognizes national diverse observances.

Sponsorships - In 2022, MORPC sponsored the Columbus International Festival, the Cultural Fusion Festival (Liberians in Columbus), the Diversity in Business Awards (Business First), the COMTO Scholarship Luncheon, the National African American Male Wellness Walk, and the YWCA Columbus Activists and Agitators. In 2021, MORPC also sponsored the Central Ohio Honors, supported by the Tribute to African Americans Committee, Inc. MORPC will continue to review sponsorship requests and opportunities to determine how best to serve diverse populations.

Memberships - MORPC is currently a member of the Conference of Minority Transportation Officials (COMTO) local chapter, and the Central Ohio Diversity Consortium (CODC). MORPC is also active in the National Association of Regional Councils, DE&I Working Group.

Budget

The 2023 budget was \$45,300 and is allocated toward staff wages, training, interpreters/translation fees, membership, sponsorship and other related costs. The budget for 2024 was increased by \$4,530 to \$49,830.

Conclusion

Annually, a report on the outcomes and achievements of the current plan is presented to the Executive Committee and the Board. This work plan documents the scope of services of what MORPC will do to promote, advocate, and support the diversity of the region. A quarterly diverse spending report is provided to the Executive Director and Department Directors, which includes information on departmental diverse spending. Lastly, a diversity summary is also provided to the Executive Director, Department Directors and Officers to provide a brief overview of DEI efforts.





Glossary of Terms

Culture – shared set of values, beliefs, customs, and celebrations, practices of a racial, ethnic or self-identified group.

Cultural competence – integration and transformation of knowledge about individuals and groups of people into specific standards, policies, practices, and attitudes, and used in appropriate cultural settings to increase the quality of services, thereby producing better outcomes.

DE&I - Diversity, Equity and Inclusion

DBE – Disadvantaged Business Enterprise – applies to federal transportation funds and is established per the rules of the United States Department of Transportation.

EDGE - Encouraging Diversity, Growth and Equity

EPP – Electric Partnership Program

ERG - Employee Resource Groups - employee networks that support everything from recruiting and retention efforts to marketing products and services.

ESL – English as a Second Language is the use or study of <u>English</u> by speakers with different <u>native</u> <u>languages</u>.

HWAP - Home Weatherization Assistance Program

LGBTQ+ –Lesbian, gay, bisexual, transgender, queer and/or questioning individuals/identities and communities. The + designate the many various identities beyond those listed in the first five letters of the acronym.

LEP – Limited English Proficiency - persons who are unable to communicate effectively in English because their primary language is not English, and they have not developed fluency in the English language.

LEPP – Limited English Proficiency Plan

MACC - Multiethnic Advocates for Cultural Competence

MBE – Minority Business Enterprise is for-profit enterprise which is owned, operated and controlled daily by minority group members.

MPO – Metropolitan Planning Organization

ODOT – Ohio Department of Transportation

REE – Resident Energy Efficiency Program – a weatherization program that improves home energy efficiency for qualified homeowners in Franklin County.



SBE – Small Business Enterprise is owned and operated by a qualifying person, who is under- represented in an industry and meets the definition of "small business" according to the SBA's standards. The term "person" used throughout the regulations includes an individual, entity, or business concern. § 121.103(c)(1).

Section 3 of the Housing and Urban Development Act of 1968 - Wherever HUD financial assistance is expended for housing or community development, to the greatest extent feasible, economic opportunities will be given to Section 3 residents and businesses in that area.

TBD – To be determined.

U.S. DOT – United States Department of Transportation (Federal Highway Administration and Federal Transit Administration)

WBE – Women Business Enterprise is an independent business concern that is at least 51 percent owned and controlled by one or more women who are U.S. citizens or Legal Resident Aliens, and whose management and daily operation are controlled by one or more of the female owners.



MORPC CONTRACT PROCESSING PROCEDURE

August 2024

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Purpose

This procedure is to help facilitate and expedite the MORPC contract process. Before being signed by the Executive Director, <u>all</u> MORPC contracts must be reviewed for correct language, sound business sense, risk management, budget review, accounting set-up, grant management, invoicing procedures and needs, etc., and must be reviewed by the Chief Operating Officer Shawn Hufstedler.

Background

Contracts originate with the project manager at the department level and must be reviewed by the department head. Once the contract has been reviewed and accepted by the department head, the contract routing process begins. The Executive Coordinator Shari Saunders must complete a Contract Routing Form for each contract. Department Executive Assistants must communicate specific requests to Shari Saunders. Contact Shari with processing questions and Shawn Hufstedler for technical questions.

Use the contract templates if possible. Any deviation will add to the review time, and possibly involve MORPC's external legal Counsel. Your program will be responsible for paying the legal review fees. Talk to your director before you start to determine if early involvement of Shawn Hufstedler is needed.

When in doubt about any point in the process, contact Shari Saunders.

General Contracting Steps

- Determine if a Resolution is Needed. See the Resolution Process (at <u>OneMORPC</u>) to determine if an Executive Committee or Commission resolution is needed.
 - An Executive Committee resolution is needed for obligations and agreements that are in the current operating budget and are over \$75,000.
 - A Commission Resolution is needed for obligations and agreements that are not included in the current operating budget. Some subcontracts may have been authorized when the acceptance of funding was authorized.

2. Create a Contract.

- a) Types of contracts. Contracts are created for subcontractor/vendor (people we are paying); or for funders (people who are paying us).
 - Subcontractor/Vender Contracts. MORPC will create contracts from one of our templates (see below for more information on templates) for our subcontractors/vendors, unless the vendor has a draft contract (that satisfies our requirements) to initiate the review process.
 - 2) Funder Contracts. Funder contracts are usually provided by the funder, but on rare occasions may be generated by MORPC upon funder request.

- b) Contract Templates. It is important to adhere as closely as possible to contract templates. The more a contract deviates from the template, the longer it takes to review.
 - 1) Contract templates are available on OneMORPC.
 - 2) See Shari Saunders if help is needed in determining the appropriate template (vendors/funder/subcontractor).
 - a. The Federal and Non-Federal templates arefixed fee contracts for the goods and services provided. (See <u>Common Contract Types</u> on OneMORPC for more information.)
 - b. The product-based templates are time and materials contracts. You pay for the tme and materials to complete the work.
 - c. Use federal transportation templates for contracts using federal transportation dollars. Use federal non-transportation templates for contracts using other federal dollars.
 - d. Use non-federal templates for contracts not using federal dollars.
 - e. Housing templates are project specific.
 - NOTE: all MORPC contracts are signed by Executive Director William Murdock.
 - 4) All MORPC contracts must at a minimum contain:
 - a. Clear Scope of Services that describes work to be performed and project outcomes.
 - b. Beginning and ending dates clear time frame/duration identified. Identify dates for interim reports if applicable.
 - c. Fee schedule with a "not to exceed" amount identified.
 - d. Non-discrimination clause.
 - e. Title VI requirements.
 - f. Reference to Diverse Vendor or DBE goals or requirements.
 - i. For federal transportation funds, the consultant shall identify how they shall meet the DBE goal and in the event the consultant is unable to meet the DBE goal, the consultant will be required to complete a Good Faith Efforts form available on ODOT's <u>website</u>. The prime consultant must contract with DBE sub-consultants before signing the contract with MORPC. Each DBE subconsultant agreement must be submitted to MORPC for approval prior to the DBE beginning work on the project. Work with DBE Coordinator Chuck Ratliff during the RFP process to determine the DBE goal.
 - g. Termination clause.
 - h. If indemnity from liability clause is included, ask the contractor if the clause may be removed as we are a local government in Ohio and not able to indemnify.
 - i. Signature line for all parties involved.

- c) Terms of the Contract. The originating department needs to be familiar with the terms of the contract or any amendments and:
 - 1) Ensure the contract conforms with the requirements of the funder.
 - 2) Ensure the contract conforms to state and federal (if applicable) law.
 - 3) Ensure the contract conforms with MORPC requirements.
 - Ensure the procurement process used to select any contractor/subcontractor conforms to the funder's requirements, state law, federal law (if applicable), and MORPC requirements.
 - 5) Verify concurrence with the scope of services.
 - 6) Agree with the relevant terms of the contract.
 - 7) Ensure that the contract fits within budget available for the applicable project or projects.
 - 8) Verify conformity with the MORPC resolution, if applicable.
 - 9) Compare to similar past contracts.
 - 10) Verify all mentioned attachments are included.
- Complete Contract Routing Form. Send the contract, supporting documentation (copy of Resolution, wining proposal, RFP/RFQ Response Summary Sheet, etc.) and the following information to Shari Saunders to complete the contract routing form:
 - a. Project name
 - b. Project description
 - c. Program number
 - d. Resolution number
 - e. Previous contract number
 - f. Begin/end date

- g. Budget approved by Finance?
- h. Source of funds
- i. Reporting requirements
- j. RFP/RFQ information
- k. Purchase order information
- I. Diverse vendor information
- 1) Shari Saunders will communicate any funding or procedural concerns to the staff originator. Feel free to contact Shari to check on the status of the contract throughout the process.
- 2) All contracts, regardless if they are draft or final, go through the same process.
- 3) NOTE: A completed W-9 form is required for new vendors. See April Drake for blank forms.

4. Contract process through Operations.

- 1) Shari Saunders completes the contract routing form reviewing for completeness, consistency, and general accuracy.
- 2) Shari Saunders prepares the contract packet and routes for signatures on the contract routing form via Adobe Sign.
- 3) Shawn Hufstedler reviews for content, etc. Finance Director Steve Armstrong reviews housing rehab/repair contracts. Any problems or concerns will be addressed with the staff originator. Items that may require legal review include:
 - a. High risk funding.

- b. Strange or complicated clauses.
- c. Newspaper test.
- d. New funder.
- 4) The contract then goes to William Murdock for review/approval.
- 5) After the contract is signed by William, Shari returns the signed contract to the originating department to send out to the vendor or funder as appropriate. Once the vendor/funder has signed the contract, return an original copy to Shari Saunders. If the contract originated from MORPC, Shari will use Adobe Sign to procure signatures.
- 6) Finance will process the contract and assign it a number. Shari Saunders will enter the information into the contract database and file electronic copies of fully executed contracts on the R:drive
- 5. Contract Processing Time. Generally allow two weeks for contract processing in Finance. If the contract is returned to the originating department for revision, the two weeks begins when the contract is returned to Finance. If a shorter time is needed, see Shari Saunders so agency contracts can be appropriately prioritized. Every effort should be made to allow for at least a TWO WEEK review time by Finance. Note that if legal review is required or the contract is unusually complicated, additional time will be necessary.



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