

Self-Certification Resolution

Shenango Valley Area Transportation Study Metropolitan Planning Organization (SVATS MPO)

RESOLUTION of the Shenango Valley Area Metropolitan Planning Organization (SVATS MPO) to certify that the metropolitan transportation planning process is being carried out in accordance with all applicable federal requirements and that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing the Long Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP).

WHEREAS, 23 CFR Part 450.336 specifies that, concurrent with submittal of a proposed TIP to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as part of the State TIP (STIP) approval, Metropolitan Planning Organizations (MPOs) shall certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements; and

WHEREAS, Section 134 of Title 23 USC, 49 USC 5303, and 23 CFR Part 450 set forth the national policy that the MPO designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of an LRTP and TIP, and establish policies and procedures for MPOs to conduct the metropolitan planning process; and

WHEREAS, the SVATS MPO TIP continues to be financially constrained as required by 23 CFR Part 450.326(j) and FTA policy on the documentation of financial capacity, published in FTA Circular 7008.1A; and

WHEREAS, the requirements of 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 have been met for non-attainment and maintenance areas in the development of the SVATS MPO LRTP 2016-2042 Update and the 2019-2022 TIP; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 as amended (42 USC 2000d-1) and 49 CFR Part 21; 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity; The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance; 23 USC Section 324, prohibiting discrimination based on gender; Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.), and 49 CFR Parts 27, 37, and 38, regarding discrimination against individuals with disabilities have been met; and

WHEREAS, the requirements of Section 1101(b) of the Fixing America's Surface Transportation (FAST) Act (Public Law 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged or minority business enterprises in FHWA-funded planning projects and FTA-funded projects have been met; and

WHEREAS, the provisions of 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts have been addressed; and

WHEREAS, the requirements of Executive Order 12898 (Federal Order to Address Environmental Justice in Minority Populations and Low Income Populations) have been met; and

WHEREAS, the provision of 49 CFR Part 20 prohibiting recipients of federal funds from using those funds for lobbying purposes has been met; and

NOW, THEREFORE, BE IT RESOLVED, that the SVATS MPO certifies that its metropolitan transportation planning process is being carried out in conformance with all of the applicable provisions of federal law and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all transportation plans and programs, including the SVATS MPO LRTP and TIP.

I HEREBY CERTIFY THAT this resolution was adopted by the SVATS MPO Coordinating Committee at its July 14, 2020 meeting, and that said resolution is now in full force and effect.

ATTEST:

Daniel M. Gracenin
SVATS MPO Secretary

By: _____
Jeremy P. Coxe
SVATS MPO Chair

SVATS MPO SELF-CERTIFICATION PROCESS

23 CFR Part 450.336 requires self-certification of the metropolitan planning process. In essence, this helps to assure that the metropolitan planning areas (MPAs) are following all processes required of MPOs. The Self Certification Resolution, included along with other FY 2021-2024 TIP documentation—and submitted to PennDOT CPDM, FHWA and FTA—demonstrates the SVATS MPO's commitment to this requirement.

The SVATS MPO is considered a Transportation Management Area (TMA) because it is part of a defined metropolitan area (Youngstown-Warren-Boardman, OH-PA MSA) with a population exceeding 200,000. All TMAs are required to have Federal Certification Reviews performed by FHWA and FTA every four years. Based on the higher level of oversight by these federal agencies, TMA MPOs (including SVATS MPO) are not asked to provide additional compliance documents because the planning process is reviewed during the Federal Certification Review. The SVATS MPO's last Federal Certification Review took place in 2016, and the 2020 process is underway. SVATS MPO staff submitted several documents for a desk review in April, 2020; the remainder of the review is scheduled to be conducted later in the year.

§ 450.336 Self-certifications and Federal certifications:

- (a) For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and the FTA as part of the STIP approval, the State and the MPO shall certify at least every 4 years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:
- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
 - (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
 - (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. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
 - (6) 23 CFR part 230, regarding the implementation of an 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.
- (b) In TMAs, the FHWA and the FTA jointly shall review and evaluate the transportation planning process for each TMA no less than once every 4 years to determine if the process meets the requirements of applicable provisions of Federal law and this subpart.
- (1) After review and evaluation of the TMA planning process, the FHWA and FTA shall take one of the following actions:
 - (i) If the process meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process;
 - (ii) If the process substantially meets the requirements of this part and the MPO and the Governor have approved a TIP, jointly certify the transportation planning process subject to certain specified corrective actions being taken; or
 - (iii) If the process does not meet the requirements of this part, jointly certify the planning process as the basis for approval of only those categories of programs or projects that the FHWA and the FTA jointly determine, subject to certain specified corrective actions being taken.
 - (2) If, upon the review and evaluation conducted under paragraph (b)(1)(iii) of this section, the FHWA and the FTA do not certify the transportation planning process in a TMA, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the MPO for projects funded under title 23 U.S.C. and title 49 U.S.C. Chapter 53 in addition to corrective actions and funding restrictions. The withheld funds shall be restored to the MPA when the metropolitan transportation planning process is certified by the FHWA and FTA, unless the funds have lapsed.
 - (3) A certification of the TMA planning process will remain in effect for 4 years unless a new certification determination is made sooner by the FHWA and the FTA or a shorter term is specified in the certification report.
 - (4) In conducting a certification review, the FHWA and the FTA shall provide opportunities for public involvement within the metropolitan planning area under review. The FHWA and the FTA shall consider the public input received in arriving at a decision on a certification action.
 - (5) The FHWA and the FTA shall notify the MPO(s), the State(s), and public transportation operator(s) of the actions taken under paragraphs (b)(1) and (b)(2) of this section. The FHWA and the FTA will update the certification status of the TMA when evidence of satisfactory completion of a corrective action(s) is provided to the FHWA and the FTA.