

# TITLE VI<sup>1</sup> /NON-DISCRIMINATION PROGRAM AT THE MID-OHIO REGIONAL PLANNING COMMISSION (FOCUS ON METROPOLITAN PLANNING ORGANIZATION)

REPORT PREPARED BY MORPC  
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*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 [www.morpc.org/title-vi](http://www.morpc.org/title-vi).*

<sup>1</sup> 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 ACTIVITIES

NAME	DESCRIPTION	DATE
<b>Title VI Assurances</b>	DOT Title VI assurances are required by FHWA and FTA. MORPC includes these with the annual MPO self-certification resolution.	May 2021
<b>Data Collection</b>	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
<b>Public Participation Plan</b>	MORPC is required to proactively encourage public participation – <i>seeking out and considering the needs of those traditionally-underserved</i> – the transportation department maintains a separate public participation plan.	September 2021
<b>Title VI External Complaint Process</b>	MORPC is required to maintain a complaint process.	Current
<b>Beneficiary Title VI Notifications</b>	MORPC is required to let beneficiaries know MORPC's obligations in regards to Title VI and how complaints can be filed.	Current
<b>LEP (Limited English Proficiency)</b>	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 2021
<b>ODOT Title VI Report</b>	ODOT requires this report annually. It is included as an appendix in the transportation planning work program document.	May 2021
<b>Contracts, RFPs, RFQs Reviews</b>	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 in regards to 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, all of 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 regards to Title VI and related non-discrimination 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 all programs and activities, whether federally-funded or not, 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

## D. STATE OF OHIO NON-DISCRIMINATION 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.

## E. 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 Bureau-defined 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 needs to have the perspective of diverse voices at the table. In January 2021, MORPC conducted a survey of its Board members which also requested racial and ethnic minority representation. There is a total of 158 Board members.

- 47 female
- 111 male
- 8 African American
- 0 Hispanic
- 1 Native American
- 141 Caucasian
- 35 between the ages of 25-44
- 102 between the ages of 45-64
- 20 the age of 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/](http://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 non-discriminatory 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 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. 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, who also reports directly to the Executive Director, is the Diversity, Inclusion and Engagement Officer. The Diversity Officer is responsible for helping to make sure 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 recently established an internal Diversity Committee. The committee was created to focus on and improve diversity issues at MORPC. The purpose of the Diversity & Inclusion 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 Transportation Infrastructure and Development 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 Transportation Infrastructure and Development Department Director, while the specific tasks are normally sub-delegated within the Transportation and Infrastructure Development Department. The Communication and Engagement Director also has a significant role in the public participation and notification responsibilities.

The MORPC Transportation Infrastructure and Development 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.

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, Twitter, 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 webmaps, 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 presently has up to 24 members including members representing 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. The Transportation Advisory Committee (TAC) presently has 30 members.

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 and Somali. 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.

### 3. 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 2019-2020 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 (WF):** Commit to the preparation of a culturally competent workforce.

**Workplace (WP):** Improve accessibility and accommodations for minorities, people with disabilities and GBTLQ.

**Diversity Spend (DS):** Increase diverse vendors spend to 10 percent.

**Service to Diverse Populations (SD):** Increase/enhance service to diverse populations.

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

**Diversity Communications (DC):** 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 ASSURANCES

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 policy statement is required to be circulated throughout the organization and general public.

The Title VI assurances 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 [morpc.org/title-vi/](http://morpc.org/title-vi/), 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 complaints, 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 non-discrimination 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 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 [morpc.org/title-vi/](http://morpc.org/title-vi/) 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 COMMUNICATION 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 of Staff & Director of Operations. 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 DOT-assisted 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:

1. 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 OCONSULTANT'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.
9. 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 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. 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.

## Appendix A

- Civil Rights and Non-Discrimination -

## 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

<https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=51162154cdbf6d6d4f7a8bba5aadd1d0&rgn=div5&view=text&node=23:1.0.1.5.11&idno=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)

<http://www.morpc.org/program-service/metropolitan-transportation-plan/>

**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

<https://www.justice.gov/crt/fcs/TitleVI-Overview>

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

<https://www.justice.gov/crt/federal-coordination-and-compliance-section-5>

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-subchapV-sec794.pdf>

Age Discrimination Act of 1975 (42 U.S.C. 6101) – prohibits discrimination based on age

[http://www.dol.gov/oasam/regs/statutes/age\\_act.htm](http://www.dol.gov/oasam/regs/statutes/age_act.htm)

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.

[https://www.fhwa.dot.gov/environment/environmental\\_justice/legislation/restoration\\_act.cfm](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>

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## **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

<https://www.fhwa.dot.gov/civilrights/>

**\*\*FHWA – Environmental Justice\*\***

[https://www.fhwa.dot.gov/environment/environmental\\_justice/index.cfm](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](https://www.hud.gov/program_offices/fair_housing_equal_opp)

Small/Disadvantaged Business Utilization

[https://www.hud.gov/program\\_offices/sdb](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/>

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**FEDERAL AGENCY WEBSITES** (CONTINUED):

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

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

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

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**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  
<https://www.fhwa.dot.gov/legregs/directives/fapg/cfr0200.htm>

FHWA Accessibility Guidance  
[https://www.fhwa.dot.gov/environment/bicycle\\_pedestrian/guidance/index.cfm](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**

Equal Business Opportunity Commission Office  
<https://www.columbus.gov/odi/Supplier-Diversity/>

## **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  
[https://development.ohio.gov/bs/bs\\_mbac.htm](https://development.ohio.gov/bs/bs_mbac.htm)

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

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

Central Ohio Minority Business Association  
<http://www.comba.com/>

DiversityInc.  
<http://www.diversityinc.com/>

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://ohiomsc.org/>

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

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

Ohio Diversity Council  
<http://www.ohiodiversitycouncil.org/>

**Appendix B**

**- ODOT MORPC Subaward Grant Agreement -**



# OHIO DEPARTMENT OF TRANSPORTATION

## SUBAWARD GRANT AGREEMENT

<b>(1) Pass-Through Entity</b> Ohio Department of Transportation	<b>(2) Subrecipient's Name</b> Mid-Ohio Regional Planning Commission
<b>(3) Federal Awarding Agency</b> Federal Highway Administration (FHWA)	<b>(4) Subrecipient's OAKS ID Number</b> 0000045665
<b>(5) CFDA Program Number &amp; Name</b> 20.205 Highway Planning and Construction	<b>(6) ODOT PID Number</b> Refer to Project Data Sheet
<b>(7) Federal Agreement Number (FAN)</b> Refer to Project Data Sheet	<b>(8) ODOT Agreement Number</b> 35887
<b>(9) FHWA's Federal Authorization Date</b> Refer to Project Data Sheet	<b>(10) Subrecipient's DUNS Number</b> 716-438-37
<b>(11) Research &amp; Development Subaward</b> Not R & D Subaward	<b>(12) Subrecipient's Indirect Cost Rate</b> Refer to Agreement Section XI: COMPENSATION
<b>(13) Subaward Period of Performance Start Date and End Date</b> Refer to Project Data Sheet	
<b>(14) Federal \$ Obligated by this Action by ODOT to the Subrecipient</b> Refer to Project Data Sheet	
<b>(15) Total Federal \$ Obligated to the Subrecipient by ODOT, Including Current Obligation</b> Refer to Project Data Sheet	
<b>(16) Total Federal Award \$ Committed to the Subrecipient by ODOT</b> \$6,626,833	
<b>(17) Federal Subaward Project Description, as Required to be Responsive to FFATA</b> Refer to Agreement Section I: PURPOSE	

# PROJECT DATA SHEET

Subrecipient's Name	<b>Mid-Ohio Regional Planning Commission</b>	ODOT Agreement #	<b>35887</b>	Data Sheet Version Date	<b>05/12/2021</b>	Data Sheet Version #	<b>#1</b>
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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	Federal Prorata Share %	Federal \$ Obligated This Action	Cumulative Federal \$ Obligated
114262	Pending	Pending	SFY22 MPO Planning	7/1/21	6/30/22	10%	\$290,854	\$290,854	80%	\$2,326,833	\$2,326,833
105637	E191304	Pending	FRA MORPC FY 22 Rideshare	7/1/21	6/30/22	N/A	N/A	N/A	100%	\$700,000	\$700,000
105638	E191761	Pending	FRA MORPC FY 23 Rideshare	7/1/22	6/30/23	N/A	N/A	N/A	100%	\$700,000	\$700,000
105648	E180207	Pending	FRA MORPC FY 22AQ Program	7/1/21	6/30/22	N/A	N/A	N/A	80% w/TRC	\$550,000	\$550,000
105649	E180208	Pending	FRA MORPC FY 23 AQ Program	7/1/22	6/30/23	N/A	N/A	N/A	80% w/TRC	\$550,000	\$550,000
105644	E180205	Pending	FRA MORPC FY 22 Supp Planning	7/1/21	6/30/22	N/A	N/A	N/A	80% w/TRC	\$350,000	\$350,000
105645	E180206	Pending	FRA MORPC FY 23 Supp Planning	7/1/22	6/30/23	N/A	N/A	N/A	80% w/TRC	\$350,000	\$350,000
110239	E191335	Pending	FRA Insight2050 Tech Assistance	7/1/21	6/30/22	N/A	N/A	N/A	80% w/TRC	\$250,000	\$250,000
110240	E191780	Pending	FRA Insight2050 Tech Assistance	7/1/22	6/30/23	N/A	N/A	N/A	80% w/TRC	\$250,000	\$250,000
110228	E191334	Pending	Paving the Way SFY 22	7/1/21	6/30/22	N/A	N/A	N/A	80% w/TRC	\$50,000	\$50,000
110229	E191779	Pending	Paving the Way SFY 23	7/1/22	6/30/23	N/A	N/A	N/A	80% w/TRC	\$50,000	\$50,000
115208	E210297	Pending	FRA MORPC LinkUS Reg Cor Plng	7/1/21	6/30/22	N/A	N/A	N/A	80% w/TRC	\$500,000	\$500,000
			Totals				\$290,854	\$290,854		\$6,626,833	\$6,626,833

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, as of the 21st day of May, 2021 and the State of Ohio, Department of Transportation (ODOT), having its principal office at 1980 West Broad Street, Columbus, Ohio 43223, as of the 28th day of June, 2021: 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 areas 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 areas. 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 in the metropolitan area including representation by providers of public 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 and WORK PROGRAM 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 the second quarter (December 31<sup>st</sup>) of the new state fiscal year. On January 1<sup>st</sup> 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 1<sup>st</sup> deadline, within thirty days of the end of the second quarter of the state fiscal year (approximately January 30<sup>th</sup>).

## 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 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, 2021 and will terminate on June 30, 2023. 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.

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 one month 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. Compliance with Regulations: 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. Nondiscrimination: 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. Solicitations for Contracts, including Procurement of Materials and Equipment: 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. Information and Reports: 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. Sanctions for Noncompliance: 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. **Incorporation of Provisions:** 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

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; and
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.

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: 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 XXVI: 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 XXVII: 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 XXVIII: 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 XXIX: 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 XXX: 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 XXXI: 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 XXXII: 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.

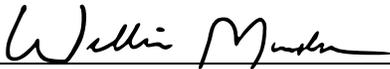
(The remainder of this page is left blank intentionally.)

SECTION XXXIII: 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 e-mail. Each party hereto shall be entitled to rely upon a facsimile signature of any other party delivered in 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.

<b>Mid-Ohio Regional Planning Commission</b>	<b>STATE OF OHIO OHIO DEPARTMENT OF TRANSPORTATION</b>
By: 	By: 
William Murdock Executive Director	Jack Marchbanks, Ph.D. Director
Date: 5/21/2021	Date: 6/28/2021

## Appendix C

- Title Assurances, Self-Certification of Process, Contractors' Requirements -

RESOLUTION T-5-21

**“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 1101(b) of the FAST-Act (Pub. L. 114-94) 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 2018; 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 May 3, 2021 and the Transportation Advisory Committee at its meeting on May 5, 2021 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.
- 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.

  
\_\_\_\_\_  
Karen J Angelou, Chair  
**MID-OHIO REGIONAL PLANNING COMMISSION**  
  
\_\_\_\_\_  
Date

Prepared by: Nick Gill

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 et seq.) 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 (s)he delegates 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, 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 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, sex (including pregnancy, gender identification and sexual orientation), age (40 years or older), disability, low-income status, or limited English proficiency.
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 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.

**Appendix D**

**- ODOT Title VI Baseline Assessment Tool - FY2019 -**

## 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.

Niel Jurist  
Director of Communications & Engagement  
[njurist@morpc.org](mailto:njurist@morpc.org)  
614-233-4126

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

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

4. Does your organization have a Title VI policy? If so, please provide the website link or attach a copy. Yes

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

5. Does your organization have written Title VI complaint procedures? If so, please provide the website link or attach a copy. Yes

<http://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

<http://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 2020 self-certification resolution and will be included in the 2021 self certification. <http://www.morpc.org/title-vi/>

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 in MORPC building, foyer and lounge.
- 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 - Notice is posted on 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 - [2015 Transportation Public Involvement Plan](#)

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.
  - iii. Church and community event outreach - Programs are typically featured at community events. The programs are usually air quality alerts and Gohio, but also TIP and MTP if a process is in progress.
  - iv. Targeted fliers distributed in particular neighborhoods - We 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.
- Yes - Impact Community Action, Franklin County Jobs and Family Services, The Columbus Urban League, the NAACP, St. Stephens Community Center, Area Commissions, Civic Associations & Neighborhood groups, Community Shelter Board, Community Refugee & Immigration Services 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
  - iii. Meeting times - Yes
  - iv. Existence of ADA ramps - 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 at this time.**

### 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 - <http://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 - Newsletters/brochures, applications for service, executive summaries are translated into Spanish and Somali.**

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? **We cover the cost to have information translated and interpreters if needed.**

23. How often do you receive requests for language assistance? **Our Weatherization service receives requests several times a year.**

### 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 trainings. See below.**
- iii. Other (Please explain) - **We provide Diversity, Equity & Inclusion (DE&I) trainings, and elements from Title VI are included.**

25. How often are Title VI trainings conducted? **Annually, as part of our diversity trainings.**

26. How many staff were trained on Title VI this year? **Included with the implicit bias training, 80 employees. Included with our DE&I trainings, 65 employees.**

### 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?

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 involvement are documented in the "Transportation Public Involvement 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: <http://www.morpc.org/program-service/transportation-improvement-program/>. MTP webpage: <http://www.morpc.org/program-service/metropolitan-transportation-plan>

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, Diversity, Inclusion and Engagement Officer, [rhampton@morpc.org](mailto:rhampton@morpc.org). 614-233-4157  
(2/16/21)

Nick Gill, Assistant Director, Transportation & Infrastructure Development, [ngill@morpc.org](mailto:ngill@morpc.org). 614-233-4151

## Title VI Compliance Questionnaire

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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. **No**
34. Would your organization like Title VI training or other Civil Rights technical assistance from ODOT? If yes, please explain. Yes - We have a new employee who would be interested in the Title VI Training. Her name is Ralonda Hampton and e-mail is [rhampton@morpc.org](mailto:rhampton@morpc.org).

**Appendix E**

**- Non-Discrimination Complaint Procedure -**

## 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 complaint. The MORPC Appeal Board will make a decision on the complaint and notify 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 Director of Communications & Engagement, Níel Jurist at 614-233-4126 or [njurist@morpc.org](mailto:njurist@morpc.org).

Completed complaint forms can be mailed or faxed to:

Níel Jurist  
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: [njurist@morpc.org](mailto:njurist@morpc.org) >> .

Please call 614-233-4126 following the submittal of a complaint form to make sure that the completed form has been received.

Thank you.

**Appendix F**

**– Responsibilities for Title VI Compliance at MORPC –**



**WILLIAM MURDOCK**  
*EXECUTIVE DIRECTOR*



**HOSANA TEKIE**  
*EXECUTIVE ASSISTANT*



**SHAWN HUFSTEDLER**  
*CHIEF OF STAFF  
DIRECTOR OF OPERATIONS*



**KERSTIN CARR**  
*DIRECTOR, PLANNING &  
SUSTAINABILITY*



**NÍEL JURIST**  
*DIRECTOR,  
COMMUNICATIONS &  
ENGAGEMENT*



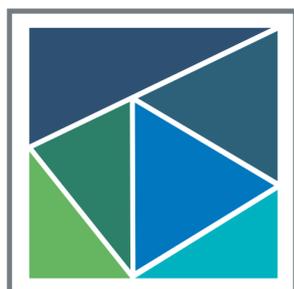
**ROBERT WILLIAMS**  
*DIRECTOR,  
RESIDENTIAL SERVICES*



**THEA EWING**  
*DIRECTOR,  
TRANSPORTATION &  
INFRASTRUCTURE*



**JOSEPH GARRITY**  
*DIRECTOR,  
GOVERNMENT AFFAIRS &  
COMMUNITY RELATIONS*



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

**Appendix G**

**– Public Involvement Plan –**



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

METROPOLITAN  
PLANNING  
ORGANIZATION

# PUBLIC PARTICIPATION PLAN

SEPTEMBER 2021



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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.



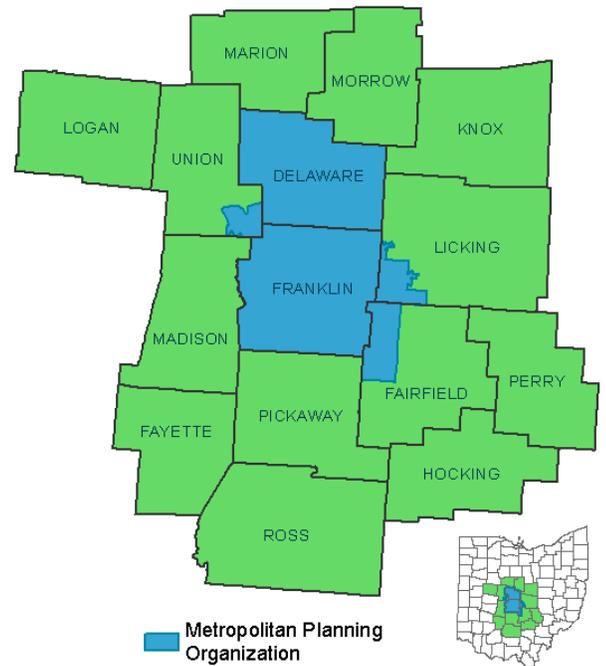
# MORPC AS THE METROPOLITAN PLANNING ORGANIZATION (MPO)

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 2021, MORPC'S MPO AREA INCLUDES:

- Franklin County
- Delaware County
- Bloom and Violet townships in Fairfield County
- New Albany, Pataskala and Etna Township in Licking County
- Jerome Township in Union County



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 Metropolitan Transportation Plan (MTP) and four-year Transportation Improvement Program (TIP). 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:

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

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 23 CFR 450.316, 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 [morpc.org](http://morpc.org) 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 transportation-planning 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).

**The Community Advisory Committee (CAC)** 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 Sustainability Advisory Committee, Regional Data Advisory Committee, Regional Policy Roundtable, and the Central Ohio Rural Planning Organization.

All MORPC meetings are open to the public – in accordance with Ohio law – with advance notice and meeting materials posted at [morpc.org](http://morpc.org). 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 [23 CFR 450.316](#), 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 [morpc.org](http://morpc.org) 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](http://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 [morpc.org/tip](http://morpc.org/tip).

## 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, [Executive Order 12898](#), “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 Americans with Disabilities Act of 1990 (ADA) 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 [morpc.org](http://morpc.org). 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 Title VI of the Civil Rights Act of 1964 or 49 CFR 21, "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 [morpc.org/title-vi](http://morpc.org/title-vi), 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 Director of Communications & Engagement at 614.233.4126 or [njurist@morpc.org](mailto:njurist@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 H

– Environmental Justice Analysis TIP –

Appendix 3 to  
SFY 2021-2024 MORPC TIP

May 2020

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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 three-decade 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 2018 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 2018 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: 2018\* Environmental Justice Target Populations in Central Ohio and State Totals**

<b>Special Population</b>	<b>MORPC MPO Area</b>	<b>State of Ohio</b>
Minority Population	30.19%	18.71%
Population in Poverty	14.63%	14.54%

\*Sources: using percentages from 2014-2018 American Community Survey as 2018 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 2018.

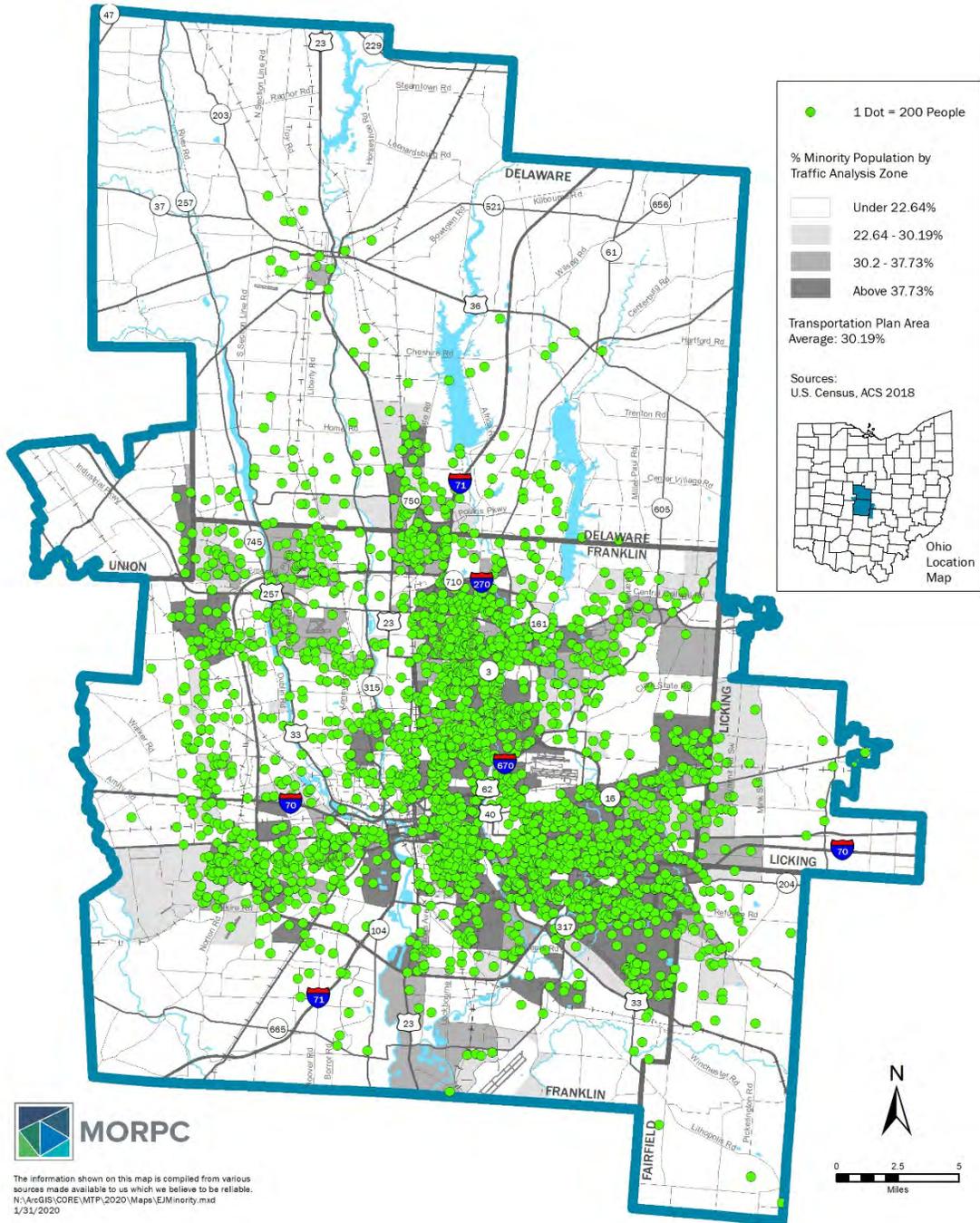
Most higher percentages of minority populations were located in the central parts of the city rather than in the outlying areas including neighborhoods in and around downtown Columbus, the Near East Side, Ohio State University, the Short North, the Linden area, Whitehall, and in the near northeast. In 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 2018. 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.

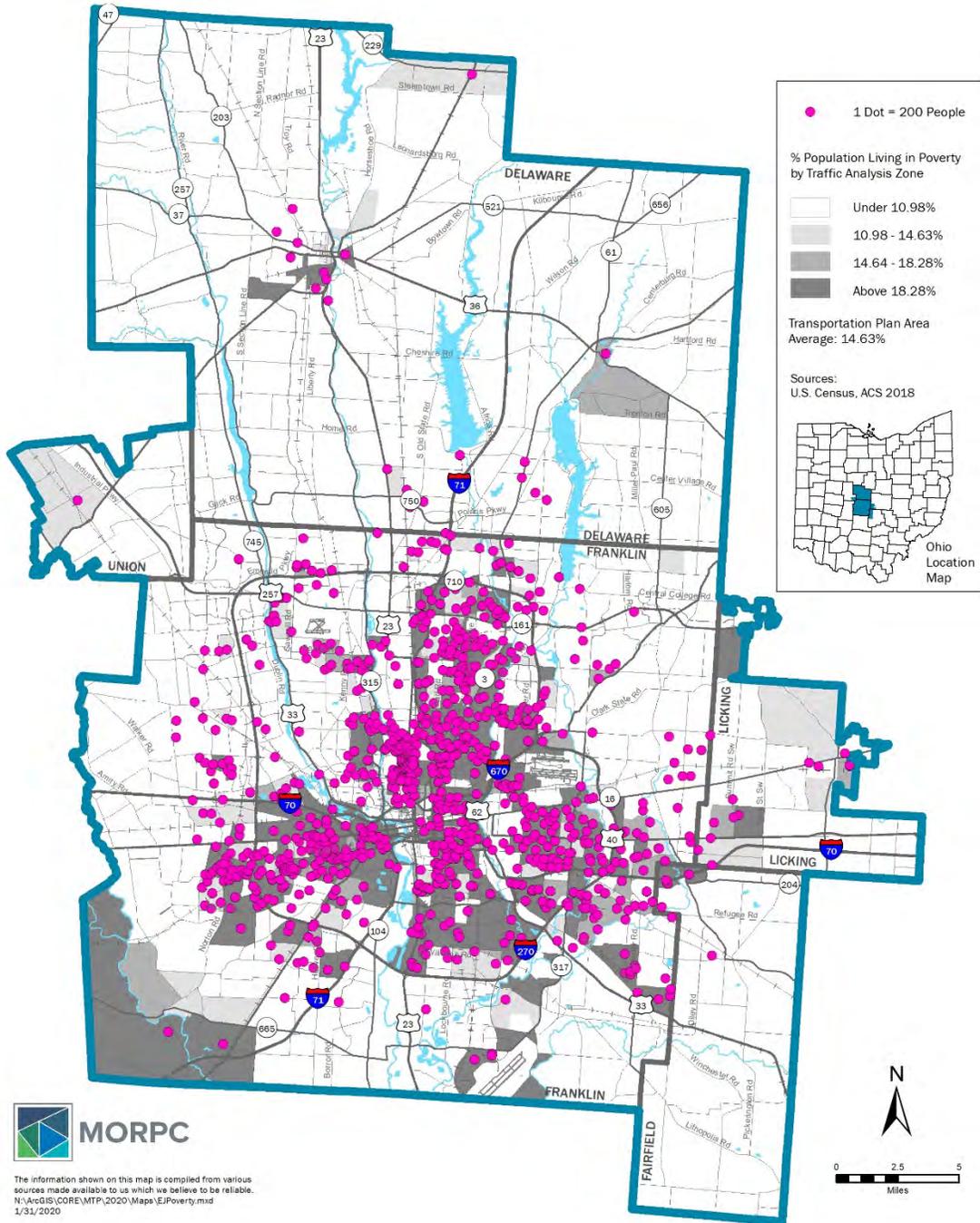
### C. Distribution of Target Populations

Figure II-1: Environmental Justice Distribution of Minority Population by TAZ (2018)



Sources: 2014-2018 American Community Survey

Figure II-2: Environmental Justice: Distribution of Population in Poverty by TAZ (2018)



The information shown on this map is compiled from various sources made available to us which we believe to be reliable. N:\ArcGIS\CORE\MTP\2020\Maps\EJPoverty.mxd 1/31/2020

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 activity-based 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 1,618 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, data for three different scenarios are presented. The first represents the 2018 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 2018 percentage. For example, the regional percentage in poverty in 2018 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 2018 zonal percentages as a starting point, adjustments were made to zones throughout the region in order to achieve the same regional percentage as in 2018. 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 2018. If, in the starting 2050 distribution, one TAZ had 1 percent of the total poverty population, an additional 100 ( $=10,000 \times .01$ ) poverty persons were added to the zone. Likewise, a zone with 0.1 percent of the total poverty population received an additional 10 ( $=10,000 \times 0.001$ ) 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 East Hospital, Regency Hospital, OhioHealth Westerville

Medical Campus, 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 2018, year 2050 No-Build 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 2050 No-Build, 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 2050 No-Build, 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

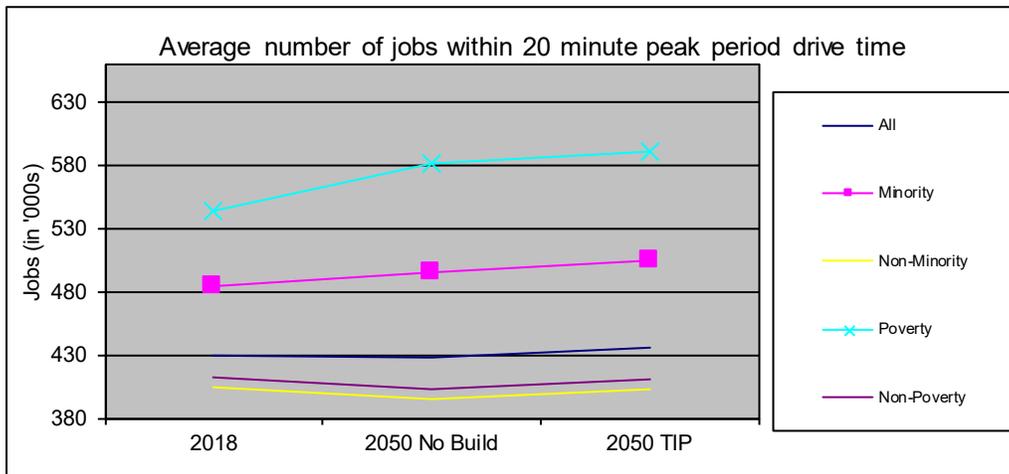


Figure IV-2

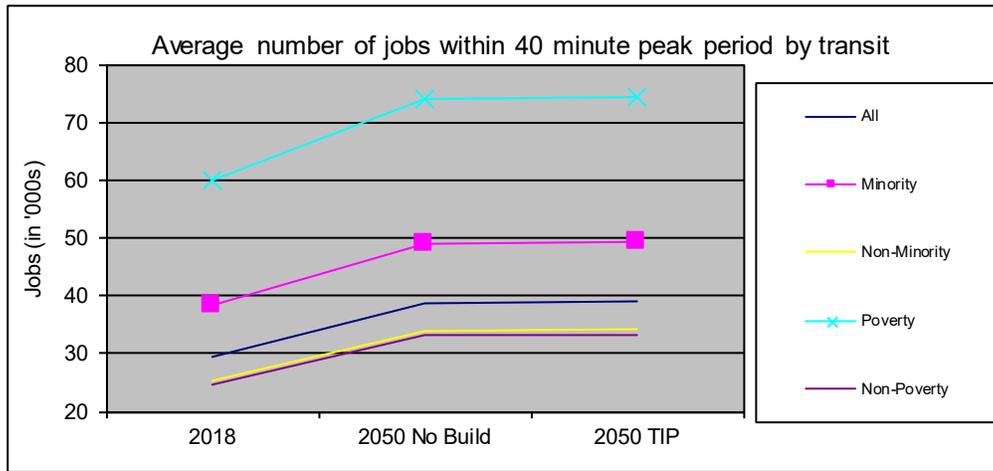
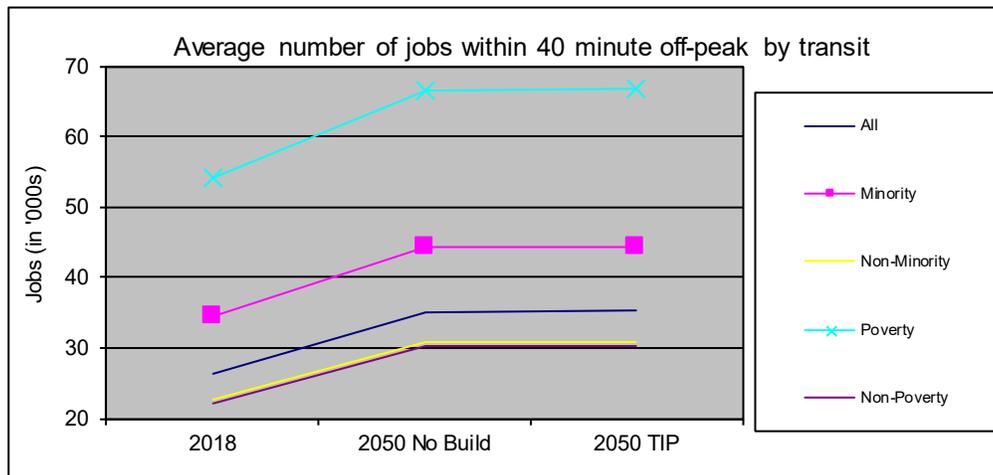


Figure IV-3



**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 2050 No-Build, 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 2050 No-Build, 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.

Figure IV-4

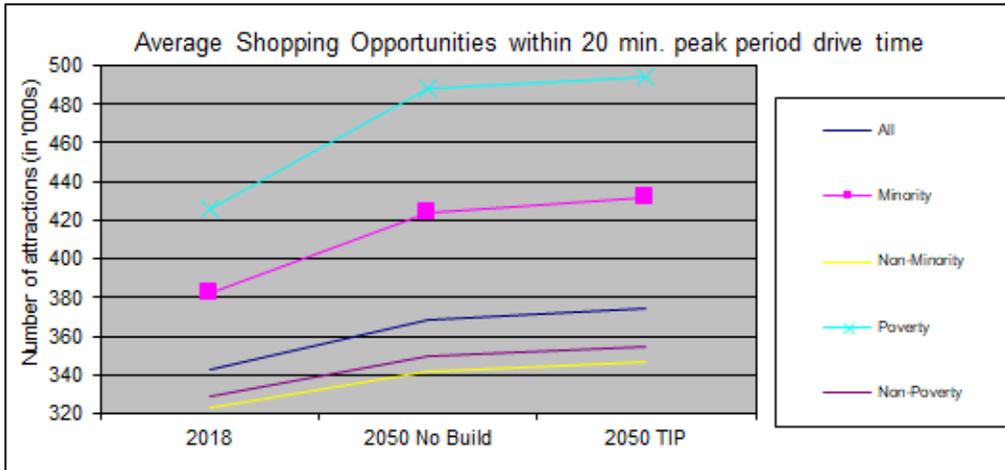


Figure IV-5

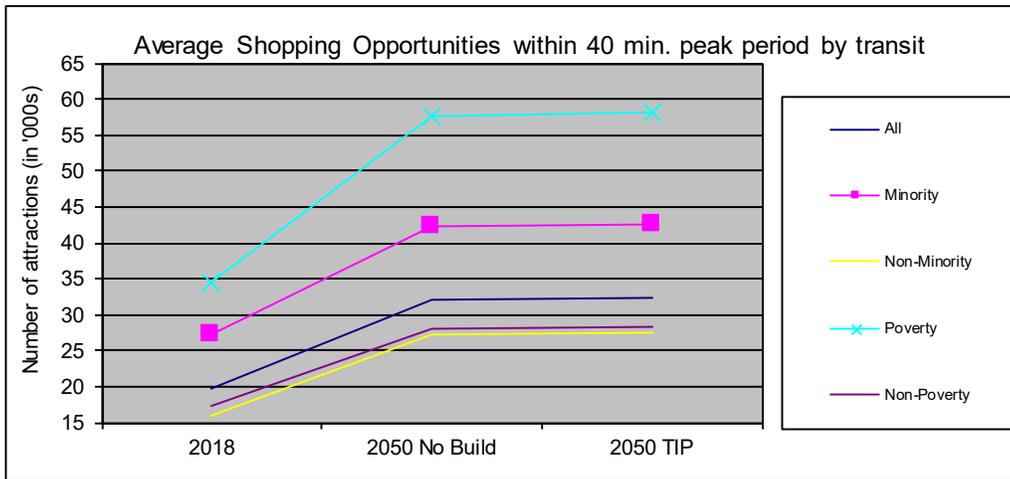
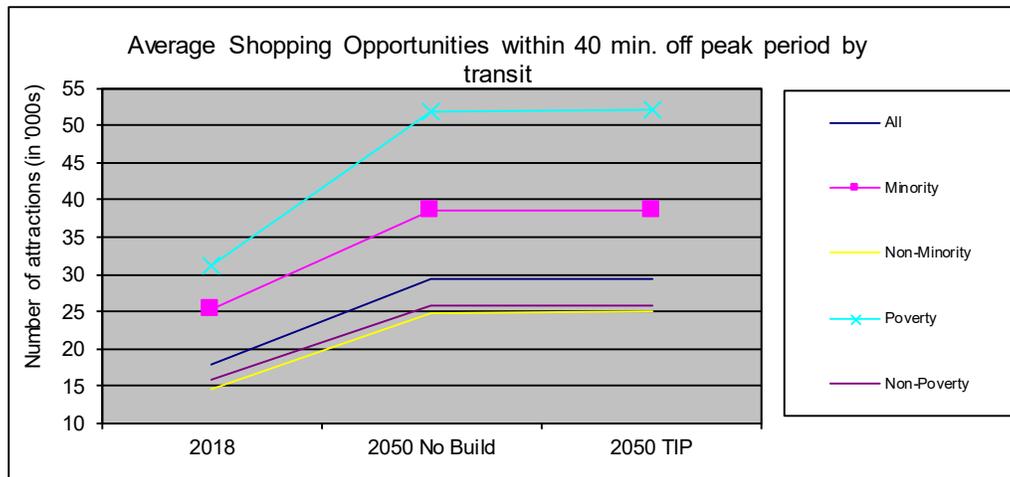


Figure IV-6



### 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 2050 No-Build, 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 2050 No-Build, 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

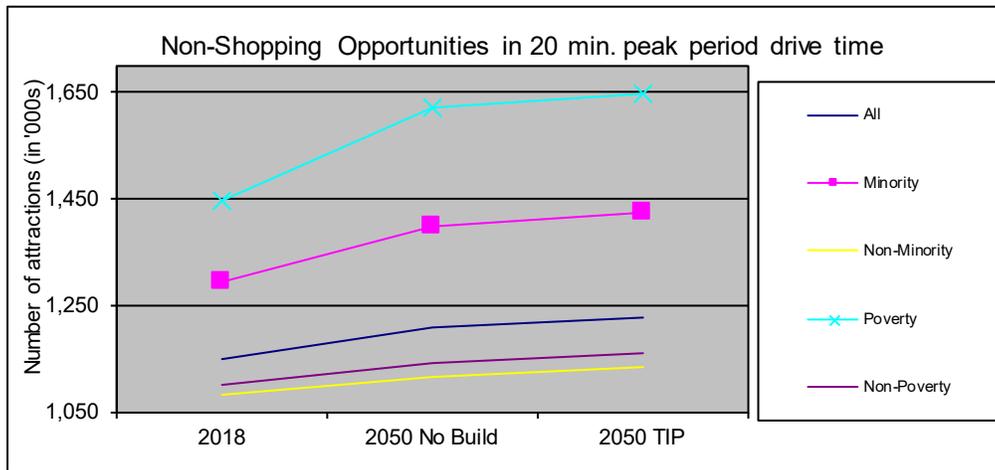


Figure IV-8

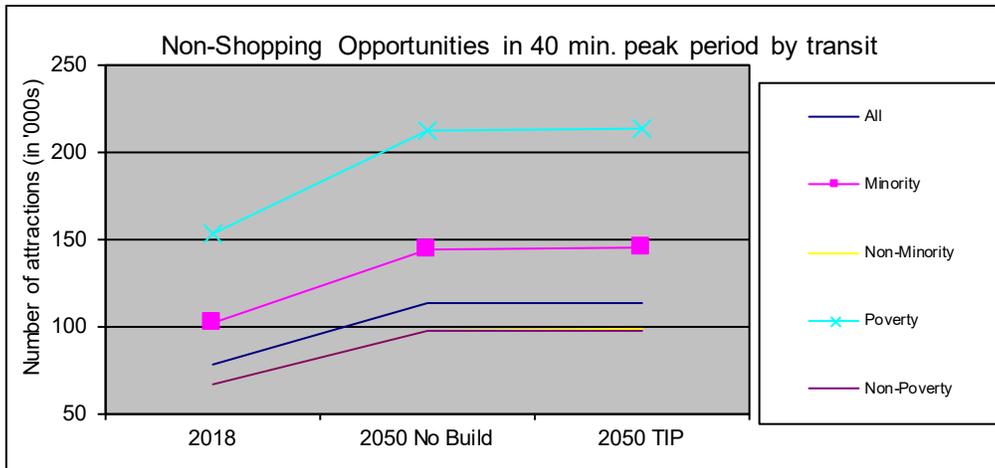
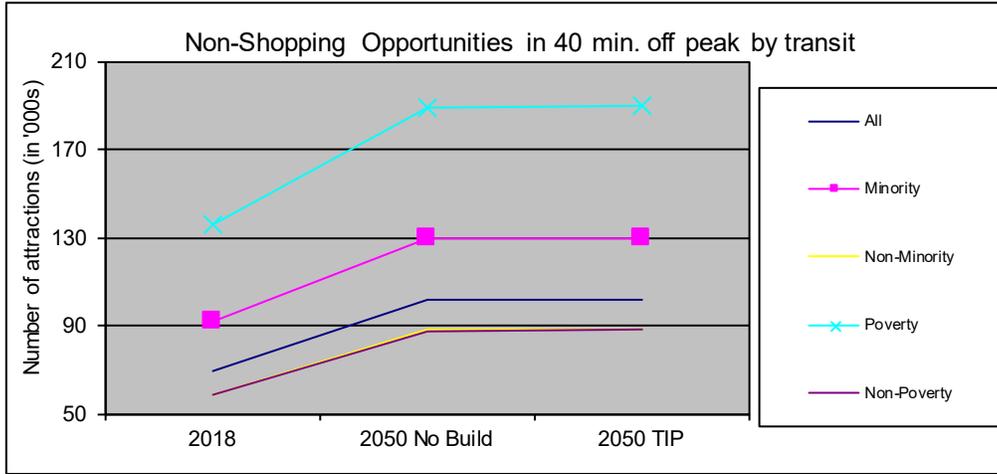


Figure IV-9



#### 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 2050 No-Build, 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 2050 No-Build, there are no gains or slightly increase 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

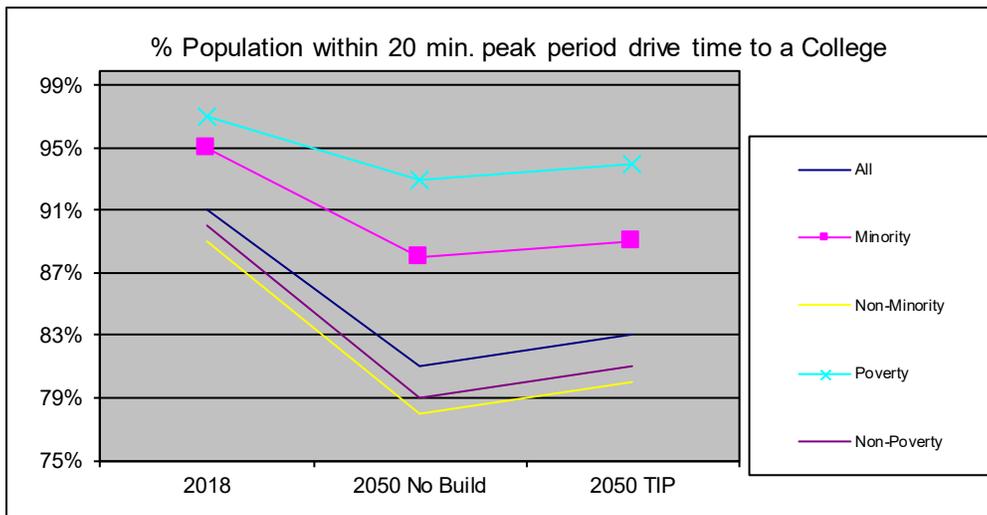


Figure IV-11

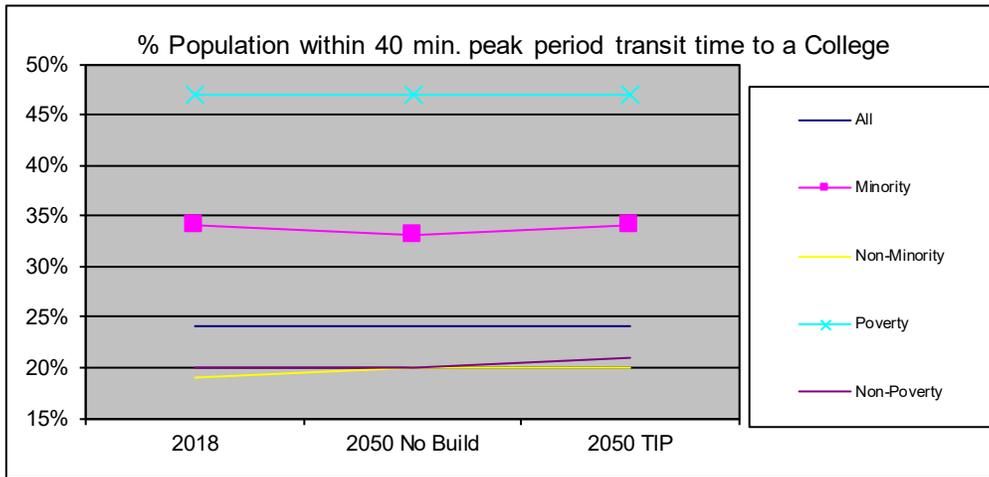
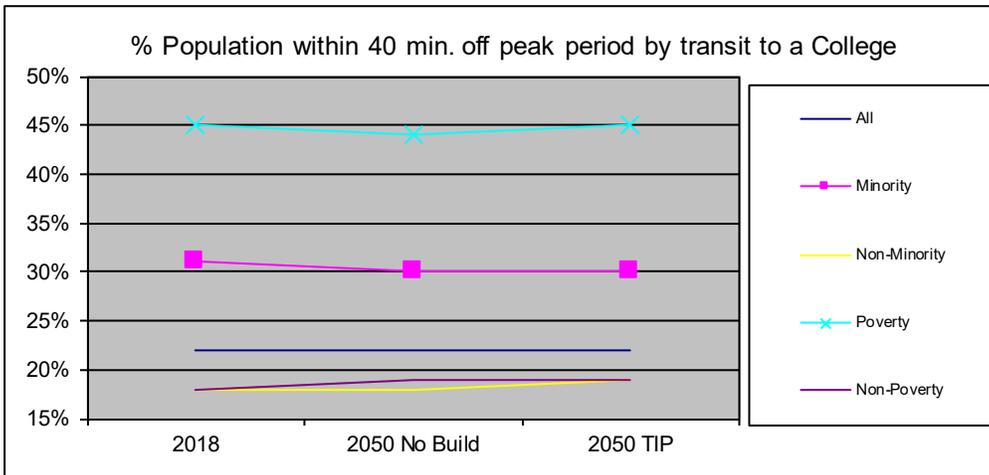


Figure IV-12



**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 2050 No-Build, 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 2050 No-Build, 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.

Figure IV-13

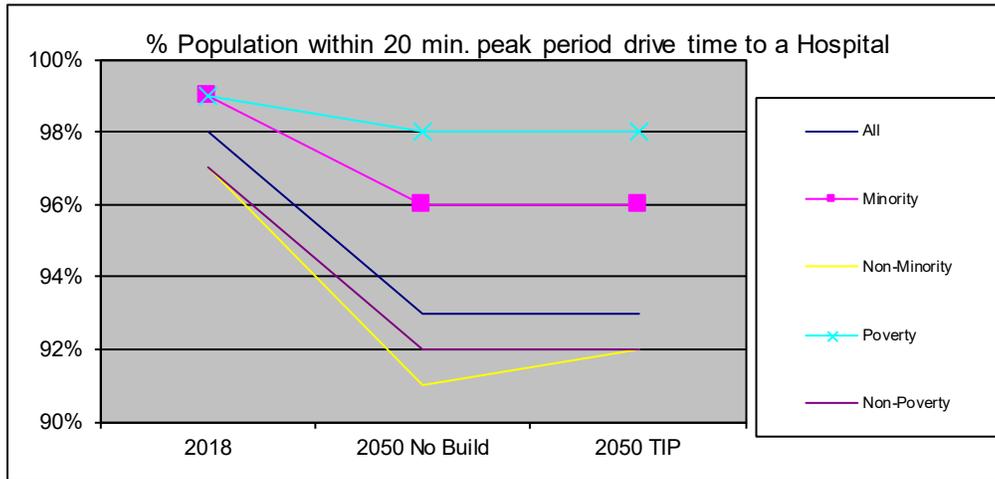


Figure IV-14

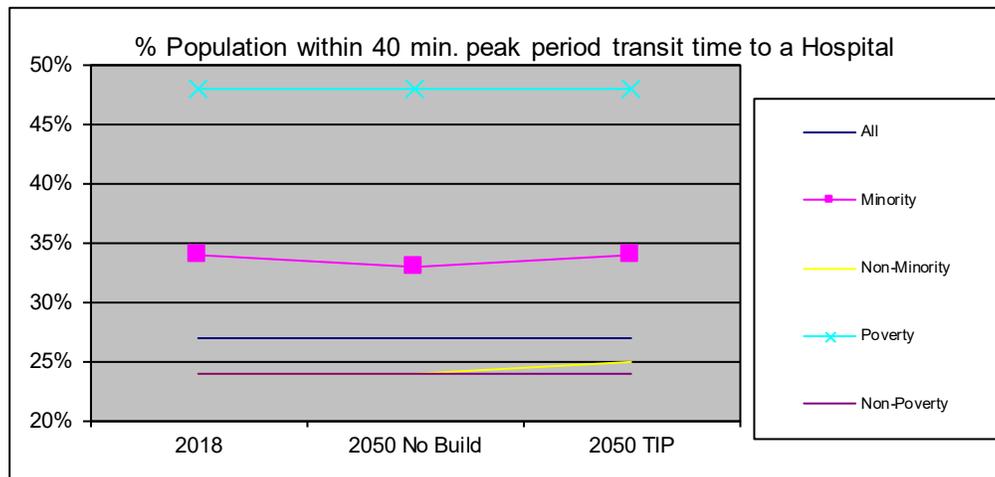
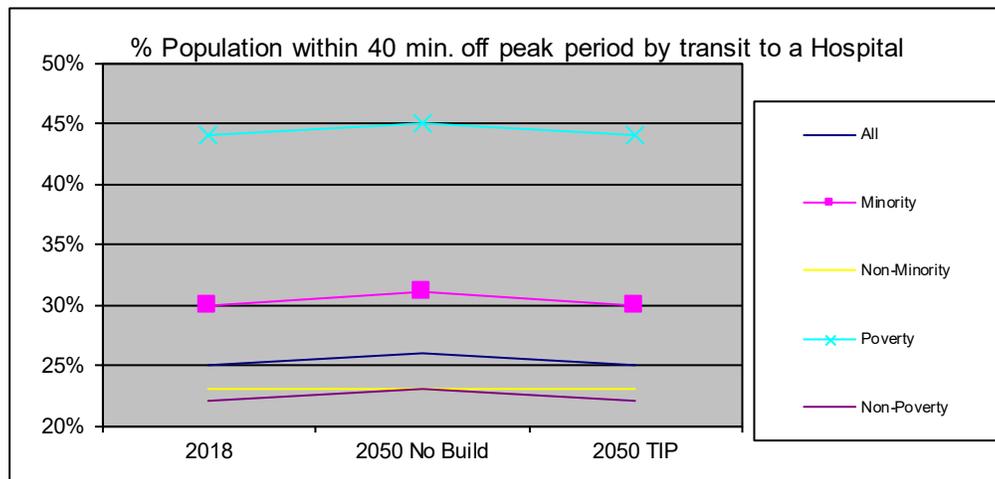


Figure IV-15



## 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 2050 No-Build, 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

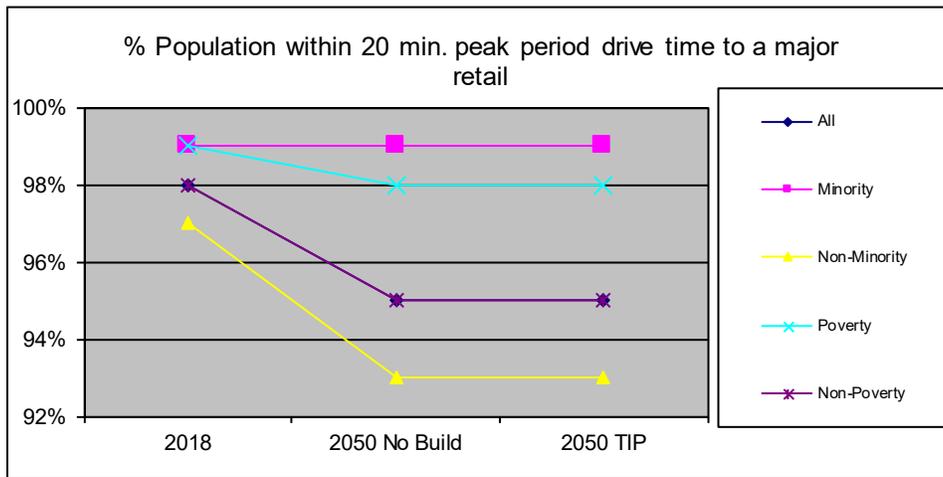


Figure IV-17

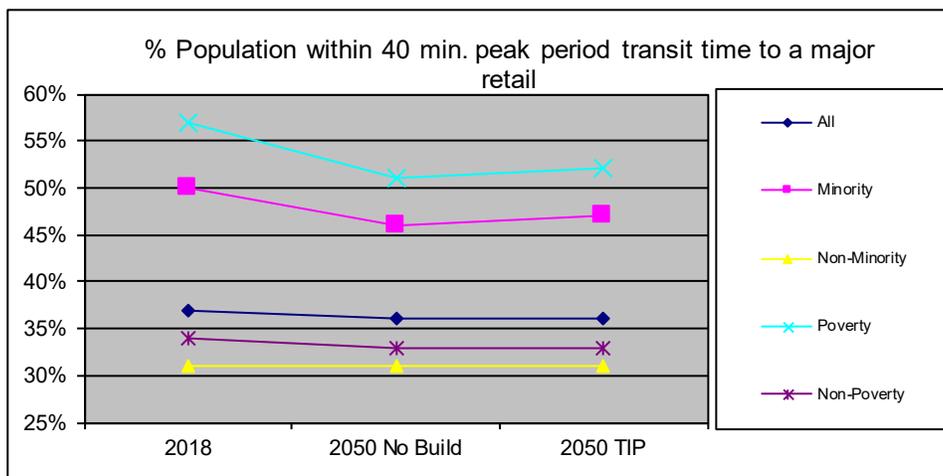
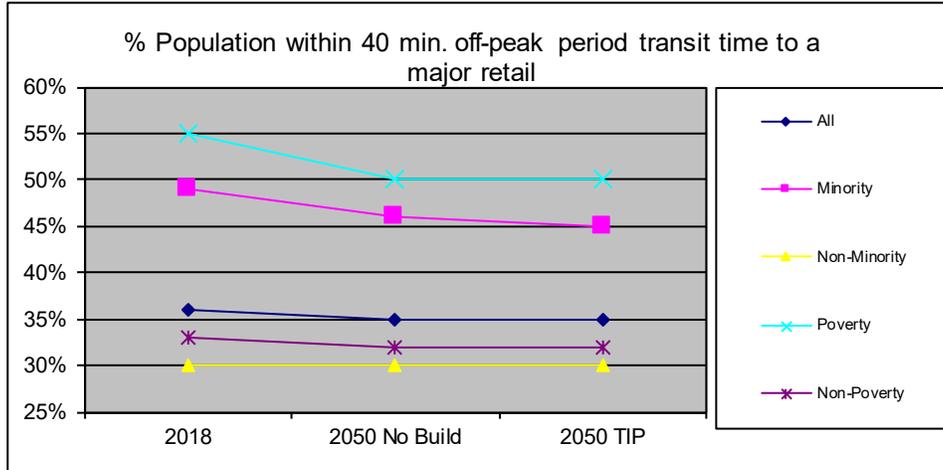


Figure IV-18



**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 2050 No-Build, 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.

Figure IV-19

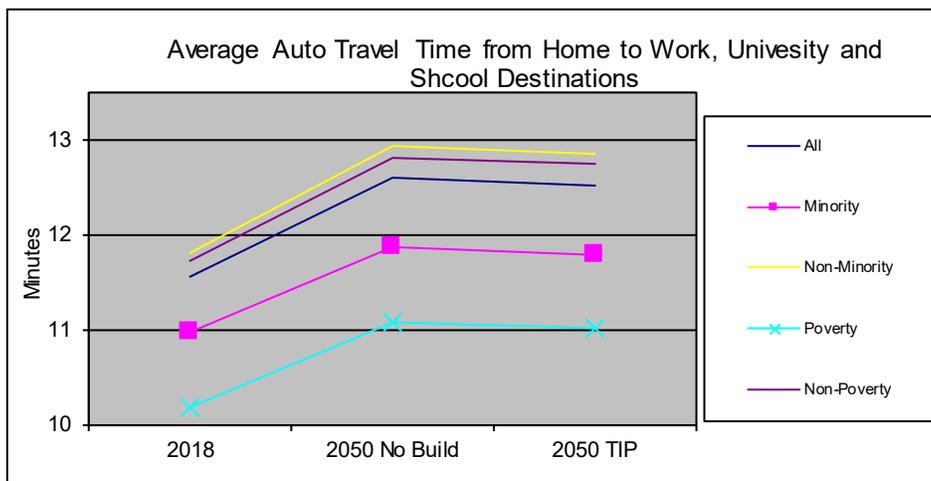
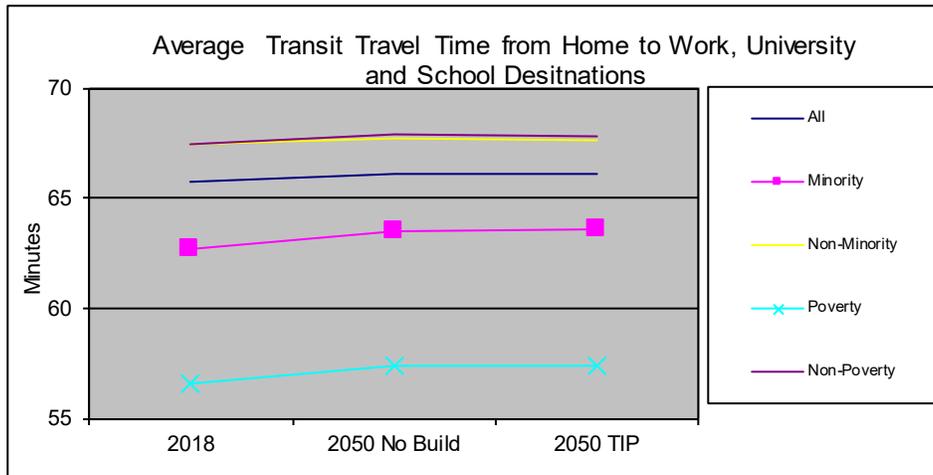


Figure IV- 20



### 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 2050 No-Build, 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 2050 No-Build, 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

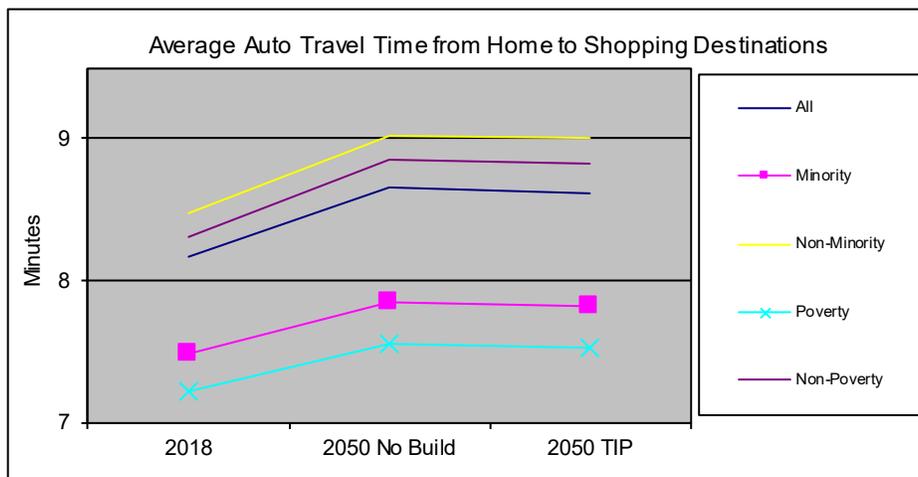
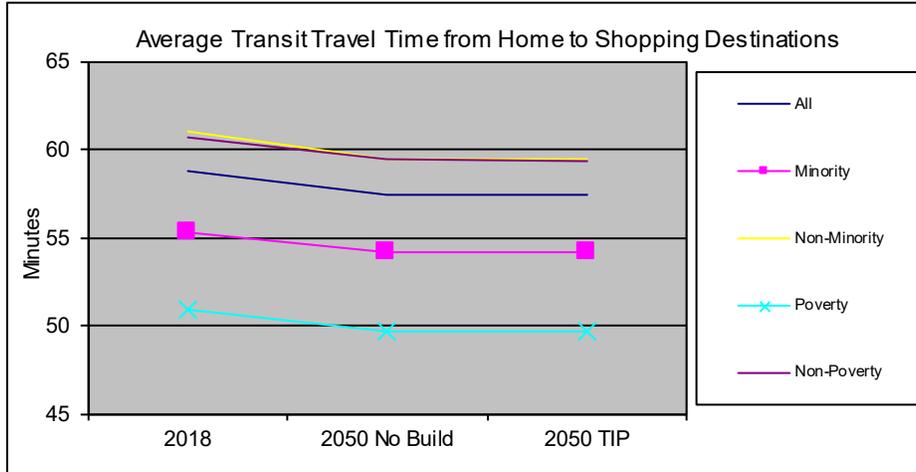


Figure IV- 22



**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 2050 No-Build, 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.

Figure IV-23

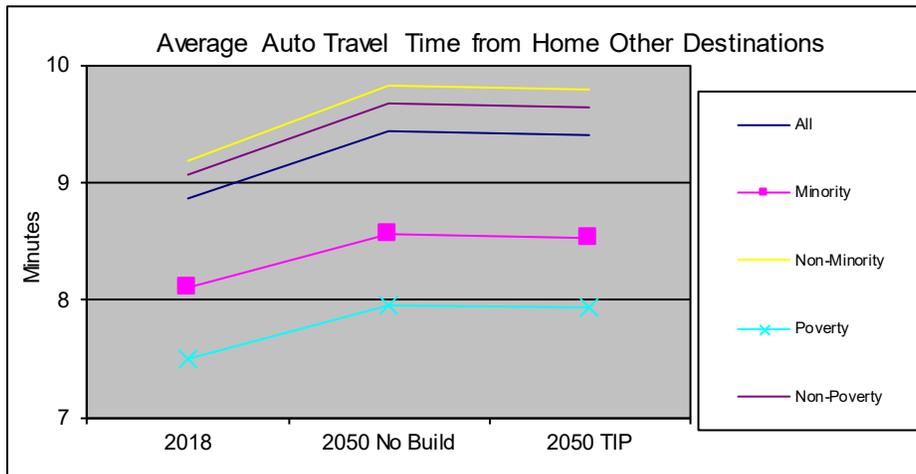
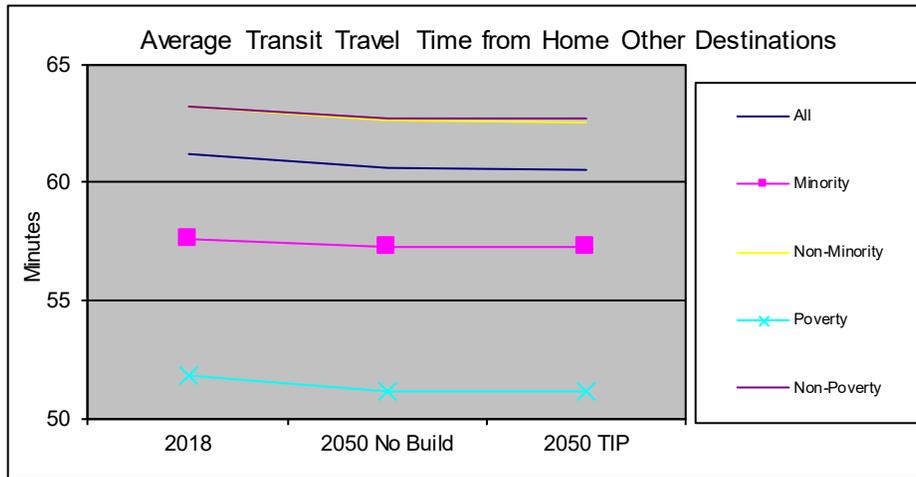


Figure IV-24



**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 2050 No-Build, 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.

Figure IV-25

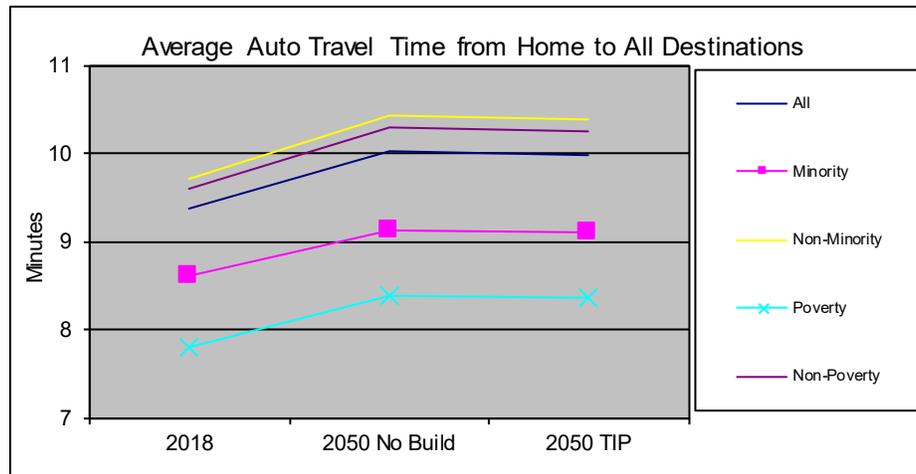
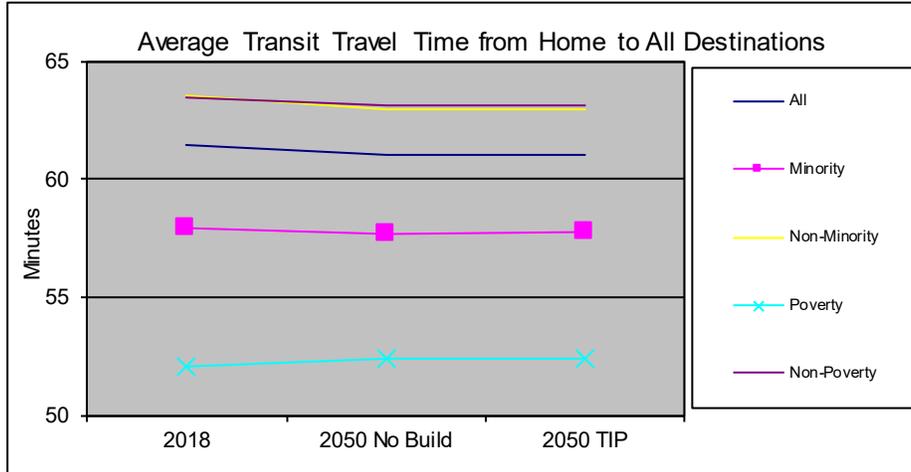


Figure IV-26



### 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 2050 No-Build, 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 2050 No-Build, 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

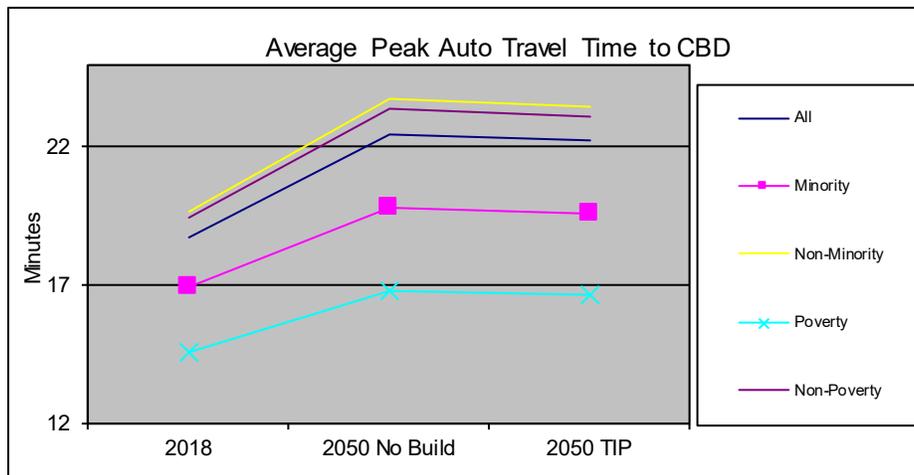


Figure IV-28

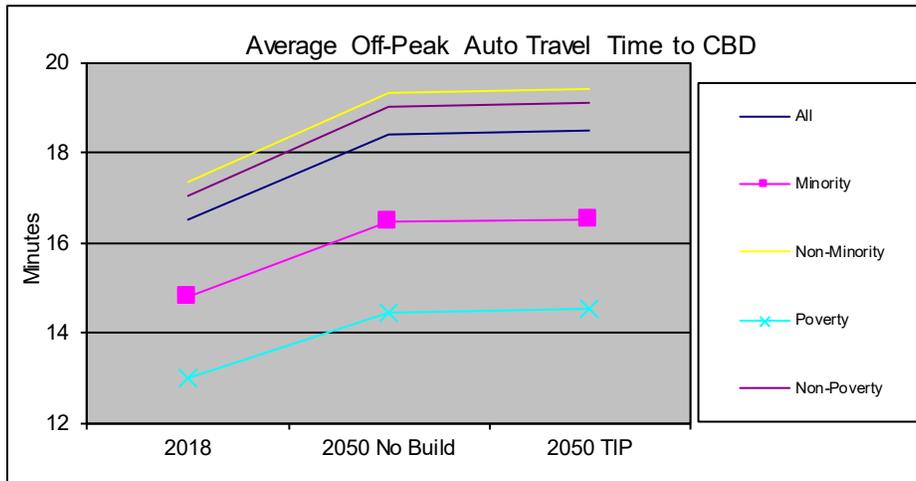


Figure IV-29

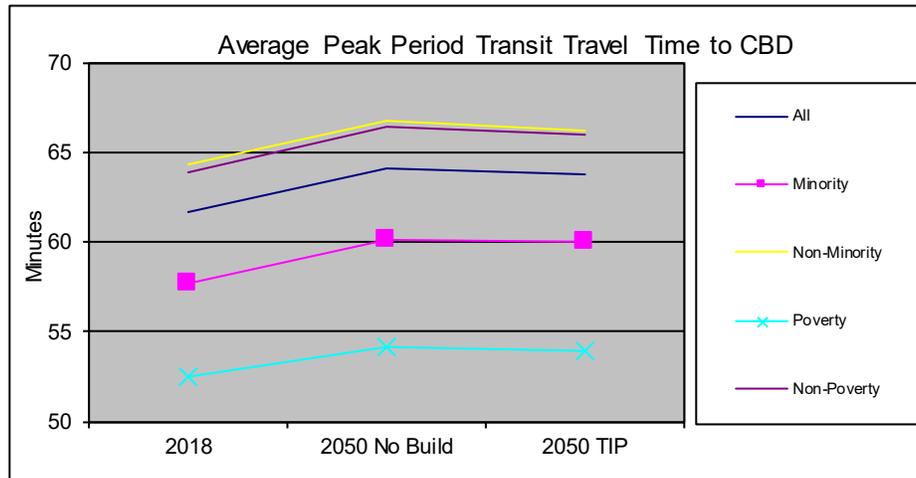
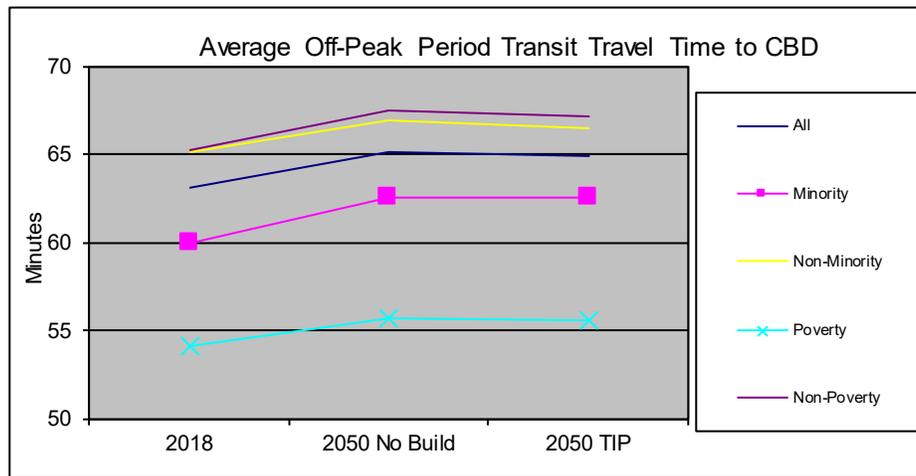


Figure IV-30



## 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 2050 No-Build, 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

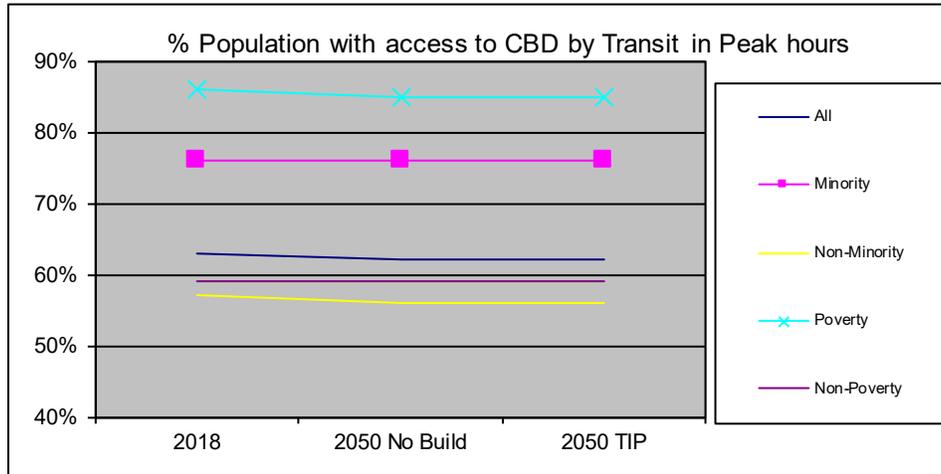
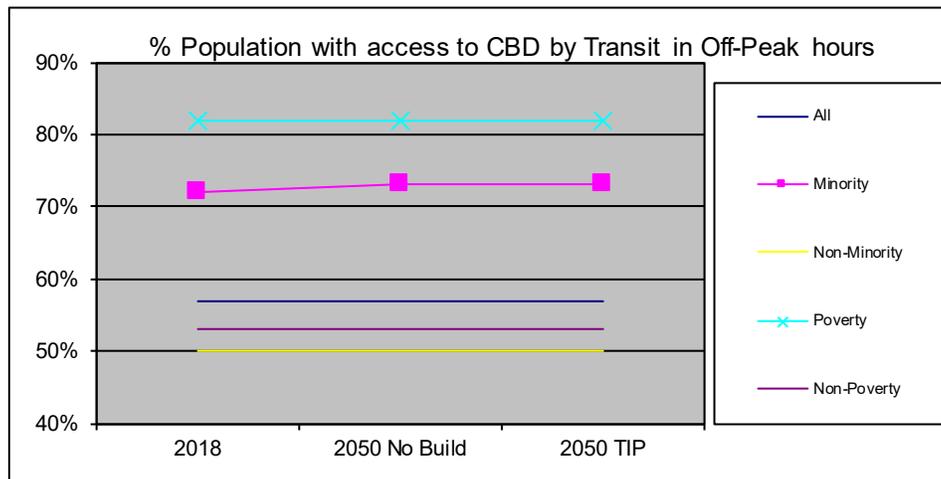


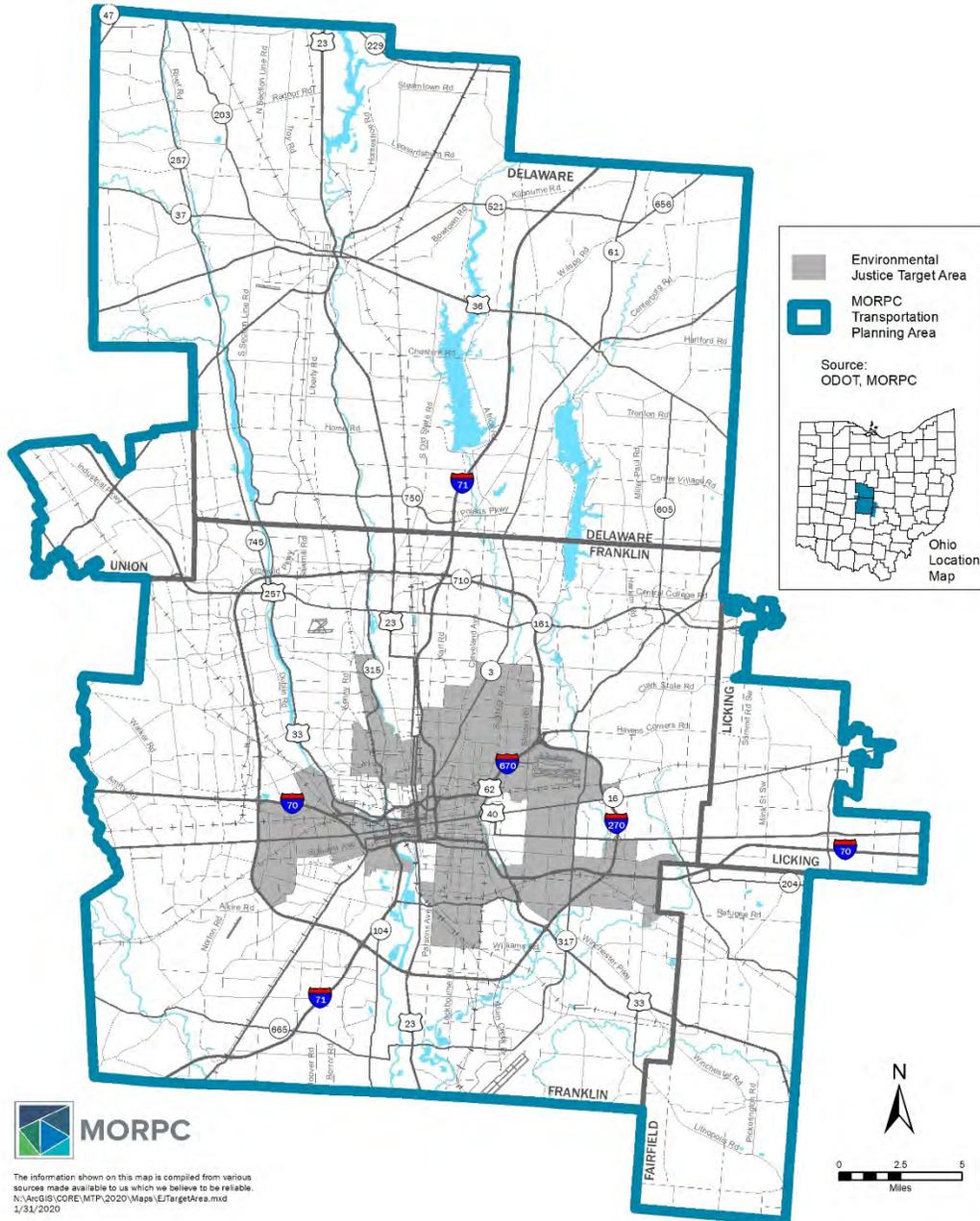
Figure IV-32



### 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 2018.

Figure IV-33 Geographic Target Area



Figures IV-34 and IV-35 shows that for the year 2018, 2050 No-Build 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 VMT and the respective scenario improvements appear to be relatively uniform for the Target and Non-target areas. Also, when compared to the 2050 No-Build, 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-34

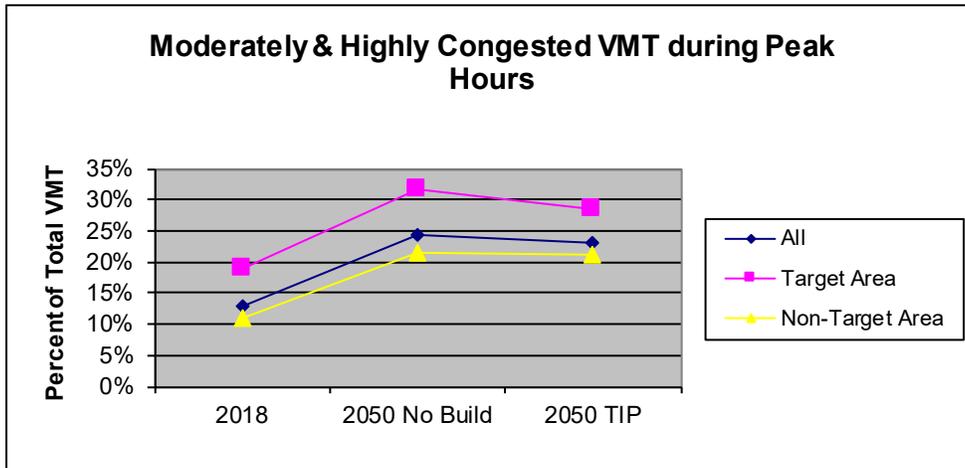
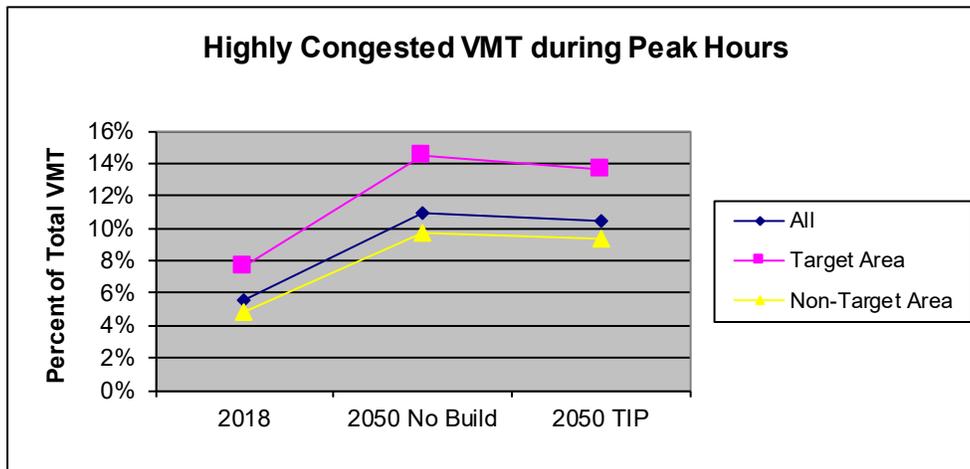


Figure IV-35



## 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.

Table IV-2

	<b>TIP Funding (in Thousands)</b>	<b>Proportion</b>
<b>Target Area</b>	\$ 375,893	22%
<b>Non-Target Area</b>	\$ 1,365,920	78%
<b>Total</b>	<b>\$ 1,741,814</b>	<b>100%</b>

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

**Average Number of Jobs within 20 minute peak period drive time**

	2018	% of	2050 No Build	% of	2050 TIP	% of	% Over
		Total		Total		Total	No Build
All	430,025	47%	427,165	36%	435,314	37%	2%
Minority	484,202	53%	494,509	42%	504,895	42%	2%
Non-Minority	404,304	44%	395,192	33%	402,279	34%	2%
Poverty	543,198	59%	580,592	49%	590,012	50%	2%
Non-Poverty	411,966	45%	402,685	34%	410,631	35%	2%

**Average Number of Jobs within 40 minute peak period time by transit**

	2018	% of	2050 No Build	% of	2050 TIP	% of	% Over
		Total		Total		Total	No Build
All	29,538	3%	38,714	3%	38,988	3%	1%
Minority	38,192	4%	49,051	4%	49,312	4%	1%
Non-Minority	25,429	3%	33,806	3%	34,086	3%	1%
Poverty	60,086	7%	73,928	6%	74,385	6%	1%
Non-Poverty	24,663	3%	33,095	3%	33,340	3%	1%

**Average Number of Jobs within 40 minute off-peak period time by transit**

	2018	% of	2050 No Build	% of	2050 TIP	% of	% Over
		Total		Total		Total	No Build
All	26,387	3%	35,122	3%	35,231	3%	0%
Minority	34,513	4%	44,382	4%	44,438	4%	0%
Non-Minority	22,528	2%	30,726	3%	30,860	3%	0%
Poverty	54,080	6%	66,492	6%	66,739	6%	0%
Non-Poverty	21,968	2%	30,117	3%	30,204	3%	0%

Total Jobs 2018 = 918,489

2050 = 1,189,510

**Average Number of Shopping Attractions within 20 minute peak period drive time**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	342,503	41%	368,509	33%	374,002	33%	1%
Minority	382,786	46%	423,804	38%	431,455	38%	2%
Non-Minority	323,379	39%	342,256	30%	346,725	31%	1%
Poverty	425,394	51%	488,072	43%	493,903	44%	1%
Non-Poverty	329,277	40%	349,432	31%	354,871	31%	2%

**Average Number of Shopping Attractions within 40 minute peak period time by transit**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	19,636	2%	32,141	3%	32,345	3%	1%
Minority	27,311	3%	42,279	4%	42,617	4%	1%
Non-Minority	15,992	2%	27,327	2%	27,468	2%	1%
Poverty	34,374	4%	57,609	5%	58,055	5%	1%
Non-Poverty	17,284	2%	28,077	2%	28,243	3%	1%

**Average Number of Shopping Attractions within 40 minute off-peak period time by transit**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	17,984	2%	29,327	3%	29,426	3%	0%
Minority	25,276	3%	38,640	3%	38,687	3%	0%
Non-Minority	14,521	2%	24,904	2%	25,029	2%	0%
Poverty	31,206	4%	51,836	5%	52,100	5%	1%
Non-Poverty	15,874	2%	25,735	2%	25,808	2%	0%

Shopping attractions 2018 = 827,112

2050 = 1,127,984

**Average Number of Non-Shopping Attractions within 20 minute peak period drive time**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	1,148,335	42%	1,206,236	33%	1,226,863	33%	2%
Minority	1,292,610	47%	1,395,881	38%	1,423,512	38%	2%
Non-Minority	1,079,838	39%	1,116,197	30%	1,133,499	31%	2%
Poverty	1,447,107	52%	1,621,756	44%	1,646,435	44%	2%
Non-Poverty	1,100,661	40%	1,139,937	31%	1,159,918	31%	2%

**Average Number of Non-Shopping Attractions within 40 minute peak period time by transit**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	77,911	3%	112,583	3%	113,298	3%	1%
Minority	102,258	4%	144,222	4%	145,072	4%	1%
Non-Minority	66,352	2%	97,561	3%	98,212	3%	1%
Poverty	152,753	6%	211,857	6%	213,222	6%	1%
Non-Poverty	65,969	2%	96,743	3%	97,354	3%	1%

**Average Number of Non-Shopping Attractions within 40 minute off-peak period time by transit**

	2018	% of Total	2050 No Build	% of Total	2050 TIP	% of Total	% Over No Build
All	69,365	3%	101,697	3%	101,800	3%	0%
Minority	91,958	3%	129,919	4%	129,802	4%	0%
Non-Minority	58,639	2%	88,298	2%	88,505	2%	0%
Poverty	135,844	5%	189,136	5%	189,587	5%	0%
Non-Poverty	58,757	2%	87,746	2%	87,793	2%	0%

Total Non-Shopping Attractions 2018 = 2,757,688

2050 = 3,703,596

**Percent of Population within 20 minute peak period drive time to a College**

	2018	2050 No Build	2050 TIP
All	91%	81%	83%
Minority	95%	88%	89%
Non-Minority	89%	78%	80%
Poverty	97%	93%	94%
Non-Poverty	90%	79%	81%

**Percent of Population within 40 minute peak period time to a College by transit**

	2018	2050 No Build	2050 TIP
All	24%	24%	24%
Minority	34%	33%	34%
Non-Minority	19%	20%	20%
Poverty	47%	47%	47%
Non-Poverty	20%	20%	21%

**Percent of Population within 40 minute off-peak period time to a College by transit**

	2018	2050 No Build	2050 TIP
All	22%	22%	22%
Minority	31%	30%	30%
Non-Minority	18%	18%	19%
Poverty	45%	44%	45%
Non-Poverty	18%	19%	19%

Colleges included are:

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

**Percent of Population within 20 minute peak period drive time to Hospital**

	2018	2050 No Build	2050 TIP
All	98%	93%	93%
Minority	99%	96%	96%
Non-Minority	97%	91%	92%
Poverty	99%	98%	98%
Non-Poverty	97%	92%	92%

**Percent of Population within 40 minute peak period time to Hospital by transit**

	2018	2050 No Build	2050 TIP
All	27%	27%	27%
Minority	34%	33%	34%
Non-Minority	24%	24%	25%
Poverty	48%	48%	48%
Non-Poverty	24%	24%	24%

**Percent of Population within 40 minute off-peak period time to Hospital by transit**

	2018	2050 No Build	2050 TIP
All	25%	26%	25%
Minority	30%	31%	30%
Non-Minority	23%	23%	23%
Poverty	44%	45%	44%
Non-Poverty	22%	23%	22%

Hospitals included 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.

**Percent of Population within 20 minute peak period drive time to Major Retail**

	2018	2050 No Build	2050 TIP
All	98%	95%	95%
Minority	99%	99%	99%
Non-Minority	97%	93%	93%
Poverty	99%	98%	98%
Non-Poverty	98%	95%	95%

**Percent of Population within 40 minute peak period time to Major Retail by Transit**

	2018	2050 No Build	2050 TIP
All	37%	36%	36%
Minority	50%	46%	47%
Non-Minority	31%	31%	31%
Poverty	57%	51%	52%
Non-Poverty	34%	33%	33%

**Percent of Population within 40 minute off-peak period time to Major Retail by Transit**

	2018	2050 No Build	2050 TIP
All	36%	35%	35%
Minority	49%	46%	45%
Non-Minority	30%	30%	30%
Poverty	55%	50%	50%
Non-Poverty	33%	32%	32%

Major Retail Locations included are:

Polaris Fashion Place area, Tuttle Crossing Mall area, Easton Square area, Saw mill & 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 Auto Travel Time from Home to Work, University and School Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	11.6	12.6	9%	12.5	8%	0.1	1%
Minority	11.0	11.9	8%	11.8	7%	0.1	1%
Non-Minority	11.8	12.9	9%	12.8	9%	0.1	1%
Poverty	10.2	11.1	9%	11.0	8%	0.1	0%
Non-Poverty	11.7	12.8	9%	12.7	9%	0.1	1%

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

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	65.7	66.1	1%	66.1	1%	0.0	0%
Minority	62.7	63.5	1%	63.6	1%	0.0	0%
Non-Minority	67.4	67.7	0%	67.6	0%	0.1	0%
Poverty	56.6	57.4	1%	57.4	1%	0.0	0%
Non-Poverty	67.4	67.9	1%	67.8	1%	0.1	0%

**Average Auto Travel Time from Home to Shopping Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	8.2	8.7	6%	8.6	6%	0.0	0%
Minority	7.5	7.9	5%	7.8	5%	0.0	0%
Non-Minority	8.5	9.0	6%	9.0	6%	0.0	0%
Poverty	7.2	7.6	5%	7.5	4%	0.0	0%
Non-Poverty	8.3	8.9	6%	8.8	6%	0.0	0%

10.72

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

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	58.8	57.4	-2%	57.4	-2%	0.0	0%
Minority	55.3	54.2	-2%	54.2	-2%	0.0	0%
Non-Minority	61.0	59.5	-3%	59.4	-3%	0.1	0%
Poverty	50.9	49.7	-2%	49.7	-2%	0.0	0%
Non-Poverty	60.6	59.4	-2%	59.4	-2%	0.0	0%

**Average Auto Travel Time from Home to Other Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	8.9	9.4	6%	9.4	6%	0.0	0%
Minority	8.1	8.6	6%	8.5	5%	0.0	0%
Non-Minority	9.2	9.8	7%	9.8	7%	0.0	0%
Poverty	7.5	8.0	6%	7.9	6%	0.0	0%
Non-Poverty	9.1	9.7	7%	9.6	6%	0.0	0%

**Average Peak Transit Travel Time from Home to Other Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	61.2	60.6	-1%	60.6	-1%	0.0	0%
Minority	57.6	57.2	-1%	57.3	-1%	0.0	0%
Non-Minority	63.2	62.6	-1%	62.5	-1%	0.1	0%
Poverty	51.8	51.1	-1%	51.2	-1%	0.0	0%
Non-Poverty	63.2	62.7	-1%	62.7	-1%	0.0	0%

**Average Auto Travel Time from Home to All Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	9.4	10.0	7%	10.0	7%	0.0	0%
Minority	8.6	9.1	6%	9.1	6%	0.0	0%
Non-Minority	9.7	10.4	7%	10.4	7%	0.0	0%
Poverty	7.8	8.4	8%	8.4	7%	0.0	0%
Non-Poverty	9.6	10.3	7%	10.3	7%	0.0	0%

**Average Transit Travel Time from Home to All Destinations (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	61.5	61.0	-1%	61.0	-1%	0.0	0%
Minority	57.9	57.7	0%	57.7	0%	0.0	0%
Non-Minority	63.5	63.0	-1%	62.9	-1%	0.1	0%
Poverty	52.1	52.4	1%	52.4	1%	0.0	0%
Non-Poverty	63.5	63.1	-1%	63.1	-1%	0.0	0%

**Average Peak Auto Travel Time from Home to CBD (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	18.8	22.5	20%	22.2	19%	0.2	1%
Minority	16.9	19.8	17%	19.6	16%	0.2	1%
Non-Minority	19.6	23.7	21%	23.5	20%	0.2	1%
Poverty	14.6	16.8	15%	16.6	14%	0.2	1%
Non-Poverty	19.4	23.4	20%	23.1	19%	0.3	1%

**Average Off-Peak Auto Travel Time from Home to CBD (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	16.5	18.4	11%	18.5	12%	-0.1	0%
Minority	14.8	16.4	11%	16.5	12%	-0.1	0%
Non-Minority	17.3	19.3	11%	19.4	12%	-0.1	-1%
Poverty	13.0	14.4	11%	14.5	12%	-0.1	-1%
Non-Poverty	17.1	19.0	11%	19.1	12%	-0.1	0%

**Average Peak Transit Travel Time from Home to CBD (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	61.7	64.1	4%	63.7	3%	0.4	1%
Minority	57.7	60.1	4%	60.0	4%	0.1	0%
Non-Minority	64.3	66.7	4%	66.2	3%	0.5	1%
Poverty	52.5	54.1	3%	54.0	3%	0.2	0%
Non-Poverty	63.9	66.4	4%	66.0	3%	0.4	1%

**Average Off-Peak Transit Travel Time from Home to CBD (minutes)**

	2018	2050 No Build	% Inc	2050 TIP	% Inc	v.s. 2050 No-Build	
			Over 2018		Over 2018	Min Saved	%Saved
All	63.0	65.1	3%	64.9	3%	0.2	0%
Minority	60.0	62.5	4%	62.5	4%	-0.1	0%
Non-Minority	65.1	66.9	3%	66.5	2%	0.4	1%
Poverty	54.1	55.7	3%	55.6	3%	0.1	0%
Non-Poverty	65.3	67.4	3%	67.2	3%	0.3	0%

**Percent of Population with Access to CBD by Transit in the Peak Hours**

	2018	2050 No Build	2050 TIP
All	63%	62%	62%
Minority	76%	76%	76%
Non-Minority	57%	56%	56%
Poverty	86%	85%	85%
Non-Poverty	59%	59%	59%

**Percent of Population with Access to CBD by Transit in the Off Peak Hours**

	2018	2050 No Build	2050 TIP
All	57%	57%	57%
Minority	72%	73%	73%
Non-Minority	50%	50%	50%
Poverty	82%	82%	82%
Non-Poverty	53%	53%	53%

**Percent of Vehicle Miles Traveled by Level of Congestion during Peak Hours**

	Level of Congestion	2018	2050 No Build	2050 TIP
<b>All</b>	Moderate + High	13%	24%	23%
	High	6%	11%	10%
<b>Target Area</b>	Moderate + High	19%	32%	29%
	High	8%	14%	14%
<b>Non-Target Area</b>	Moderate + High	11%	22%	21%
	High	5%	10%	9%

Appendix I

- Limited English Proficiency Plan -



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# LIMITED ENGLISH PROFICIENCY PLAN

■ **SEPTEMBER 1, 2021**

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### Attachments

- **Summary of Diverse Populations**
  - Regional Diversity Snapshot
    - Race & Ethnicity
    - Foreign Born Population
  - LEPP Summary
- **Document Translation**
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- **Interpretation Services Process**
  - Translation Interpretation Services
- **LEP Outreach**
  - Air Quality Brochure - Spanish and Somali
  - 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

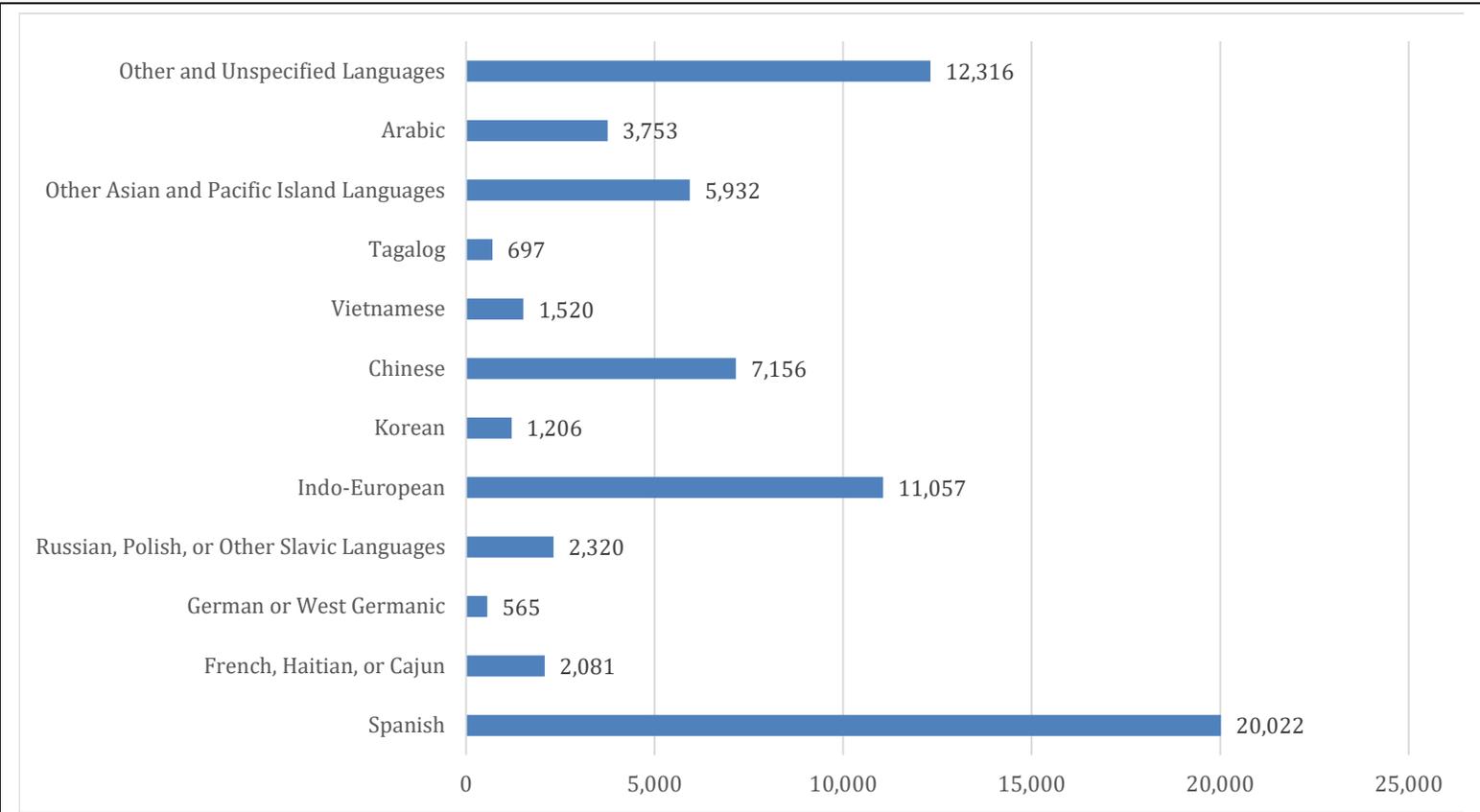
### LEP Persons Encountered by the Services

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. The total number of LEP persons according to the 2015-2019 Census American Community Survey (5-year estimates) is 1,492,430 or 4.60% percent. The largest LEP group in the MPO area speaks Spanish with an estimated 20,022 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 2015. 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 & 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 in November 2014 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 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.

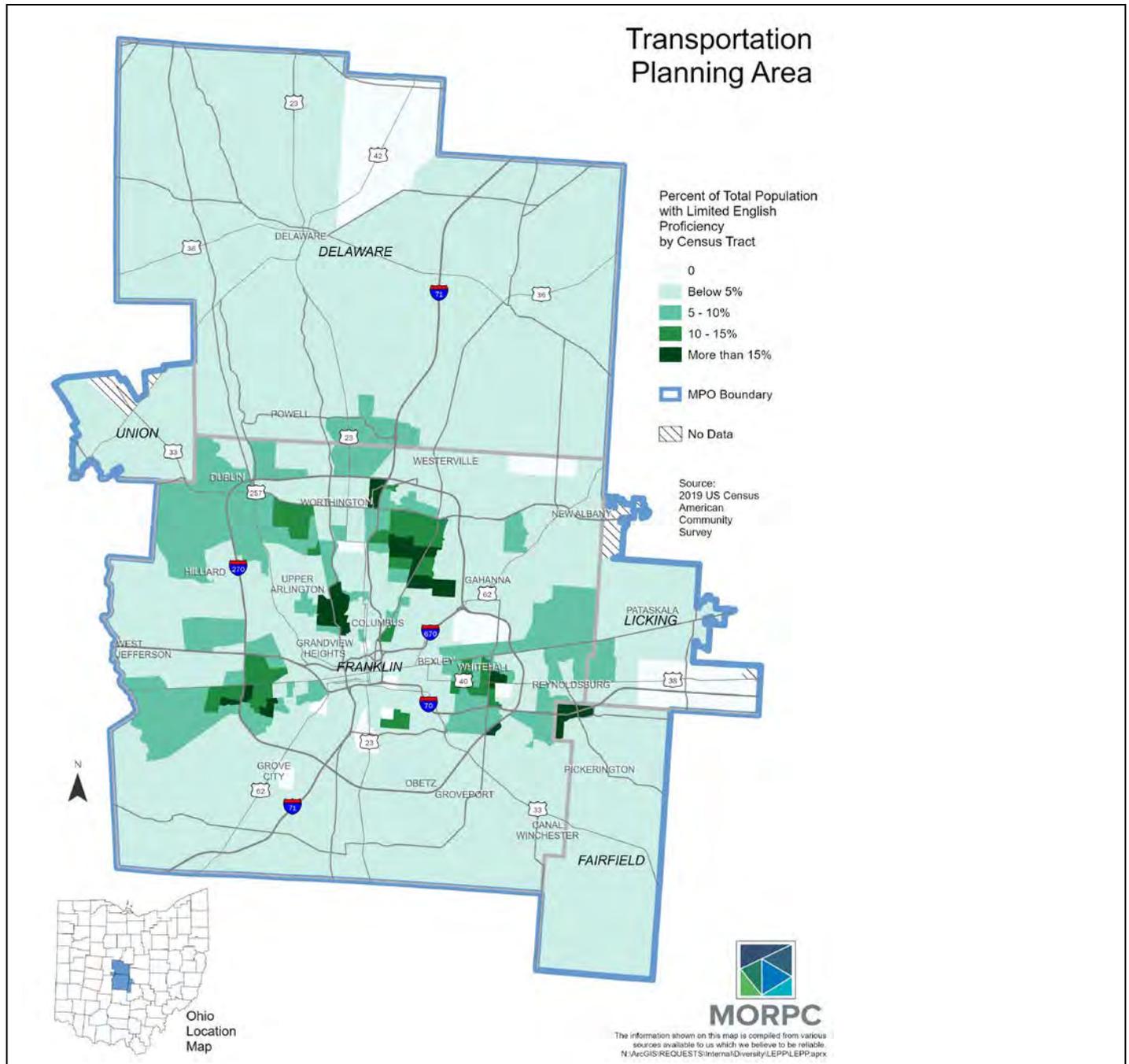
## Historical and Current Efforts

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:

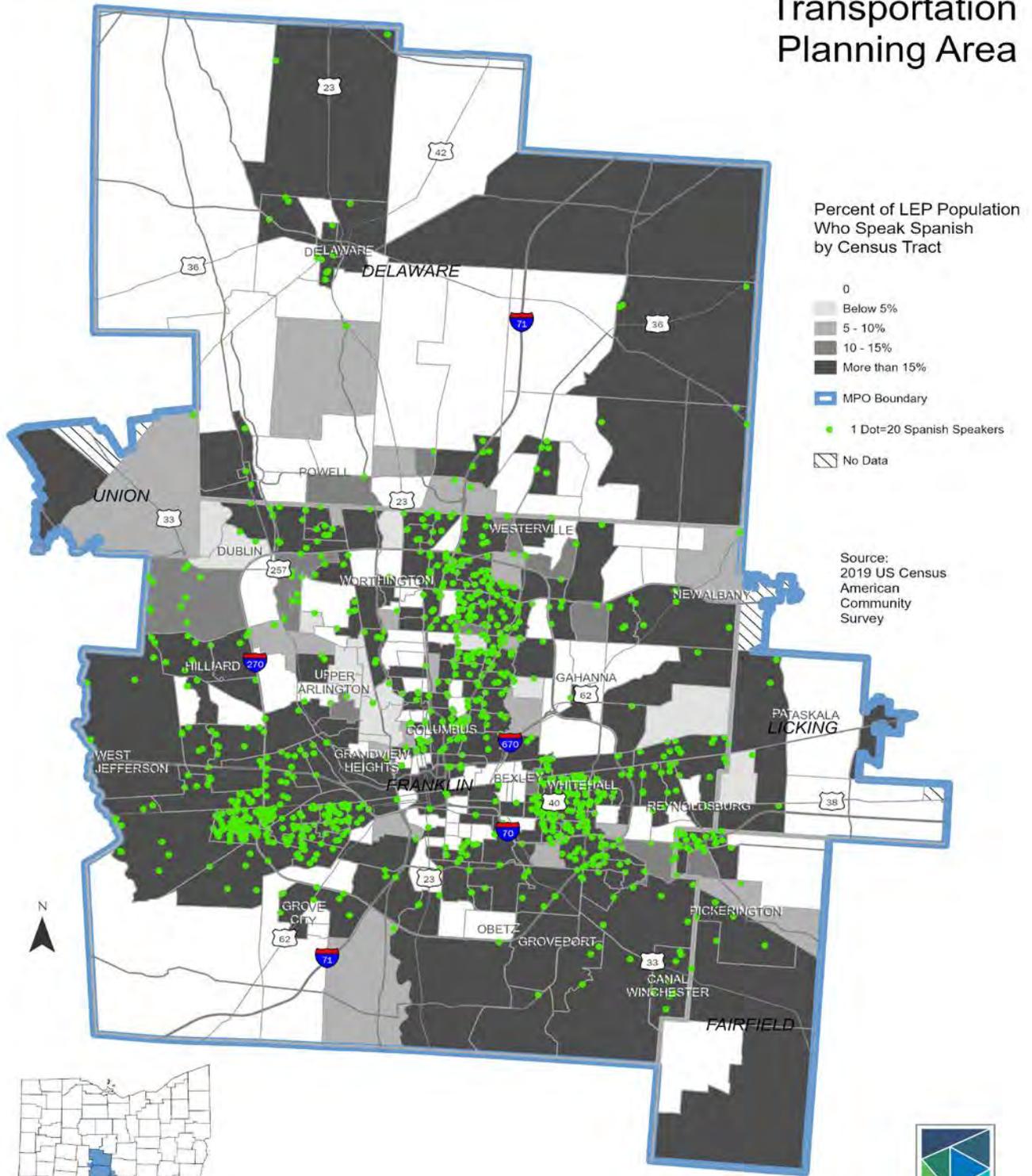
- A language translation tool on its website
- *Language Identification cards* available in the front lobby for walk-ins
- Process created to assist persons with limited English proficiency
- Partner organizations within the Latino and Asian communities that assist MORPC in outreach to LEP individuals 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
- 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.



# Transportation Planning Area

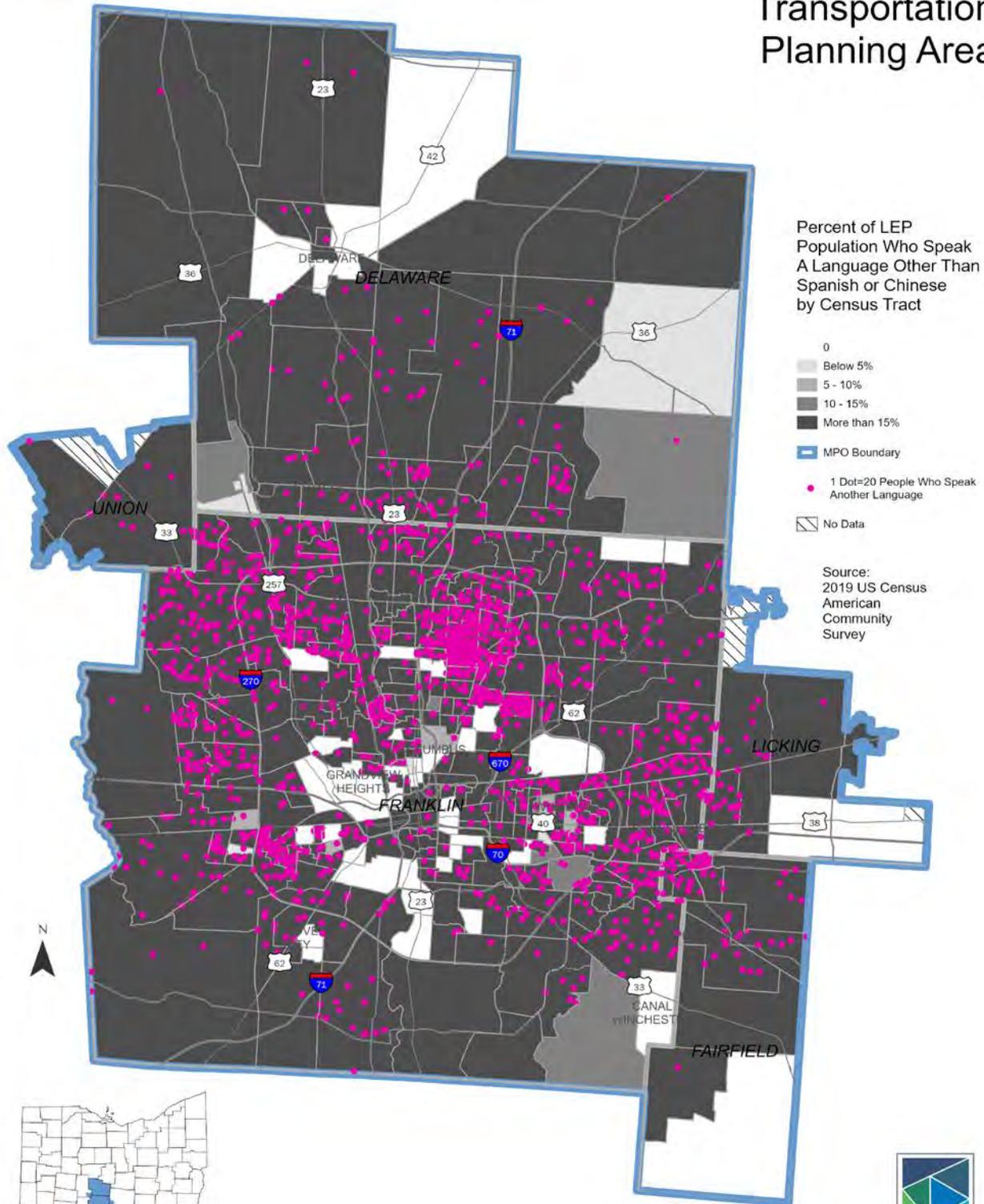


Ohio  
Location  
Map



The information shown on this map is compiled from various sources available to us which we believe to be reliable.  
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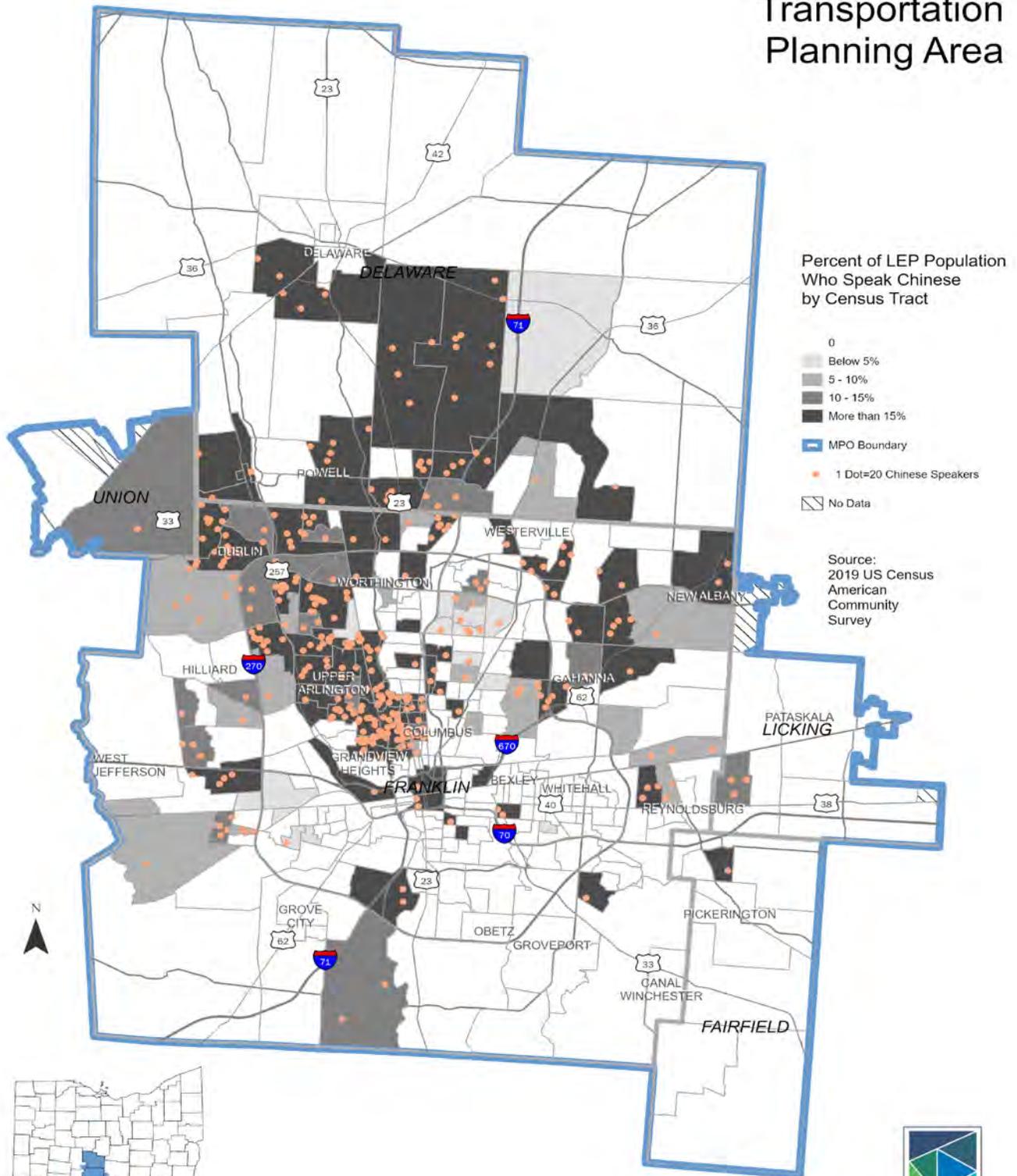
# Transportation Planning Area



**MORPC**

The information shown on this map is compiled from various sources available to us which we believe to be reliable.  
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# Transportation Planning Area



## 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 & 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

## Employee LEP Training

MORPC employees go through a Diversity and Inclusion training to prepare and educate them on the region's changing population. MORPC also will provide training to include a process on how to serve people who speak English, "less than very well." Many front-line employees are already familiar with a process on how to obtain interpretation services for that population. The training will be expanded to include other MORPC staff and all new hires.

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

- 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:

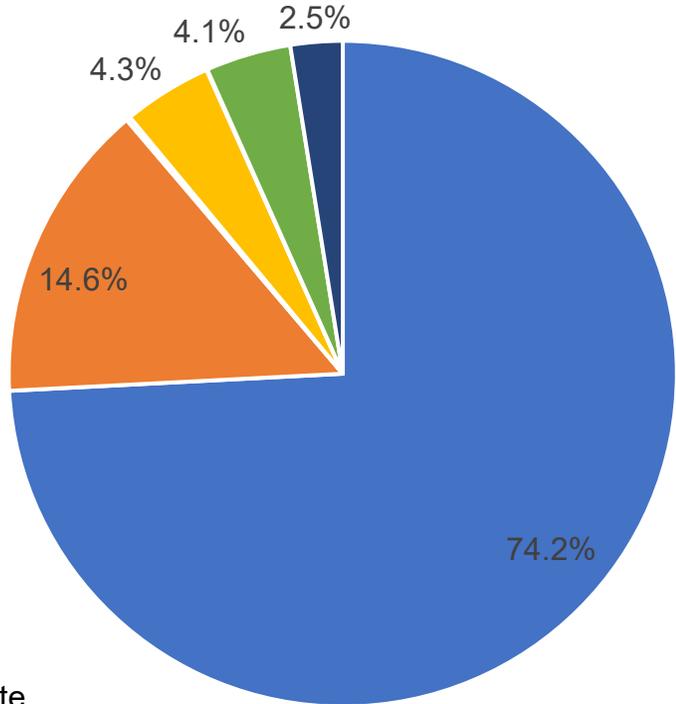
- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Update of LEP population in the region.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been 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, Diversity, Inclusion and Engagement Officer, Mid-Ohio Regional Planning Commission, 111 Liberty Street, Suite 100, Columbus, OH, 43215, [rhampton@morpc.org](mailto:rhampton@morpc.org), 614-233-4157.

## Attachments to Appendix I

# REGIONAL DIVERSITY SNAPSHOT - RACE & ETHNICITY

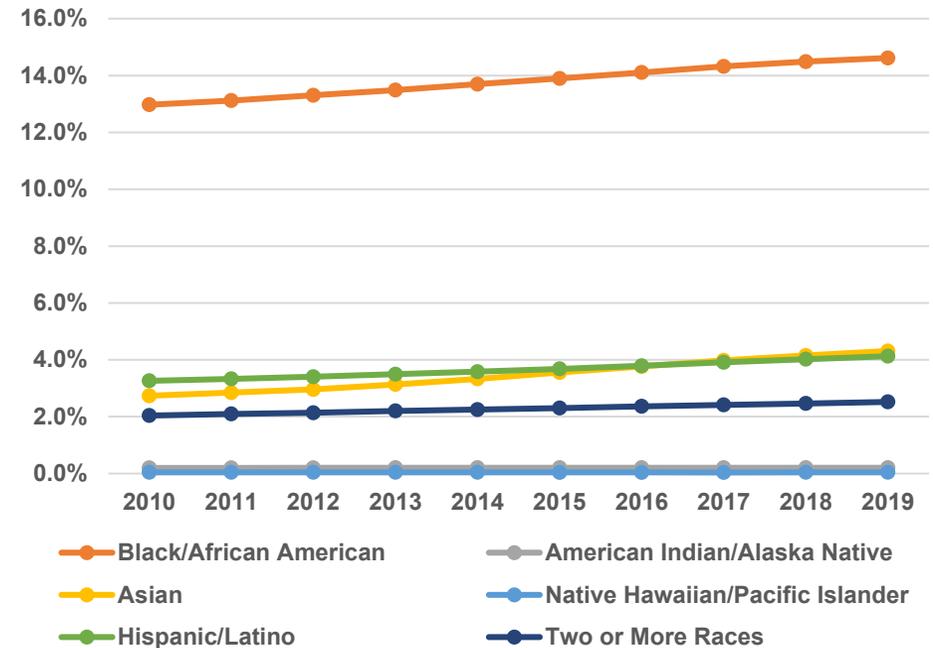
**Percent & Estimate of Residents by Race/Ethnicity for 15-County Region**



	White (1,780,721)		Hispanic/Latino (99,102)
	African American (350,956)		Two or More Races (60,483)
	Asian (103,410)		Native Hawaiian/ Pacific Islander (984)
	American Indian/ Alaskan Native (4,893)		

Source: US Census Bureau, Population Estimates Program, 2019

**Percent of Population for Non-White Residents by Race/Ethnicity Over Time for 15-County Region**



Source: US Census Bureau, Population Estimates Program, 2010-2019

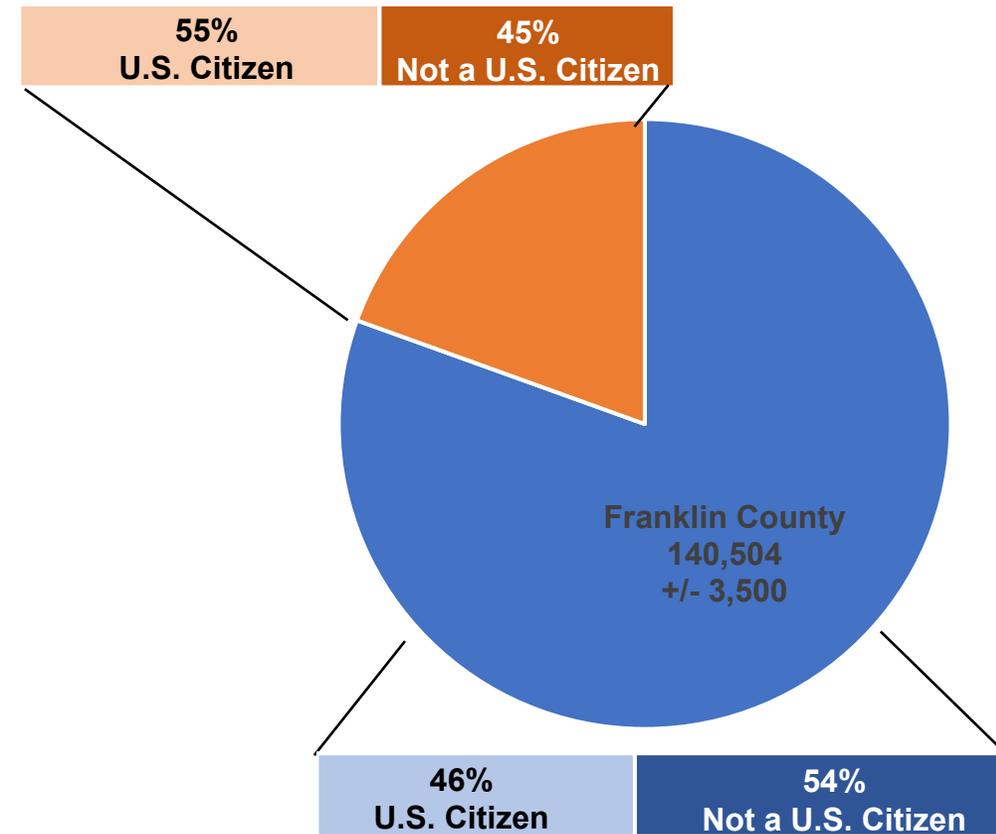
# REGIONAL DIVERSITY SNAPSHOT - FOREIGN-BORN POPULATION

**Top 10 Countries of Origin of Foreign-Born Residents for 15-County Region**

Country	Estimate	MOE
India	24,023	+/-1628
Mexico	15,239	+/-1280
China	13,100	+/-1037
Somalia	10,049	+/-1192
Ghana	6,900	+/-1207
Ethiopia	5,191	+/-1008
Korea	4,195	+/-688
Philippines	3,639	+/-539
Vietnam	3,423	+/-650
El Salvador	3,179	+/-664

Source: US Census Bureau, American Community Survey, 2015-2019

**Central Ohio Foreign-Born Population and Citizenship Status**



Source: US Census Bureau, American Community Survey, 2015-2019



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111 Liberty Street, Suite 100  
Columbus, Ohio 43215  
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info@morpc.org

### Limited English Proficiency Summary

September 2021

The Mid-Ohio Regional Planning Commission (MORPC) evaluated the Limited English Proficiency (LEP) populations within its Metropolitan Planning Organization boundary (MPO). For the purpose of this analysis, LEP is defined as any individual 5 years of age or older who speaks a primary language other than English and who speaks English less than “very well,” as identified by the Census American Community Survey.

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. The total number of LEP persons according to the 2015-2019 Census American Community Survey (5-year estimates) is 1,492,430 or 4.60% percent.

Approximately, 4.60% of the population in the Census tracts located completely or partially within the MPO boundary speak English less than, “very well.” The chart below summarizes the level of English proficiency of the population over age 5, by county.

County	Total Population 5 Years and Older	Speaks English "Very Well"	Percentage of Total Population Speaks English "Very Well"	Total LEP: Speaks English Less Than "Very Well"	Percent Total LEP: Percentage of the Total Population That Speaks English Less Than "Very Well"
Delaware	188,676	184,658	97.87%	4,018	2.13%
Fairfield*	57,872	55,825	96.46%	2,047	3.54%
Franklin	1,198,375	1,136,877	94.87%	61,498	5.13%
Licking*	34,903	34,111	97.73%	792	2.27%
Union*	12,604	12,334	97.86%	270	2.14%
<b>Total</b>	<b>1,492,430</b>	<b>1,423,805</b>	<b>95.40%</b>	<b>68,625</b>	<b>4.60%</b>

*\*Includes only those Census Tracts located completely or partially in the MPO boundary*

*Source: 2015-2019 American Community Survey 5-Year Estimates*

The LEP population was mapped to show LEP individuals as a percent of total population by census tract as shown in the attached map. As shown in the maps included in Appendix I, 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.

**William Murdock, AICP**  
Executive Director

**Karen J. Angelou**  
Chair

**Erik J. Janas**  
Vice Chair

**Chris Amorose Grooms**  
Secretary

**Estimate #219477**

<b>Client</b>	Mid-Ohio Regional Planning Commission
<b>Contact</b>	Ralonda Hampton
<b>Address</b>	111 Liberty Street, Suite 100 Columbus OH 43215
<b>Phone</b>	614-233-4157
<b>Email</b>	rhampton@morpc.org

<b>ASIST Contact</b>	Elena Tsinman, President
<b>Phone</b>	614-451-6744 ext. 16
<b>Fax</b>	614-451-1349
<b>Email</b>	Elena@ASISTtranslations.com
<b>Date</b>	6/4/2021
<b>Expires</b>	7/4/2021

**Summary**

**Estimate Number:** 219477

**Delivery Date:**

**Turnaround Time:** 5-7 business days

**Project Description:** 48 -second video Into Somali and Spanish VO

**Languages:** Somali, US Spanish

**Payment Terms:** Net 30

Finance charges of 1 1/2% per month charged on past due balances.

**Estimate Total:** \$945.00

**Project Details**

**Project Type:** Translation & Audio/Visual

**File Type:** mov

**File Names:** Housing.mov

**Formatting/Desktop Publishing:** None

**Certification:** None

**Client Instructions:** Estimate for translation, with Studio VO, Studio Time and Studio Edit into Spanish and Somali

**Other Information:**

**Language Charges**

Language	Service	Amount
US Spanish	Translation	\$125.00
	Studio Narrator	\$95.00
	Studio Time	\$110.00
	Studio Edit	\$142.50
Somali	Translation	\$125.00
	Studio Narrator	\$95.00
	Studio Time	\$110.00
	Studio Edit	\$142.50

**Estimate Total**

**\$945.00**



Service Rates for 2021  
for Mid-Ohio Regional Planning Commission

Translation *									
Group A		Group B		Group C		Group D		Group E (Rare)	
Per Word	\$0.18	Per Word	\$0.23	Per Word	\$0.28	Per Word	\$0.30	Per Word	\$0.35
Minimum	\$75	Minimum	\$95	Minimum	\$125	Minimum	\$145	Minimum	\$150
<b>Spanish</b>		Danish		Albanian		Amharic		Afrikaans	
African Spanish		Dutch		Arabic (all varieties)		Bosnian		Bengali	
Argentinian Spanish		Finnish		Bulgarian		Burmese		Bhutanese	
Central American Spanish		French		Chinese (all varieties)		Cambodian		Hakha Chin	
Chilean Spanish		African French		Croatian		Creole		Marshallese	
Dominican Republic Spanish		Belgian French		Czech		Dari		Tamil	
European Spanish		Canadian French		Estonian		Farsi			
Latin American Spanish		European French		Haitian Creole		Filipino			
Mexican Spanish		French Creole		Hindi		Fulani			
Panamanian Spanish		Universal French		Japanese		Greek			
Peruvian Spanish		German (all varieties)		Korean		Gujarati			
Puerto Rican Spanish		Italian		Kurdish		Hebrew			
South American Spanish		Norwegian		Laotian		Hmong			
TexMex Spanish		Polish		Latvian		Hungarian			
Universal Spanish		Portuguese		Lithuanian		Indonesian			
US Spanish		Brazilian Portuguese		Oromo		Khmer			
		European Portuguese		Romanian		Kirundi			
		Russian		Serbian		Krio			
		Swedish		Slovak		Maay-Maay			
		Ukrainian		Slovenian		Malay			
				Somali		Mongolian			
				Tagalog		Nepali			
				Thai		Punjabi			
				Turkish		Swahili			
				Vietnamese		Taiwanese			
						Twi			
						Urdu			

**Rush Charges** 25 - 100% **Formatting/DTP \*\*** \$12.00/page  
**Formatting/DTP \*\*** \$40/hour **Rush Formatting/DTP** \$15.00/page

If you do not see the language you require listed, we will provide a customized quote upon request.

\* We accept all file types. Documents must be in an electronic, editable format, otherwise project management and/or formatting fees will apply.

\*\* Formatting charges will apply if text must match your original custom format. ASIST works in all file types, including Microsoft Office, Adobe Acrobat, InDesign, Illustrator, Photoshop, QuarkXPress, and more.

Studio Production									
Narrator		In-Studio Language Editor		Studio Time		Captioning / Subtitles		Voiceover / Dubbing	
Per Hour	\$95	Per Hour	\$95	Per Hour	\$110	We will provide a customized quote upon request		We will provide a customized quote upon request	
Minimum	1 Hour	Minimum	1 Hour	Minimum	1 Hour				

Website and App Translation and Localization		
Web Sites or Apps		Translation
Per Hour	\$75	See Rates Above
Minimum	1 Hour	

Transcription					
English		Other Languages		Braille	
Per Recorded Minute	\$2.75	Per Recorded Minute	\$3 - \$5 †	We will provide a customized quote upon request	
Minimum	\$50	Minimum	\$50	† Rates vary per language. We will provide a customized quote upon request.	

Interpreting					
Over-the-Phone Interpreting (OPI) ††		Video Remote Interpreting (VRI) ††		On-Site Interpreting	
Per Minute (All Languages)	\$2.00	Per Minute (Group A - Spanish)		Per Hour (Standard Languages)	\$40.00
Minimum per call	2 mins	Per Minute (Group B Languages)		Per Hour (Other Languages)	\$50.00
		Per Minute (Groups C, D & E)		Per Hour (ASL / Sign Language)	\$60.00
		Per Minute (ASL/Sign Language)		Rush Rate Per Hour †††	\$10.00
		Minimum per call		Minimum	1 hour

†† Calls for some rare languages may require an appointment.  
 ††† For requests made within 4 hours of appointment.

ASIST Translation Services, Inc.  
 4891 Sawmill Rd, Ste 200  
 Columbus OH 43235

[info@ASISTtranslations.com](mailto:info@ASISTtranslations.com)  
[www.ASISTtranslations.com](http://www.ASISTtranslations.com)

Phone: 614-451-6744



MID-OHIO REGIONAL  
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## Interpretation Services Process

### REPORTING

It is very important that you notify the Diversity Officer, that you have received a request to assist an individual who does not speak English very well. This information is **required** for reporting purposes.

### Calls

When receiving a telephone call, you may not recognize the language the caller is speaking, unless they are assisted by an English speaking individual.

1. If assisted by an English speaking individual, ask what language they are speaking and confirm if they are willing to act as an interpreter.
2. If not, place the individual on hold and call the language assistance line, Ohio Hispanic Coalition (OHC), 614-880-2624.
3. Inform them of the language and conduct a three-way conference call.

### Walk Ins

1. Show the language assistance sheet found at the front desk to the guest to determine language.
2. Hand gesture to have them follow you to a conference room, or if no room is available, to your office.
3. Call the Ohio Hispanic Coalition (OHC), 614-880-2624 or Asist Interpreting Services, 614-451-6744 (Ext 12), and on speaker request an interpreter or for an interpreter to come to MORPC. Over the phone interpretation is okay to schedule appoints but anything more in depth should be done in person.

If Spanish speaking, someone can interpret or come within the hour.

If another language, OHC would call us back within 10 minutes and inform us if they can have an interpreter to us within the hour.

“We have an interpreter on the way, can you please wait?” We need to provide this somehow to the guest. Usually those who do not speak English are accompanied by someone who does. If they chose not to wait, we will need a contingency plan.

There may be a MORPC staff person that can act as interpreter until someone from the Coalition or Asist Interpreting Services can arrive. Check with the Diversity Officer or Human Resources.

Interpreters cannot fill out forms or read the forms. Staff would need to read the forms and the interpreter would interpret for the guest.

## **Home Visits**

Call Asist Interpreting Services or OHC and schedule an interpreter. If you need a Spanish interpreter, same day, with enough notice would suffice. Other interpreters require more time, perhaps days.

Need to provide the location of the assignment, date, and time.

Need to provide a phone number for the interpreter to use when they have arrived. Interpreters will not go into the home unaccompanied by staff.

## **Presentations**

Call Asist Interpreting Services or OHC and schedule an interpreter. You need to provide:

What type of presentation

Where it will take place

How large a group

If not Spanish, you may need to schedule several days in advance.

# TOME MEDIDAS PARA MEJORAR LA CALIDAD DEL AIRE

**Manténgase informado.** Inscríbese para recibir Alertas de calidad del aire en [morpc.org/airquality](http://morpc.org/airquality) para que pueda saber cuándo es más importante tomar medidas.

**Reconsidere su viaje.** Pruebe los viajes en automóvil compartido o en furgoneta compartida, combine viajes, tome el autobús, vaya en bicicleta o camine. Visite [gohiocommute.com/morpc](http://gohiocommute.com/morpc) para planificar su viaje.

**Use el transporte público.** Revise el sitio de la Autoridad de Tránsito de la Región Central de Ohio (COTA, Central Ohio Transit Authority) en [cota.com](http://cota.com) o llame al 614.228.1776. Además, revise el sitio del Organismo del Tránsito del área de Delaware en [ridedata.com](http://ridedata.com) o llame al 740.363.3355.

**En caso de viajes cortos, use la bicicleta o camine.** ¿Tiene una bicicleta y no sabe dónde ir? Use el Mapa para ciclistas del área metropolitana de Columbus en [morpc.org/bikemap](http://morpc.org/bikemap).

**Gire la llave, apague el motor.** Apague el motor al detenerse en lugar de dejar el motor en marcha para disminuir la contaminación dañina del aire.

**Recargue combustible después de la 8:00 p. m.** Llenar el tanque después de las 8:00 p. m. y evitar llenarlo a tope disminuye la contaminación. Las emanaciones de gases combinadas con las temperaturas cálidas durante el día pueden generar ozono a nivel del suelo.

**Use equipos más ecológicos para cortar el césped.** Cambie sus equipos a combustible por opciones eléctricas o manuales.

**Ahorre energía.** Comience con una auditoría de energía para identificar las formas en las que puede sentirse más cómodo y gastar menos dinero. Para obtener información, llame a MORPC al 614.621.1171.

# MANTÉNGASE INFORMADO

Manténgase informado y ayude a disminuir la contaminación del aire para proteger su salud y la de sus seres queridos.

**Inscríbese** para recibir Alertas de calidad del aire de forma gratuita por correo electrónico o mensaje de texto [morpc.org/airquality](http://morpc.org/airquality).

**Llame a** la línea directa gratuita de MORPC al **1.888.666.1009** para recibir la información de calidad del aire más actualizada.

MORPC no discrimina por edad, raza, color, nacionalidad, género, orientación sexual, situación familiar, ascendencia, situación militar, religión ni discapacidad en sus programas, servicios o empleos. Podrá encontrar información sobre la política de no discriminación y políticas y procedimientos relacionados de MORPC en [morpc.org](http://morpc.org), en Acerca de (About) MORPC/policies.



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

111 Liberty Street, Suite 100  
Columbus, Ohio 43215

614.228.2663  
[morpc.org](http://morpc.org)

COMUNÍQUESE CON NOSOTROS:

[facebook.com/morpc](https://facebook.com/morpc)

[@morpc](https://twitter.com/morpc)

[@centralohio](https://instagram.com/centralohio)

# SEA CONSCIENTE DEL AIRE

EN LA REGIÓN CENTRAL DE OHIO



MANTÉNGASE INFORMADO Y  
PROTEJA SU SALUD Y LA DE  
SUS SERES QUERIDOS



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# SE TRATA DE LA CALIDAD DE VIDA

# SEA CONSCIENTE DEL AIRE QUE RESPIRA

Use el pronóstico de calidad del aire de MORPC y las Alertas de calidad del aire para planificar con tiempo. Inscríbese gratis en [morpc.org/airquality](http://morpc.org/airquality). Cuando se espere que la contaminación del aire llegue a la categoría 101 o a un nivel "nocivo para grupos sensibles," MORPC emitirá una Alerta de calidad del aire para la región central de Ohio.

ÍNDICE DE CALIDAD DEL AIRE (Valores AQI)	0 - 50	51 - 100	101 - 150	151 - 200	201 - 300
NIVELES DE PREOCUPACIÓN PARA LA SALUD	BUENO	MODERADO	NOCIVO PARA GRUPOS SENSIBLES	NOCIVO	MUY NOCIVO

El Programa de Calidad del Aire de MORPC hace todo lo posible para que sea más seguro respirar el aire de la región central de Ohio y para proteger la salud pública. Emitimos alertas para informarle cuándo los niveles de contaminación del aire están altos para que pueda planificar su día para mantenerse sano. Además, entregamos sugerencias sobre cómo tomar medidas para mejorar la calidad del aire para todos.

## ¿QUÉ RESPIRAMOS?

**La contaminación por ozono a nivel del suelo**, que es nocivo respirar, se genera cuando las emisiones de los vehículos, las centrales eléctricas, las máquinas para cortar césped y las industrias tienen una reacción química en presencia de la luz del sol.

**La contaminación por partículas** es producida por automóviles, centrales eléctricas, incendios forestales, calefacción residencial a leña e industrias. Algunas de las partículas son tan pequeñas que pueden introducirse en los pulmones, lo que puede causar problemas de salud graves.

La calidad del aire en la región central de Ohio ha mejorado con los años, pero aún queda trabajo por delante para cumplir con los estándares de salud mínimos fijados por la Agencia de Protección Ambiental (EPA) de los Estados Unidos.

# LA CONTAMINACIÓN DEL AIRE Y SU SALUD

El ozono a nivel del suelo y la contaminación por partículas en el aire pueden afectarnos a todos, en especial a ciertos grupos de personas sensibles. Estos grupos sensibles incluyen a niños y adultos que realizan actividades al aire libre, personas con enfermedades cardíacas o pulmonares (como el asma y EPOC) y adultos mayores.

<b>BUENO</b>	ES UN DÍA GENIAL PARA REALIZAR ACTIVIDADES AL AIRE LIBRE.
<b>MODERADO</b>	ES UN DÍA GENIAL PARA REALIZAR ACTIVIDADES AL AIRE LIBRE.
<b>NOCIVO PARA GRUPOS SENSIBLES</b>	SI ES SENSIBLE A ESTA CALIDAD DEL AIRE, TOMA DESCANSOS Y DISMINUYA EL NIVEL DE ACTIVIDAD. PLANIFIQUE LAS ACTIVIDADES AL AIRE LIBRE DURANTE LA MAÑANA.
<b>NOCIVO</b>	TOME DESCANSOS Y DISMINUYA EL NIVEL DE ACTIVIDAD AL AIRE LIBRE. PLANIFIQUE LAS ACTIVIDADES AL AIRE LIBRE DURANTE LA MAÑANA.
<b>MUY NOCIVO</b>	REALICE ACTIVIDADES BAJO TECHO.



# QAAD TAALAABO SI AAD UKOBCISO TAYADA HAWADAADA

**Lasoco wararka.** Iskadiiwaangal Digniinaha Laxariira Tayada Hawada adoo galaaya bogga [morpc.org/airquality](http://morpc.org/airquality) si aad u ogaato xiliga saxda ah ee ay tahay inaad talaabo qaado.

**Dib uga fakar socdaalkaaga.** Iskuday safarada gaariga, caasiyada, socdaalada iskudhafka ah, raacida baska, baaskiilka ama lugaynta. Booqo [gohiocommute.com/morpc](http://gohiocommute.com/morpc) si aad uqorshayso safarkaaga.

**Ubox safar.** Kafiiri Xarunta Dhexe ee Waaxda Gaadiidka Ohio bogga [cota.com](http://cota.com) ama wac **614.228.1776**. Sidoo kale kafiiri Wakaalada Gaadiidka Aaga Delaware bogga [ridedata.com](http://ridedata.com) ama wac **740.363.3355**.

**Lugeey ama baaskiil uqaado socdaal gaaban.** Ahasataa baaskiil adoon garanayn meel aad safar u aado? Isticmaal Qariirada Baaskiilka ee Columbus Metro ood kahelayso [morpc.org/bikemap](http://morpc.org/bikemap).

**Wareeji furaha; kalinimada taagnaan gaariga.** Dami matoorka gaariga halkii halkii uushidnaan lahaa asagoo taagan si aad uga fogaato sumoobida hawada ee halista ah.

**Gaarigaaga shidaalka kushubo kadib saacada 8 p.m.** Inaad shidaalka gaariga kushubto kadib saacadu markay tahay 8 p.m. iyo inaad iskadhawrto dabool kaqaadista taangida shidaalka ee gaarigaaga waxay yaraynaysaa sunta hawada. Qiiqa gaaska oo lagu daray xaraada cilmiada kulul xiliga maalintii ayaa abuuri kara sunta hawada wasaaqaysa oo heerka dhulka joogta.

**Isticmaal qalabka cawska lagu jaro oo amaan ah.** Kubadal qalabkaaga gaaska kushaqqa qalabka korontada ama kushaeeya ama gacanta lagu sameeyo.

**Kaydi tamarta.** Kuilooow xisaabin tamarta si aad u aqoonsato qaababka qaabka aad raaxo dheeri ah kuheli karto aadna kuyarayn karto lacagta kaabaxda. Kawac MORPC si aad macluumaad badan uga hesho qaabka aad usamaynayso **614.621.1171**.

## LASOCO MACLUUMAADKA

Ilaali caafimaadkaaga iyo kan dadka aad jeceshay adoo lasoconaya wararka yaraynaayana sunta hawada.

**Iskadiiwaangali** macluumaad bilaash ah oo laxariira Digniinaha Dhanka Tayada Hawada oo laguugusoo diraaayo emailka ama fariin ahaan [morpc.org/airquality](http://morpc.org/airquality).

**Wac** nambrka laynka lacag la'aanta ah ee MORPC kaaso ah **1.888.666.1009** si aad uhesho macluumaadka ugu danbeeya ee laxariira tayada hawada.

MORPC dadka umatakoorto sababo laxariira da'dooda, isirkooda, midabkooda, wadankay udhasheen, jinsigooda, dookhooda galmo, xaaladooda qoyska, asalkooda, xaaladooda ciidan, diitooda ama naafonimadooda markay kujiraan barnaamijyada, adeegyada ama hawlaha shaqada. Macluumaadka kusaabsan hawlaha kacaagan takoorka iyo waxyaabaha laxariira siyaasada iyo nidaamyada hawleed ee MORPC waxaad kahelaysaa bogga [www.morpc.org](http://www.morpc.org) qaybta About MORPC/policies (Macluumaadka MORPC/siyaasaadka).

# HAWADA KUJIR FEEJIGNOOW BARTAMAHA OHIO

LASOCO MACLUUMAADKA JIRA  
OO ILAALI CAAFIMAADKAAGA IYO  
KAN DADKA AAD JECESHAHAY



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# WAXAY FURE UTAHAY TAYADA NOLOSHA

Barnaamijka Tayada Hawada ee MORPC wuxuu kudadaalaya inay kadhigaan hawada Bartamaha Ohio mid kuhaboon neefsiga iyo in laifaaco caafimaadka dadwaynaha. Waxaan soosaarnaa digniino si aan kuugu wargalino heerarka ay marayso sunta hawadu si aad markaas usii qorshaysato maalintaada aadna u ilaaliso caafimaadkaaga. Waxaan sidoo kale bixinaa talooyin laxariira talaabada aad qaadasyo si tayada hawada looga dhigo mid qofkasta ufiican.

## MAXAA KUNEEFSANAYNA?

**Sunta hawada ee heerka dhulka**, taasoo halis ku ah neefsiga, ayaa hawada kusamaysanta marka sunta kasoo baxda gawaarida, matoorada beeraha, qalabka cawska lagu jaro iyo wasaqda warshaduhu ay kumilmaan cadceeda qoraxda.

**Maadooyinka sunta ah ee hawada kujira** is kuwaasoo kayimaada gawaarida, matoorada beeraha, dabka qabsada kaymaha, xaabada guriyaha lagu shto iyo warshadaha. Qaar kamid ah maadooyinka ayaa ah kuwo aad uyar ilaa ay kagali karaan sanbabada, ayagoo markaas keenaaya dhibaatooyin caafimaad oo aad udaran.

Tayada Hawada ee Bartamaha Ohio way soo fiicnaanaysay mudo sanado ah, laakiin wali waxbadan ayaa noodhiman si aan ubuuxino heerarka ugu hooseeya ee tayada caafimaadka oo ay dajisay wakaalada U.S. Environmental Protection Agency (Wakaalada Maraykanka ee Ilaalinta Bii'ada).

# KAEJIGNOOW HAWADA

## AAD NEEFSANAYSO

Isticmaal saadaasha Digniinaha Saadaasha Hawada ee MORPC si ay kaaga caawiyaan inaad qorshe horay usii diyaarsato.

Si lacag la'aan ah iskagadiiwaangali [morpc.org/airquality](http://morpc.org/airquality). Marka sunta hawada lafalaayo inay gaarto 101 aa heerka Halista Ku ah Dadka Xasaasiyada Qaba, MORPC ayaa soosaaraysa Digniinta laxariirta Tayada Hawada ee Bartamaha Ohio.

TUSMADA TAYADA HAWADA (TIRADA AQI)	0 - 50	51 - 100	101 - 150	151 - 200	201 - 300
HEERARKA WALAACYADA CAAFIMAADKA	WANAAGSAN	DHEXDHEXAAD	HALIS CAAFIMAAD KU AH SHAQSIYAADKA XASAASIYADA QABA	HALIS KU AH CAAFIMAADKA	AAD UXUN HALIS KU AH CAAFIMAADKA



Sunta hawada ee heerka dhulka iyo maadooyinka sunta ah ee hawada kujira dhamaanteen way nasaamayn karaan, gaar ahaana shaqsiyaad xasaasiyad qaba oo bulshada kamid ah. Dadkaan waxaa kamid ah caruurta, dadka waawayn ee kashaqeeya banaanka gurigga, dadka qaba xanuunada wadnaha iyo sanbabada (sida neefta iyo COPD) iyo dadka duqoowda ah.

WANAAGSAN	WAA MALIN WAYN IN QOFKU BANAANKA JOOGO.
DHEXDHEXAAD	WAA MALIN WAYN IN QOFKU BANAANKA JOOGO.
HALIS CAAFIMAAD KU AH SHAQSIYAADKA XASAASIYADA QABA	HADAAD XASAASIYAD KUQABTO HAWADA, NASO OO YAREE SHAQADA AAD QABATO. UQORSHAYSO HAWLAHA BANAANKA GURIGGA SAACADAH SUBIXII.
HALIS KU AH CAAFIMAADKA	NASIINO QAADO OO HOOS UDHIG HEERKA SHAQADA AAD BANAANKA KAQABANAYSO. UQORSHAYSO HAWLAHA BANAANKA GURIGGA SAACADAH SUBIXII.
AAD UXUN HALIS KU AH CAAFIMAADKA	SHAQOYINKAAGA KUQABSO GUDUHA GURIGGA.

**TRASLADO DE EMERGENCIA AL HOGAR  
(ERH, EMERGENCY RIDE HOME)**



**¡Hasta cuatro viajes al año!**

**¿Qué es el ERH?**

El automóvil compartido, la furgoneta compartida, el transporte público, caminar y andar en bicicleta son modos económicos y sostenibles para viajar todos los días al trabajo, pero ¿qué sucede si tiene una emergencia, se enferma o debe realizar horas extraordinarias imprevistas y no puede hacer arreglos para un traslado compartido al hogar desde el trabajo?

Ahora se puede inscribir para el Programa de Traslado de Emergencia al Hogar (ERH). En caso de un imprevisto, puede tomar un taxi hasta su hogar sin costo.

**¿Cómo funciona?**

El programa ERH es un servicio gratuito que asegura que los pasajeros interurbanos no queden varados en el trabajo en caso de emergencia. Los usuarios interesados deben solicitar participar en el programa. Una vez aprobado, simplemente inicie sesión en su cuenta de Gohio Commute y redima su viaje de taxi cuando surja una emergencia. No se necesitará ningún pago: ¡incluso la propina está cubierta! Este programa es válido para cuatro viajes en un año calendario.

**¿Cómo me inscribo para ERH?**

Para inscribirse, simplemente llene el formulario de registro en [morpc.gohio.com/erh](http://morpc.gohio.com/erh) e indique su interés en el programa ERH. El personal del programa evaluará su solicitud y, si se aprueba, se pondrá en contacto con usted dentro de 72 horas.



**Condados que cuentan con el servicio:**

- |           |          |
|-----------|----------|
| Delaware  | Madison  |
| Fairfield | Marion   |
| Fayette   | Morrow   |
| Franklin  | Perry    |
| Hocking   | Pickaway |
| Knox      | Ross     |
| Licking   | Union    |
| Logan     |          |



**Visite: [morpc.gohio.com](http://morpc.gohio.com)**

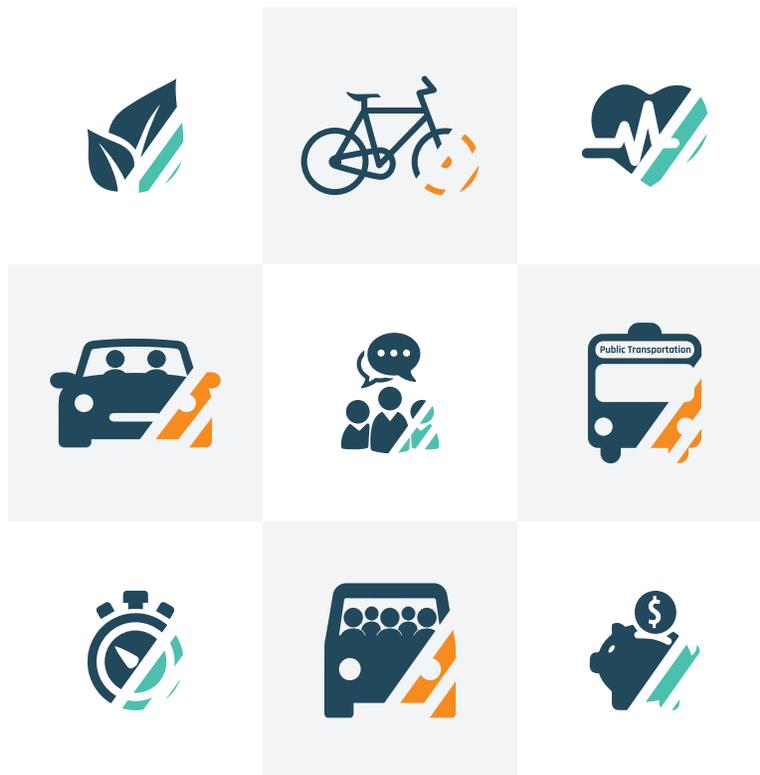
**Comuníquese con nosotros:**

  @GohioMORPC



111 Liberty Street, Suite 100  
Columbus, Ohio 43215  
Tel.: 614.228.2663  
[www.morpc.org](http://www.morpc.org)

Impreso en papel reciclado certificado por FSC.



**Una alternativa más inteligente**



## Quiénes somos

Gohio Commute, un programa de la Comisión de Planificación Regional de Mid-Ohio (MORPC, Mid-Ohio Regional Planning Commission), proporciona recursos a los pasajeros interurbanos y a las empresas para ayudarlos a explorar sus opciones de traslado rentables y amigables con el medio ambiente. El programa busca reducir la congestión de las carreteras y mejorar la calidad del aire en el centro de Ohio.



### Automóvil compartido

Reduzca el estrés y ahorre dinero mediante automóviles compartidos. Gohio Commute evaluará sus necesidades y encontrará a alguien con limitaciones de traslado similares que esté interesado en compartir el viaje hasta el trabajo.



### Transporte público

No quede atrapado en embotellamientos. Explore las rutas de los autobuses con Gohio Commute y convierta su tiempo invertido en trasladarse, en actividades productivas.



### Andar en bicicleta o caminar

Mantenga su corazón saludable yendo al trabajo en bicicleta o a pie. Gohio Commute proporciona información acerca de rutas locales para andar en bicicleta y caminar. Podemos buscar coincidencias con otras personas que caminan o van en bicicleta a su trabajo.



### Furgoneta compartida

Una furgoneta compartida de Gohio Commute se trata de un grupo de pasajeros interurbanos, que se trasladan juntos hacia el trabajo de forma regular en una furgoneta que los transporta. Los pasajeros comparten una cuota mensual asequible que cubre el uso de la furgoneta, el seguro, el mantenimiento, la asistencia en carretera y el combustible pagado por anticipado.



## Beneficios de un traslado más inteligente



Económico



Productivo



Saludable



Orientado a la comunidad



Amigable con el medioambiente



## ¿Me conviene la furgoneta compartida?

- Si maneja 30 minutos o más, si viaja 20 millas o más solo de ida hacia su trabajo.
- Si mantiene un horario de trabajo estable.
- Si vive y trabaja en la misma ruta que otras 6 a 15 personas que también desean utilizar la furgoneta compartida.

## ¿Cuáles son los beneficios?

- Ahorra cientos de dólares en costos de traslado.
- MORPC proporciona un subsidio mensual por furgoneta compartida para aquellas que califiquen.
- Reduce el desgaste de vehículos particulares.
- Transporte cómodo, seguro y confiable.
- Escápese del agotamiento y estrés diario de la congestión vehicular.
- Convierta el tiempo de traslado en tiempo productivo para leer, navegar en Internet, ponerse al día con el trabajo o dormir.
- Haga nuevos amigos con las personas que viajan en la furgoneta.

## ¿Cómo empezamos?

Comuníquese con nosotros al 1-888-742-RIDE y trataremos de ubicarlo en una furgoneta compartida existente u organizaremos una nueva. Cuando se organice una furgoneta compartida nueva, el personal de Gohio Commute brindará ayuda en todos los pasos que conllevan a la distribución de pasajeros en furgoneta.



## Servicios para el empleador

Gohio Commute ofrece ayuda con políticas y programas de diseño elaborados específicamente para las necesidades individuales del empleador. El personal informado ayudará a los empleadores a resolver problemas de estacionamiento y transporte hacia los lugares de trabajo. Visite [morpc.gohio.com/workplace](http://morpc.gohio.com/workplace) para solicitar ayuda.

## Servicios para pasajeros interurbanos

En el sitio web de Gohio Commute, los usuarios pueden explorar las opciones exclusivas de traslado, investigar el impacto holístico de su método de transporte, encontrar un compañero de traslado, inscribirse en programas de incentivos o inscribirse para el Traslado de Emergencia al Hogar.



Para obtener más información acerca de Gohio Commute, visite [morpc.gohio.com](http://morpc.gohio.com) o llame al 1-888-742-RIDE.



El sitio web de Gohio Commute es compatible con dispositivos móviles. Asegúrese de marcarlo como una de sus páginas favoritas.



# SERVICIOS DE CLIMATIZACIÓN EN EL HOGAR GRATUITOS

¡Llame al **614.621.1171** hoy mismo!

¡Deje de gastar demasiado dinero en facturas de energía! ¡Los servicios de climatización en el hogar de MORPC le ayudarán a usted y a sus seres queridos a estar más seguros y cómodos en su hogar sin costo alguno para usted!

## LOS SERVICIOS GRATUITOS PUEDEN INCLUIR:

- Puesta a punto o reemplazo de la caldera
- Aislamiento de paredes y áticos
- Reemplazo del refrigerador
- Reemplazo de bombillas

## PUEDE CALIFICAR SI:

- Su ingreso familiar es igual o menor a los requisitos que se muestran en la tabla de la derecha
- Reside en el condado de Franklin
- Es cliente de Columbia Gas of Ohio

TAMAÑO DEL HOGAR	INGRESO MÁXIMO ANUAL
1	\$19,140
2	\$25,860
3	\$32,580
4	\$39,300
5	\$46,020
6	\$52,740
7	\$59,460
8	\$66,180

*Para unidades familiares con más de 8 miembros, agregue \$6,720 por cada miembro adicional.*

## LOS PROGRAMAS SON FINANCIADOS POR:



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

Visite [www.morpc.org/EnergyServices](http://www.morpc.org/EnergyServices) para obtener más información. MORPC no discrimina por edad, raza, color, nacionalidad, género, orientación sexual, situación familiar, ascendencia, situación militar, religión ni discapacidad en sus programas, servicios o empleos. En [www.morpc.org](http://www.morpc.org) podrá encontrar información sobre la política de no discriminación y otras políticas y procedimientos afines de MORPC.



# ADEEGYADA ILLAALADA CIMILADA GURI BILAASH AH

Soo wac **614.621.1171** Maanta!

Jooji isticmaalida lacag badan ee biilasha tamarta! Adeegayada iilaalada guri MORPC waxay kugu caawinayaan adiga iyo qaraabadaada inaad badbaado ahaataan oo si weyn ugu qanacsantahay gurigaaga oo bulaash kugu ah!

## ADEEGYADA BILAASH AH WAXAA KU JIRO:

- Yareynta tamarta ama badelida
- Darbiga ama keydinta tamarta
- Badelida farantijeerka
- Badelida galuubka nalka

## WAXAAD U QALMI KARTAA HADDII:

- Daqliga qoyskaaga waa ama ka hooseeyaa sharuudaha aad ku aragtid jadwalka midigta.
- Waxaad dagantahay Gobolka Franklin.
- Waxaad tahay Columbia Gas ee macmiilka Ohio.

CABIRKA QOYSKA	DAQLIGA SANNADLAHA UGU BADAN
1	\$19,140
2	\$25,860
3	\$32,580
4	\$39,300
5	\$46,020
6	\$52,740
7	\$59,460
8	\$66,180

*Wixii qeybaha qoyska oo elh wax ka badan 8 xubnood, ku dar \$6,720 oo xubin walboo dheeraad ah*

## BARNAAMIJKA WAXAA MAALGELIYAY:



Development  
Services Agency

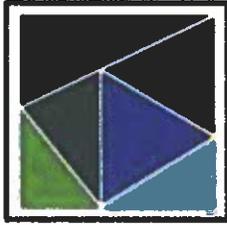


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Ka booqo [www.morpc.org/EnergyServices](http://www.morpc.org/EnergyServices) wixii warbixin dheeraad ah. MORPC dadka umatakoorto sababo laxariira da'dooda, isirkooda, midabkooda, wadankay udhasheen, jinsigooda, dookhooda galmo, xaaladooda qoyska, asalkooda, xaaladooda ciidan, diitooda ama naafonimadooda markay kujiraan barnaamijyada, adeegyada ama hawlaha shaqada. Macluumaadka kusaabsan hawlaha kacaagan takoorka iyo waxyaabaha laxariira siyaasada iyo nidaamyada hawleed ee MORPC waxaad kahelaysaa bogga [www.morpc.org](http://www.morpc.org).

Appendix J

– Title VI Resolution –



**MID-OHIO REGIONAL  
MORPC  
PLANNING COMMISSION**

111 Liberty Street, Suite 100  
Columbus, Ohio 43215  
morpc.org

T. 614. 228.2663  
TTY. 1.800.750.0750  
info@morpc.org

## Memorandum

**TO:** Mid-Ohio Regional Planning Commission  
Executive Committee  
Officers and Board Members

**FROM:** Niel Jurist, APR  
Director of Communications & Engagement

**DATE:** October 8, 2021

**SUBJECT:** Proposed Resolution 10-21: "Adoption of MORPC's 2021 Title VI Program"

This resolution is to approve the Title VI/Non-Discrimination Program at MORPC. Given that MORPC receives and sub allocates Federal Transit Administration (FTA) funds, MORPC must fulfill the Title VI requirements and guidelines of the Civil Rights Act of 1964.

Federal regulations require MORPC to produce a Title VI monitoring program which must be approved by MORPC's Transportation Policy Committee every three years.

Items required for a Title VI Program in a metropolitan planning organization (MPO) includes:

- A copy of MORPC's Title VI notice
- MORPC's Title VI discrimination complaint process
- A list of public transportation related Title VI investigations, complaints, or lawsuits
- MORPC's public participation plan
- MORPC's plan for providing language assistance for persons with limited English proficiency
- A table depicting racial breakdown of minorities on relevant MORPC committees
- A description of efforts to ensure subrecipients are complying with Title VI
- A demographic profile of the metropolitan area
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that overlay with minority and non-minority populations that demonstrate the impact of state and federal funds in aggregate for public transportation managed by the MPO
- Analyze the impacts of federal funds spent and identify any disparate impacts on the basis of race, color, or national origin, and, if so, identify a substantial legitimate justification for the disparate impact
- A description of the procedures the MPO uses to pass through FTA financial assistance
- MORPC's process to assist potential subrecipients applying for funding
- MORPC's RFP and contract procedures

**William Murdock, AICP**  
Executive Director

**Karen J. Angelou**  
Chair

**Erik J. Janas**  
Vice Chair

**Chris Amorose Groomes**  
Secretary

Proposed Resolution 10-21  
Memo  
Page 2

MORPC staff believes MORPC is in compliance with the Title VI requirements.

Attachment: Resolution 10-21

RESOLUTION 10-21

**"Adoption of MORPC's 2021 Title VI Program"**

WHEREAS, in October 2014 the Governor of Ohio appointed the Mid-Ohio Regional Planning Commission as Designated Recipient ID No. 1310 for the Federal Transit Administration's (FTA) Section 5310 (*Enhanced Mobility of Seniors and Individuals with Disabilities*) funds for the Columbus Urbanized Area; and

WHEREAS, MORPC is the designated recipient of the Section 5310 Federal Transit Administration (FTA) funds for the Columbus, Ohio urbanized area, that are distributed to sub recipients; and

WHEREAS, MORPC is subject to Title VI of the Civil Rights Act of 1964 and the U.S Department of Transportation's implementing regulations; and

WHEREAS, the FTA requires all recipients document their compliance by submitting a Title VI Program according to the guidelines provided in FTA Circular 4702.1B to their FTA regional civil rights officer once every three years; now therefore

BE IT RESOLVED BY THE MID-OHIO REGIONAL PLANNING COMMISSION:

- Section 1. That it approves MORPC's *2021 Title VI/Non-Discrimination Program* dated October 2021.
- Section 2. That it directs staff to implement, monitor and recommend updates to the Program as needed.
- Section 3. That it directs staff to transmit this resolution and program to the FTA.
- Section 4. That the executive director is authorized to take such other action and execute and deliver such other documents as, acting with the advice of legal counsel, he shall deem necessary and appropriate to carry out the intent of this resolution.
- Section 5. That this Commission finds and determines that all formal deliberations and actions of this Commission concerning and relating to the adoption of this resolution were taken in open meetings of this Commission.



Karen Angelou  
Mid-Ohio Regional Planning Commission

Effective date: October 14, 2021  
Submitted by: Niel Jurist, APR, Director of Communications & Engagement  
Prepared by: Ralonda Hampton, Diversity, Inclusion and Engagement Officer  
Mary Ann Frantz, Modal Systems Manager, Transportation & Infrastructure Development  
Authority: Ohio Revised Code Section 713.21  
For action date: October 14, 2021  
Attachment: 2021 Title VI/Non-Discrimination Program



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# Title VI/Non-Discrimination Program at MORPC

(Focus on Metropolitan Planning Organization)

## October 2021

- Mid-Ohio Regional Planning Commission
- FTA Recipient ID: 1310
- Columbus, Ohio

# Title VI<sup>1</sup>/Non-Discrimination Program at the Mid-Ohio Regional Planning Commission (Focus on Metropolitan Planning Organization)

Report Prepared by MORPC

October, 2021

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 [www.morpc.org/title-vi](http://www.morpc.org/title-vi).

---

<sup>1</sup> 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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Appendix D – ODOT Title VI Baseline Assessment Tool – SFY 2022

Appendix E – Non-Discrimination Complaint Procedure

Appendix F – Responsibilities for Title VI Compliance at MORPC

Appendix G – Public Participation Plan

Appendix H – Environmental Justice Analysis TIP

Appendix I – Limited English Proficiency Plan  
Attachments to Appendix I

Appendix J – Title VI Resolution

Appendix K –Final MORPC 5310 Program Management Plan

Appendix L – Title VI Notice

Appendix N – 2019-2020 Diversity and Inclusion Plan

Appendix O - MORPC Contracting Process Procedures

## SUMMARY OF MORPC ONGOING TITLE VI-RELATED ACTIVITIES

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 2021
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 – <i>seeking out and considering the needs of those traditionally-underserved</i> – the transportation department maintains a separate public participation plan.	September 2021
Title VI External Complaint 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 <i>sound measures and reasonable steps</i> 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 2021
ODOT Title VI Report	ODOT requires this report annually. It is included as an appendix in the transportation planning work program document.	May 2021
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 in regards to 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, all of 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 regards to Title VI and related non-discrimination 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.”*

Full integration and equal rights for blacks had reached an unstoppable momentum despite the lingering efforts of some governments and individuals to maintain and justify segregationist practices and policies of the past. Today, discrimination against various groups, often in a less blatant way than in 1964 and usually not sanctioned by law, continues as a significant issue. Unintentional discrimination, perhaps through policies or procedures that have the unintended result of discriminating against particular persons or groups, is also an issue today.

The Civil Rights Act of 1964 included eleven titles. Title VI, the primary focus of this program because of its particular applicability to the MPO and MORPC, addressed 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).*

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 all programs and activities, whether federally-funded or not, of those who receive federal funds.

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

- a. A department, agency, special purpose district, or other instrumentality of a state or of a local government; or
- b. 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

## D. STATE OF OHIO NON-DISCRIMINATION 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.

## E. 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 Bureau-defined 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 needs to have the perspective of diverse voices at the table. In January 2021, MORPC conducted a survey of its Board members which also requested racial and ethnic minority representation. There is a total of 158 Board members.

- 47 female
- 111 male
- 8 African American
- 0 Hispanic

- 1 Native American
- 141 Caucasian
- 35 between the ages of 25-44
- 102 between the ages of 45-64
- 20 the age of 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 <http://www.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 non-discriminatory 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 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. 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, who also reports directly to the Executive Director, is the Diversity, Inclusion and Engagement Officer. The Diversity Officer is responsible for helping to make sure 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 recently established an internal Diversity Committee. The committee was created to focus on and improve diversity issues at MORPC. The purpose of the Diversity & Inclusion 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 Transportation Infrastructure and Development 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 Transportation Infrastructure and Development Department Director, while the specific tasks are normally sub-delegated within the Transportation and Infrastructure Development Department. The Communication and Engagement Director also has a significant role in the public participation and notification responsibilities.

The MORPC Transportation Infrastructure and Development 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.

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## 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.

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

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### 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, Twitter, 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 webmaps, 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 presently has up to 24 members including members representing 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. The Transportation Advisory Committee (TAC) presently has 30 members.

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 and Somali. 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.

## C. 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 2019-2020 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** (WF) – Commit to the preparation of a culturally competent workforce.

- **Workplace** (WP) – Improve accessibility and accommodations for minorities, people with disabilities and GBLTQ.
- **Diversity Spend** (DS) – Increase diverse vendors spend to 10 percent.
- **Service to Diverse Populations** (SD) – Increase/enhance service to diverse populations.
- **Diversity Requirements** (DR) – Continue to meet the federal requirements for DBE and Section 3 HUD monitoring and reporting.
- **Diversity Communications** (DC) – 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 ASSURANCES

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 policy statement is required to be circulated throughout the organization and general public.

The Title VI assurances 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 <http://www.morpc.org/title-vi/>, 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.

MORPC is subject to on-site federal or state Title VI compliance reviews, though this would be a rare-occurrence, if it took place. On-site reviews, which would be a detailed review of how MORPC addresses Title VI compliance, can be done anytime that a federal agency director believes that such a review is warranted, or for other specific reasons. Due to the dispersion within the MPO and the agency of Title VI activities and responsibilities, any response to on-site reviews by the agency is likely to be a joint effort by various individuals and departments.

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 complaints, 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 non-discrimination 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 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 <http://www.morpc.org/title-vi/> 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.*

MORPC does this in the following ways:

- Website – MORPC maintains a website with a wide-range of information on discrimination-related concerns. It also includes MORPC's complaint process.
- Major Publications – In major publications, such as the Metropolitan Transportation Plan and Transportation Improvement Program, information is included in the front on MORPC's obligations related to Title VI and where to get more information.
- Brochures – the non-discrimination clause is also placed on MORPC pamphlets, brochures and applications

## F. LIMITED ENGLISH PROFICIENCY (LEP) AND OTHER COMMUNICATION 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 of Staff & Director of Operations. 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:

- A. 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”).
  
- B. 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.

#### **§19. Non-Discrimination.**

CONSULTANT shall carry out the applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted 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:

- a) 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.
- b) 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.

- c) *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.
- d) *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.
- e) *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.
- f) *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.

- g) *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.
- h) *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.
- i) 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 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. 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.

**Appendix K**

**- 2018 Final MORPC 5310 Program Management Plan -**

Mid-Ohio Regional Planning Commission  
Program Management Plan for  
Enhanced Mobility of Seniors and Individuals with Disabilities  
FTA Section 5310 Program



Mid-Ohio Regional Planning Commission  
Transportation Systems and Funding

2/12/2015

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## **Purpose**

The Program Management Plan (PMP) is intended to facilitate both recipient management and FTA oversight by documenting the Mid-Ohio Regional Planning Commission's (MORPC) (the designated recipient) procedures and policies for administering the Section 5310 program for the Columbus Ohio Urbanized Area (UZA).

This document includes MORPC's program objectives, policies, procedures, and administrative requirements, in a form readily accessible to potential sub-recipients, recipient staff, FTA, and the public. The PMP's primary purposes is to serve as the basis for FTA to perform recipient-level management reviews of the program, and to provide public information on the recipient's administration of the Section 5310 program. It may also be used internally by the recipient as a program guide for local project applicants.

## **Management Plan Review**

FTA conducts oversight reviews to examine each designated recipient's management procedures, and the relationship of the procedures to its management plan. When a triennial review is scheduled, FTA and its contractors examine the PMP on file as part of a desk review at the regional office to determine whether the procedures in the PMP satisfy current requirements. At a site visit, the reviewers document whether or not the designated recipient is following its own stated procedures.

## **Management Plan Content**

While there is no prescribed format for the PMP, the plan is required to address and provide information on the following topics below.

## A. Program Goals and Objectives

Title 49 U.S.C. 5310 authorizes formula assistance to enhance the mobility of seniors and individuals with disabilities by providing formula funding to states and designated recipients. FTA refers to this formula program as “the Section 5310 program.” Funds authorized by 49 U.S.C. 5310 are subject to annual appropriations.

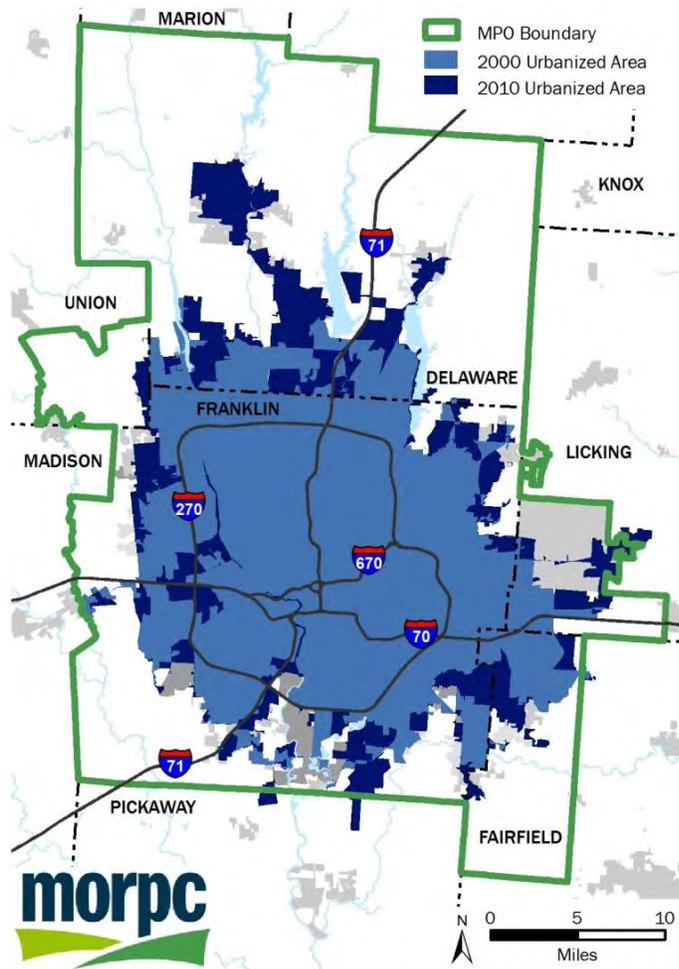
The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available to them. To meet this goal, the Section 5310 program provides financial assistance for capital and operating projects that are public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable and projects that exceed the requirement of the ADA, improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit, and alternatives to public transportation that assist seniors and individuals with disabilities.

This program provides funding to increase access to the community with transportation options through coordination, expansion of efforts and resources of public transportation agencies, human services agencies and private providers of public transportation services.

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.).
- Public transportation projects that improve access to fixed-route service and decreased reliance on complementary paratransit.
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

Under MAP-21 this program no longer provides a single apportionment to each state; it now provides apportionments specifically for large urbanized, small urbanized and rural areas, and requires designations of recipients in large UZAs. Consistent with the type of projects eligible under the former New Freedom program, MAP-21 expanded the eligible activities to include operating expenses.

MORPC’s objective is to build upon and strengthen the partnerships among federal, state, regional, local, and private sector public transportation entities to improve public transportation planning, coordination, access, safety and delivery of service.



All projects selected through this program will be derived from locally developed Coordinated Public Transit – Human Service Transportation Plans (Coordinated Plans) in the Columbus, Ohio UZA. Currently the UZA has two Coordinated Plans - one for each county - Franklin and Delaware. The Franklin County Coordinated Plan is from an urban perspective and Delaware’s is rural. After the 2010 Census the Columbus, Ohio UZA was expanded to include the urban cluster of the City of Delaware and parts of Delaware County. See map.

Establishing goals for the Section 5310 program is accomplished in MORPC’s Metropolitan Transportation Plan (MTP) and the UZA’s Coordinated Plans. These plans are developed with extensive public involvement that identifies gaps in service and develops strategies for better service, policy coordination and implementation options to improve mobility.

## B. Roles and Responsibilities

In the fall of 2014, the Governor of Ohio designated MORPC as the Section 5310 designated recipient for the Columbus UZA. MORPC will work with FTA to develop and respond to all policy issues. MORPC staff will manage the day-to-day activities of the program, including technical assistance, planning; grant administration and monitoring, including preventive maintenance and vehicles or other program inspections.

MORPC will manage all aspects of the Section 5310 program for the Columbus, Ohio UZA and perform a variety of administrative functions as outlined by FTA in its Enhanced Mobility of Seniors and Individuals with Disabilities program circular FTA C9070.1G.

MORPC will be responsible for notifying eligible local entities of the available funding, developing and administering a funding process, verifying applicant eligibility, developing and forwarding an annual Program of Projects (POP), developing and revising this PMP, certifying that grant distribution is fair and equitable, and certifying that all projects are derived from a Coordinated Plan.

Overseeing the implementation of projects as developed and prioritized in the Coordinated Plan, including, where not specified in the plan, selecting entities to carry

out projects consistent with procedures approved in the Coordinated Plan and/or documented in the designated recipient's PMP.

Certifying a fair and equitable distribution of funds is to be coordinated with other transportation services, and insuring that at least 55 percent of the projects are used for "traditional" Section 5310 projects.

Manage all aspects of grant distribution, including project reporting, oversight, audit and closeout for sub-recipients receiving funds under this program.

## **C. Coordination**

All projects included in the application for the Section 5310 program will be derived from a "Locally Developed Coordinated Public Transit Human Services Transportation Plan" as described in Circular 9070.1G Section V.

The Franklin and Delaware County Coordinated Plans were developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, nonprofit transportation, human services providers and members of the public. These plans were prepared through a process that is consistent with the applicable metropolitan and statewide planning process.

The Franklin and Delaware County Coordinated Plans have been maintained and included in the region's (MORPC's) MTP. The two locally developed Coordinated Plans - one in an urban area and one in a rural area - will be combined and included in the next update of MORPC's Metropolitan Planning Organization's 2040 MTP in 2016.

## **D. Eligible Sub-recipients**

Eligibility will not be more restrictive than the Federal Eligibility requirements. Eligible recipients (as identified in FTA Circular 9070.1G) for each type are as follows:

- A. Traditional Section 5310 Projects (at least 55% of total Section 5310 funding)
  - 1. Private non-profit organizations
  - 2. A state or local government authority that:
    - a. Is approved by the state to coordinate services for seniors and the disabled
    - b. Certifies that there are no non-profit organizations in the area to provide these services
- B. Non-Traditional Section 5310 Projects (up to 45% of total Section 5310 funding)
  - 1. A state or local government authority unlike those described above
  - 2. Private non-profit organizations
  - 3. Private for-profit organizations – must certify that all funds are used in the provision of shared ride services

## **E. Local Share and Local Funding Requirements**

MORPC will follow federal guidelines for determining eligible local matching share. The local policy will not be more restrictive than the federal policy. All of the local share must

be provided from sources other than Federal Department of Transportation (DOT) funds. Sources include: other non-DOT federal funds, dedicated tax revenues, private donations, and private foundation revenue from human service contracts, net income generated from advertising and concessions.

Project sponsors are responsible for securing the local share commitment, which must be documented with a signed letter of commitment. The grantee is responsible for ensuring that non-DOT federal funds may be used as local match and are eligible to be used in the project. In-kind match will be allowed, but only if the in-kind contribution is an integral part of the proposed project and the value of the match is documented and supported and represents a cost which would otherwise be eligible under the program.

## **F. Project Selection Criteria and Method of Distributing Funds**

In MAP-21 Section 5310 permits, but does not require a competitive selection process. Each year MORPC will determine if funds should be allocated by a competitive selection process with a MORPC sub-committee or if funds should be allocated by MORPC to identified entities to address regional priorities. Projects can be conducted by a Direct Recipient, by an eligible sub-recipient, or through contract with a third party. MORPC could identify the appropriate implementing agency or could develop a Request for Qualifications which would be publicly advertised.

Project selection criteria will be developed based on the guidance provided in MAP-21's circular for Section 5310 and the priorities identified in the Franklin and Delaware County Coordinated Plans. Special emphasis will be placed on evidence of efforts to coordinate transportation services. All projects will be judged by their capacity to improve access to the community for target populations.

The selection process will be 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.

Since the development of the UZA's Coordinated Plans, contacts of 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 Involvement Policy (<http://www.morpc.org/pdf/2013TransportationPublicInvolvementPlanUpdate.pdf>).

The selection process will include an application workshop where outlining the development of project applications and criteria will be offered. The workshop will be advertised and offered to all interested applicants. Assistance in developing proposals will be offered to all applicants. Funding requests will be submitted to MORPC. During a competitive selection process projects will be ranked depending on the strength of the proposals and the likely impact of the proposed project on priorities identified in the UZA's Coordinated Plans. Funds will be distributed to adequately fund the highest ranked

project first, and as many other high-ranking projects as possible, in order of their ranking.

## **G. Annual Program of Program of Projects Development and Approval Process**

MORPC will advertise the availability of Section 5310 funding and issue a call for projects to interested public and private entities, the media, individuals, and members and place on MORPC's website.

At the beginning of the cycle a workshop will be held for interested parties to review the application process, eligibility, goals, criteria, timetables, local match guidelines and performance monitoring requirements.- Information will also be available on MORPC's website.

MORPC will review applications received, certify compliance with the UZA's Coordinated Plans and recommend the POP to be placed on MORPC's TIP.

Selected and contingent projects will be listed in a POP and amended to MORPC's Transportation Improvement Program (TIP) by MORPC committee approval. MORPC's Community Advisory Committee (CAC) and Transportation Advisory Committee (TAC) will request recommendation for approval by MORPC's Transportation Policy Committee. Upon MORPC committee approval the POP and TIP/STIP will be amended to Ohio's State Transportation Improvement Program (STIP), and submitted to FTA. Applicants will be concurrently notified if they are included in the submission or were rejected.

## **H. Administration Planning and Technical Assistance**

Up to 10 percent of the apportionments for the Section 5310 program may be used, at a 100 percent federal match, for ongoing technical assistance and administration expenses. MORPC will use a portion of this allocation to pay for staff time and expenses to administer the program and its requirements, and anticipates using up to the 10 percent limit for the following activities:

- Update the Coordinated Plan as needed.
- Develop and update the PMP.
- Share best practices.
- Facilitate meetings among agencies; assist in development of recordkeeping and reporting.
- Work as a partner with transit agencies, other providers and programs on GIS and mapping.
- Providing technical assistance to applicants and sub-recipients.
- Contracting with sub-recipients.
- Grant management, ongoing administration, and monitoring of sub-recipients.

## **I. Transfer of funds**

Following FTA guidance, should any current recipients of the Urbanized Formula Grant Program (Section 5307) apply and be selected, MORPC will allow these recipients the

option of applying directly to FTA for Section 5310 funds. In this event, the direct recipient must enter into a supplemental agreement with MORPC. Section 5310 recipients that elect to become direct recipients will then be responsible for all reporting and certifications. A letter will be sent to inform the FTA regional administrator of any transfer of funds, along with the fiscal year of apportionment, the amount of funds to be transferred, and the selected projects for which they will be used.

A signed memorandum of understanding will be provided to Section 5307 recipients detailing the roles and responsibilities of each party. MORPC will write a letter to FTA listing the names of the projects approved, with the amount and type of funding approve including the match and total project cost. The letter will also indicate whether projects can be applied to the required 55% devoted to "traditional" Section 5310 projects. Each Section 5307 applicant that chooses to apply directly to FTA will be required to attach this letter to their applicant in TEAM.

## **J. Private Sector Participation**

Private providers of public transportation services and employers are invited to participate in the coordinated planning process through direct mail; advertisements, public notices and advertisements in area newspapers, and these participants will be among the many stakeholders that will be contacted for the Section 5310 call for applications. MORPC's public involvement policy provides the opportunity for continuing involvement throughout transportation planning and programming process. (in F above)

## **K. Civil Rights**

MORPC will comply with regulations to the end that no person shall, on the ground of race, color, sex, age, creed, handicap, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program from employment or activity for which it receives federal financial assistance either directly or indirectly from the federal departments, and other federal, state and local government sources as well as any and all national, regional, and local private funds; and hereby gives assurance that it will in all phases and levels of program and activities, act affirmatively to achieve equal opportunities for participation by actively seeking out qualified people for due consideration for availability and job opportunities and encouraging the involvement of the socially and/or physically disadvantaged population in all phases of the program.

Each applicant is required as part of its Section 5310 application to provide information relating to the clientele to be served by the project, including the number of minority individuals broken down by Black, Hispanic, Asian or Pacific Islander, Native American, and Asian-Indian population groups. A process will be developed to solicit any complains based on perceived discrimination based on race, color, or national origin

Additionally, each applicant is required to certify compliance to MORPC concerning a number of assurances including:

- 1) Equal Employment Opportunity;

- 2) Nondiscrimination on the Basis of Disability;
- 3) Disadvantaged Business Enterprises Program; and
- 4) Compliance with Title VI of the Civil Rights Act of 1964, as amended
- 5) Limited English Proficiency Requirement

## **L. Section 504 and ADA Reporting**

MORPC agrees to comply with the requirements of 49 U.S.C. §5301 (d) which state the federal policy that elderly individuals and individuals with disabilities have the same right as other individuals to use public transportation services and facilities, and that special efforts will be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities. MORPC will monitor sub-recipients first by requiring a signed agreement outlining the expectations for sub-recipients regarding Section 504 and ADA reporting. In the case of Section 5307 recipients who apply directly for Section 5310 and funds, those agencies have the appropriate ADA-related policies and procedures

MORPC will require demographic information, including disability status of riders on quarterly project reports. Sub-recipients will be asked to report all project measures in a manner to include both a disability and an ethnic breakdown of the population served. MORPC has a process to solicit any complaints based on perceived discrimination based on disability status.

## **M. Program Measures**

The reporting and data collection measures for the Section 5310 Program will be prescribed in the grant agreements with sub-recipients to collect the following specific data:

- Services provided that impact the availability of transportation services for individuals with disabilities as a result of the Section 5310 projects implemented in the current reporting year. Examples include geographic coverage, service quality, or service times.
- Number of calls for information about transportation for elderly individuals and individuals with disabilities, and the actual or estimated successful referrals of those calls will be requested.
- Additions or changes to the environmental infrastructure (e.g., transportation facilities, sidewalks, etc.) technology, or vehicles that impact the availability of transportation services as a result of Section 5310 projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities or seniors as a result of the projects implemented in the current reporting year.

## **N. Designated Recipient Program Management**

MORPC has assigned a staff person as project manager for its PMP. This staff person, or designee, will be responsible for reviewing and processing all reports, plans and certifications required to be submitted under these regulations. MORPC will review information provided by the sub-recipients of Section 5310 funds on a quarterly basis, at a minimum. A quarterly progress report form will be developed to document the program measures for the Section 5310 program as enumerated (in M) above.

All reporting and financial transactions will be managed through FTA's Transit Award and Management System (TRAMS) and Electronic Clearing House Operation Web (ECHO-Web) systems. Any transit agency receiving Section 5307 funds that is awarded Section 5310 funds may opt to become a direct recipient of these grants by completing the supplemental agreement in TRAMS, and will be responsible for all project grant management; MORPC will be released from any liability pertaining to direct recipient grants.

MORPC will develop and execute grant sub-agreements with each sub-recipient selected to receive funding from the Section 5310 program detailing reporting requirements and containing all applicable certifications and assurances. The amount, type (capital or operating) and time period of the funding award will be included in this contract; any expenses incurred in excess of the budgeted amounts are the sole responsibility of the sub-recipient and are not eligible for reimbursement.

The program manager, or designee, will establish and maintain a point of contact with each sub-recipient and will monitor compliance through review of required quarterly reports, plans, certifications, correspondence, telephone inquiries and periodic site visits required by FTA. When the sub-recipient is a Section 5307 Direct Recipient, many of the required FTA monitoring safeguards will be in place at the Direct Recipient level and will be utilized to monitor compliance.

### **Accounting Systems, Financial Management & Reporting**

MORPC has an established accounting and reporting system that meets FTA requirements for financial management. In addition, all sub-recipients must assure MORPC that each has fiscal control and accounting procedures that will permit preparation of the required reports as well as a level of expenditures adequate to establish that such funds are used consistent with the rules and requirements of the program. These systems will also allow for the accurate, current, and complete disclosure of all financially assisted activities, the establishment and maintenance of accounting records which are supported by source documents and which adequately identify the source and application of funds provided, the effective control and accountability of cash, real and personal property, and other assets; the comparison of actual expenditures with budgeted amounts, allowing for the development of performance or productivity data and unit cost information, where appropriate; the application of OMB cost principles, agency program regulations, and the terms of sub-recipient's grant agreement to determine the reasonableness, allow ability, allocation

ability of costs; and a procedure for minimizing the time elapsing between the receipt of Federal funds and local disbursement.

All sub-recipients receiving operating assistance will be required to report financial and operating data on a quarterly and annual basis. Milestone reports are also required for all capital and planning grants. Eligible Direct Recipients have in place accounting systems, financial management procedures and reporting capabilities adequate to meet the requirements of FTA.

All sub-recipients receiving capital assistance are required to keep appropriate property control records on all equipment and real property. Federal Office of Management and Budget and FTA guidelines are used in meeting this reporting requirement.

### **Procurement, Property Management, Vehicle Use, Maintenance and Disposition**

Sub-recipients including MORPC will be required to certify compliance with all federal requirements for fair and open competitive procurement processes, including 49 CFR 18.36 and FTA Circular 4220.1E, "Third-Party Contracting Requirements." Equipment purchases may be conducted directly by the sub-recipient, with MORPC oversight and prior written authorization, or through an existing term contract through another governmental agency or ODOT, if eligible.

The FTA requirements and standards apply to the procurement of all supplies, equipment, and services funded by FTA. Prior to entering into any third sub-agreement, lease, or third party contract, sub-recipients must review the "Excluded Parties Listing System" at <http://epls.gov/>.

MORPC will inspect all vehicles, programs, and infrastructure every three years, and develop and maintain an inventory of all assets. Along with the onsite inspections, each agency's maintenance procedures and practices will be reviewed. Recommendations are made as needed and a follow-up is scheduled if conditions warrant. MORPC is committed to a policy of encouraging good preventive maintenance practices. All grantees and other programs will be encouraged to use a preventive maintenance schedule.

All Section 5310 vehicle sub-recipients must submit a semi-annual monitoring report to MORPC. This report is required until MORPC grants vehicle disposition. Report information is compiled and reviewed periodically to determine if the vehicle, program or projects are being fully utilized. Any sub-recipient determined to underutilize funds is noted and will be contacted to correct any issues. .

MORPC will approve disposition of a vehicle or other equipment when the useful life standards have been met for that particular item or prior to useful life if extraordinary circumstances are involved. All requests for disposition must be made in writing.

## **Reporting, Audits, and Closeouts**

Sub-recipients receiving greater than \$500,000 annually in federal funding are responsible for obtaining annual audits at either the grant or organization level that are consistent with the requirements of OMB Circular A-133. A copy of this audit must be submitted to MORPC, and any audit findings must be resolved by the sub-recipient. If a sub-recipient receives other federal funding in addition to Section 5310 an A-133 must be done and submitted to MORPC.

Vehicle and operating reports are to be quarterly. Data collected include mileage, number of days vehicles are operated, one-way trips for elderly, disabled, and other categories of passengers, condition rating of the vehicle, and maintenance, accident and training information.

Mobility Management Reports are to be submitted quarterly. Data collected relate to the program measures and will be customized based on the Mobility Management Project.

MORPC will submit reports to FTA from the time of grant approval until all eligible program expenses have been reimbursed. Project closeouts are conducted in accordance with FTA guidance.

## **O. Other Provisions**

While MORPC will be the Designated Recipient of funds, it does not operate vehicles or provide direct transportation service. In approving grants to sub-recipients, MORPC will require certifications and assurances from sub-recipients that they will comply with other federal requirements such as environmental protection, Buy America provisions, pre-award and post-delivery reviews, restrictions on lobbying, prohibition on exclusive school transportation, and drug and alcohol testing, as appropriate. Depending on the nature of the project, MORPC will require reporting on the relevant actions taken to comply with the federal requirements listed above as part of quarterly reporting.

In cases when selected project involves a Direct Recipient of FTA funds, that entity will apply for funds directly and monitor the project. Those agencies are familiar with and in compliance with FTA requirements as part of the Section 5307 process.

Appendix L

- Title VI Notice -



## **Notifying the Public of Rights under Title VI Mid-Ohio Regional Planning Commission**

- The Mid-Ohio Regional Planning Commission (MORPC), operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with MORPC.
- For more information on MORPC's non-discrimination policies and the procedures to file a complaint, contact Niel Jurist at 614-233-4126 or by email at [njurist@morpc.org](mailto:njurist@morpc.org). Additional information can be found at [www.morpc.org](http://www.morpc.org).
- A complainant may file a complaint directly with the Federal Transit Administration, Federal Highway Administration, or other federal agency, as applicable. The MORPC website (above), provides information from various federal agencies.
- If information is needed in another language, contact Niel Jurist at 614-233-4126.

## **Notificando al Piiblico de los Derechos Bajo elTitulo VI Comlson de Planificacion Regional Mid-Ohio**

- La Comisi6n de Planificaci6n Regional Mid-Ohio (MORPC) opera sus programas y servicios sin importancia de raza, color y origen nacional segun el ttulo VI de la ley de derechos civiles. Cualquier persona que cree que el o ella ha sido agraviado par cualquier practica discriminatoria ilegal bajo el ttulo VI puede presentar una queja con MORPC.
- Para obtener mas informaci6n sobre las polfticas de no discriminaci6n de MORPC y las procedimientos para presentar una queja, comunfquese con Niel Jurista el 614.233.4126 o par correo electr6nico [njurist@morpc.org](mailto:njurist@morpc.org). Informaci6n adicional se puede encontrar en nuestra pagina web, [www.morpc.org](http://www.morpc.org).
- Un demandante puede presentar una queja directamente con La Administraci6n Federal de Transito, Administraci6n Federal de Carreteras 6 otra agencia federal, segun corresponda. La ubicaci6n de la pagina web MORPC (arriba) proporciona informaci6n de varias agencias federal.
- Si necesita informaci6n en otro idioma, contacte Niel Jurist al 614-233-4126.

Appendix N

- 2016-2017 Diversity and Inclusion Plan -



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# **Diversity & Inclusion**

## **2019-2020**

### **Work Plan**



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

Prepared by:

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

This report was prepared by the Mid-Ohio Regional Planning Commission (MORPC), 111 Liberty St., Columbus, OH 43215, 614-228-2663, 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 a membership of more than 65 political subdivisions and regional agencies representing rural, suburban, and urban communities across Central Ohio.

Recognizing the changing landscape in our region, MORPC 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.

In 2013, MORPC developed the first MORPC Diversity & Inclusion Work Plan to guide the diversity efforts of the MORPC Board and Staff. Following six areas of focus: Workforce, Workplace, Service to Diverse Populations, Diversity Spend, Diversity Requirements, and Diversity Communications. The plan incorporated from MACC the recommendations which incorporated results from a survey and focus group interviews with staff and board members. Also incorporated in the plan were the results from MORPC's *Self-Assessment for Cultural Competence in the Workplace*. This assessment, required by United Way of MORPC as a recipient of funding, provided additional useful information on standards for Cultural Competency.

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 Minorities and Disadvantaged Business Enterprises. 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 (MBE). 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.

## Why MORPC Supports Diversity and Inclusion

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 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, LGBTQ+) 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.

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 work in Diversity & Inclusion is a core value for the agency and its members. MORPC continues to align with the values and premise of Diversity & Inclusion and aspires to meet the goals of the plan.

## **Overview of 2019-2020 Diversity Work Plan**

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 new internal structure to improve capacity, results and priority
- 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* will incorporate 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.

The matrices, sorted by focus area, 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 goal/s; 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.

The *2019-2020 Work Plan* 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.

## Six Areas of Focus and Goals:

### 1. Workforce & Leadership

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

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



### 2. Workplace

Improve accessibility and ensure accommodations for minorities, people with disabilities, and LGBTQ+ at MORPC and venues used for MORPC meetings.



### 3. 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.



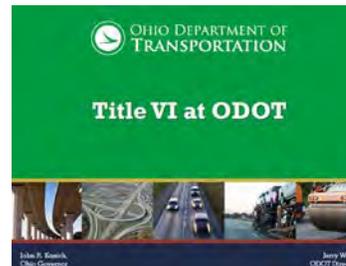
### 4. Service to Diverse Populations

Increase and accommodate service to diverse populations.



### 5. Diversity Requirements

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



### 6. 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 & Inclusion efforts.



# Diversity Work Plan 2019-2020 Focus Areas

## Focus Area: **Workforce & Leadership**

**Goal 1:** Improve diverse voices on Commission and committees and in MORPC's work

**Goal 2:** Commit to the preparation of a culturally competent workforce and Commission

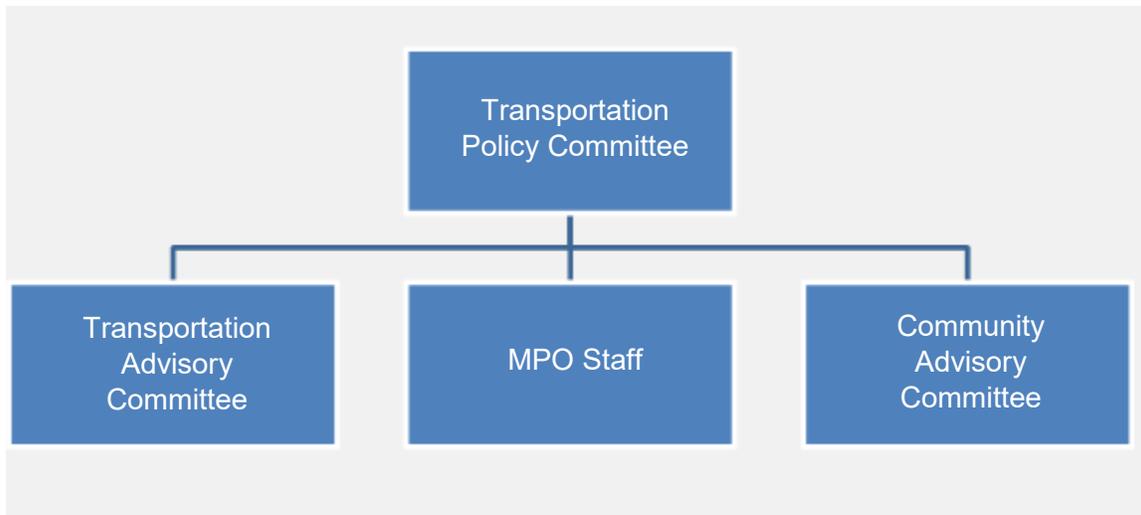
Infrastructure	Strategy	Staff
Executive Committee	<p>Review and modify Commission structure to add up to seven at-large two-year term seats to the Board as regional representatives</p> <p>Add a regional representative to the Executive Committee</p>	<p>E.D. Chief of Staff C&amp;E Director Bylaws Committee Membership</p>
Board	<p>Help members understand the value of diversity and inclusion through community presentations to the Board – Implement 1 MORPC 1 Voice Speaker Series</p> <p>Encourage and actively assist member communities in populating MORPC committees and working groups with more diverse membership</p> <p>Identify training opportunities and resources for Board development</p>	<p>C&amp;E Director Diversity Officer Membership Officer</p>
Board	<p>Pipeline - Engage young adults (18-36) to help communicate agency goals and activities, to obtain meaningful feedback on regional issues, and to develop a pipeline of young leaders for MORPC and local government boards</p> <p>Engage a diverse, regional group of high school students in meaningful learning and feedback on regional issues</p>	<p>C&amp;E Director Membership Officer Diversity Officer</p>
Committees	<p>Create a plan to add more diversity to MORPC committees and working groups</p>	<p>C&amp;E Director Diversity Officer</p>
Staff	<p>Identify and provide diversity training twice per year to staff</p> <p>Identify additional opportunities to post job recruitment notices</p>	<p>Diversity Officer H.R.</p>
Employee Advisory Group	<p>Obtain team member input quarterly on Diversity &amp; Inclusion efforts</p>	<p>C&amp;E Director Diversity Officer</p>

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.

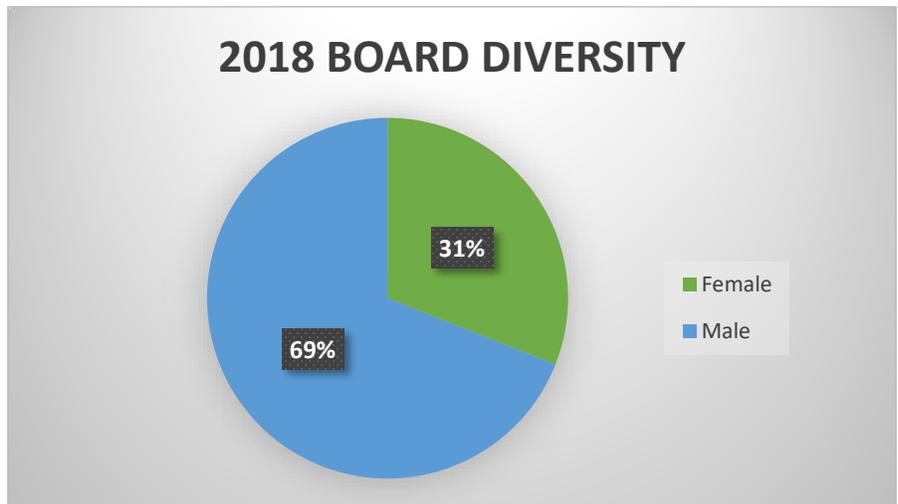
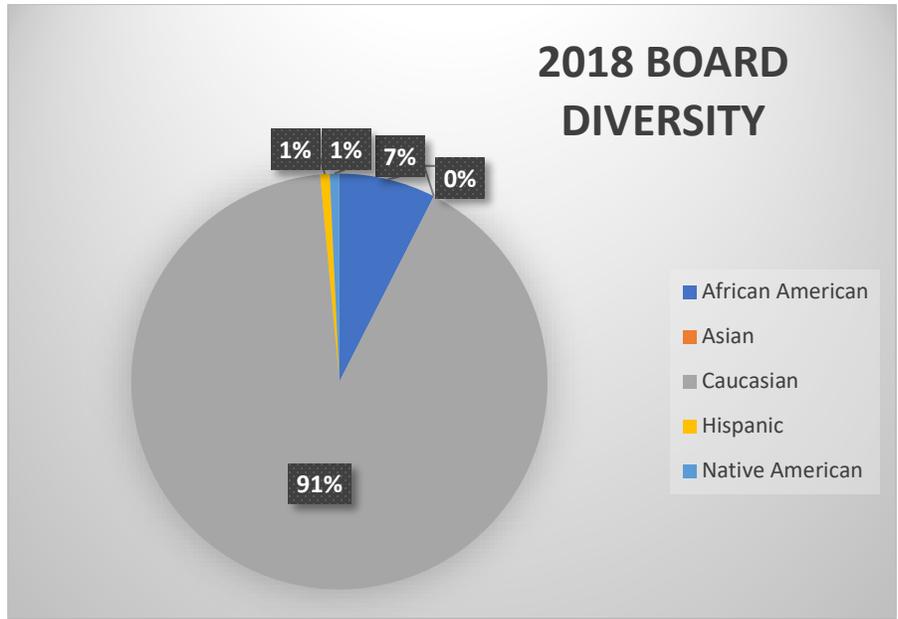
**Community Advisory Committee Reorganization** - One recommendation that will drive the addition of more diverse voices in MORPC's bodies of work is the reorganization of the Community Advisory Committee (CAC). As stipulated in the Public Involvement Plan for the metropolitan planning organization (MPO), the CAC is a committee of citizens and special interest groups that advise the Transportation Policy Committee, a standing committee of the Commission. 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 in the evening where transportation related projects, studies and plans are reviewed, discussed and acted upon.



Under the department of Communications & Engagement, the reorganization will position the CAC to provide service to the entire agency and its 15-county area of interest. The members will represent non-profits and social service agencies that serve diverse populations such as low-income, minorities, senior citizens, veterans, children, young adults, people with mental/physical disabilities, college students; and special interests that represent health, environmental, historic/archaeological, developers, realtors and business. The members will be governed by a chair that will sit on the Transportation Policy Committee.

MORPC various projects, plans and programs will be presented to the members quarterly, or more frequently if needed, to inform, review, provide feedback or act upon. The members will also be tasked with the additional responsibility to share the information with their staff, constituents, clients and members. A more detailed description of the reorganization can be found in the appendix.

**Board Diversity** – 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. The diversity of the MORPC Board as of December 2018 was:



**Staff Diversity** - The 2018 makeup of MORPC consists of a staff of 80 employees. The table below depicts the diversity of its staff. To represent our community, the demographics of staff should reflect the population.

2017 MORPC Staff (%)		2018 MORPC Staff (%)	
African-American	10	African-American	10
Asian	9	Asian	10
Caucasian	79	Caucasian	78
Hispanic	1	Hispanic	1
Other	1	Other	1
Female	56	Female	56
Male	44	Male	44

	MPO	15-County Region	Ohio
<b>Race/Ethnicity</b>	<b>Percent of Total Population</b>		
African-American	18.8	13.5	12.1
Native-American	0.1	0.1	0.1
Asian	4.7	3.4	2.0
Hispanic/Latino	4.7	3.7	3.6
Other	3.5	3.1	2.5
White	68.2	76.2	79.6
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

*ACS 2013-2017 5-year Estimates*

**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 & Inclusion Work Plan and are required to view a workplace diversity awareness video. Board Members are introduced to MORPC’s Diversity effort 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.

Two trainings are scheduled for staff in 2019, Implicit Bias and Cost of Poverty Simulation.

Diversity training since 2011 includes:

- MACC Cultural Competency training (all staff) 2011
- “COSI’s Race Exhibit” featured the global migration of different races and the treatment of different cultures in the United States (all staff) 2012
- “Cultural Diversity Begins With you” focused on the differences unique to each employee (all staff) 2012
- The “Cost of Poverty Simulation” provided an opportunity for staff to experience the difficulties faced by those living in poverty (all staff) 2013

- “Learning the Language” explored the impacts of generational themes on and in the workplace (all staff) 2014
- “Building Cross-Cultural Competence in Global Business Environments” (senior leadership) 2016
- Global Fluency Training (managers) 2017
- “Building Cross Cultural Competency” (field staff) 2017
- Free to Ride: A Kirwan Institute Documentary Film (board members) 2017
- Global Fluency Training (all staff) 2018
- Implicit Bias Training (all staff) 2019

**Employee Advisory Group** – An Employee Advisory Group (EAG) will be formed to assist the Diversity Officer with fulfilling the elements of the D&I Work Plan. The EAG will meet quarterly with the Diversity Officer and the Communications & Engagement Director to review results of the D&I Work Plan and recommend additional tasks or strategies that can be taken to help meet goals and achieve desirable outcomes. Members to serve on the EAG will be recommended from agency staff and vetted with the internal D&I Committee.

**Diversity & Inclusion Committee** – To reflect the changes in the re-organization of the agency, the internal Diversity & Inclusion (D&I) Committee was restructured in 2017. One key issue identified was determining how to institutionalize Diversity and Inclusion efforts and initiatives into the agency. This means making sure diversity is an intentional part of every recruiting decision, every team assembled for a project, every education 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. The re-organization of the D&I Committee consisted of directors and one board member. We anticipated that this re-organization would encourage a greater emphasis on the outcomes that we were striving for in the various focus areas.

In 2018, the internal D&I Committee was restructured again to better perform on priority diversity and inclusion goals and to implement new internal structures to improve capacity, results and priority. The committee consist 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

## Focus Area: **Workplace**

**Goal:** Continue to provide accessibility and assurance of accommodations for minorities, people with physical disabilities, LEPP and LGBTQ+ at MORPC and venues used for MORPC meetings.

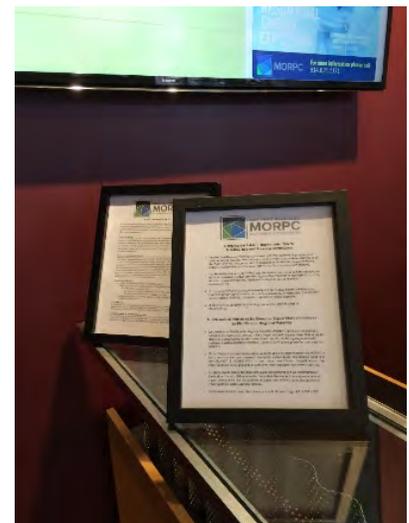
Infrastructure	Strategy	Staff
<b>Facility</b>	Ongoing Assessment: Conference rooms & halls Equipment Employee Lounge Restrooms	Operations
<b>Facility</b>	Include accessibility and accommodations into the renovations Include single-user restroom to accommodate LGBTQ+ individuals	Operations
<b>Foyer</b>	Accommodate public whose English is their second language (LEPP) and people with disabilities	C&E
<b>Foyer &amp; Lounge</b>	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 greet and assist guests. At other times, individuals entering the building have access to a phone, phone directory, and instructions on how to contact staff. Instructions to contact staff are also included in all meeting agendas.

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 find it difficult to use the phone and the directory due to its location on the bar-height desk. This was remedied by installing a ledge where the phone and directory are now located.

In 2018, the agency decided to renovate its existing building in 2019-2020. Efforts are underway to ensure the remodel will accommodate people with disabilities. As an extension of our Diversity & Inclusion efforts, this will also include a single-user restroom to accommodate LGBTQ+ individuals, people with children, and individual privacy as needed.

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



## Focus Area: **Supplier Diversity & Procurement**

**Goal:** Maintain agency diversity spend 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 Diversity	Monitor & Report Quarterly to MORPC Senior Leadership	Diversity Officer
	Continue development & implementation of plan to increase minority spend	Diversity Officer
	Require departments to maintain annual identified utilization rates	Department Directors
	Improve categorization of vendors in reports from Finance	
	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 issued in 2019	Diversity Officer
Vendor Database	Assess & Monitor diverse vendors list	Diversity Officer
	Annually update diverse vendors database	Data & Mapping

**Diverse Vendor Procurement** - Since 2014, a concerted effort has been undertaken to identify and capture diverse vendors in reporting. This included researching vendors MORPC has used in the past several years to determine if they are diverse vendors (\*the 2012 and 2013 data presented below was not adjusted because of this process). In 2015, the percent 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.

	Diversity Spend Percentage of Total Eligible Expenditures	Total Diversity Spend (\$)	Change in Diversity Spend from prior year (\$ and %) *	Total Eligible 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

The chart below shows that procurement for MBE increased slightly and all other categories decreased in 2018. Utilization rate of minority vendors continues to be a challenge.

% 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

To assist with utilizing more diverse vendors, new language has been added to non-DBE RFPs that states an 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 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.*

**Focus Area: Service to Diverse Populations**

**Goal:** Increase and accommodate service to diverse populations.

<b>Infrastructure</b>	<b>Strategy</b>	<b>Staff</b>
Applications Clients	Increase marketing and outreach to diverse populations. Diversify marketing to be more inclusive of targeted populations.	Program Staff
	Report annually on the location, frequency and number of the distribution of translated outreach material.	Diversity Officer
	Monitor quarterly and report to D&I Committee to determine performance	Intake Staff Diversity Officer
	Improve the capturing of diverse applicants’ demographics. Start tracking older adult participation.	Data & Mapping Program Staff
Walk-ins	Assess and implement needed improvements to accommodate limited English proficiency and people with disabilities. 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
LEPP	Report annually on the frequency of encounters seeking interpreters or translation services.	Program Staff Diversity Officer
Point of Service	Allocate appropriate resources to accommodate communications with targeted populations. Monitor quarterly	Diversity Officer Program Staff

**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.

The benchmarks for each service are derived from the demographics of the respective service areas. The benchmarks for the direct services are compared against the percentage of diverse applications from the respective service areas. The purpose is to ascertain if diverse populations are utilizing our services and programs and if so, if the percentage is reflective of the population.

**Residential Energy (Weatherization) Programs** - The results depicted in the graphs show that in 2018 the percentage of African Americans utilizing MORPC weatherization programs, both WarmChoice® (Non-HWAP, EPP and AEP-CAP) and HWAP (zip codes 43206, 43207, 43209, 43223, and 43232), is above the represented population in the service areas. However, the Asian and Hispanic/Latino groups are underrepresented in weatherization applications.

Populations	WarmChoice - Electric % Income Eligible HH in Franklin County	% Served					
		2013	2014	2015	2016	2017	2018
African American	15.1	17.6	45.5	42	43	55	56
Native American	0.1	0	0	0	0.0	0	0
Asian	2.4	0	0	0.6	1.1	.77	0.4
Hispanic/Latino	3.3	1.3	1.4	1	1.4	1	1
Other	3.1	1	3.3	2	3.6	2	2

Populations	HWAP % Eligible in 5 Zip Codes	% Served			
		2015	2016	2017	2018
African American	43.6	44	0	50	58
Native American	.5	0	0	0	0
Asian	1.1	0	0	0	0
Hispanic/Latino	2.8	0	0	0	0
Other	3.9	6	0	0	0

**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 D&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. But for now, quarterly surveys will be conducted for new applicants to determine demographic information; race/ethnicity, age and income.

**Air Quality Alerts** – Offering Air Quality Alerts is another program offered by MORPC. The public can call in for an Air Quality Alert or receive an alert through email. We currently have no way of measuring the demographics of those receiving air quality alerts by email or over the phone. However, a new system was implemented for those seeking alerts which may be able to provide data on the applicants.

**Linguistically Competent (Accommodate call-ins/walk-ins/Point of Service)** – MORPC provides interpretation and translation services, including services to the deaf, for diverse populations when a person calls MORPC’s office (directly to a staff member) and/or at a specific site or location (home/work). Materials left with the customer can be translated into other languages. 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 additional costs to programs.

## 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	Transportation & Infrastructure 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. The percent of Section 3 utilization in 2018 was 2 percent for a total dollar value of \$305,284.

**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:



## 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 & Inclusion efforts.

Infrastructure	Strategy	Staff
Message	<ul style="list-style-type: none"> <li>Define diversity and inclusion clearly and explicitly.</li> <li>Improve understanding and support of increasing MORPC’s diversity.</li> <li>Create business case for diversity and inclusion</li> <li>Articulate in core documents and other communications (process)</li> </ul>	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
Websites and Social Media	Prepare and/or consider diverse audiences in messages, core documents and other communications on the website and in social media (process)	C&E
Collateral Materials	Create a check list on information to include and/or show in outreach material on: <ul style="list-style-type: none"> <li>Graphics</li> <li>Language</li> <li>Photographs</li> </ul>	C&E Program Staff
Sponsorships	Select sponsorships	Diversity Officer
Meetings	Schedule meetings with community leaders representing diverse audiences	Diversity Officer

**Messaging** - One component that top companies share in Diversity 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 Diversity and Inclusion through its advertising and sponsorships. In 2018, MORPC created a diversity ad that was used with sponsorship opportunities.

**Websites and Social Media** - MORPC will use every opportunity to promote being diverse and inclusive through the website, social media and its collateral materials.

**Sponsorships** - In 2018, MORPC sponsored the two-day Asian Festival, Employment for Seniors and Council on World Affairs. MORPC will review sponsorships to determine how best to serve diverse populations.

## Budget

The 2019 budget is \$40,000 and is allocated toward staff wages, training, interpreters/translation fees, membership, and other related costs. The budget for 2020 will be \$40,000.

## 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 a scope of services of what MORPC will do to promote, advocate, and support the diversity of the region. Additionally, a quarterly report on diversity by agency and departments is provided to the Executive Director and Department Directors. This includes information on staff, diverse spend, and direct service applicants.

# Glossary of Terms

**AEP-CAP** – American Electric Power Community Action Program

**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.

**D&I** – Diversity 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 [English](#) by speakers with different [native languages](#).

**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.

**Appendix O**

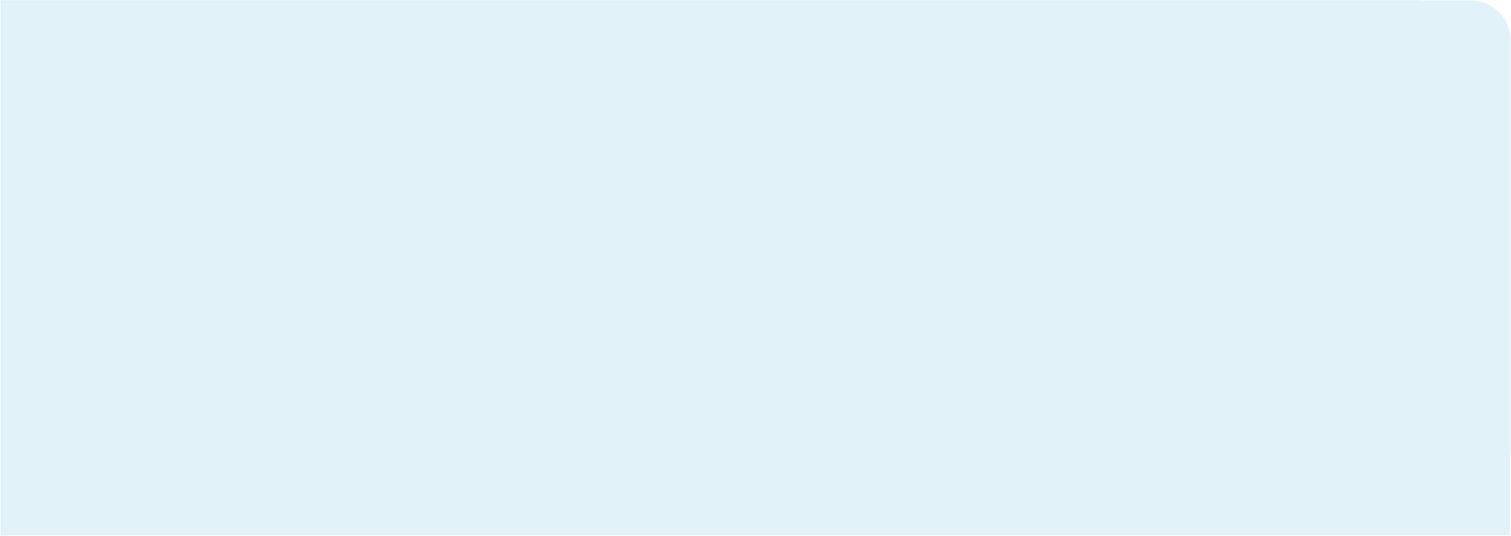
**- MORPC Contracting Process Procedures -**



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# **MORPC CONTRACT PROCESSING PROCEDURE**

August 2019



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## Purpose

This procedure is to help facilitate and expedite the MORPC contract process. Before being signed by the Executive Director, all 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 of Staff & Director of Operations 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 department Executive Assistant must complete a Contract Routing Form for each contract and communicate specific requests to Executive Coordinator Shari Saunders. Contact Shari with processing questions and Shawn for technical questions.

Use the contract templates if at all 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

1. **Determine if a Resolution is Needed.** See the Resolution Process (at OneMORPC) 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).
    - 1) 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 are fixed fee contracts for the goods and services provided. (See Common Contract Types on OneMORPC for more information.)
    - b. The product based templates are time and materials contracts. You pay for the time and materials to complete the work.
    - c. Use federal templates for contracts using federal transportation dollars.
    - d. Use non-federal templates for contracts not using federal transportation dollars.
    - e. Housing templates are project specific.
  - 3) 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 SBE or DBE goals or requirements. 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 ODOT waiver process must be followed. The prime consultant must contract with DBE sub-consultants before signing the contract with MORPC. Each DBE sub-consultant agreement must be submitted to MORPC for approval prior to the DBE beginning work on the project. Work with DBE Coordinator Nick Gill 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.
- 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.
  - 4) 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.
3. **Complete Contract Routing Form.** Please use the most current version on OneMORPC. The online Contract Routing Form includes pop-up instructions. There is also a separate instruction sheet with more detailed instructions available.

Give completed Contract Routing Form, two original contracts, and supporting documentation (copy of Resolution, winning proposal, RFP/RFQ Response Summary Sheet, etc.) to Shari Saunders.

- 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) If there is reason to provide an electronic copy (ex: a draft with tracked changes needs to be reviewed), e-mail it to Shari Saunders and Shawn Hufstедler and provide one copy instead of two with the contract routing form.
- 3) All contracts, regardless if they are draft or final, go through the same process.
- 4) 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 reviews for completeness, consistency, and general accuracy of contract routing form and attachment(s).
- 2) Shawn Hufstедler reviews for content, etc. Susan Tsen processes 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 clauses.
  - c. Newspaper test.
  - d. New funder.
- 3) The contract then goes to William Murdock for review/approval.
- 4) After the contract is signed by William, Ciel Klein will scan and make copies for further processing. The signed contract(s) is returned 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.

5) Finance will process the contract and assign it a number. Shari Saunders will enter the information into the contract database and file hard copies of fully executed contracts.

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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