



Tennessee Department of Transportation
Civil Rights Division



2023 Metropolitan Planning Organization Title VI Compliance Assessment

Civil Rights Division; Suite 1800 James K. Polk Building; 505 Deaderick Street, Nashville, Tennessee 37243

Telephone Number: 615.741.3681 – Email: TDOT.Title.VIProgram@tn.gov

I. Agency Contact Information

Mark Potts

Mayor Jefferson County/ LAMTPO Chair

Name of Administrative Head

Job Title

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)

Agency Name

100 W 1st N St

Agency Address

Morristown, TN

37814/ Hamblen

City/State

Zip Code/County

423-581-6277

richd@mymorristown.com

Agency Phone Number

Email

Richard L. DesGroseilliers

MTPO Coordinator

Name of Title VI Coordinator

Job Title

100 W 1st N St

Title VI Coordinator's Address (If different from above.)

Morristown, TN

37814/ Hamblen

City/State

Zip Code/County

423-581-6277

richd@mymorristown.com

Title VI Coordinator's Phone Number

Email

www.lamtpo.com

Website Address/URL

***Please notify the Title VI program staff if your Title VI Coordinator changes.**

II. Title VI Training Information

1. Has the Title VI Coordinator participated in TDOT's Title VI Program training within the past three years?

Yes ☒

No ☐

Date of Last TDOT Title VI Training April 12 2023

If yes, provide a copy of the training certificate or date of training.

If no, visit the TDOT Title VI website and take the online Title VI training or register to attend a virtual regional training. <https://www.tn.gov/tdot/civil-rights/title-vi-program/title-vi---training.html>

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2. What method is used to train staff on Title VI of the Civil Rights Act of 1964 and other related nondiscrimination mandates?

TDOT website, YouTube videos, FHWA and FTA civil rights websites

3. How frequently is staff provided Title VI training?

Annually

III. Organization - 42 USC 2000et seq.; 49 CFR Part 21; 28CFR Part 42, subpart F, Executive Order 12898 on Environmental Justice and Title VI; FTA C4702.1B; FTA C4703.1.

1. Planning Commission(s), Board(s), and/or Advisory Body(ies) should reflect the racial/ethnic composition of the community affected by their programs.

Provide a breakdown for all MPO staff, transportation - related appointed board(s), advisory body(ies) or commission(s) by race and gender.

Body	Caucasian	Hispanic/ Latino	Black/ African America	Asian	American Indian /Alaska Native	Native Hawaiian /Pacific Islander	Other, Specify
Population							
Committee 1	1	0	0	0	0	0	0
Committee 1	7	0	0	0	0	0	0
Committee 1	9	0	0	0	0	0	0

*Use addendum sheet to add additional committees.

2. How are members of the board(s)/or commission(s) selected? If there are by-laws, please provide a copy.
- LAMTPO Executive Board is made up of elected officials. The Technical Advisory Committee (TAC) is comprised of city managers, public works officials, etc., as approved by the Executive Board. A Copy of the ByLaws are attached.

3. How often do members of the board(s), commission(s), and/ or advisory bodies meet? Are there regularly scheduled meetings?

The Executive Board and TAC have regularly monthly scheduled meetings

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4. Provide a narrative or description of efforts made to encourage the participation of minorities on such committees or decision-making boards.

LAMTPO Executive Board is made up of elected officials. The Technical Advisory Committee (TAC) is comprised of city managers, public works officials, etc., as approved by the Executive Board.

The Executive Board can decide to place minorities on subcommittees, if they believe it is warranted, such as doing a land use study within a area of town with a high minority population.

Advertisements are done in English and Spanish, and are placed in local newspapers, including *Hola Lakeway*, and sent to East Tennessee Hispanic Area Chamber of Commerce.

5. Provide a demographic profile of MPO's metropolitan area that includes identification of minority and/or low income populations in the aggregate. (Use addendum sheets.)
6. Provide a description of the procedures used to determine and consider the mobility needs of the minority population. (Use addendum sheets.)
7. Provide copies of MPO's Title VI Poster, informing the public of the protections provided to them under Title VI. Include locations where notices are posted, e.g., website, building entrance, etc.
8. Provide a copy of MPO's Title VI complaint log, procedures, and instructions to the public regarding how to file a Title VI discrimination complaint. Ensure all funding agencies all listed and identified as an agency that a complaint can be filed with (FHWA, FTA, and TDOT).
9. List all Title VI complaints, investigations or lawsuits filed on the basis of race, color, and/or national origin within the last three years. If none, please indicate so.

None

10. List all funding sources to the MPO and provide a description of the procedures the MPO uses to pass through federal financial assistance to subrecipients in a nondiscriminatory manner. (Use addendum sheets.)

see attached

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11. List funding sources and any applications approved for federal projects.

see attached

12. Provide a summary of all FHWA/FTA Title VI reviews conducted on your agency in the past three years; any findings and recommendations; and status of and/or disposition of findings and recommendations.

No findings

13. Provide a written description of the planning process, discussing how project selection and/or criteria for the Unified Planning Work Program (UPWP), Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) will be accomplished in a nondiscriminatory manner. (Use addendum sheets.)

14. Provide an analysis assessing any effects on Environmental Justice (EJ) traditionally underserved communities that include transportation congestion and air quality projects.

- The potential impact on traditionally under-served communities and businesses during and after project;
- The potential environmental impact;
- Detailed list of traditionally underserved owned businesses and households to be effected;
- Any significant changes or impacts on traditionally under-served communities; and
- Description of how this/these project(s) will mitigate any identified adverse, social, economic, or environmental effects.

Note: If report(s) on the above-described projects have been conducted or are in the possession of TDOT personnel, provide the name, date and project termination date of each such project.

IV. Public Involvement – 42 USC 2000d et seq.; 49 CFR Part 21; 28 CFR Part 42, Subpart F, Executive Order 12898

1. Describe the effectiveness of your public involvement process as well as any strategies to ensure traditionally underserved populations have an opportunity for full participation in your planning process. (Use addendum sheets.)

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Advertisements are done in English and Spanish, and are placed in local newspapers, including *Hola Lakeway*, and sent to East Tennessee Hispanic Area Chamber of Commerce. All documents, transportation plans, etc, can be transcribed to another language, but a request must be done in writing beforehand.

2. Provide a copy of the MPO's Public Participation Plan that includes an outreach plan to engage the minority, low income, and the limited English proficient (LEP) population.
3. Provide a copy of the MPO's plan for providing language assistance to LEP persons.
4. Describe how traditionally underserved media sources are included in all notification processes for public meetings or public reviews of agency documents.

Advertisements are done in English and Spanish, and are placed in local newspapers, including *Hola Lakeway*, and sent to East Tennessee Hispanic Area Chamber of Commerce.

5. Describe how meeting locations and formats encourage or facilitate participation by traditionally underserved populations (minority and/or low income communities).

All meetings are located in an ADA accessible building or park with ADA accessible meeting spaces.

Advertisements are done in English and Spanish, and are placed in local newspapers, including *Hola Lakeway*, and sent to East Tennessee Hispanic Area Chamber of Commerce.

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V. Contracting Opportunities – 42 USC 2000d et seq.; 49 CFR Part 21.5(b) (2) & (3); 28 CFR Part 42, Subpart F

1. List primary or subcontracting opportunities for planning studies, corridor studies, or other work which have been provided to minorities and women owned firms in the last 12 months. Provide a copy of your agency's procurement plan. * As a subrecipient of federal funds your agency is required to monitor, tract, and report DBE utilization.

Mass Transit Center Feasibility Study, WSP Associates. RFP Process using FTA Section 5303 Funds.

US Hwy 11E Corridor Study in Jefferson City, TN, CDM Smith Associates. This was a UTPG Grant, thus used the State's on-call procurement process

SR160 Corridor Study in Morristown/ Hamblen County TN, CDM Smith Associates. RFP Process, using CPG funds.

2050 Metropolitan Transportation Plan (just underway) Stantec Associates will be the consultant. Used TDOT's On-call consulting process.

Include documentation for the following information:

- The number and nature of consultant contracts used by the MPO.
- The number of certified Disadvantaged Business Enterprises and other small, minority and women – owned businesses (by race) used by the MPO, including the nature of the work, type and description of projects, and locations.
- Outreach methods used by the MPO to attract certified Disadvantaged Business Enterprises and other small, minority and women – owned businesses.

2. Documentation - 23 USC 109(h); Executive Order 12898; 49 CFR Part 21; Title VI; FTA C4702.1B; FTA C4703.1.

1. Have there been any special studies of traditionally under-served or low income communities conducted in the past three years? What type studies? Purpose?

Yes ☒ No ☐ If yes, please provide a brief narrative on the type of study.

The SR343 Complete Streets and ITS Traffic Signal Coordination Corridor Study (2021). This study was to show how to improve traffic flow, reduce speeding, and improve safety throughout the corridor. SR343/ S Cumberland St from E Morris Blvd/ US Hwy 11E to SR160 lacks sidewalks, had several crashes, and even some fatalities. This study showed how to make it a complete street by reducing the number of lanes from 4 to 3 lanes, add a multiuse path on one side of the street, and sidewalks on the other. No ROW is needed, and it will help reduce crashes, especially with pedestrians and bicyclists. This area has a high Hispanic population, over 25%.

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Program Specific Requirements

The following applies to planning areas with a population of 200,000 or greater

VI. Community Impact Assessment – 23 USC 109(h) lists the types of adverse social and economic impacts that must be investigated and documented.

1. Describe how community value, social, neighborhood issues; environmental justice and any discrimination issues are normally addressed by the MPO.

see attachment

VII. Service Equity – Executive Order 12898 Cumulative Impacts; 42 USC 2000d et seq.; 49 CFR Part 21; 28 CFR Part 42, Subpart F; FTA C4702.1B. In the context of land use planning, cumulative impacts of the benefits and burdens (regional plan level), please address the following:

1. Describe to what extent the MPO coordinates with citizens and community-based agencies, groups and/or organizations in defining communities within the MPO's geographic area of responsibility in assessing potential benefits and impacts of transportation system investments, particularly related to traditionally under-served populations and other traditionally under-utilized populations.

LAMTPO, when doing a document, such as UPWP, TIP, or LRTP, always sends information out as shown in the Contact listing (attached), through either mail and/or email.

All LAMTPO meetings are open to the public.

LAMTPO participated in the Lakeway Transit Advisory Council meeting on August 7, 2023, and will continue to meet with them as scheduled.

LAMTPO staff is always open to meet with the general public or organizations to discuss transportation issues, concerns, etc. within the region.

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2. What specific criteria are used to determine which projects will be included in the Transportation Improvement Program (TIP)?

See attached TIP Process

3. How is the distribution of impacts to socioeconomic and/or ethnic minorities identified and measured?

Staff uses GIS data to show where the projects to occur, and to see if it will have any impact to any groups of people. Generally the projects that are to be done occur within the existing right-of-ways, thus the amount of impact to anyone or anything is minimal.

Staff also uses GIS information to help determine where the best fixed route public transportation services will be, and how that can help give better mobility to low income or disabled people.

4. How does the MPO collect and utilize transit data?

Collect data every year, working with ETHRA and Lakeway Transit, try to determine the origin and destination trips.

Staff also uses GIS information to help determine where additional bus stops along the existing three (3) fixed bus route services will be, and how that can help give better mobility to low income or disabled people.

For MPOs that are providers of fixed route public transportation service (50 + peak vehicles):

1. If there have been any major service changes, provide the Title VI equity analysis that was conducted during the planning stage for the particular change, i.e., fare changes, facility constructions (in regard to location), etc. with regard to facility location.
2. Provide passenger surveys, if any.
3. Provide a copy of the MPOs Set System-Wide Service Standard, i.e., non-discrimination policies, etc.
4. Submit any evaluations conducted on Service fare changes.
5. Submit any analysis/monitoring of ridership data, minority routes, etc.



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VIII. Title VI Assurance

As required by the contractual agreement, LAMTPO will comply with the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the Tennessee Department of Transportation.

LAMTPO assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) 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 Tennessee Department of Transportation (TDOT).

LAMTPO further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs or activities are federally funded or not.

In the event LAMTPO distributes federal financial assistance to a consultant, contractor or subcontractor and other participants, LAMTPO will include Title VI nondiscrimination language in all written agreements and will monitor the consultant, contractor or subcontractor and other participants for compliance. The Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21. As required by the contractual agreement, LAMTPO will comply the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the Tennessee Department of Transportation (TDOT).

IX. Declaration of Respondent

I declare that I have completed this Title VI Compliance Assessment to the best of my knowledge and believe it to be true and correct.

Title VI Coordinator

August 29, 2023

Date

X. Declaration of Administrative Head

I declare that I have reviewed and approved the information provided in this assessment and to the best of my knowledge and believe it is true, correct and complete.

Administrative Head

September 1, 2023

Date

THE LAKEWAY AREA
METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION
(LAMTPO)

PROSPECTUS, BY-LAWS,
AND STUDY AREA

Approved July 10, 2019

This document was prepared by LAMTPO, in conjunction with the Tennessee Department of Transportation, Federal Highway Administration, and the Federal Transit Administration.

The Lakeway Area Metropolitan Transportation Planning Organization ensures compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, part 26; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance from the U.S. Department of Transportation on the grounds of race, color, sex, or national origin.



Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

MTPO RESOLUTION # 2019-005

RESOLUTION BY THE LAKEWAY AREA
METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION

WHEREAS, the U.S. Census Bureau has determined that the Morristown Urbanized Area has a population over 50,000;

WHEREAS, the Morristown, Jefferson City, White Pine, and portions of Hamblen and Jefferson counties, TN were designated as the Morristown Urbanized Area by the U.S. Census Bureau in 2002; and

WHEREAS, the Lakeway Metropolitan Transportation Planning Organization was established in 2003 to carry out a comprehensive, cooperative, and continuing Transportation Planning Process in the Morristown Urbanized Area; and

WHEREAS, a Prospectus and By-Laws, were developed and adopted to establish a multi-year framework for this process; and

WHEREAS, the Morristown Urbanized Area was expanded by the U.S. Census Bureau in 2012;

THEREFORE, BE IT RESOLVED that the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) approved and adopted the updated and revised Prospectus and By-Laws.



LAMTPO Executive Board Chair

July 10, 2019
Date

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LIST OF ABBREVIATIONS

Abbreviation	Full Name Description
3-C	Continuing, Cooperative, and Comprehensive planning process
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADHS	Appalachian Development Highway System
AQ	Air Quality
CAA	Clean Air Act
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CTPP	Census Transportation Planning Products
DBE	Disadvantaged Business Enterprise
EPA	Environmental Protection Agency
ETDD	East Tennessee Development District
ETHRA	East Tennessee Human Resources Agency
FAF	Freight Analysis Framework
FAST Act	Fixing America's Surface Transportation Act
FFY	Federal Fiscal Year (from October 1 to September 30)
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTA Section 5303	FTA Section 5303 Metropolitan Transportation Planning (5303)
FTA Section 5307	FTA Section 5307 Urbanized Area Formula Grants (5307)
FTA Section 5309	FTA Section 5309 Capital Investments Grant
FTA Section 5310	FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities
FTA Section 5311	FTA Section 5311 Rural Areas Formula Grant
FTA Section 5312	FTA Section 5312 Public Transportation Innovation
FTA Section 5324	FTA Section 5324 Emergency Relief
FTA Section 5337	FTA Section 5337 State of Good Repair
FTA Section 5339	FTA Section 5339 Bus and Bus Facilities
FRA	Federal Railroad Administration
FY	Fiscal Year
GIS	Geographic Information Systems
GPS	Geographical Positioning System
HPP	High Priority Project
HSIP	Highway Safety Improvement Program
HSTCP	Human Services Transportation Coordination Plan
HUD	Housing and Urban Development

Abbreviation	Full Name Description
IAC	Inter-Agency Consultation
IM	Interstate Maintenance
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITS	Intelligent Transportation Systems
LAMTPO	Lakeway Area Metropolitan Transportation Planning Organization
LED	Light Emitting Diode
LEP	Limited English Proficiency
LRTP	Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century
MOBILE 6.2	Mobile Source Emission Factor Model
MOVES	Motor Vehicle Emission Simulator
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MTPO	Metropolitan Transportation Planning Organization
NAAQS	National Ambient Air Quality Standards
NHFP	National Highway Freight Program
NHPP	National Highway Performance Program
NHS	National Highway System
PC 1101	Public Chapter 1101
PEAs	Planning Emphasis Areas
PL 112	FHWA Section 112 Planning Funds
PPP	Public Participation Plan
RPO	Rural Transportation Planning Organization (North and South)
SAFETEA-LU	Safe, Accountable, Flexible and Efficient Transportation: A Legacy for Users
SHSP	Strategic Highway Safety Plan
SIP	State Implementation Plan
SPR	State Planning and Research Funds
SRTS	Safe Routes To School
SSCP	Social Services Coordination Plan
STBG	Surface Transportation Block Grant
STIP	State Transportation Improvement Program
TAP	Transportation Alternatives Program
TAC	Technical Advisory Committee
TCA	Tennessee Code Annotated
TCM	Transportation Control Measures
TDEC	Tennessee Department Of Environment and Conservation
TDM	Travel Demand Model

Abbreviation	Full Name Description
TDOT	Tennessee Department of Transportation
TDOT-LRPD	TDOT Long Range Planning Division
TDOT-DMTR	TDOT Division of Multimodal Transportation Resources
TDOT-OCT	TDOT Office of Community Transportation
TIFIA	Transportation Infrastructure Finance and Innovation Act
TIGER	Transportation Invest Generating Economic Recovery Program
TIP	Transportation Improvement Program
TPO	Transportation Planning Organization
TRANSCAD	Transportation Computer Aided Design
TRIMS	Tennessee Roadway Information Management System
UPWP	Unified Planning Work Program
UROP	State Operating Assistance Program
USDOT	United States Department of Transportation
UZA	Urbanized Area

INTRODUCTION

This document is the Prospectus for the Lakeway Area Metropolitan Transportation Planning Organization. **Appendix A** contains the By-Laws for the Lakeway Area Metropolitan Transportation Planning Organization Executive Board. **Appendix B** contains the By-Laws for the Technical Advisory Committee (TAC).

DEFINITIONS

1. **Critical Issue** – a condition that may arise at the call of an Executive Board member when deemed to be of critical importance to their governmental jurisdiction. A vote on a critical issue shall not be conducted by the Executive Board without thirty (30) days notice being published in a newspaper of general circulation within the urbanized area. A vote on an item of critical issue shall require at majority of the total Voting Weight (see Appendix 1, Article 9 of the By-Laws).
2. **Consolidated Planning Grant (CPG)** – **This is one grant that combined both the FHWA PL funds and the FTA Section 5303 funds. These funds are to be used for metropolitan transportation planning and administrative uses only.**
3. **Executive Board** – the decision making body of the Lakeway Area Metropolitan Transportation Planning Organization consisting of the principal Elected Official of the City of Morristown, Hamblen County, Jefferson County, the City of Jefferson City and the Town of White Pine and the appointee of the Governor of the State of Tennessee. It should be noted that if an Executive Board member wishes to send a proxy, that is acceptable.
4. **ETHRA** – **East Tennessee Human Resource Agency**
5. **ETDD** – East Tennessee Development District
6. **FHWA** – shall refer to the Federal Highway Administration.
7. **FTA** – shall refer to the Federal Transit Administration.
 - a. **Section 5303** Mass Transit Planning Funds
 - b. **Section 5307** Urbanized Area Mass Transit Capital and Operations Funds
 - c. **Section 5310** Enhances Mobility for Seniors and Individuals with Disabilities
 - d. **Section 5311** Rural Area Mass Transit Capital and Operations Funds
 - e. **Section 5339** Bus and Bus Facilities
8. **Governor** – shall refer to the Governor of Tennessee.

9. **Lakeway Urbanized Area** – see “Urbanized Area”
10. **LAMTPO** – shall refer to the Lakeway Area Metropolitan Transportation Planning Organization.
11. **Metropolitan Planning Area (MPA)** – the study area that includes the designated by the U.S. Census Bureau as the urbanized area based upon population density plus any additional territory that may become part of the urbanized area within the next 20 years, as approved by the Executive Board. This may also be referred to as the MPA, the MTPO (or MPO) planning area, the MTPO (or MPO) planning boundary, or the planning boundary.
12. **Morristown Urban Area** - see “urbanized area”.
13. **Morristown Urbanized Area** - see “urbanized area”.
14. **MPO** – Metropolitan Planning Organization. See “MTPO”
15. **MPO Coordinator** – see “Transportation Planning Coordinator”
16. **MTPO Coordinator** – see “Transportation Planning Coordinator”
17. **MTPO** – The Metropolitan Transportation Planning Organization that is responsible for transportation planning within the MTPO study area. For the purposes of this document, the by-laws, and transportation planning in general within the Lakeway Area Metropolitan Urbanized Area, MPO and MTPO are synonymous.
18. **PL** – Planning funds for transportation planning and administration purposes
19. **Principal Elected Official** – the elected mayor of a municipality located wholly or partially within the designated urbanized area and/or the elected county mayor of Hamblen County and/or Jefferson County.
20. **Prospectus** – the document and all supplemental material such as maps, charts or graphs approved by the Executive Board that describes the transportation planning activities to be undertaken by local, regional, state or federal agencies pertinent to the Lakeway Area MTPO study area.
21. **RPO** – Rural Planning Organization.
22. **SIP** – shall refer to the Tennessee State Implementation Plan
23. **STBG** – Surface Transportation Block Grant – formerly called STP, the STBG provides flexible funding that may be used by States and localities for projects

on any Federal-aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities federal funds.

24. STIP – shall refer to the Tennessee State Transportation Improvement Program.

25. STP – Surface Transportation Program -provides flexible funding that may be used by States and localities for projects on any Federal-aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities federal funds

26. Transportation Advisory Committee (TAC) – advises and makes recommendation to the Executive Board.

27. Transportation Alternatives Program (TAP) – a grant program that is used for multimodal purposes, such as sidewalks and greenways.

28. TDOT – refers to the Tennessee Department of Transportation.

29. TIP – The Transportation Improvement Program that identifies, prioritizes and estimates the costs of transportation projects and activities to be programmed within the MTPO study area.

30. Transportation Planning Coordinator – An employee of the MTPO responsible for coordination of transportation planning activities and MTPO administration. Generally referred to as the MTPO Coordinator

31. Transportation Technical Advisory Committee – an advisory board to the Executive Board.

32. Urban Area – see “Urbanized Area”

33. Urbanized Area (UZA) – that territory classified by the U.S. Census Bureau as a contiguous area comprising a minimum population of at least 50,000 according to the most recent decennial census.

BACKGROUND

United States federal transportation regulations require the formation of a MTPO (Metropolitan Transportation Planning Organization) for any urbanized area (UZA) with

a population greater than 50,000, and generally with an overall population density of 1,000 people per square mile or more. MTPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a comprehensive, cooperative, and continuing (3-C) planning process. Federal funding for transportation projects and programs are channeled through this planning process. An MTPO with planning boundaries and by-laws that include membership and voting structure should be established and designated by an agreement between local officials and the Governor.

Morristown, Jefferson City, White Pine, and portions of Hamblen and Jefferson counties, TN were designated as the Morristown Urbanized Area by the U.S. Census Bureau in 2002. In March 2012, the United States Census Bureau designated portions of Morristown, Jefferson City, White Pine, New Market, and Hamblen and Jefferson Counties as an urbanized area. The population within the LAMTPO Metropolitan Planning Area (MPA) is 89,944. **Tables 1 and 2**, shown on the next page, list the total population and the population percentages within the urbanized area for Morristown, Jefferson City, New Market, White Pine, Hamblen County and Jefferson County. The amount of land area within the LAMTPO MPA is 59.98 square miles. This information was based on the 2010 U.S. Census. **Map 1**, shown on page 9, illustrates LAMTPO MPA as well as the urbanized area boundary for Morristown, Tennessee, as defined by the U.S. Census Bureau in March 2012.

TRANSPORTATION ISSUES FACING THE AREA

As the Lakeway region continues to grow and develop, new transportation issues will occur. The MTPO is the forum where member jurisdictions cooperatively resolve these issues, such as:

1. Maintaining and/or improving air quality;
2. Balancing the needs and requirements of all various modes of travel (i.e., mass transit, rail, bicycle, pedestrian, air, freight, and private automobile); and
3. Managing and/or preventing area congestion.

The MTPO has the responsibility to identify and implement transportation projects and services necessary to meet the air quality standards as required by the Clean Air Act of 1990. The MTPO has the responsibility for developing, maintaining, and implementing a regional transportation planning program, to allocate funding for the implementation of transportation projects and services, and to develop a congestion management system through effective management of new and existing transportation facilities.

The MTPO is to ensure that existing and future expenditures for transportation projects and programs were based on a comprehensive, cooperative, and continuing (3-C) process. Federal Funding for transportation projects and programs are channeled through this planning process.

TABLE 1. 2010 U.S CENSUS POPULATION FIGURES

PLACE	TOTAL POPULATION
Morristown	29,137
Hamblen County	62,544
Jefferson City	8,047
White Pine	2,196
New Market	1,334
Jefferson County	51,407
LAMTPO Study Area	89,944

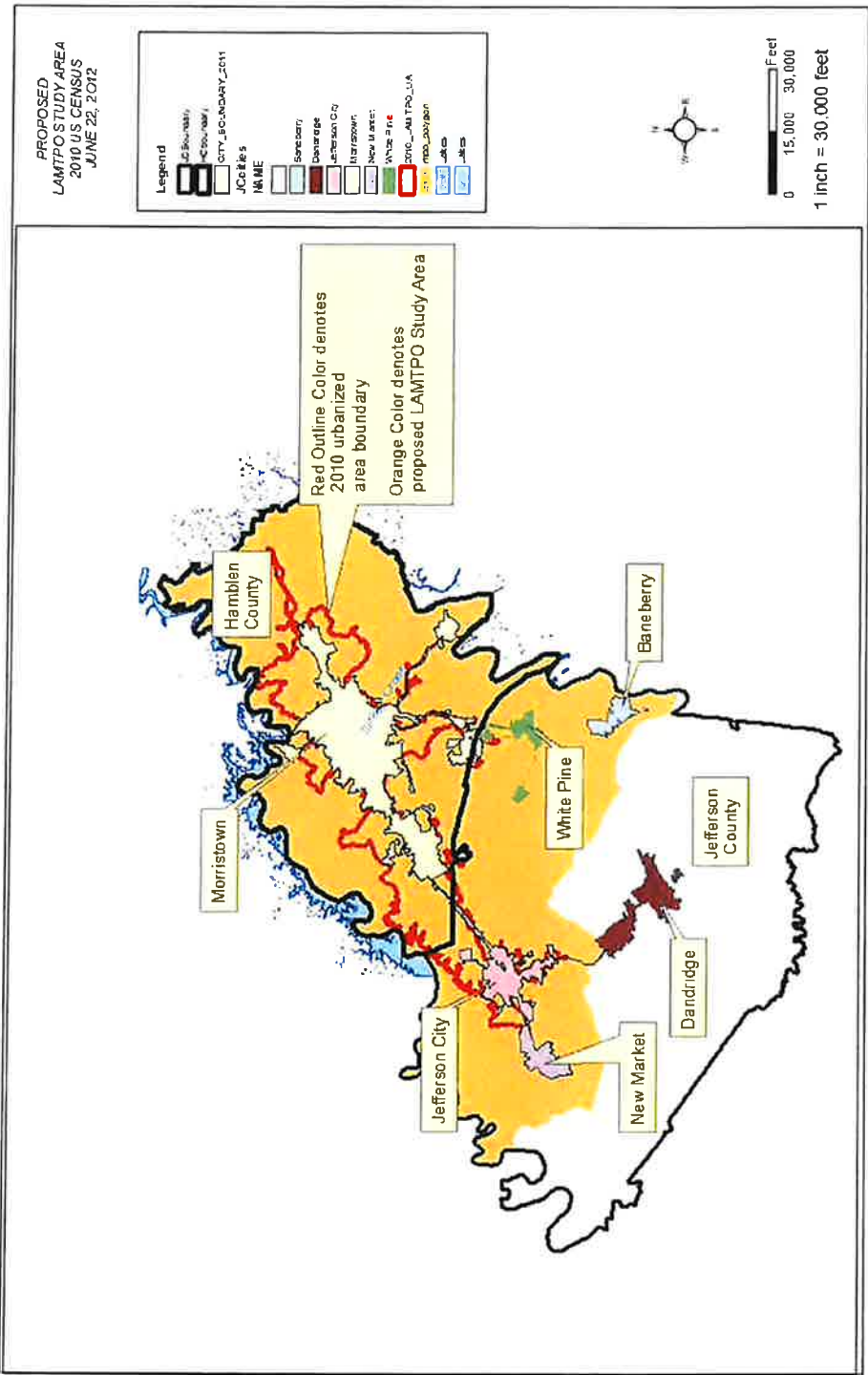
TABLE 2. URBANIZED AREA POPULATION FIGURES

PLACE	POPULATION Within Urbanized Area	PERCENTAGE Within Urbanized Area
Morristown	29,026	49
Hamblen County	20,248	34
Jefferson City	7,433	13
White Pine	0	0
New Market	74	0
Jefferson County	2,574	4
TOTAL	59,355	100

Population information for both tables were based from the 2010 US Census, and the data will be updated with each United States Census thereafter.

There are five (5) core functions of the MTPO:

1. Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.
2. Develop, Maintain, and Implement a Unified Planning Work Program (UPWP).
3. Develop and Maintain a Long-Range Transportation Plan (LRTP).
4. Develop and Maintain a Transportation Improvement Plan (TIP).
5. Involve the Public.



UNIFIED PLANNING WORK PROGRAM

The Unified Planning Work Program (UPWP) lists the transportation studies and tasks to be performed by the MTPO staff or a member agency. The UPWP generally consists of:

1. The planning tasks and studies that will be conducted over a one- to two-year period;
2. All federally funded studies as well as all relevant state and local planning activities conducted without federal funds;
3. Funding sources identified for each project;
4. A schedule of activities; and
5. The agency responsible for each task or study.
6. Products to be produced.

LONG RANGE TRANSPORTATION PLAN

The Long-Range Transportation Plan (LRTP) is a twenty-five (25) year plan that includes both long-range and short range program strategies/ actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods (23 CFR 450C, sec. 450.322). It includes several elements, such as:

1. To identify policies, strategies, and projects for the future;
2. To determine project demand for transportation services over the next twenty-five (25) years;
3. To focus at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections;
4. To articulate regional land use, development, housing, and employment goals and plans;
5. To estimate costs and identify reasonably available financial sources for operation, maintenance, and capital investments;
6. To determine ways to preserve existing roads and facilities, and make efficient use of the existing system;
7. To be consistent with the statewide transportation plan;
8. To be updated every five years (4 years in air quality non-attainment and maintenance areas); and
9. To conform to the state's implementation plan (SIP)

TRANSPORTATION IMPROVEMENT PROGRAM

The Transportation Improvement Program (TIP) is a financially constrained four (4) year program covering the most immediate implementation priorities for transportation projects and strategies from the MTPO plan. Under federal law, the TIP shall:

1. Cover a minimum four-year period of investment;
2. Be updated every three (3) years;

3. Be realistic in terms of available funding;
4. Conform with the SIP for air quality if the region is designated a non-attainment or maintenance area;
5. Be approved by the MTPO and the Governor of Tennessee for air quality; and
6. Be incorporated into the statewide transportation improvement program (STIP).
7. Must include all Federally Funded and regionally significant projects regardless of funding sources.

AIR QUALITY PLANNING

LAMTPO and the Knoxville Transportation Planning Organization (TPO) are working together to develop plans to meet air quality conformity. The appendix has a copy of the Memorandum of Agreement between LAMTPO, Knoxville TPO, and TDOT. Copies of the Air Quality Conformity determination report can be obtained from the LAMTPO and/or the Knoxville TPO.

PUBLIC TRANSPORTATION PLANNING

According to 23 CFR 450C Section 450.310 (b) There shall be an agreement between the MPO and operators of publicly owned transit services which specifies cooperative procedures for carrying out transportation planning (including corridor and subarea studies) and programming as required by this subpart.

LAMTPO recognizes the importance of having public transportation in its area. Currently, LAMTPO is contracting with East Tennessee Human Resource Agency (ETHRA) to run demand response service within the LAMTPO study area. Additional study work is being done by LAMTPO to see if more public transportation services are needed within the area.

ORGANIZATION NAME

The regional transportation name for the area that encompasses portions of Morristown, Jefferson City, White Pine, New Market, Hamblen County and Jefferson County shall be the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO).

METROPOLITAN PLANNING AREA (MPA) BOUNDARY

The MPA boundaries must include the existing urbanized area and extend to the contiguous area expected to become urbanized within twenty (20) years. Once the boundaries are determined by the executive board and approved by the Governor, the information must be provided to the FHWA and the FTA.

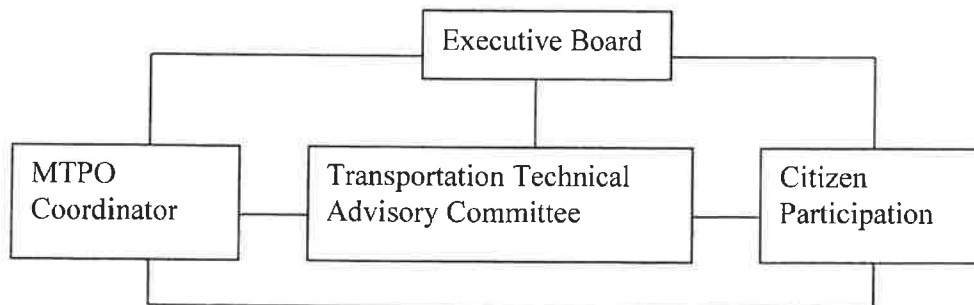
According to the Public Chapter 1101, Tennessee counties and their municipalities shall develop countywide growth plans. These plans are to establish Urban Growth Boundaries (UGBs) for municipalities, as well as Planned Growth Areas (PGAs) and Rural Areas (RAs) for counties, and are intended to guide the future growth and development within each county over the next twenty (20) years. Once approved, all land use decisions made by the municipal or county legislative bodies or planning commissions are required to be consistent with the approved growth plan. Local Government Planning Advisory Committee (LGPAC) approved Jefferson County's growth plan on June 28, 2000, while Hamblen County's growth plan was approved on January 24, 2001 (TACIR, Tennessee's Growth Policy in 2001, Promises and Progress, June 2002).

"For geographic areas designated as non-attainment or maintenance areas (as created by the Clean Air Act Amendments of 1990 (CAAA)) for transportation related pollutants under the CAA, the boundaries of the MTPO study area shall include at least the boundaries of the non-attainment or maintenance areas except as otherwise provided by agreement between the MTPO and the Governor under the procedures specified in sec 450.310(f) of this part. In the absence a formal agreement between the Governor and the MTPO to reduce the metropolitan area to an area less than the boundaries of the non-attainment or maintenance area, the entire non-attainment or maintenance area is subject to the applicable provisions of this part."

ORGANIZATION AND MANAGEMENT

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) shall follow the USDOT (FHWA and/or FTA) and/or TDOT's policies and procedures (whichever is more restrictive). In addition, it shall follow any host agencies not specifically covered by FHWA/ FTA and/or TDOT. LAMTPO will use the host agency's federal identification number as its identifier of all business purposes.

The LAMTPO transportation planning process will function under a committee structure, as outlined below:



EXECUTIVE BOARD

The Executive Board is the decision-making body of the LAMTPO, which is comprised of:

Mayor of Morristown
Mayor of Jefferson City
Mayor of White Pine
County Mayor of Jefferson County
County Mayor of Hamblen County
Governor of Tennessee (or his representative).
Mass Transit Representative
Railroad Representative (Norfolk-Southern)

Final responsibility for transportation planning and programming is vested with the Executive Board, which may act without recommendation of the Transportation Technical Advisory Committee, provided a reasonable time has been afforded to the Transportation Technical Advisory Committee for a recommendation.

The Executive Board shall adopt By-Laws and Rules governing meeting processes and procedures for itself and any committees of the MTPO. **Appendix 1** contains the By-Laws for the Lakeway Area Metropolitan Transportation Planning Organization Executive Board.

TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TAC)

The Transportation Technical Advisory Committee (TAC) consists of administrative and technical leadership. Along with the MTPO Coordinator, it shall give recommendations to the Executive Board. The Transportation Technical Advisory Committee is comprised of:

1. City Administrator of Morristown (or designee)
2. City Manager of Jefferson City (or designee)
3. Public Works Director of White Pine (or designee)
4. Jefferson County Highway Superintendent (or designee)
5. Hamblen County Highway Superintendent (or designee)
6. ETHRA Director (or designee)
7. Railroad Administrator (or designee)
8. ETDD - RPO Coordinator
9. Morristown Area Chamber of Commerce Transportation Chair (or designee)
10. TDOT Chief Engineer (or designee)
11. TDOT Multi-modal Director (or designee)
12. FHWA: Division Administrator (or designee)
13. FTA: Regional Administrator (or designee)

The Transportation Technical Advisory Committee shall elect on a Committee Chair, and a Vice-Chair. The MTPO Coordinator shall serve as the Secretary in a non-voting role. Such election shall be by a majority of that membership. The Chair of the Transportation Technical Advisory Committee shall be jointly responsible for insuring the coordination, direction, and supervision of the transportation process. The Chair, or in his/ her absence the Vice-Chair, shall preside at all meetings of the Transportation Technical Advisory Committee. In the event neither is present, the Secretary shall preside. For a meeting to occur, a quorum of at least five (5) TAC members (or designees) must be present. The Transportation Technical Advisory Committee shall conduct business as prescribed in the latest edition of Robert's Rules of Order.

The Transportation Technical Advisory Committee shall take their direction from and be accountable to, the Executive Board and effectuate this direction through the MTPO staff, local planning staff(s), or study committees as applicable.

The Transportation Technical Advisory Committee, with policies and procedures as directed from the Executive Board, is responsible for daily implementation of all transportation planning activities. The members of this committee, by virtue of their position, disseminate transportation planning policy procedures and schedules to respective agency professionals for application. This committee shall receive plans, programs, and transportation documentations for prior review and shall make recommendations to the Executive Board for action. It may appoint ad-hoc subcommittees as needed to organize, coordinate, evaluate and document transportation planning, programming, and reporting requirements necessary for orderly program implementation and certification.

MTPO COORDINATOR

The Executive Board shall first establish where the MTPO Coordinator shall be located (i.e., under which jurisdiction). Once the jurisdiction has been established as the "host agency", then the host agency shall advertise for the MTPO Coordinator position, on behalf of LAMTPO. As soon as the job application deadline has ended, all qualifying resumes and/or job applications shall be submitted to the TAC (or TAC subcommittee) for review.

Hiring Process

The hiring of the MTPO Coordinator shall be recommended by the Technical Advisory Committee (TAC) (or TAC subcommittee). The recommendation shall then be forwarded to the LAMTPO Executive Board to be approved and finalized.

However, if there is a discrepancy, the Executive Board may send it back to the TAC (or TAC subcommittee) for further review and recommendation. If additional TAC (or TAC subcommittee) review and recommendation is needed, and then completed, then the revised review and recommendation shall be forwarded to the LAMTPO Executive

Board for approval. This process shall continue until the Executive has made a final approval.

Once the Executive Board has made its approval, the MTPO Coordinator shall then be placed under a local governing agency ("host agency"), as approved by the Executive Board. The MTPO Coordinator shall then follow the host agency's personnel requirements (paperwork, drug test screening, etc.).

Termination Process

The termination of the MTPO Coordinator shall:

- 1. Request made in writing, from one of the local governing agencies of LAMTPO**
- 2. Sent directly to the Executive Board for review and decision.**
- 3. Executive Board's approval for the termination.**

Executive Board shall then recommend a selection committee to start the process of replacing the MTPO Coordinator.

The MTPO Coordinator conducts studies, develops plans and programs, and chairs all MTPO subcommittees. The MTPO Coordinator is the liaison between the MTPO and the FHWA, FTA, TDOT, local governments, and other groups or individuals interested in transportation issues. The MTPO Coordinator shall be responsible for preparing the meeting agendas, posting public notice of the meetings as required, calling the roll of the meetings, and the votes necessary, keeping minutes of the meetings and other duties as required in the function of transportation planning within the MTPO study area.

The MTPO Coordinator, or other planning staff, shall serve as the Secretary for the TAC, the Executive Board, and any other MPO transportation subcommittee, in a non-voting role.

If additional LAMTPO staff is needed, then it shall go the same hiring (and termination) process as the MTPO Coordinator.

PUBLIC INVOLVEMENT

Public Participation is important to the MTPO. The MTPO recognizes this fact, and encourages the public to review and comment on proposed transportation plans and programs. MTPO meetings are open to the public, and serve as a regular forum to solicit community transportation concerns. The Public will be encouraged to participate as described in the Public Participation Plan. A copy of the Public Participation Plan (PPP) can be found at www.lamtpo.com under the Documents tab, then the Public Participation Plan tab.

PROCEDURE FOR MANAGEMENT COORDINATION

The MTPO Coordinator is responsible for on-going coordination of the Lakeway area's regional transportation planning process. The Executive Board's direction and guidance is disseminated to the MTPO Coordinator and the Transportation Technical Advisory Committee, with subsequent action being delegated to the local planning staff(s) or study sub-committees as appropriate. Required actions resulting from individual agency requests and/or legislative mandate are initiated, by the responsible participating agency representative of the Transportation Technical Advisory Committee or his/ her designated representative. Any actions initiated shall be consistent with the Unified Planning Work Program (UPWP) tasks or amendments thereof. The Transportation Technical Advisory Committee is responsible for inter-agency coordination. The MTPO Coordinator has the responsibility for scheduling and coordinating meetings, the assembly of required data, preparation of meeting agenda, recording proceedings of meetings and dissemination of proceedings. The MTPO Coordinator distributes meeting notices and agendas, at least one week in advance of scheduled meetings.

MEETINGS

The Executive Board shall meet, in general, on a monthly basis, unless there are no items scheduled for consideration.

The Transportation Technical Advisory Committee generally will meet once a month, unless there are no items scheduled for consideration.

Inter-agency staff coordination is achieved on an informal and as-needed basis, with work schedules being established by mutual agreement as required to accomplish planning, programming, and implementation schedules.

BUDGET AND FUNDING SOURCES

The Annual Budget shall be based on the contract with TDOT. The MTPO Coordinator shall develop the annual budget following the host agency's process. The budget shall be presented to the Executive Board for final approval. Items in the budget are shown in the table on the next page.

Compensation – The Compensation of the MTPO Coordinator shall be determined by the salary scale of the host agency and approved by the Executive Board. The MTPO Coordinator is to receive cost of living adjustments, and/or step increases as approved by the host agency's governing body. The host agency's employee handbook is to be the authoritative guideline on all compensation matters.

The Executive Board may at its own discretion make adjustments to the compensation of the coordinator's (or other LAMTPO staff's) compensation with a two-thirds (2/3)

majority vote. Any such adjustment still requires all participating members to share in the adjustment in accordance with the by-laws.

Benefits – The MTPO Coordinator is to receive all benefits as all other employees of the host agency and as prescribed in the agency's employee handbook.

Audit – The Host Agency shall handle the annual audit for LAMTPO.

In general, LAMTPO receives 6 types of federal funds in any given year. Those funds are CPG (consolidated planning grant), STBG (surface transportation block grant), FTA Section 5303 (public transportation planning), FTA Section 5307 funds (mass transit operations and capital expenditures), FTA Section 5310 funds (capital purchases only), and FTA Section 5339 (capital purchases only). Other funds such as Transportation Alternatives (TA), State Aid Bridge Replacement, etc., may come through LAMTPO, but generally not a year-by-year basis.

The CPG funds are used for planning purposes only, and are used for administration purposes, for studies/ documents such as Long Range Transportation Plan (LRTP), Travel Demand Modeling, training, conferences, etc. A local match of 20% is required in order to use these funds.

For the administrative functions that are funded with CPG funds, the local match shall come from LAMPTO's host agency, as approved by the Executive Board. The table on the next page is a breakdown on the administrative costs.

Table 3. Budget Items for LAMTPO.

Description of Administrative Function	Federal Funds/ Local Match %	Approval process
Salaries and Wages (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Holiday Bonus (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency (if applicable), as approved by the Executive Board
FICA (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Medicare (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
TCRS Contribution (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Employee Health Insurance (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Employee Life Insurance (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Workers Compensation Insurance (<i>MTPO Coordinator</i>)	80/20	To be set by the Host Agency, as approved by the Executive Board
Postal Service	80/20	To be set by the Host Agency, as approved by the Executive Board
Legal Notices	80/20	To be set by the Host Agency, as approved by the Executive Board
Medical Services	80/20	To be set by the Host Agency, as approved by the Executive Board
Memberships and Dues	80/20	To be set by the Host Agency, as approved by the Executive Board
Education – Seminars and Training	80/20	To be set by the Host Agency, as approved by the Executive Board
Travel – Business Expenses Executive Board approves the travel that is needed for LAMTPO Planning. Travel information has to be in the most current UPWP.	80/20	To follow TDOT's and/or federal requirements. LAMTPO shall use the host agency's travel forms and procedure for the business travel.
Other Contracted Services/ Consultant Services Executive Board approves a selection committee (usually from TAC) to select a consulting firm to handle the contracted service. Executive Board approves contract with consulting firm. See next page for the breakdown of which entities pay for the type of consulting services.	80/20	To follow the host agency's procedure if it meets all of TDOT's and/or federal requirements, and that the Executive Board approves a selection committee (usually from TAC) to select a consulting firm to handle the contracted service. Executive Board approves contract with consulting firm.
Office Supplies and Materials	80/20	To follow TDOT's and/or federal requirements. To use the Host agency's procedure to obtain office supplies and materials.
Office Equipment	80/20	To follow TDOT's and/or federal requirements. To use the host agency's procedure to obtain office equipment.
Other Supplies and Materials	80/20	To follow TDOT's and/or federal requirements. To use the Host Agency procedure to obtain other supplies and materials.

For regional plans and studies, such as the LRTP, ITS architecture, bicycle/ pedestrian plan, travel demand modeling (TDM), etc., the local match will be paid by all of the local governing agencies of LAMTPO. The amount each local agency will pay will be based on the population percentage within the LAMTPO urbanized area (see table below)).

Table 4. Population Percentage within the LAMTPO Urbanized Area (UZA)

PLACE	POPULATION Within Urbanized Area	PERCENTAGE Within Urbanized Area
Morristown	29,026	49
Hamblen County	20,248	34
Jefferson City	7,433	13
White Pine	0	0
New Market	74	0
Jefferson County	2,574	4
TOTAL	59,355	100

If a project, such as a highway corridor study, is being done strictly within one (or more) of the governing agencies and is not of regional significance, then that governing agency(ies) must provide the local match for these funds. It is recommended that the PL funds and the FTA section 5303 funds be used within the LAMTPO MPA. These funds cannot be spent outside of the LAMTPO MPA.

STBG (surface transportation block grant) projects can be funded 80% federal, and 20% local match, in general. Projects that can be done with these funds are resurfacing, traffic signalizations, intersection improvements, safety issues, etc. It is recommended that these funds be used only within the urbanized area of LAMTPO.

The FTA section 5303 funds are used for mass transit planning purposes, and are used for studies/ documents, modeling, etc. FTA section 5303 funds can be used within the LAMTPO MPA boundary.

NOTE: In FFY2018, the PL (planning) Funds and the FTA Section 5303 funds have been combined into one grant, now called the Consolidated Planning Grant (CPG).

FTA section 5307 funds can be used for the operations and any capital expenditures for mass transit. For operations, the federal share is 50%, while TDOT's share is 25%, and LAMTPO's match is 25%. By FTA regulations, 5307 funds can be used only within the urbanized area. Funding for mass transit operations outside of the urbanized area can use FTA section 5311 funds. Beginning in FFY2014, East Tennessee Human Resource Agency (ETHRA) will be providing the local match within the LAMTPO region.

FTA Section 5310 (Enhanced Mobility for Seniors and Individuals with Disabilities) funds that can be used for purchases of buses for public transportation uses.
FTA Section 5339 funds (Bus and Bus Facilities Infrastructure Investment Program) can be used for bus and bus facilities purchases.

Financial Reporting - The MTPO Coordinator shall provide a financial statement to the Executive Board on a quarterly basis. The Host agency shall be presented to the Executive Board upon issuance along with detailed financial statements.

Appendix A

RULES AND BYLAWS OF THE LAKEWAY AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION EXECUTIVE BOARD

ARTICLE 1 – NAME

The name of the organization shall be the Lakeway Area Metropolitan Transportation Planning Organization Executive Board.

ARTICLE 2 – COMPOSITION AND VOTING

1. **Name of the Board** – The name of the Board shall be “The Lakeway Area Metropolitan Transportation Planning Organization Executive Board”
2. **Composition** – The Executive Board shall be composed of the following:
 - Mayor of Morristown
 - Mayor of Jefferson City
 - Mayor of White Pine
 - County Mayor of Jefferson County
 - County Mayor of Hamblen County
 - Governor of Tennessee (or his representative).
 - Mass Transit Representative
 - Railroad Representative (Norfolk-Southern)

Any local governing entity that is within the Urbanized boundary, either partial or whole, can have a voting member on the TAC and/ or Executive Board if there population has at least a minimum of 2,000 people, based on the 2010 US Census, or any decennial census afterwards.

PLACE	TOTAL POPULATION
Morristown	29,137
Hamblen County	62,544
Jefferson City	8,047
White Pine	2,196
New Market	1,334
Jefferson County	51,407
LAMTPO Study area	89,944

3. **Voting** – Each Principal Elected Official or his duly appointed designee shall have a voting privilege on any issue that may come before the Board for a vote. The

voting on all issues coming before the Executive Board shall carry or fail by simple majority of those present and casting votes.

ARTICLE 3 – DUTIES

The Executive Board is the forum for cooperative decision making on transportation issues in the Urbanized Area. The Board has the following responsibilities:

1. Provide for administrative and fiscal control.
2. Review and final approval of all transportation planning and programming.
3. Establish study committees representing the region as required to ensure cooperative, comprehensive, and continuing transportation planning. The Executive Board may establish temporary committees by motion of the body to study specific issues or may establish standing subcommittees by resolution.
4. Develop and adopt a Public Participation Plan (PPP) for the region and to consider public input from the region prior to making decisions.
5. Any issue pertinent to the purposes and functions of the Executive Board may be brought before the Board by the Transportation Technical Advisory Committee, the Transportation Planning Coordinator or by any subcommittee that the Executive Board may create.

ARTICLE 4 – ORGANIZATION

1. Election of Officers - The election of officers shall take during the annual meeting of the Executive Board. The Chairman and Vice-Chairman will be the elected officials.
2. Annual Meeting - The Executive Board shall have an annual meeting to elect officers, establish a meeting schedule for the coming year and conduct other business as needed. The annual meeting shall be advertised and placed on the www.lamtpo.com website.
3. Offices of Chairman and Vice Chairman - The Executive Board shall elect a Chairman and Vice-Chairman from its membership. Such election shall be by a majority vote of the membership of the Board. The term of office for the Chairman and Vice-Chairman shall be for one (1) year or until such time as new officers are elected. Officers may be elected for consecutive terms

annually with no limitation to the number of terms served contingent upon eligibility as the result of being a principal elected official.

4. Office of Secretary - The Metropolitan Transportation Planning Organization (MTPO) Coordinator shall serve the Executive Board and the TAC as the Secretary. The Secretary shall have no voting privileges but shall be responsible for preparing the meeting agendas, notifying the members of the Executive Board of the meetings, posting public notice of the meetings as required, calling the roll of the meetings and the votes when necessary, keeping minutes of the meetings and other duties as required in the function of transportation planning within the urbanized area.

ARTICLE 5 – DUTIES OF OFFICERS

1. The Chairman shall preside at all meetings of the Executive Board.
2. In the case of absence of the Chairman at any meeting of the Executive Board it shall be the duty of the Vice-Chairman to preside at the meeting as Chairman.
3. In case both the Chairman and Vice-Chairman are absent at any posted meeting of the Executive Board those voting members present shall select a Chairman, pro tem to conduct the order of business scheduled for the meeting until such time the elected Chairman or Vice-Chairman are present and/or otherwise able to resume the responsibilities of their office.
4. The Chairman shall authenticate, by his signature all resolutions adopted by the Executive Board.
5. The Chairman shall have the right to debate and vote on any issue before the Executive Board.
6. The Chairman shall represent the Executive Board at hearings or meetings as required.
7. Should the office of the Chairman or Vice-Chairman become vacant, the Executive Board shall, at its next meeting, elect a successor for the un-expired term of office.
8. The Secretary (or the staff representative serving as the Metropolitan Transportation Planning Coordinator) shall have no voting privileges as a member of the Executive Board but may provide technical assistance to the Board as required.
9. The Secretary shall have no voting privileges but shall be responsible for preparing the meeting agendas, notifying the members of the Executive Board of

the meetings, posting public notice of the meetings as required, calling the roll of the meetings and the votes when necessary, keeping minutes of the meetings and other duties as required in the function of transportation planning within the metropolitan planning area.

ARTICLE 6 – MEETINGS

1. **Meetings** - The Executive Board shall meet annually to elect officers and conduct other business as needed. The Executive Board shall, at its annual meeting, establish an anticipated schedule and location of meetings for the coming year. The Executive Board shall meet at least quarterly in the calendar year. Otherwise, meetings of the Executive Board shall be held at a place and time at the call of the Chairman or Secretary as required to accomplish administrative and policy direction of the transportation planning process.
2. **Advertising** - All meetings of the Executive Board shall be considered open meetings to the public and shall at a minimum be advertised by the Secretary in a newspaper of general circulation in the metropolitan planning area prior to the meeting.
3. **Attendance Designation** - Each Executive Board member may designate, in writing to the Secretary and such designation shall be read into the minutes of a scheduled meeting, an alternate representative to serve at meetings during said members absence. Once duly designated, the representative shall have full voting privileges in the member's absence for the duration expressed in the written appointment.
4. **Quorum** – At least four (4) members of the Executive Board membership shall constitute a quorum for business transaction.
5. **Voting** - The voting on all questions coming before the Board shall be by a roll call from the Secretary. A simple majority of the Executive Board, must be attained to pass action on any issue.
6. **Records** - The Secretary shall keep a record of the action and all supporting documentation of each meeting in the official Minutes of the Lakeway Area Metropolitan Transportation Planning Organization Executive Board, and for the Technical Advisory Committee (TAC). The meeting minutes shall be considered public documents and be made available to the public.

ARTICLE 7 – RULES OF ORDER

The Executive Board shall conduct business as prescribed in Roberts Rules of Order unless otherwise prescribed within these Bylaws. The Executive Board is the final authority concerning these rules. The Board may, upon occasion, make an exception to these rules for extraordinary cases, setting out the reasons in the official Minutes of the Board therefore.

ARTICLE 8 – AMENDMENT TO BYLAWS

A Bylaws change may be presented for consideration at any Board meeting with adoption being deferred until a subsequent meeting. These Bylaws may be amended by an affirmative vote of a quorum of the Executive Board.

ARTICLE 9 – EFFECTIVE DATE

These Bylaws shall be effective upon adoption. A certified copy of the bylaws shall be maintained by the Secretary of the Executive Board.

APPROVED ON THE 10th DAY OF July, 2019

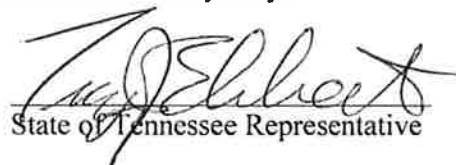

Mayor of Morristown


Jefferson County Mayor


Mayor of Jefferson City


Hamblen County Mayor


Mayor of White Pine


State of Tennessee Representative


ETHRA Public Transportation

Appendix B

**RULES AND BYLAWS OF THE LAKEWAY
AREA METROPOLITAN TRANSPORTATION
PLANNING ORGANIZATION TECHNICAL
ADVISORY COMMITTEE (TAC)**

ARTICLE 1 – NAME

The name of the organization shall be the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) Technical Advisory Committee (TAC).

ARTICLE 2 – COMPOSITION AND VOTING

Name of the Board – The name of the Board shall be “The Lakeway Area Metropolitan Transportation Planning Organization Technical Advisory Committee”

Composition –

1. City Administrator of Morristown (or designee)
2. City Manager of Jefferson City (or designee)
3. Public Works Director of White Pine (or designee)
4. Jefferson County Highway Superintendent (or designee)
5. Hamblen County Highway Superintendent (or designee)
6. ETHRA Director (or designee)
7. Railroad Administrator (or designee)
8. ETDD - RPO Coordinator (or designee)
9. Morristown Area Chamber of Commerce Transportation Chair (or designee)
10. TDOT Chief Engineer (or designee)
11. TDOT Multi-modal Director (or designee)
12. FHWA: Division Administrator (or designee)
13. FTA: Regional Administrator (or designee)

Any local governing entity that is within the Urbanized boundary, either partial or whole, can have a voting member on the TAC and/ or Executive Board if there population has at least a minimum of 2,000 people, based on the 2010 US Census, or any decennial census afterwards.

PLACE	TOTAL POPULATION
Morristown	29,137
Hamblen County	62,544
Jefferson City	8,047
White Pine	2,196
New Market	1,334
Jefferson County	51,407
LAMTPO Study area	89,944

Voting – Each Principal Elected Official or his duly appointed designee shall have a voting privilege on any issue that may come before the Board for a vote. The voting on all issues coming before the TAC shall carry or fail by simple majority of those present and casting votes.

ARTICLE 3 – DUTIES

The TAC is the starting point for cooperative decision making on transportation issues in the Urbanized Area. The TAC has the following responsibilities:

1. Make recommendations to the Executive Board to provide for administrative and fiscal control.
2. Review and make recommendations to the Executive Board for final approval of all transportation planning and programming.
3. Establish study committees representing the region as required to ensure cooperative, comprehensive, and continuing transportation planning. The Executive Board may establish temporary committees by motion of the body to study specific issues or may establish standing subcommittees by resolution.
4. To develop and make recommendations for a Public Participation Plan (PPP) for the region and to consider public input from the region prior to making decisions.
5. Any issue pertinent to the purposes and functions of LAMTPO may be brought before the TAC, the MTPO Coordinator, or by any subcommittee that the Executive Board may create.

ARTICLE 4 – ORGANIZATION

5. Election of Officers - The election of officers shall take during the annual meeting of the TAC. The Chairman and Vice-Chairman will be the elected officials.
6. Annual Meeting - The TAC shall have an annual meeting to elect officers, establish a meeting schedule for the coming year and conduct other business as needed. The annual meeting shall be advertised and placed on the www.lamtpo.com website.
7. Offices of Chairman and Vice Chairman - The TAC shall elect a Chairman and Vice-Chairman from its membership. Such election shall be by a majority vote of the membership of the Board. The term of office for the Chairman and Vice-Chairman shall be for one (1) year or until such time as new officers are elected. Officers may be elected for consecutive terms annually with no limitation to the number of terms served contingent upon eligibility as the result of being a principal elected official.
8. Office of Secretary - The Metropolitan Transportation Planning Organization (MTPO) Coordinator shall serve the Executive Board and the TAC as the Secretary. The Secretary shall have no voting privileges but shall be responsible for preparing the meeting agendas, notifying the members of the Executive Board and/or TAC of the meetings, posting public notice of the meetings as required, calling the roll of the meetings and the votes when necessary, keeping minutes of the meetings and other duties as required in the function of transportation planning within the urbanized area.

ARTICLE 5 – DUTIES OF OFFICERS

10. The Chairman shall preside at all meetings of the TAC.
11. In the case of absence of the Chairman at any meeting of the TAC it shall be the duty of the Vice-Chairman to preside at the meeting as Chairman.
12. In case both the Chairman and Vice-Chairman are absent at any posted meeting of the TAC those voting members present shall select a Chairman, pro tem to conduct the order of business scheduled for the meeting until such time the elected Chairman or Vice-Chairman are present and/or otherwise able to resume the responsibilities of their office.
13. The Chairman shall authenticate, by his signature all resolutions adopted by the TAC.

14. The Chairman shall have the right to debate and vote on any issue before the TAC.
15. The Chairman shall represent the TAC at hearings or meetings as required.
16. Should the office of the Chairman or Vice-Chairman become vacant, the TAC shall, at its next meeting, elect a successor for the un-expired term of office.
17. The Secretary (or the staff representative serving as the Metropolitan Transportation Planning Coordinator) shall have no voting privileges as a member of the TAC but may provide technical assistance to the TAC as required.
18. The Secretary shall have no voting privileges but shall be responsible for preparing the meeting agendas, notifying the members of the TAC of the meetings, posting public notice of the meetings as required, calling the roll of the meetings and the votes when necessary, keeping minutes of the meetings and other duties as required in the function of transportation planning within the metropolitan planning area.

ARTICLE 6 – MEETINGS

7. Meetings - The TAC shall meet annually to elect officers and conduct other business as needed. The TAC shall at its annual meeting, establish an anticipated schedule and location of meetings for the coming year. The TAC, in general, shall meet on a monthly basis. The TAC Chair or Secretary shall postpone or cancel a meeting due to a lack of agenda items, or more time is needed for approval of various documents. Otherwise, meetings of the TAC shall be held at a place and time at the call of the Chairman or Secretary as required to accomplish administrative and policy direction of the transportation planning process.
8. Advertising - All meetings of the TAC shall be considered open meetings to the public and shall at a minimum be advertised by the Secretary in a newspaper of general circulation in the metropolitan planning area prior to the meeting.
9. Attendance Designation – Each TAC member may designate, in writing to the Secretary and such designation shall be read into the minutes of a scheduled meeting, an alternate representative to serve at meetings during said members absence. Once duly designated, the representative shall have full voting privileges in the member's absence for the duration expressed in the written appointment.
10. Quorum – At least five (5) members of the TAC membership shall constitute a quorum for business transaction.

11. Voting - The voting on all questions coming before the TAC shall be by a roll call from the Secretary. A simple majority of the TAC, must be attained to pass action on any issue.
12. Records - The Secretary shall keep a record of the action and all supporting documentation of each meeting in the official Minutes of the Lakeway Area Metropolitan Transportation Planning Organization Executive Board, and for the Technical Advisory Committee (TAC). The meeting minutes shall be considered public documents and be made available to the public.

ARTICLE 7 – RULES OF ORDER

The TAC shall conduct business as prescribed in Roberts Rules of Order unless otherwise prescribed within these Bylaws.


ARTICLE 8 – AMENDMENT TO BYLAWS

A Bylaws change may be presented for consideration at any TAC meeting with adoption being deferred until a subsequent meeting. If a change is recommended, the TAC shall approve the change, and forward to the Executive Board for final approval. These Bylaws may be amended by an affirmative vote of a quorum of the Executive Board.

ARTICLE 9 – EFFECTIVE DATE


These Bylaws shall be effective upon adoption. A certified copy of the bylaws shall be maintained by the Secretary of the TAC.

APPROVED ON THE 10th DAY OF July, 2019



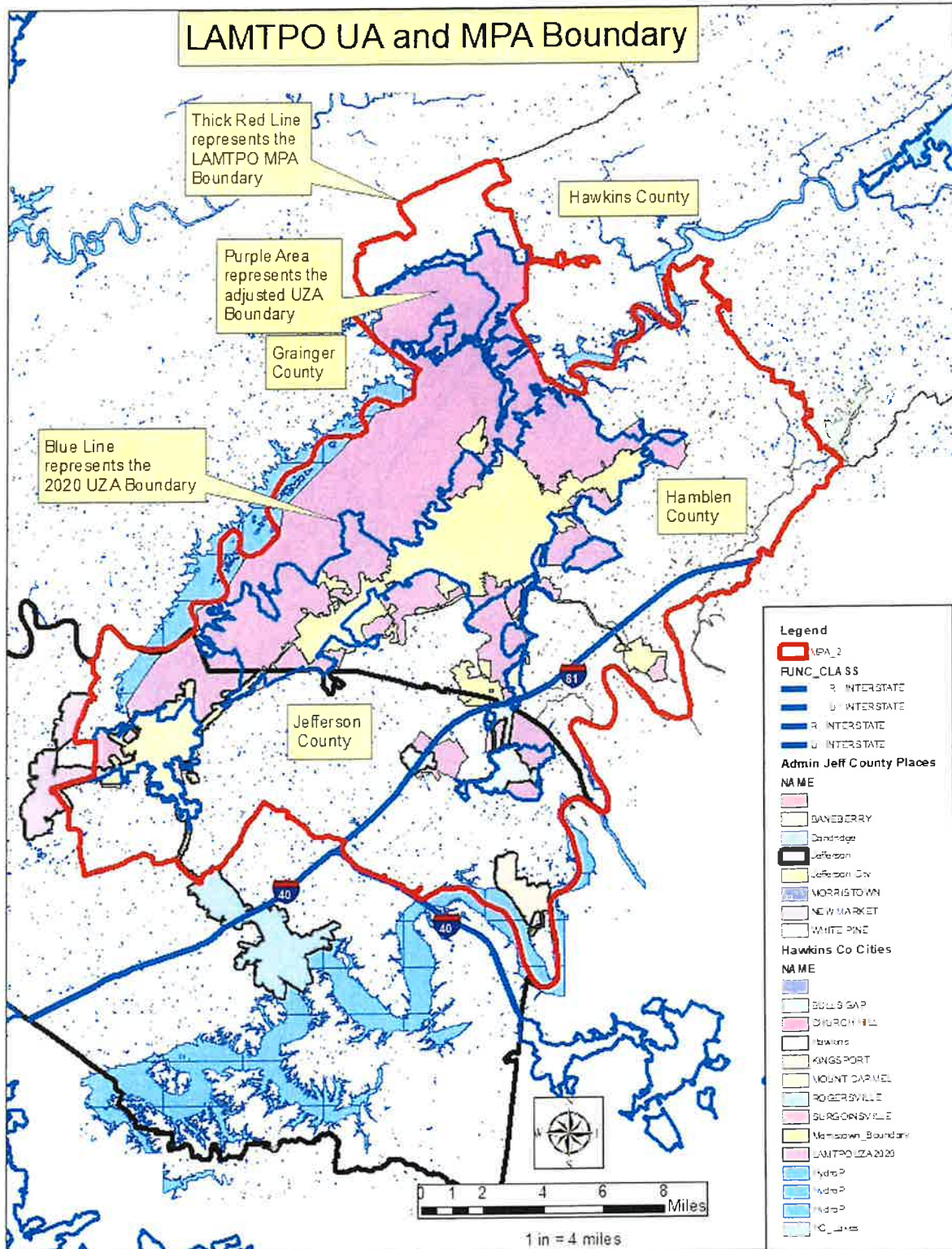
TAC Chair
Morristown

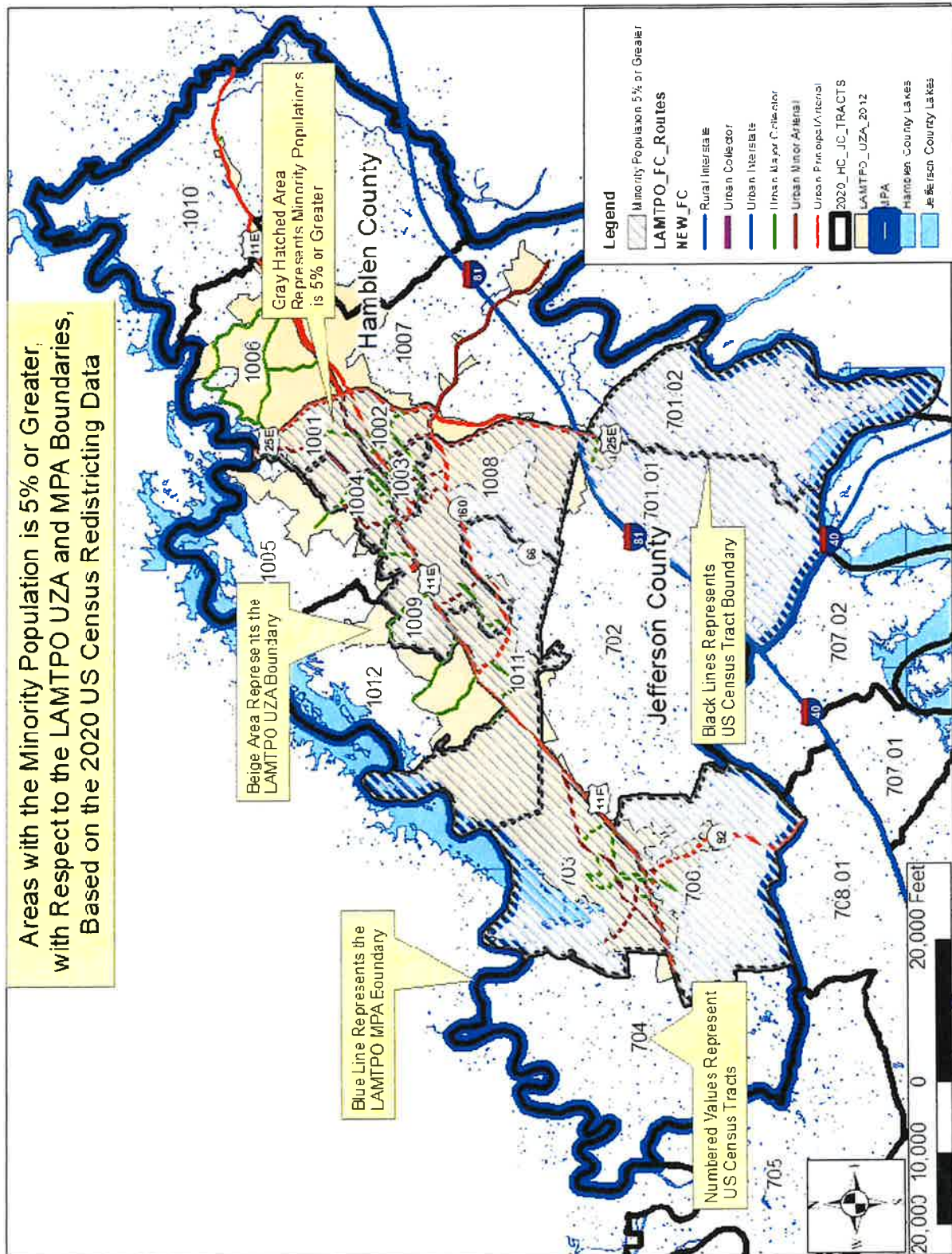
ATTEST:

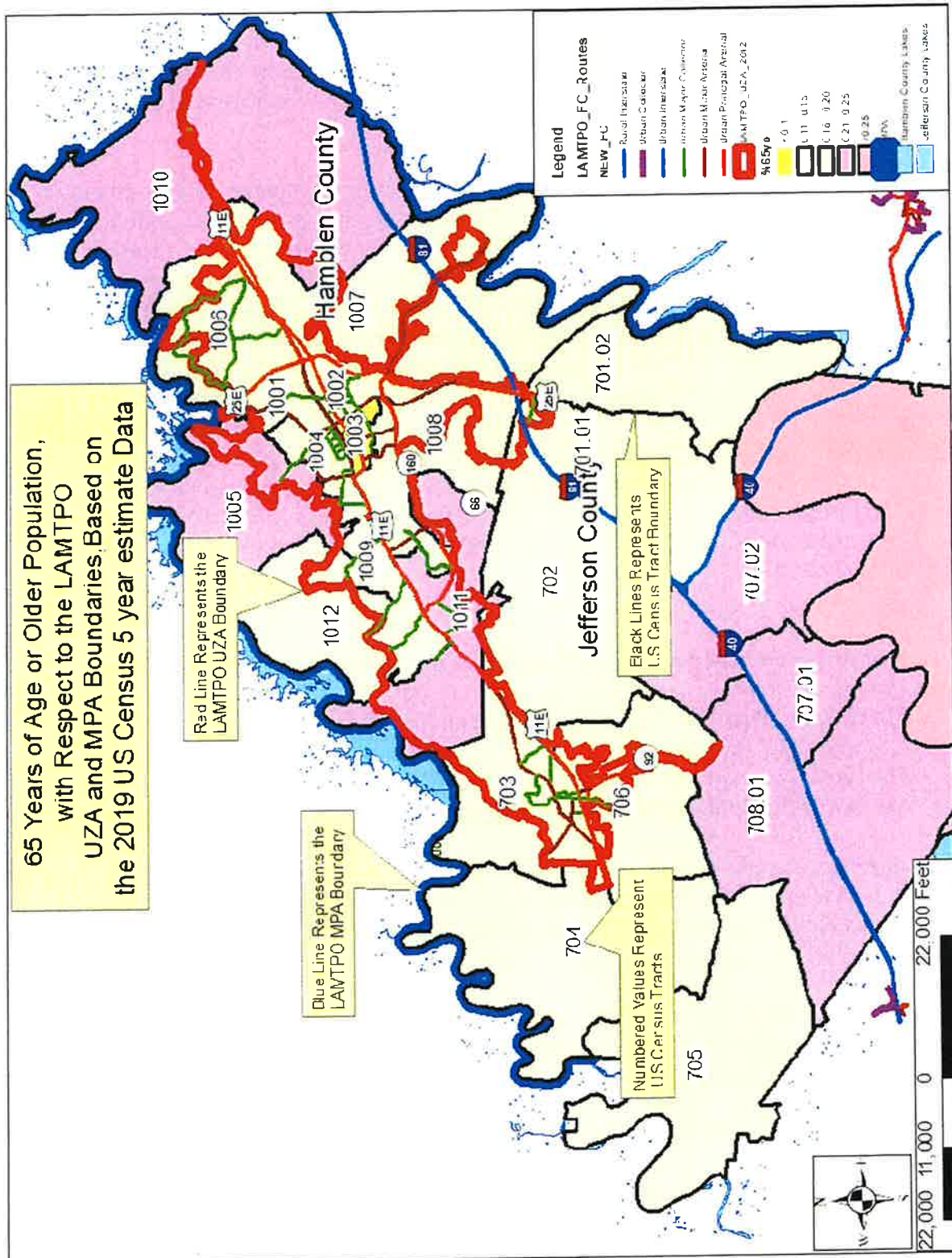


Richard L. DesGroseilliers
TAC Secretary

5. Provide a demographic profile of MPO's metropolitan area that includes identification of minority and/or low income populations in the aggregate. (Use addendum sheets.)







C. LAMTPO Title VI Assessment

All state agencies that receive federal money to develop and implement plans are required to follow the Title VI of the Civil Rights Act of 1964 regulations. The Act ensures that no person, on the grounds of race, color, or national origin, be excluded in the participation in, be denied the benefits of, or be subjected to discrimination under any program receiving federal financial assistance.

It is important to recognize the presence of the rising Hispanic population, and all minorities, in the LAMTPO study area. LAMTPO will comply with Executive Order 13166, which requires “improved access to services for persons Limited English Proficiency (LEP).” Federal departments and agencies are required to extend financial assistance to develop programs and provide oral and written services in languages other than English. The map on pages III-100 illustrates where there are concentrations of minorities (non-Caucasian), within the Hamblen and Jefferson Counties. LAMTPO uses an interpreter to translate documents from English to Spanish, and other languages when requested. LAMTPO also uses the US Census language flashcards to determine the language a person may be speaking, and uses the **Avaza Language Services Corp. (615)534-3400, or Verbatim services (877)457-6589**, the telephone translator in case an interpreter is not present. LAMTPO advertises in three (3) newspapers, sends information to Hola Lakeway, as well as the East Tennessee Hispanic Chamber of Commerce, to inform the general public in the area of what transportation related issues are occurring in the LAMTPO study area.

The various proposed road projects that are within the Title VI areas are as follows:

Within Hamblen County:

TDOT Sponsored US Hwy 11E project (2 to 4 or 5 lane expansion)

E Morris Blvd resurfacing

E Andrew Johnson Hwy resurfacing

Central Church Rd expansion (2 to 3 lanes)

Within Jefferson County only:

Old AJ Hwy/ SR 92 (widen from 2-lanes to 4-lanes) (Illustrative road project)

SR92 extension (Overlook Rd/ Mountcastle Av/ Old AJ Hwy) new roadway

Russell Avenue Resurfacing

Branner Avenue Resurfacing

Municipal Drive Resurfacing

Fate Rankin Rd Resurfacing

Old AJ Hwy Resurfacing

Agricultural Park Blvd resurfacing

It should be noted that the resurfacing projects will be done in existing right-of-ways, thus there should not be any direct impact on personal property.

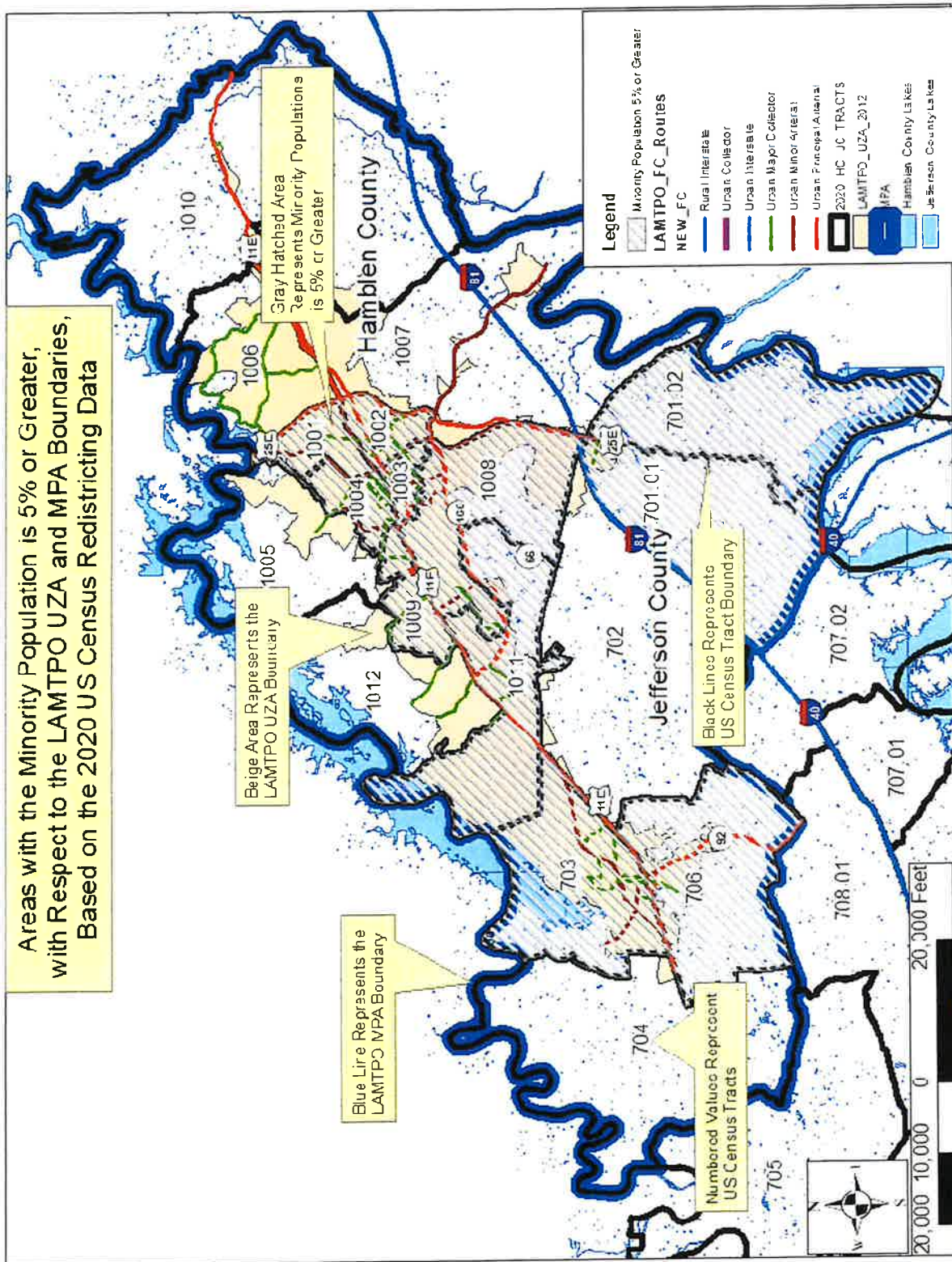
Table 6. 2020 US Census Population Information, including race/ ethnic breakdown, from the 2020 US Census Redistricting Data.

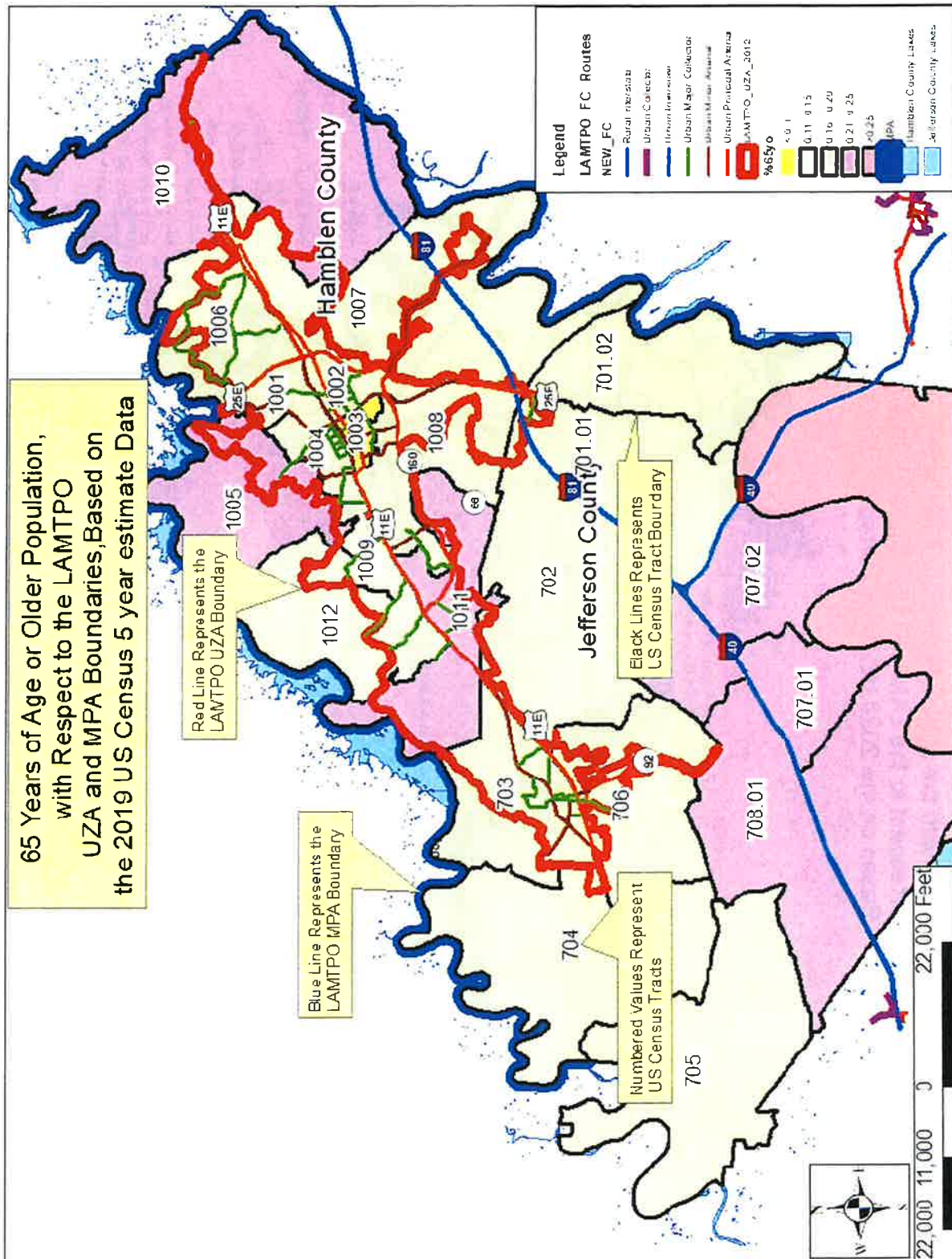
Label (Grouping)	Grainger County, Tennessee	Hamblen County, Tennessee	Hawkins County, Tennessee	Jefferson County, Tennessee
Total:	23,527	64,499	56,721	54,683
Hispanic or Latino	773	9,483	889	2,392
Hispanic Percentage	3.29%	14.70%	1.56%	4.37%
Not Hispanic or Latino:	22,754	55,016	55,832	52,291
Population of one race:	21,996	52,565	53,978	50,355
White alone	21,748	49,197	52,824	48,975
Black or African American alone	118	2,106	671	787
American Indian and Alaska Native alone	42	130	104	159
Asian alone	53	712	256	257
Native Hawaiian and Other Pacific Islander alone	2	268	13	20
Some Other Race alone	33	152	110	157
Population of two or more races:	758	2,451	1,854	1,936

Label (Grouping)	Bean Station	White Pine	Jefferson City	Mooresburg	Morristown	New Market
Total:	2,967	2,471	8,419	877	30,431	1,349
Hispanic or Latino	73	312	692	10	7,781	76
Hispanic Percentage	2.46%	12.62%	8.22%	1.14%	25.57%	5.63%
Not Hispanic or Latino:	2,894	2,159	7,727	867	22,650	1,273
Population of one race:	2,794	2,067	7,424	829	21,514	1,215
White alone	2,762	1,998	6,955	820	19,067	1,165
Black or African American alone	15	31	304	5	1,605	31
American Indian and Alaska Native alone	3	4	28	0	65	5
Asian alone	5	21	86	0	453	3
Native Hawaiian and Other Pacific Islander alone	0	8	2	0	254	1
Some Other Race alone	9	5	49	4	70	10
Population of two or more races:	100	92	303	38	1,136	58

It should be noted that of the road projects that are scheduled to be developed within the next 25 years, most are improvements to the existing road network, such as resurfacing, intersection improvements, traffic signals, traffic signal coordination etc. The new road construction projects that are listed in the 25 year plan, not including the illustrative projects, the proposed roads would be developed along vacant land, which the right-of-ways had been donated for a road. Thus there would not be any detrimental effect on anyone, and it will improve access throughout the LAMTPO study area, while reducing congestion in some areas, such as W. Andrew Johnson Highway. By doing extensive field research, and knowing where the different ethnic groups live, the minority population do not live near where the proposed roads will be going, thus there would not be any displacement of families. However, the proposed roads will be close enough for the various ethnic groups to have access and better mobility throughout the LAMTPO area.

Currently, LAMTPO has a contract with ETHRA to provide public transportation services. As part of the contract, ETHRA must meet all applicable Title VI, as well as any other federal requirements, in order to run the services in the LAMTPO study area. It is anticipated that public transportation service will continue in the LAMTPO study, whether it will be ETHRA or LAMTPO running its own transit service, all Title VI and other federal requirements will be in place. An example will be having brochures or pamphlets written in English and Spanish to tell of the various public transportation service, cost to ride mass transit, etc.





In the table below is a summary of the FFY2020-2023 TIP projects that may affect Title VI areas.

TIP ID	Project	Low to Moderate Income Populations Affected	High Minority Populations Affected	LEP Areas Affected	65 years old or older Populations Affected	High Hispanic Populations Affected
1003	E Morris Blvd resurfacing	Yes	Yes	No	Yes	No
1008	E Andrew Johnson Hwy resurfacing	Yes	Yes	Yes	Yes	Yes
1010	Central Church Rd Improvements	Yes	Yes	Yes	Yes	Yes
2010	Agricultural Park Blvd resurfacing	Yes	No	No	Yes	Yes
3016	Old AJ Hwy realignment/ Overlook Rd extension	Yes	Yes	No	Yes	Yes
3017	Russell Av resurfacing	Yes	Yes	No	Yes	Yes
3018	Branner Av resurfacing	Yes	Yes	No	Yes	Yes
3020	Municipal Dr resurfacing	Yes	Yes	No	Yes	Yes
3021	Fate Rankin Rd resurfacing	No	Yes	No	Yes	Yes
3022	Old AJ hwy resurfacing from SR92N to city limits	Yes	Yes	No	Yes	Yes
TDOT	US Hwy 11E Expansion	Yes	Yes	No	Yes	Yes

The maps on the following pages represent the various land use, cultural, historical aspects of Hamblen and Jefferson Counties, Tennessee. The maps were created using ESRI ArcGIS 10 ArcInfo, using a TN State Plane projection. All of the information for the maps, except the contour maps and the FEMA map, were from on the Tennessee State Base Map program for Hamblen and Jefferson counties. The contour map information was provided by the USGS, and these quadrangle maps are available from the Tennessee Data Spatial Server,

<http://www.tngis.org>. The 2010 Census map information was obtained from the U. S. Census Bureau, <http://www.census.gov>.

The FEMA Map information was obtained from the FEMA Map service center, <http://msc.fema.gov>. FEMA maps for Jefferson County Tennessee have not been completed yet. Each County in Tennessee will have digital FEMA maps, but they will be done in the same order as when the Tennessee State Base Mapping program originally flew and did their county parcel maps. Jefferson County was one of the last counties to be flown, thus they will be one of the last counties to get the FEMA maps digitized. It will be at least one more year, (if not longer) before the Jefferson County FEMA maps will be ready.

All projects within the LRTP were analyzed to see if there would be any negative impacts on the environment, ethnic, historical, or culturally sensitive areas. From a small-scale map perspective, there will not be any negative impacts. However, additional in depth studying for each project will need to be done to determine if there will be any potential impacts on the environment, ethnic, historical, or culturally sensitive areas.

**6. Provide a description of the procedures used to determine and consider the mobility needs of the minority population.
(Use addendum sheets.)**

Advertisements (in English and Spanish) in local newspapers for the Long Range Transportation Plan

(LRTP), Transportation Improvement Program (TIP), and for the Unified Planning Work Program (UPWP). Offer at least 30 days for public comment on these documents. Public meetings are held in the 3 cities of LAMTPO for public comment. Ad information is sent via email to the East Tennessee Hispanic Chamber of Commerce. Either mail or email is sent to various local agencies, such as the Morristown Housing Authority (MHA), Jefferson City Housing Authority, etc. Brochures of public transportation in English and Spanish.

Staff used US Census data to create maps to locate minority and/or low-income populations within the LAMTPO region.

7. Provide copies of MPO's Title VI Poster, informing the public of the protections provided to them under Title VI. Include locations where notices are posted, e.g., website, building entrance, etc. See attachments

Notices are posted on www.lamtpo.com, on LAMTPO Coordinator office door/ window, near elevator, on message board at 100 W 1st N St. Morristown, TN 37814.

EQUAL OPPORTUNITY TREATMENT IS THE LAW

Title VI of the Civil Rights Act of 1964 prohibits federally assisted programs from discriminating based on race, color or national origin.

The Tennessee Department of Mental Health and Substance Abuse Services also requires that its services be offered to all eligible persons regardless of race, color or national origin.

Should you feel you have been discriminated against, contact your local Title VI representative listed below:

Richard DesGroseilliers
(name) MTPS Coordinator

100 W. 1st N St, Morristown, TN
(location) 37814

423-581-6277
(phone number)

richd@my.morristown.com

Prohibited Practices Include:

- Denying program services because of race, color or national origin.
- Applying different standards for the same types of services.
- Segregating clients solely because of race, color or national origin.
- Restricting access to program services or benefits.
- Impairing human dignity by manner of address or treatment.
- Failing to make allowances for limited English proficiency (LEP).



or

Discrimination Is Prohibited

Tennessee Human Rights Commission, 312 Rosa Parks Blvd., 23rd Floor Snodgrass Bldg., Nashville, TN 37240, 1-800-252-3589

TN Department of
Mental Health &
Substance Abuse Services

Discrimination prohibited by Title VI

There are many forms of illegal discrimination based on race, color, or national origin that limited 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 indirectly:

- 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 services, aid, or benefit

Programs or services include but are not limited to:

- Transportation
- Construction
- The distribution of benefits and services
- Tax Benefits enjoyed by private agencies, fraternal and non-profit organizations (i.e. 501 (c)3) as well as education institutions
- Location of facilities
- Law enforcement
- Program effects on people in applicable communities
- Healthcare (i.e. Medicare, Medicaid, TennCare), social services and public welfare
- Natural resources and the environment
- Employment and job training
- Housing and community development
- Agriculture

Title VI Federal-aid Contract Provisions:

All Federal-aid contracts must include Title VI contract assurance language which requires compliance with Title VI of the Civil Rights Act of 1964. Federal-aid contractors may not discriminate in selection and retention of first-tier subcontractors; subcontractors may not discriminate in the selection and retention of second-tier subcontractors who participate in Federal aid highway construction; and contractors and subcontractors cannot discriminate in their employment practices in connection with highway construction projects or projects assisted by Federal Highway Administration.

How to file a complaint

You may file a signed, written complaint up to 180 days to the date of the alleged discrimination. The complaint should include:

- Your name, address and telephone number.
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- Include the names of any person(s), if known, who the TDOT Civil Rights Division could contact for clarity of your allegations.

Your complaint must be signed and dated.



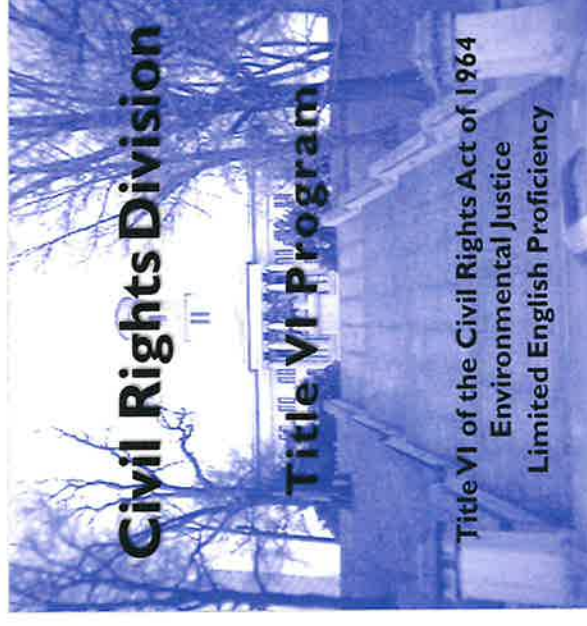
Please submit your complaint to the address stipulated below:

Tennessee Department of Transportation
Civil Rights Division
Title VI Program Director
505 Deaderick Street, Suite 1800
Nashville, TN 37243-0347
Telephone: (615) 741-3681
Fax: (615) 741-3169
Toll Free: 1-888-370-3647
TTY Relay: 1-800-848-0298

For a printable complaint form, visit our website:

www.tn.gov/content/dam/tn/tdot/civilrights/title-vi/complaint%20procedures01218.pdf

CLAY BRIGHT, COMMISSIONER



TENNESSEE DEPARTMENT OF TRANSPORTATION

Civil Rights Division's Mission



The mission of the Civil Rights Division is to ensure adherence to Equal Employment, Title VI, and Small and Disadvantaged Business Initiatives.

What is Title VI of the Civil Rights Act of 1964?

is the policy of the Tennessee Department of transportation to ensure 42. U.S.C. 2000d, "No person in the nited States shall, on the grounds of race, color, or national rigin, be excluded from participation in, be denied the enefits of, or be subjected to discrimination under a pro- ram or activity receiving federal financial assistance from the epartment of Transportation." Title VI covers all forms of ederal aid except those federally funded contracts of insurance and guaranty. It does cover employment practices esulting in discrimination against program beneficiaries or here the purpose of federal assistance is to provide mployment.

DOT's Subrecipients

DOT's subrecipients are any city, county, possession, political bdivision, instrumentality, public or private agency, organization, nity, and individual receiving federal funding, either directly or rough another recipient, from TDOT. A TDOT subrecipient ludes successor, assignee, or transferee, but not the ultimate eneficiary of a program or activity.

DOT's subrecipients are required to prevent discrimination and nsure nondiscrimination in all of their programs and ctivities whether federally-funded or not.

Title VI & Environmental Justice (EJ)



On February 11, 1994, President Clinton signed Executive Order 12898: an order that addresses environmental justice in minority populations and low-income populations.

The Executive Order focused attention on Title VI by providing that, "each agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations." In support of Executive Order 12898, the US DOT issued an Order on Environmental Justice (DOT Order 5610.2a). This order clarifies and reinforces Title VI responsibilities as well as addresses the effects on low-income populations.

Adverse Impacts may include:

- Bodily impairment, infirmity, illness, or death
- Air, noise, water pollution, and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or a community's economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Vibration
- Adverse employment effects
- Displacement of persons, businesses, farms, or nonprofit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- The denial of, reduction in, or significant delay in the receipt of, benefits of DOT programs, policies, or activities

Public Involvement



Public involvement plays an integral role in transportation planning and project development decision-making. The DOT Order (5610.2a) on Environmental Justice directs the department to provide minority and low-income populations greater access to information on and opportunities for public participation in matters that may impact human health and environment.

Title VI & Limited English Proficiency (LEP)

The Federal Government and those receiving assistance from the Federal Government must take reasonable steps so that LEP persons have meaningful access to the programs, services, and information those entities provide. This will require agencies to think "outside the box" for creative solutions to address the needs of this ever growing population of individuals, for whom English is not their primary language.

Who is a Limited English Proficient Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

Who Must Comply and Who Can be Found in Violation?

All programs and activities of entities receiving assistance from the Federal Government must comply with Title VI of the 1964 Civil Rights Act.

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination." President John F. Kennedy

What is covered by Title VI?

Title VI addresses areas of services such as:

- ♦ Transportation
- ♦ Construction
- ♦ The distribution of benefits and services
- ♦ Tax Benefits enjoyed by private agencies, fraternal and non-profit organizations (i.e. 501 (c)3) as well as education institutions
- ♦ Location of facilities
- ♦ Law enforcement
- ♦ Program effects on people in applicable communities
- ♦ Healthcare (i.e. Medicare, Medicaid, TennCare), social services and public welfare
- ♦ Natural resources and the environment
- ♦ Employment and job training
- ♦ Housing and community development
- ♦ Agriculture

****Please note this is not an inclusive list**

What discrimination is prohibited by Title VI?

There are many forms of illegal discrimination based on race, color, or national origin that limited 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 indirectly:

- ♦ 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 services, aid, or benefit

How to file a complaint

You may file a signed, written complaint 180 days to the date of the alleged discrimination.

The complaint should include:

- ♦ Your name, address and telephone number
- ♦ The name and address of the agency, institution, or department you believe discriminated against you.
- ♦ How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information.
- ♦ The names of any persons, if known, who the TDOT Title VI division could contact for clarity of your allegations.
- ♦ Your complaint must be signed and dated



Please submit your complaint to the address stipulated below:

Tennessee Department of Transportation

Title VI Director

505 Deaderick Street, Suite 1800

Nashville, TN 37243-0347

Telephone: (615) 741-3681

Fax: (615) 741-3169

Toll Free: 1-888-370-3647

For a printable complaint form visit our website

<http://www.tdot.state.tn.us/civil-rights>



Tennessee Department of Transportation. Authorization No.40133, 6,000 copies, March 2003. This public document was promulgated at a cost of \$0.13 per copy.



YOUR GUIDE TO TITLE VI CIVIL RIGHTS



Tennessee Department of Transportation



Gerald F. Nicely
Commissioner



<http://www.tdot.state.tn.us/civil-rights>

Pursuant to the State of Tennessee's policy of non-discrimination, the Department of Mental Health and Substance Abuse Services does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military services in its policies, or in the employment in, its program, service or activities.

The Tennessee Department of Mental Health and Substance Abuse Services is committed to principles of equal opportunity, equal access and affirmative action. Contact the department's EEO/AA Coordinator at (615) 532-6580 or the Title VI Coordinator at 1-800-560-5767.

EQUAL OPPORTUNITY
Is the

LAW

in
TENNESSEE



**Tennessee Department
of Mental Health and
Substance Abuse Services**



Department of Mental Health and Substance Abuse Services, Authorization #339429, 5,000 copies, March 2014. This public document was promulgated at a cost of \$.16 per copy.

The Civil Rights Act of 1964 was passed to ensure the people of the United States equal treatment, rights and opportunities regardless of race, color, or national origin. Title VI of that Act prohibits discrimination in federally funded programs.



"No person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Included under National Origin is discrimination based on a person's inability to speak, read, write, or understand English. Persons whose primary language is not English can be Limited English Proficient or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

All programs and operations of entities that receive assistance from the federal government must comply.

It is important that all applicants and recipients of services know about their rights under the law, and that employees of the Department of Mental Health and Substance Abuse Services as well as other agencies, organizations, institutions, and contractors providing services with state support understand what the law requires.

The Department of Mental Health and Substance Abuse Services requires a statement of compliance with the Civil Rights Act before entering into a contract or other agreement with any vendor for the purchase of care, services, or other benefits on behalf of persons served by the programs of the Department of Mental Health and Substance Abuse Services.

Any person who applies for or receives any benefit or service provided by the Department of Mental Health and Substance Abuse Services may file a complaint if he or she has had unfair or different treatment because of race, color, or national origin.

Complaints must be filed in writing with the Title VI representative of the location of the alleged discrimination or with the appropriate regional or central office of the Department of Mental Health and Substance Abuse Services or with the Office of Civil Rights, 101 Marietta Tower, Suite 2706, Atlanta, Georgia 30323.

The Department of Mental Health and Substance Abuse Services does not, because of race, color, or national origin;

— Deny any individual any services, opportunity, or other benefit for which he is otherwise qualified;

— Provide any individual with any service, or other benefit, which is different or is provided in a different manner from that which is provided to others under the program;

— Subject any individual to segregated or separate treatment in any manner related to his receipt of service;

— Restrict an individual in any way in the employment of services, facilities or any other advantage, privilege or other benefit provided to others under the program;

— Adopt methods of administration which would limit participation by any group of recipients or subject them to discrimination;

— Address an individual in a manner that denotes inferiority because of race, color, or national origin.

For further information, contact the Title VI Coordinator at:

Office of Consumer Affairs
Department of Mental Health and
Substance Abuse Services
5th Floor, Andrew Jackson Building
500 Deaderick Street
Nashville, Tennessee 37243

¿Qué discriminación está prohibida por El Título VI?

Existen muchas formas de discriminación ilegal basadas en raza, color u origen nacional que imitan la oportunidad de las minorías de obtener igual acceso a servicios y programas. Entre otras cosas, en la operación de un programa asistido federalmente, un destinatario no puede, con base en raza, color, origen nacional, bien sea directa o indirectamente:

- Negar programas, servicios o beneficios
- Proveer un servicio, ayuda o beneficio diferente, o Proveerlos prestarlos de un modo diferente al proveerlo a otros: o
- Segregar o tratar separadamente individuos en algún asunto relacionado a recibir cualquier servicio, ayuda o beneficio.

Programas o servicios incluyen pero no están limitados a:

- Transporte
- Construcción
- Beneficios de impuestos disfrutados por agencias privadas, organizaciones fraternales y sin ánimo de lucro (por ejemplo 501 (c) 3) así como instituciones de educación
- Ubicación de locaciones o centros de servicios
- Cumplimiento de la ley
- Efectos del programa en la gente en comunidades aplicables
- Cuidado de salud (por ejemplo Medicare, Medicaid, TennCare), servicios sociales y bienestar público
- Recursos naturales y el medio ambiente
- Empleo y entrenamiento de trabajo
- Vivienda y desarrollo de la comunidad
- Agricultura



Provisiones De Contratos De Asistencia Financiera Federal

Del Título VI:

Todos contratos de la Ayuda-Federal deben incluir el idioma de la certeza del contrato del Título VI que requiere la conformidad con el Título VI del Acta de los Derechos Civiles de 1964. Los contratistas de la Ayuda-Federal no pueden discriminar en la selección o la retención de subcontratistas de primero-nivel; subcontratistas no pueden discriminar en la selección o la retención de subcontratistas de segundo nivel que toman parte en la construcción de Carretera de Ayuda-Federal; y los contratistas y los subcontratistas no pueden discriminar en sus prácticas del empleo con respecto a proyectos de construcción de carreteras ni proyectos ayudados por la Administración Federal de la Carretera.

COMO PRESENTAR UNA QUEJA

Usted puede presentar una queja escrita y firmada 180 días después de la fecha de la pretendida discriminación. La queja debe incluir:

- Su nombre, dirección / domicilio y número de teléfono.
- El nombre y dirección de la agencia, institución o departamento que usted cree lo discriminó.
- Cómo, cuándo y dónde cree que se presentó la discriminación. Incluyendo lo más específico posible, detallada información acerca de los actos de discriminación alegados, y cualquier otra información relevante.
- El nombre de cualquier persona, si las conoce, a quienes la división del título VI de TDOT podrían contactar para clarificar sus alegaciones.

Su queja debe estar firmada y fechada.



Por favor envíe su queja a la dirección estipulada enseguida:

Tennessee Department of Transportation
Title VI Director
505 Deaderick Street, Suite 1800
Nashville, TN 37243-0347
Teléfono: (615) 741-3681
Fax: (615) 741-3169
Llamada gratuita: 1-888-370-3647
TTY Relay: 1-800-848-0298

Para un formulario de quejas impreso visite nuestra página de Internet:

www.tennessee.gov/tdot/civil-rights/titlevi

El Departamento de Transporte de Tennessee

Oficina de los Derechos Civiles Programa del Título VI

Título VI Del Acta De Los Derechos Civiles De 1964
Justicia Ambiental
Capacidad Limitada de Inglés



**CIVIL
RIGHTS
DIVISION**

Tennessee Department of Transportation
1000 North 2nd Street
Nashville, TN 37243-0347
(615) 741-3681

WWW.TENNESSEE.GOV/TDOT/CIVIL-RIGHTS/TITLEVI



Compromiso Del Título VI

La meta más importante del programa del Título VI del departamento de Transporte de Tennessee es asegurar que el equipo gerencial, contratistas y beneficiarios de servicios estén enterados de las provisiones del Título VI y las responsabilidades asociadas con el Título VI del Acta de los Derechos Civiles de 1964. Tenemos la mejor disposición para proveerle asistencia de la más alta calidad técnica, recursos, orientación y cualquier otra información con respecto al Título VI. Por favor no dude en llamar a nuestra oficina si necesita ayuda adicional.



¿Qué Es El Título VI Del Acta De Los Derechos Civiles De 1964?

Es la política del departamento de Transporte de Tennessee para asegurar 42. U.S.C. 2000d, "Ninguna persona en los Estados Unidos será excluida de participación, serán negados beneficios, o estará sujeta a discriminación con razón de su raza, color, u origen nacional, bajo un programa o actividad recibiendo asistencia financiera federal del Departamento de Transporte." Título VI cubre todas las formas de ayuda federal excepto aquellos contratos de seguro y garantía federalmente fundados. Esto cubre prácticas de empleo que resulten en discriminación contra beneficiarios de programas o donde el propósito de la asistencia federal sea proveer empleo.



Título VI Y Justicia Ambiental

En Febrero 11, 1994 el presidente Clinton firmó la orden ejecutiva 12898: *Acción Federal para dirigir la Justicia Ambiental a las Poblaciones Minoritarias y a las Poblaciones de Bajos Ingresos.*

La orden ejecutiva centró su atención en el Título VI previendo que "cada agencia hará esfuerzos en Justicia Ambiental como parte de su misión identificando y dirigiendo, como sea apropiado, efectos ambientales o de salud humana desproporcionadamente altos de sus programas, políticas y actividades en las minorías y poblaciones de bajos recursos. En apoyo a la orden ejecutiva 12898, el US DOT emitió una Orden en Justicia Ambiental (orden DOT 5610.2). Esta orden clarifica y refuerza las responsabilidades del Título VI así como dirige los efectos en las poblaciones de bajos recursos.



Efectos adversos pueden incluir:

- Impedimentos corporales, aflicciones, enfermedades, o muerte
- Aire, ruido, y contaminación del agua y contaminación de la tierra
- Destrucción o desbaratamiento de los recursos naturales o de los hechos por el hombre
- Destrucción o disminución de los valores estéticos
- Destrucción o desbaratamiento de la cohesión comunitaria o de la vitalidad económica de una comunidad
- Destrucción o desbaratamiento de la disponibilidad de servicios y lugares públicos y privados
- Vibración
- Efectos adversos al empleo
- Desplazamiento de personas, negocios, fincas u organizaciones sin ánimo de lucro
- Congestión de tráfico incrementada, aislamiento, exclusión o separación de las minorías o individuos de bajos recursos dentro de una comunidad dada o desde la comunidad en general.
- La negación de, reducción en, o significante demora en la recepción de beneficios, programas, políticas o actividades de el Departamento de Transportación.

El involucramiento público

es parte integral de la toma de decisiones de proyecto de desarrollo y planeación del transporte. La orden DOT (5610.2) en Justicia Ambiental dirige al departamento a proveer a las poblaciones minoritarias y poblaciones de bajos ingresos en asuntos que puedan impactar la salud humana y el ambiente.



Título VI y La Capacidad Limitada de Inglés (LEP)

El gobierno federal y esos servicios que reciben asistencia financiera del gobierno federal deben tomar medidas razonables para asegurar que personas LEP tengan un acceso significativo a sus programas, servicios, e información que esas entidades proporcionan. Esto requerirá que las agencias piensen "afuera-de-la-caja" para obtener soluciones ingenieras que puedan resolver los problemas de esta población creciente, para quienes el inglés no es su primer idioma.



¿Quién es una persona de Capacidad Limitada de Inglés (LEP)?

LEP es una persona cuyo primer idioma no es el inglés, la cual tiene una capacidad limitada para leer, hablar, escribir o comprender el inglés. Estas personas tienen derecho a recibir asistencia de idioma con respecto a cualquier clase de servicio, beneficio, o situación que se pueda presentar.

¿Quién Tiene Obligación De Cumplir Y Quién Puede Encontrarse En Violación Bajo El Título VI?

Todos los programas y operaciones de entidades que reciben ayuda del gobierno federal (ejemplo: beneficiarios), incluyen: Cualquier agencia estatal, agencia local, institución u organización privada. Cualquier entidad que recibe asistencia financiera Federal a través de otro beneficiario / entidad mencionado anteriormente, tiene obligación de cumplimiento.



"La elemental justicia requiere que los fondos públicos, a los cuales todos los contribuyentes de impuestos de todas las razas aportan, no sean gastados de ninguna manera para, animar, arraigar, subsidiar o resultar en discriminación racial."

Presidente John F. Kennedy

- Cómo, por qué, y cuándo cree Ud. que fue discriminado. Incluya los más detalles posible sobre los actos de discriminación alegados. Si los sabe, incluya los nombres de los individuos que Ud. alega han discriminado contra Ud.
- Los nombres de cualquier persona, si los sabe, con quien la agencia investigadora se podría comunicar para pedir información adicional para apoyar o clarificar sus alegaciones.

¿Qué hará la agencia federal con mi queja?

Después de que Ud. presente su queja, será revisada por la agencia pertinente para determinar si tiene jurisdicción para investigar los hechos que Ud. ha sometido. Los procedimientos de cada agencia son diferentes, pero cada agencia generalmente investigará sus alegaciones y tratará de resolver las violaciones que encuentre. Si fracasan las negociaciones para remediar las violaciones, la agencia puede iniciar una demanda formal.

¿Cuál es el papel del Departamento de Justicia?

El Departamento de Justicia, por Orden Ejecutiva 12250, coordina la ejecución del Título VI y otros estatutos relacionados con todas las agencias federales que administran programas que proveen asistencia financiera federal.

Si Ud. no puede determinar qué agencia federal puede tener jurisdicción del Título VI, o si Ud. no sabe dónde enviar su queja, Ud. puede enviarla al Departamento de Justicia. Como la "agencia de coordinación" de ejecución del Título VI en todo el gobierno, el Departamento de Justicia referirá su queja a la agencia apropiada. Nuestra dirección es:

Coordination and Review Section
(Sección de Coordinación y Revisión)
Civil Rights Division
U.S. Department of Justice
P.O. Box 66560
Washington, D.C. 20035-6560
(202) 307-2222 (voz)
(202) 307-2678 (TDD)

¿Qué pasa si la entidad contra quien sometí la queja toma represalias contra mí por haber presentado una queja y por hacer valer mis derechos?

Ud. debe saber que todo recipiente de ayuda financiera federal esta prohibido de tomar represalias contra Ud. o contra cualquier otra persona debido a que él o ella se han opuesto a pólizas o prácticas ilegales, o testificó, denunció, o participó en cualquier acción de queja bajo el Título VI. Si Ud. cree que se han tomado represalias en contra de Ud., debe comunicarse inmediatamente con la agencia federal que tiene autoridad para investigar su queja.

Sus Derechos bajo el Título VI de la Ley de los Derechos Civiles de 1964



"Ninguna persona en los Estados Unidos será excluida de participar en, ni se le negará los beneficios de, o será el objeto de discriminación debido a su raza, color u origen nacional, en cualquier programa o actividad que recibe ayuda financiera federal."

Departamento de Justicia de los EE.UU.
División de Derechos Civiles
P.O. Box 66560
Washington, D.C. 20035-6560

"La justicia más elemental requiere que los fondos públicos, a los que han contribuido personas de todas razas que pagan impuestos, no sean gastados de ninguna manera que fomente, atrinche, subsidie, o resulte en la discriminación racial."

(El Presidente John F. Kennedy, en su mensaje apelativo para la promulgación del Título VI, 1963).

¿Qué es el Título VI?

El Título VI de la Ley de los Derechos Civiles de 1964 es una ley federal que protege a los individuos contra la discriminación basada en raza, color u origen nacional en los programas que reciben asistencia financiera federal.

¿Qué programas están cubiertos por el Título VI?

Aproximadamente 30 agencias federales proveen asistencia financiera federal en forma de fondos, entrenamiento, y asistencia técnica y otros tipos, a los gobiernos estatales y locales, y a asociaciones privadas y empresas no lucrativas. Estos recipientes de asistencia federal, a cambio, operan programas y proveen beneficios y servicios a individuos (conocidos como "beneficiarios") para lograr los objetivos de la legislación federal que autoriza estos programas.

Los programas que reciben asistencia federal cubren áreas extensas y diversas tales como:

- educación primaria, secundaria y superior
- servicios de salud, sociales, y de bienestar público
- transporte público
- parques y recreación
- recursos naturales y el medio ambiente
- empleo y entrenamiento laboral
- vivienda y desarrollo de la comunidad
- administración de la justicia y ejecución de la ley
- agricultura y nutrición

¿Qué discriminación está prohibida por el Título VI?

Hay muchas formas de discriminación ilegal basada en raza, color u origen nacional que pueden limitar la oportunidad de las minorías a tener acceso igual a los servicios y programas del recipiente de ayuda federal. Entre otras cosas, al operar un programa con asistencia federal, un recipiente no puede, basado en raza, color u origen nacional, ya sea directamente o bajo obligación contractual:

- negar los servicios, la ayuda, o los beneficios del programa;
- proveer los servicios, la ayuda o los beneficios en manera diferente a la que se le proveen a otros; ni

- segregar o dar trato separado a individuos durante el proceso de prestación de cualquier servicio, ayuda o beneficio.

¿Cómo puedo presentar una queja de discriminación?

Toda agencia federal que provee asistencia financiera es responsable de investigar las quejas de discriminación basadas en raza, color u origen nacional en cuanto al uso de sus fondos. Si Ud. cree que Ud. u otros protegidos por el Título VI han sido discriminados, usted(es) puede(n) presentar una queja ante la agencia federal que provee los fondos para el programa en el que Ud. cree que la discriminación está ocurriendo.

Toda queja debe de presentarse ante la agencia federal pertinente, en escrito y firmada, por lo general dentro de los 180 días de la fecha cuando la discriminación alegada ocurrió. La queja debe de describir:

- Su nombre, dirección y número de teléfono. Su queja tiene que estar firmada. Si Ud. está presentando la queja a nombre de otra persona, incluya su nombre, dirección, número de teléfono, y su relación con esa persona (por ejemplo: amigo, abogado, padre, etc.)
- El nombre y la dirección de la agencia, institución o departamento que Ud. cree que haya discriminado contra Ud.

"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 subjected to discrimination under any program or activity receiving Federal financial assistance."

Title VI of the Civil Rights Act of 1964

Safety and mobility are two of the U.S. Department of Transportation's top priorities. Accessibility and justice is another undeniable mission of the agency.

A 1994 Presidential Executive Order directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on "minority populations and disadvantaged communities." The DOT's environmental justice initiatives accomplish this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety or mobility.

Environmental justice and Title VI are not new issues. In fact, they have been part of the transportation planning process, they are receiving greater emphasis. Effective transportation decision making depends upon understanding and properly addressing the unique needs of different socioeconomic groups. This is more than a "checking exercise." It requires involving the public in the decision-making process and using a comprehensive, inclusive approach. These changes make sure that every transportation project nationwide considers the human environment. Use the information in this brochure to learn how to promote environmental justice and ensure nondiscrimination in your community.

WHAT IS ENVIRONMENTAL JUSTICE?

There are three fundamental environmental justice principles:

- To avoid, minimize, or mitigate disproportionate adverse effects on human health and environmental effects, including social and economic effects, on minority populations and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process

The need to consider environmental justice is already embodied in many laws, regulations, and policies such as



Context-Sensitive Design: Harlem Gateway
Corridor, New York City. The Harlem Gateway Corridor, New York City, is a public art installation that improves the public art landscape through new lighting, tree planting, pedestrian-friendly design, and murals celebrating the community's cultural heritage.

- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

IS ENVIRONMENTAL JUSTICE A NEW REQUIREMENT?

No. The recipients of Federal aid have been required to certify and the U.S. DOT must ensure nondiscrimination under Title VI of the Civil Rights Act of 1964 and many other laws, regulations, and policies. In 1997, the Department issued its *DOT Order to Address Environmental Justice in Minority Populations and Low-Income*

Title VI of the Civil Rights Act of 1964 ★ National Environmental Policy Act of 1969 (NEPA) ★ Section 109(h) of Title 23 ★ the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended ★ the Transportation Equity Act for the 21st Century (TEA-21) ★ other U.S. DOT statutes and regulations.

Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice.

HOW DOES ENVIRONMENTAL JUSTICE IMPROVE TRANSPORTATION DECISION MAKING?

Environmental justice is more than a set of legal and regulatory obligations. Properly implemented, environmental justice principles and procedures improve all levels of transportation decision making. This approach will

- Make better transportation decisions that meet the needs of all people
- Design transportation facilities that fit more harmoniously into communities.

- Finance the public-involvement process, strengthen community-based partnerships, and provide minority and low-income communities with the information and resources to shape and improve the quality and usefulness of transportation in their lives.

- Improve data collection, monitoring, and analysis tools that assess the needs of, and analyze the potential impacts on, minority and low-income populations.

- Partner with other public and private programs to leverage transportation-agency resources to achieve a common vision for communities

- Avoid disproportionately high and adverse impacts on minority and low-income populations

- Minimize and/or mitigate unavoidable impacts by identifying concerns early in the planning phase and providing offsetting initiatives and enhancement measures to benefit affected communities and neighborhoods.

TITLE VI AND ENVIRONMENTAL JUSTICE ADDRESS WHICH GROUPS?

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, and national origin. The *DOT Order to Address Environmental Justice* (12898) addresses minority and low-income persons belonging to any of the following groups:

Black – a person having origins in any of the black racial groups of Africa.

Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.



Successful Transit Partnership: El Paso, Texas
As part of TEA-21's *Local Community Initiative*, San Metro is undertaking a major transit-oriented development to revitalize the El Paso metropolitan area. San Metro is using TEA-21's *Local Community Initiative* to secure Development Block Grants, and local-government and private-sector funding.

African American – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

American Indian and Alaska Native – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Low-income – a person whose household income (median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

DO TITLE VI AND ENVIRONMENTAL JUSTICE APPLY TO ALL TRANSPORTATION DECISIONS?

Yes. Concern for environmental justice should be integrated into every transportation decision – from the initial planning and design stages to post-construction operations and maintenance.

The *U.S. DOT Order* applies to all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components:

- Policy Decisions
- Systems Planning
- Metropolitan and Statewide Planning
- Project Development and Environmental Review under NEPA
- Preliminary Design
- Final Design Engineering
- Right-of-Way
- Construction
- Operations and Maintenance.

HOW CAN TRANSPORTATION PARTNERS AND THE PUBLIC SUPPORT TITLE VI AND ENVIRONMENTAL JUSTICE?

Federal agencies, State DOTs, Metropolitan Planning Organizations (MPOs), and transit providers advance Title VI and environmental justice by involving the public in transportation planning and decision-making processes.

enable transportation professionals to develop systems, services, and solutions that meet the needs of the public, including minority and low-income communities. There are many excellent examples of transportation initiatives that successfully integrate environmental justice.

These successes champion the opportunities and responsibilities that Title VI and environmental justice present.

Federal Agencies – FHWA and FTA staff will continue to work with State DOTs, MPOs, transit providers, and other local agencies to ensure Title VI and environmental justice are integrated into all surface transportation activities. In addition to making sure that Federal transportation regulations and policies affirm and reinforce nondiscrimination, Federal staff will take other important action to:

- Ensure that Title VI compliance and environmental justice are understood and implemented in metropolitan and statewide planning activities and in NEPA processes and documents.
- Identify effective practices, potential barriers, and lessons learned from past experiences to promote the integration

- Enhance their public-involvement activities to ensure the meaningful participation of minority and low-income populations.

- Work with Federal, State, local, and transit planning partners to create and enhance technical systems, and support and human resources for low-income and minority communities.

MPOs – serve as the primary forum where State DOTs, transit providers, local agencies, and the public develop local transportation plans and programs that address a metropolitan area's needs. MPOs can help local public entities understand how Title VI and environmental justice requirements improve planning and decision making. To certify compliance with Title VI and address environmental justice, MPOs need to:

- Enhance their analytical capabilities to ensure that the long-range transportation plan and the transportation improvement program (TIP) comply with Title VI.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
- Evaluate and – where necessary – modify the transportation planning decision process to eliminate participation barriers and engage minority and low-income populations in transportation decision making.

Transit Providers – offer mobility for all citizens whether they own a vehicle or not. They provide an essential service for many low-income and minority people, including the elderly, people with disabilities, shopping, child care, medical appointments, recreation, or other destinations. Transit agencies support Title VI and environmental justice principles when they:



Innovative Mitigation Measures: Philadelphia, Pennsylvania As part of the Vine Street Expressway Project, PennDOT, the FHWA Pennsylvania Division, and local agencies designed innovative mitigation measures to preserve community cohesion and economic vitality in a century-old community of ethnic Chinese.

- Ensure that new investments and changes in transit facilities, services, maintenance and vehicle replacement deliver equitable levels of service and benefits to minority and low-income populations.
- Avoid, minimize or mitigate disproportionately high and adverse effects on minority and low-income populations.
- Enhance public involvement activities to identify and address the needs of minority and low-income populations in making transportation decisions.

The Public – Transportation agencies cannot fully meet community needs without the active participation of well-informed, empowered individuals, community groups, and other

of environmental justice into all planning, development, and implementation activities.

State DOTs – are at the heart of planning, design, construction, and operations and maintenance projects across all travel modes. They allocate resources from various Federal-aid programs. State DOTs necessarily integrate Title VI and environmental justice into their activities when they:

- Develop the technical capability to assess the benefits and adverse effects of transportation activities among different population groups and use that capability to develop appropriate procedures, goals, and performance measures in all aspects of their mission.
- Ensure that State Transportation Improvement Program (STIP) findings of statewide planning compliance and NEPA activities satisfy the letter and intent of Title VI requirements and environmental justice principles.



Tulalip Tribal Model Partnership Listening Session In 1998, FHWA held a nationwide series of listening sessions to learn about and address environmental justice challenges facing minority and low-income populations.

An Overview of Transportation and Environmental Justice

“Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”

Executive Order 12898,
Federal Actions to Address
Environmental Justice in Minority
Populations and Low-Income
Populations, 1994

nongovernmental organizations such as businesses and academics. These individuals and groups advance the letter, spirit, and intent of Title VI and environmental justice in transportation when they:

- Participate in public involvement activities (meetings, hearings, advisory groups, etc.) to help identify and understand community needs, perceptions, and goals.
- Get involved with State and local agencies to link TIA-EJ programs with other Federal, State, and local resources to fund projects that support community goals.

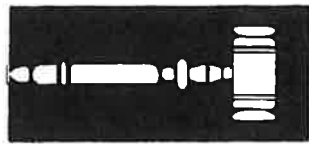
WHERE DO I FIND MORE INFORMATION ABOUT ENVIRONMENTAL JUSTICE AND TRANSPORTATION?

For information on resources, technical assistance, publications, and DOT contacts, visit FHWA's web site: www.fhwa.dot.gov/environment/ej2.htm

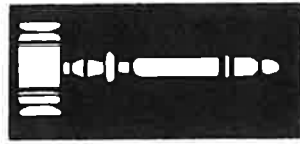
Additional contact information:

Federal Highway Administration
Office of Human Environment
440 Seventh Street, SW, 11th Floor
Washington, DC 20590
Phone: (202) 426-6385
Web Site: www.fhwa.dot.gov/environment/ej2.htm

Federal Transit Administration
Office of Planning
1215 Second Street, SW, 17L-10
Washington, DC 20590
Phone: (202) 365-6385
Web Site: www.fhwa.dot.gov/fta/planning/index.html



LA LEY ESTABLECE



LA IGUALDAD DE OPORTUNIDADES

El Título VI del Decreto de Derechos Civiles de 1964 prohíbe que los programas que reciben ayuda del gobierno federal discriminen en base a raza, color o nacionalidad de origen.

El Departamento de Salud Mental y Servicios para el Abuso de Sustancias de Tennessee también requiere que sus servicios sean ofrecidos a todas las personas elegibles sin distinción de raza, color, o nacionalidad de origen.

Si usted considera que ha sido víctima de actos de discriminación, póngase en contacto con su representante local del Título VI listado a continuación:

Richard L. Dos Grasse, Jr.
(nombre) *de TDD Coordinator*

100 W. 1st N ST, Morris, TN
(localidad) *37814*

423-581-6277
(número de teléfono)

Las Prácticas Prohibidas incluyen las siguientes:

- 1. Negar servicios en base a raza, color, o nacionalidad de origen.
- 1. Aplicar estándares diferentes para el mismo tipo de servicio.
- 1. Segregar a los clientes únicamente en base a raza, color, o nacionalidad de origen.
- 1. Restringir acceso a servicios o beneficios del programa.
- 1. Impedir la dignidad humana por manera de dirigirse o tratamiento.
- 1. No considerar a las personas con dominio limitado del inglés (LEP).

Se Prohíbe la Discriminación

Comisión de Derechos Humanos de Tennessee, 312 Rosa Parks Blvd., Piso 23 Snodgrass Edificio, Nashville, TN 37240, 1-800-252-3589
Tennessee Human Rights Commission, 312 Rosa Parks Blvd., 23rd Floor, Snodgrass Bldg., Nashville, TN 37240, 1-800-252-3589

TN Department of
Mental Health &
Substance Abuse Services

De acuerdo con las especificaciones establecidas en las normas antidiscriminatorias del Estado de Tennessee, el Departamento de Salud Mental y Servicios de Abuso de Sustancias de Tennessee no discrimina en sus normas, basado en la raza, sexo, religión, color, origen nacional o étnico, edad, incapacidad, o el servicio militar realizado por la persona, ni tampoco en la admisión o el acceso que pueda tener un individuo, el tratamiento o empleo en sus programas, servicios o actividades.

El Departamento de Salud Mental y Servicios de Abuso de Sustancias de Tennessee, está dedicado a los principios de igualdad de oportunidades, de igualdad de acceso y de acción afirmativa. Si **necesita** más información al respecto, póngase en contacto con el Coordinador del EEO/AA del Departamento, llamando al (615) 532-6580, con el Coordinador del Título VI al (615) 532-6700 o con el Coordinador del ADA, al (615) 532-6700.

Si necesita más información, póngase en contacto con el Coordinador del Título VI, a la siguiente dirección:

Office of Consumer Affairs
Departamento de Salud Mental y
Servicios de Abuso de Sustancias
Torre Andrew Jackson, Piso 5
500 Deaderick Street
Nashville, Tennessee 37243



Department of Mental Health and Substance Abuse Services, Authorization #339429s, 5,000 copies, March 2014. This public document was promulgated at a cost of \$.19 per copy.

La Igualdad de
Oportunidades es

LEW

en el Estado de
TENNESSEE



**Departamento de Salud Mental y
Servicios de Abuso
de Sustancias de Tennessee**

El Decreto de Derechos Civiles de 1964 fue aprobado para asegurar un trato de igualdad, los derechos y oportunidades a los habitantes de los Estados Unidos, sin distinción de raza, color o de origen nacional. El Título VI del Decreto prohíbe la discriminación en los programas financiados por el gobierno federal.



"Ninguna persona habrá de ser excluida en los Estados Unidos, como consecuencia de su raza, color o por su origen nacional, de ningún tipo de participación, ni se le negarán los beneficios, ni será sujeta a discriminación bajo ningún programa o actividad que reciba ayuda financiera federal."

Incluido bajo el Origen Nacional está la discriminación basada en la inhabilidad de la persona para hablar, leer, escribir y entender el Inglés. Las personas cuyo primer idioma no es el Inglés, podrían clasificarse como Limitación en la Proficiencia del idioma Inglés o "LEP". Estos individuos podrían tener derecho a ser asistidos en el lenguaje con respecto a un tipo particular de servicio, beneficio u otra ayuda. Todos los programas o entidades que reciben fondos del gobierno federal tienen que cumplir con este requisito.

Es importante que todos los solicitantes, así como los que reciban servicios, sepan cuáles son sus derechos, de acuerdo con las especificaciones de la ley, y que los empleados del Departamento de Salud Mental e Invalidez en el Desarrollo, del mismo modo que los de otras agencias, organizaciones, instituciones, así como de organismos que provean sus servicios con la patrocinación del Estado, comprendan lo que la ley requiere.

El Departamento de Salud Mental y Servicios de Abuso de Sustancias de Tennessee requiere la presentación de una declaración de aceptación y cumplimiento del Decreto de Derechos Civiles, antes de formalizar un contrato o cualquier otro tipo

de acuerdo con cualquier proveedor, para la adquisición de cuidados, servicios u otros beneficios a nombre de personas beneficiadas por los programas del Departamento de Salud Mental e Invalidez en el Desarrollo.

Cualquier persona que solicite o reciba cualquier beneficio o servicio provisto por el Departamento de Salud Mental e Invalidez en el Desarrollo, podrá presentar una demanda, en el caso de que esta persona haya recibido un trato injusto o diferente como consecuencia de su raza, color o su origen nacional.

El Departamento de Salud Mental y Servicios de Abuso de Sustancias de Tennessee como consecuencia de la raza, color u origen nacional de cualquier persona:

■ **No le niega a ninguna persona ningún servicio, oportunidad, o cualquier otro beneficio por el que de otra forma la persona cualifique;**

■ **No provee a ningún individuo con otro servicio u otro beneficio del cual es provisto a otros individuos bajo el mismo programa;**

■ **No obliga a ningún individuo a aceptar tratamiento segregado o separado, de ninguna forma, con respecto a su derecho a recibir el servicio;**

■ **No restringe a ningún individuo ni en ninguna forma, en el empleo de servicios, instalaciones o ningún otro tipo de ventajas, privilegios u otros beneficios provistos a otras personas, bajo el mismo programa;**

■ **No adopta métodos de administración que pudieran limitar la participación de cualquier grupo de recipientes, o someterles a ningún tipo de discriminación;**

■ **No trata a ningún individuo de manera que denote inferioridad debido a su raza, color u origen nacional.**

8. Provide a copy of MPO's Title VI complaint log, procedures, and instructions to the public regarding how to file a Title VI discrimination complaint. Ensure all funding agencies all listed and identified as an agency that a complaint can be filed with (FHWA, FTA, and TDOT).

TITLE VI CONTACT INFORMATION

Local Agencies

Richard DesGroseilliers, GISP
MTPO Coordinator
100 W 1st N St, Morristown, TN 37816-1499
423-581-6277
richd@mymorristown.com

Steve Bandy
ETHRA
9111 Cross Park Drive, Suite D-100
Knoxville, TN 37923
865.691.2551 X4320
Sfox@ethra.org

TDOT

Jessica Starling, TDOT Director of Civil Rights Division
505 Deaderick St, Suite 1800
James K Polk Building
Nashville, TN 37243
615-741-3681
1-888-370-3647
Jessica.M.Starling@tn.gov

David Neese, TDOT Small Business Development Program Director
505 Deaderick St, Suite 1800
James K Polk Building
Nashville, TN 37243
615-253-1075
David.Neese@tn.gov

Cynthia Howard, TDOT Title VI Director
505 Deaderick St, Suite 1800
James K Polk Building
Nashville, TN 37243
615-253-1066
Cynthia.Howard@tn.gov

Pamela Sharp, Title VI Specialist, Regions I and II
615-253-1074
Pamela.Sharp@tn.gov

FHWA

Joi Hamilton-Jones
Civil Rights Program Specialist
FHWA Tennessee Division Office
404 BNA Dr, Building 200, Suite 508
Nashville, TN 37217
615-781-5790

Nichole McWhorter
Title VI Program Team Leader
(202) 366-1396
nichole.mcwhorter@dot.gov

Kevin Resler
National Title VI Program Coordinator
Kevin.Resler@dot.gov
(202) 366-2925

Erik Lacayo
Program Analyst
(202) 913-3926
Erik.Lacayo@dot.gov

FTA

Dee Foster
Region IV Office
Federal Transit Administration
230 Peachtree Street, NW
Suite 1400
Atlanta, GA 30303
404-865-5600

Office of Civil Rights
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
1-888-446-4511

APPENDIX C

TITLE VI COMPLAINT PROCEDURE (GENERAL REQUIREMENT)

Background

Recipients' Title VI Programs must include a copy of the agency's Title VI complaint procedure. The complaint procedure and complaint form shall be available on the recipient's website. The Title VI Complaint Procedure is a vital document. If any of the Limited English Proficient (LEP) populations in your service area meet the Safe Harbor threshold (see Chapter III), then the complaint procedure should be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. At a minimum, the complaint procedure should include a notice—"If information is needed in another language, then contact [phone number]"—should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.

SAMPLE Title VI Complaint Procedure Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the City of USA Transit Authority (hereinafter referred to as "the Authority") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The City of USA Transit Authority investigates complaints received no more than 180 days after the alleged incident. The Authority will process complaints that are complete.

Once the complaint is received, the Authority will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Authority has XX days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has XX business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within XX business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case. After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has XX days after the date of the letter or the LOF to do so. A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)
Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

Title VI Complaint and Hearing Procedures

It is the policy of LAMTPO to ensure compliance with Title VI of the Civil Rights Act of 1964: 49 CFR Part 21; related statutes and regulations to that end that no one person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance on the grounds of race, color, sex, or national origin. Any person who believes that they have been discriminated against is to contact LAMTPO's Title VI Coordinator at the following address:

100 W. 1st North St
Morristown, TN 37814
423-581-6277

Any complaints received via telephone or in person will be requested in writing from the person filing the complaint. Assistance in submitting a written complaint will be available if necessary.

Complaint filed under Title VI shall be processed with the following steps:

Step 1:

The complainant and/or their representative shall present the complaint to the manager/ department head of the service or facility where the discrimination occurred, within 3 business days of the date the complaint incident. The complainant will be encouraged to complete a Complaint Form, but it may also be reduced to writing by a staff member and should contain the following information:

1. Name, address and telephone number of the complainant
2. The location and name of the entity delivering the service
3. The nature of the incident that led the complainant to feel discrimination was a factor.
4. The basis of the complaint (race, color, sex, national origin)
5. Name, addresses, and phone numbers of people who may have knowledge of this event
6. The date or dates of which the alleged discriminatory event or events occurred.

The manager/ department head shall, within ten working days after receiving the complaint, conduct an investigation, reach a decision and communicate the decision to the complainant. The complainant has the right of representation and may bring a witness and present evidence as desired. The manager/ department head shall also inform the complainant that they may appeal to the Title VI Coordinator who will proceed with Step 2. The complaint along with the findings of the investigation of the manager/ department head is to be submitted to the Title VI Coordinator.

Step 2.

If the complaint is not resolved at Step 1, the written complaint shall be filed with the Title VI Coordinator for LAMTPO. The Coordinator shall conduct an independent investigation. The investigation shall be completed within twenty (20) workdays of receipt of the complaint, at which time the Coordinator will inform the complainant and the manager/department head of the findings of fact and actions recommended.

Step 3.

If the complaint is not resolved at Step 2, the complainant may appeal to the Tennessee Title VI Program Director. The Coordinator for LAMTPO will send copies of the following to the Tennessee Title VI Program Director.

1. The signed complaint
2. The report from the manager/ department head where the alleged discrimination occurred
3. The requested appeal from the complainant
4. The Coordinator's findings and recommendations

The Title VI Program Director will send written notification of their investigation and action steps to be taken to all parties.

General Provisions:

1. A record of action taken on each request or complaint must be maintained as a part of the records of each level of the complaint process.
2. A complainant's rights to a prompt and equitable resolution of the complaint will not be impaired by their pursuit of other remedies. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

EQUAL OPPORTUNITY
TITLE VI POLICY STATEMENT

It is the policy of the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) to ensure compliance with Title VI of the Civil Rights Act of 1964: 49 CFR Part 21; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance on the grounds of race, color, sex, or national origin.



Richard DesGroseilliers
LAMTPO Title VI Coordinator

Any person who believes he or she has been discriminated against should contact the following:

LAMTPO
100 W. 1st North St
Morristown, TN 37814
423-581-6277

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)

Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

Título VI quejas y procedimientos de la audiencia

Es la política de LAMTPO para asegurar el cumplimiento con el título VI de la ley de derechos civiles de 1964:49 CFR parte 21; relacionados con estatutos y reglamentos a extremo que nadie persona será excluida de la participación en ser negada los beneficios de o ser sujeta a discriminación bajo cualquier programa o actividad que reciba asistencia financiera Federal por motivos de raza, color, sexo, u origen nacional. Cualquier persona que cree que ellos han sido víctimas de discriminación es título VI Coordinador de LAMTPO a la siguiente dirección de contacto:

100 w. 1st North St
Morristown, TN 387814
423-581-6277

Quejas recibidas vía telefónica o en persona, se solicitará por escrito de la persona que presenta la queja. Asistencia en la presentación de una queja por escrito estará disponible si es necesario.

Denuncia presentada bajo el Titulo VI será tratado con los siguientes pasos:

Paso 1:

El demandante o su representante deberá presentar la queja al Gerente / Jefe de Departamento del servicio o centro donde la discriminación se produjo, dentro de 3 días hábiles siguientes a la fecha del incidente de queja. La organización querellante serán alentada a completar un formulario de queja, pero también puede ser reducida a escrito por un miembro del personal y debe contener la siguiente información:

1. nombre, dirección y teléfono del denunciante
2. la ubicación y el nombre de la entidad que entrega el servicio
3. la naturaleza del incidente que llevó al demandante a sentir la discriminación fue un factor.
4. el fundamento de la queja (raza, color, sexo, origen nacional)
5. el nombre, direcciones y teléfonos de personas que puedan tener conocimiento de este evento
6. la fecha o fechas en que ocurrieron el presunto evento discriminatorio o eventos.

El Gerente / Jefe de Departamento deberá, dentro de diez días hábiles después de recibir la queja, realizar una investigación, llegar a una decisión y comunicar la resolución al denunciante. El demandante tiene el derecho de representación y puede traer un testigo y presentar pruebas como se desee. El Gerente / Jefe de Departamento deberá también informar al demandante que puede apelar al título VI coordinador que va a proceder al paso 2. La queja junto con los resultados de la investigación del Gerente / Jefe de Departamento debe presentarse al Coordinador de título VI.

Paso 2.

Si la queja no se resuelve en el paso 1, se presentará la queja por escrito con el Coordinador del título VI de LAMTPO. El Coordinador llevará a cabo una investigación independiente. La investigación se completará dentro de 20 veinte días hábiles de la recepción de la denuncia, momento en el cual el Coordinador informará al demandante y la cabeza de la Gerente del Departamento de las conclusiones de hecho y acciones recomendadas.

Paso 3.

Si la queja no se resuelve en el paso 2, el demandante puede apelar a la directora del programa Tennessee título VI. La Coordinadora de LAMTPO le enviará copias de los siguientes para el Director del programa Tennessee título VI.

1. la queja firmada
2. el informe del Gerente / Jefe de Departamento donde ocurrió la presunta discriminación
3. el recurso solicitado de la organización querellante
4. el Coordinador conclusiones y recomendaciones

El Director del programa Título VI enviará notificación por escrito de los pasos de su investigación y acción que se tomará para todas las partes.

Disposiciones generales:

1. un registro de las medidas adoptadas en cada petición o queja debe mantenerse como parte de los registros de cada nivel del proceso de queja.
2. derechos de demandante una resolución rápida y equitativa de la queja no se estorba su búsqueda de otros remedios. Uso de este procedimiento de la queja no es un requisito previo para la búsqueda de otros remedios.

IGUAL OPORTUNIDAD

TITULO VI

Es la politica del Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) asegurar que se cumpla con el Titulo VI del acto de derechos civiles de 1964; 49 CFR Parte 21, que se relaciona con los estatutos y normas para asegurar que ninguna persona sea exluida o discriminada o que se le niegen los beneficios de cualquier programa o actividad que reciba ayuda financiera sin importar su raza, color, sexo, origin, o con algun impedimento fisico.



Richard DesGroseilliers
LAMTPO Title VI Coordinator

Cualquier persona que crea que ha sido discriminada debera consumicarse al:

LAMTPO
100 W. 1st North St
Morristown, Tn 37814
423-581-6277

APPENDIX D

TITLE VI COMPLAINT FORM (GENERAL REQUIREMENT)

LAMTPO Title VI Discriminatory Complaint Form

The purpose of this form is to assist you in filing a complaint with the LAMTPO. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1. * State your name and address

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

2. * Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

Please explain your relationship to this person(s):

3.* Agency, department, or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: (____) _____

4A.* Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the LAMTPO in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female).

____ Race/Color: _____

____ National Origin: _____

____ Sex: _____

____ Religion: _____

____ Age: _____

____ Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the LAMTPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

____ Race/Color: _____

____ National Origin: _____

5. What is the most convenient time and place for use to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

9.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case).

10. The laws we enforce prohibit recipients of federal funds programmed through the MPO from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

11. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name Address Area Code/Telephone Numbers

12. Do you have any other information that you think is relevant to our investigation of your allegations?

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the KDOT Office of Civil rights, etc.?

Yes _____

No _____

If so, do you remember the complaint number?

Against what agency and department or program was it filed?

Address: _____

Telephone Number: (____) _____

Date of filing: _____ Agency: _____

Briefly, what was the complaint about?

What was the result?

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

_____ U.S. Equal Employment Opportunity Commission

_____ Federal or State Court

_____ Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments:

17. How did you learn that you could file this complaint?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

 (Signature) (Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Title VI Discrimination Complaint Form (please make one copy for your records) to:

Lakeway Area Metropolitan Transportation Planning Organization

Attn: Title VI Coordinator

100 W 1st N St

PO Box 1499

Morristown, TN 37816-1499

Phone: (423) 581-6277

Fax (423) 585-4679

LAMTPO Título VI denuncia discriminación forma

El propósito de este formulario es para ayudarle a archivar una queja con el LAMTPO. No es necesario utilizar este formulario; una carta que contenga la misma información será suficiente. Sin embargo, es importante incluir toda la información relacionada con elementos marcados con asterisco (*), o no se utiliza la forma.

1.* indicar su nombre y dirección

Nombre: _____

Dirección: _____

Número de teléfono:

Casa: trabajo () ____: ____ ()

2.* persona discrimina si es diferente de arriba:

Nombre: _____

Dirección: _____

Número de teléfono:

Casa: trabajo () ____: ____ ()

Por favor explique su relación a esta persona:

3.* Agencia, Departamento o programa que:

Nombre: _____

Cualquier persona (si se conoce): _____

Dirección: _____

Número telefónico: () _____

¿4a.* Non-Employment: hace su denuncia preocupación la discriminación en la prestación de servicios o en otras acciones discriminatorias de la LAMTPO en el tratamiento de usted o de otros? Si es así, por favor indique a continuación las bases en la que usted cree que fueron tomadas estas acciones discriminatorias (por ejemplo, "raza: African American" o "sexo: mujer).

_____ Race/Color: _____

_____ National Origin: _____

_____ Sex: _____

_____ Religion: _____

_____ Age: _____

_____ Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the LAMTPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

_____ Race/Color: _____

_____ National Origin: _____

5. What is the most convenient time and place for use to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Fecha más temprana de la discriminación: ____

Fecha más reciente de discriminación: ____

9.* por favor explique lo más claramente posible lo que pasó, por qué cree que sucedió y cómo se discriminó contra. Favor de indicar que estaba involucrado. No olvide incluir cómo otras personas fueron tratadas diferentemente de usted. (Utilice hojas adicionales si es necesario y adjunte una copia del material escrito referente a su caso.)

10. las leyes que hacer cumplir prohíben a los recipientes de fondos federales programados por el MPO de intimidación o represalias contra cualquier persona porque él o ella ha actuado o participaron en la acción para garantizar los derechos protegidos por estas leyes. Si usted cree que ha sido represalias contra (separado de la discriminación alegada en #9), por favor explique las circunstancias abajo. Asegúrese de explicar qué acciones llevó a que se cree eran la base para las supuestas represalias.

11. por favor lista de las personas (testigos, compañeros de trabajo, supervisores u otros), si se conoce, que nos podemos en contacto para que obtener más información apoyar o aclarar su denuncia.

Nombre Dirección Código de área/teléfonos

12. ¿tiene cualquier otra información que creas pertinente para nuestra investigación de sus denuncias?

13. ¿qué recurso está buscando para la supuesta discriminación?

¿14. has (o la persona que discrimina) presentó la misma o cualquier otra queja con otros organismos, como los derechos KDOT Oficina Civil, etcetera.?

Si ____

No ____

Si es así, ¿recuerdas el número?

¿Contra qué Agencia y Departamento o programa fue presentada?

Dirección: ____

Número telefónico: () ____

Fecha de presentación: ____ Agencia: ____

Brevemente, ¿cuál era la queja acerca de?

¿Cuál fue el resultado?

15. ha presentado o piensa presentar una carga o queja con respecto a las cuestiones planteadas en la presente queja con alguna de las siguientes?

- ☐ U.S. igual Comisión de oportunidades laborales
☐ Tribunal estatal o Federal
☐ Su oficina estatal de igualdad de oportunidades o la oficina local de derechos humanos

16. Si ya han presentado un cargo o queja con una agencia en #15 arriba, por favor proporcione la siguiente información (Adjunte páginas adicionales si es necesario):

Agencia: ____

Fecha de presentación: ____

Del caso o número de expediente: ____

Fecha de la audiencia de juicio: ____

Ubicación de la Agencia/corte: ____

Nombre del investigador: ____

Estado de caso: ____

Comentario:

17. ¿Cómo aprendió usted que usted podría presentar esta queja?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

 (Signature) (Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Title VI Discrimination Complaint Form (please make one copy for your records) to:

Lakeway Area Metropolitan Transportation Planning Organization
 Attn: Title VI Coordinator
 100 W 1st N St
 PO Box 1499
 Morristown, TN 37816-1499
 Phone: (423) 581-6277
 Fax (423) 585-4679

Title VI Complaint Log

ID #	Case #	Investigator	Company name	Type of Complaint	Date Open	Preliminary Sent	Final Report Sent	Solved/ Not Solved
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								

Monitoring of Contractors/Consultants

Name of Contractor: _____ **Date Completed:** _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone: _____ **Fax:** _____

This should be completed annually while the contract is active and submitted to the sub-recipient's Title VI Coordinator for review.

1. Are Title VI posters visible to staff? If yes, where?
2. Are all Physical Areas (i.e. restrooms, dining rooms, waiting rooms, etc.) provided without regard to race, color, or national origin?
3. How is Title VI information disseminated to new/current employees?
4. Describe how certified Disadvantaged Business Enterprises(DBEs), other small, minority and women-owned businesses are solicited to participate on contracts
5. What process has been established to track and monitor ethnicity and gender of any contractors awarded contracts/sub-contracts?
6. Provide documentation to show that contracts contain non-discrimination assurance language?
7. Provide complaint procedures and attach complaint log form.
8. Provide Limited English Proficiency Communications Plan (ie, how do you communicate with persons that speak a language other than English.)

The below Title VI Assurance is to Be Submitted on Company Letterhead:

Contractor/Consultant Name assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) 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 Tennessee Department of Transportation (TDOT).

DECLARATION OF RESPONDENT: I declare that I have completed this form to the best of my knowledge and believe it to be true and correct.

Name of Authorized Official

Date

10. List all funding sources to the MPO and provide a description of the procedures the MPO uses to pass through federal financial assistance to subrecipients in a nondiscriminatory manner. (Use addendum sheets.)

Consolidated Planning Grant (CPG) These funds are programmed in the Unified Planning Work Program (UPWP) and are used as shown in the table below, taken from the FFY2024-2025 UPWP. \$246,305.00 is available for each year FFY2024, and FFY2025.

FFY2024	Task 1. Program Administration	Task 2. Data Collection	Task 3. Short Range Planning	Task 4. Long Range Planning	Task 5. Multimodal Planning	Task 6. Special Studies	TOTALS
Personnel/ Benefits	\$9,800.00	\$5,000.00	\$10,000.00	\$66,000.00	\$20,000.00	\$4,000.00	\$114,800.00
Direct Costs	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00
Travel/ Training Costs	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00
Consultant costs- LRTP	\$0.00	\$0.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00
Other Non- personnel	\$1,200.00	\$0.00	\$4,000.00	\$7,500.00	\$0.00	\$11,805.00	\$24,505.00
Totals	\$18,000.00	\$5,000.00	\$14,000.00	\$173,500.00	\$20,000.00	\$15,805.00	\$246,305.00

Some of these funds have been used to contract with a consultant to do studies for the LAMTPO region. The last one was for the SR160 Corridor Study. SR160 Request For Proposals (RFPs) Advertisements were place in local newspapers, on the www.lamtpo.com website, and information sent out to various consulting firms in Tennessee. Information in the advertisement states that they must be TDOT certified, and requests for DBE participation.

Request For Qualifications (RFQ)

Consultant Services For State Route 160 (SR160) Corridor Study in Morristown, Hamblen County TN

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) is soliciting qualifications from consulting firms for the State Route 160 Corridor Study. The length for this study is approximately 12 miles, with 31 intersections. The proposed boundary will be from the intersection of US Hwy 11E/ W Andrew Johnson Highway to the intersection of Old Lowland Rd/ McClister Rd. It should be noted that due to financial constraints the study boundary may be shorten. This project will be paid using federal Consolidated Planning Grant (CPG) funds at 80%, state funds of 5%, and a local match at 15%.

The plan must meet all requirements of the Tennessee Department of Transportation (TDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), Tennessee Department of Environment and Conservation (TDEC), and/or Environmental Protection Agency (EPA), if applicable.

Any consulting firm wishing to submit a RFQ shall have a current prequalification status with the Tennessee Department of Transportation (TDOT).

The goal of this study is to develop and maintain a safe and secure highway that is an integral part of sustainable development. A sustainable highway should satisfy lifecycle functional requirements of societal development and economic growth while striving to enhance the natural environment and reduce consumption of natural resources.

The consultant shall provide a summary of findings that effectively communicates the information reviewed, along with charts, tables, maps and GIS information associated with each task as necessary. The Corridor Study is broken down into the following tasks:

Task 1 - Public Participation

Public participation will play an important role in identifying the strengths, weaknesses, opportunities, and threats to the corridor. A comprehensive public participation process with corresponding activities will be developed and implemented by the consultant. This shall be done by a context sensitive approach when developing the study. This can be accomplished by, but not limited to:

1. Public meetings/ workshops
2. Online surveys and engagement.
3. Social media content
4. Project notecards/mailers.

Interim reports shall include monthly progress reports and written summaries of any working meetings held with staff, other government agencies, stakeholders, or the general public. The consultant is required to attend a minimum of four (4) meetings.

1. Stakeholders/ Kickoff meeting
2. Initial Recommendation meeting with the LAMTPO Technical Advisory Committee (TAC)
3. After revisions, Final document presentation to the LAMTPO TAC
4. Final document presentation to the LAMTPO Executive Board

Task 2– Analyze the Characteristics of the Corridor Study Area

While transportation is the primary focus of the study, existing and projected land use patterns and environmental elements affecting transportation planning should be identified and should be considered when making the final recommendation.

The various characteristics that should be identified and analyzed are:

1. Soils and Geology
2. Topography
3. Floodplains and Impervious Areas
4. Land-Use and Zoning (existing and future conditions)
5. Population (existing and future conditions)
6. Employment (existing and future conditions)
7. Development patterns (existing and future conditions)

Task 3 - Identify & Evaluate Transportation Systems and Facilities

Effective traffic demand and operational management strategies that can improve the corridor should be recommended. The Consultant must identify and evaluate all reasonable alternatives to alleviate potential congestion and enhance mobility. Assess the existing conditions, character of the corridor, and land use, with associated GIS data, including but not limited to:

- Level Of Service (LOS) of the highway (existing and future conditions)
- Safety concerns; evaluation of crash data.
- Traffic volumes and flow/congestion, including traffic counts. (existing and future conditions)
- Turning movements and related traffic impact studies in the area.
- Right-of-way alignment, width and existing cross sections.
- Cross-sections at various sections, intersection design, safety improvements, bridge and other infrastructure recommendations as necessary.
- Proposed Frontage or Access Roads, and generalized location for them
- Storm water drainage and access management.
- Proposed J-turns, median cut improvements, etc.
- ITS systems, including but not limited to traffic signal coordination (if applicable)
- Multimodal facilities, infrastructure, trails, bike lanes, sidewalks and other elements
- Compliance with ADA, TDOT design guidelines, and/or City development guidelines, or any other pertinent land use documents.
- The possibility of extending the Gateway Service Park Rd from Sulphur Springs Rd to MLK Jr Pkwy. The rationale for this would be to have another access to the proposed development, as well as for emergency purposes (i.e. if an accident were to occur on MLK Jr Pkwy, there would be an alternative way out. Also, if an accident were to occur on SR160, then traffic would not have to be diverted all the way to Lincoln Avenue, or perhaps W Morris Blvd).

Task 4- Recommendations / Implementation / End of Study

Recommendation will be provided based on data collection and inventorying all transportation, land use, demographic, environmental, and cultural elements along the corridor. The data from the inventory will be analyzed to provide the most accurate depiction of existing conditions. This includes traffic counts, development trends, socioeconomic data, infrastructure and other elements necessary to provide a clear understanding of the corridor.

The study must include actionable recommendations (based upon costs). Recommended improvements shall cover the short-term (within 5 years) as well as long term (25-years out). Identify any strengths, weaknesses, opportunities, and threats associated with the transportation system to assure successful implementation.

The recommendations shall include, but not limited to:

1. Show aerial photos with proposed improvements along the corridor;
2. Show recommended multimodal improvements, if any;
3. Illustrate any ITS system improvements, if any;
4. Identify all transportation system solutions that meet the challenges in conjunction with the land use vision along the corridor. Some of the solutions may include, but are not be limited to:
 - a. Meet state and/or local Performance Measures and Targets
 - b. Reflect community values and guiding principles supported by the public, stakeholder groups, and policy/decision-makers through the public participation process.

- c. Be economically feasible and conform to applicable laws and regulations.
- d. Outline opportunities and incentives for community investment.

Task 5. - Cost Estimates

The Consultant shall provide conceptual cost estimates for implementing the feasible alternatives, based on the recommendation in Task 4. It is also asked that the value of those investments as a function of present and futures system benefits will be identified by the Consultant.

Final Report

Drafts of the final report will be provided to LAMTPO personnel for review and anyone else whom may be deem essential. The final report shall address in detail the requirements found in the Scope of Work/Deliverables and will include graphics, maps and supporting data. Final report shall be submitted in Microsoft Word and in a PDF document to LAMTPO personnel. All associated GIS File Geodatabase, Shapefiles with the layers, graphics and any other supporting data shall also be transferred to LAMTPO.

RFQ Schedule and Proposal Submission

Provided below is the anticipated schedule of events. LAMTPO reserves the right to adjust the schedule and to add or remove specific events to meet the unique needs of this Project.

Date	Action
June 1, 2022	RFQ Release/ advertised
July 1, 2022	RFQ submittal deadline to LAMTPO
July 30, 2022	Consultant Selected
August 2022	Consultant Contract approved
September 2022	Stakeholders/ Kickoff meeting
October , 2022	Monthly update
November 2022	Monthly update
December 2022	Monthly update

January 2023	Monthly update
February 2023	First draft of Document
March 2023	Revisions, if any
March 2023	Final Document submittal/ presentations

CONTACT AND SUBMITTAL INFORMATION:

Qualifications Submittal Due Date: Submittals will be received until **12:00 PM Friday, June 24, 2022**. Any submittal not received by the LAMTPO prior to the time set in this request shall be disqualified.

Submittal: A PDF digital format must be submitted via email to richd@mymorristown.com, with the **State Route 160 (SR160) Corridor Study RFQ** written in the subject line.

Contact Person

Rich DesGroseilliers, MTPO Coordinator, GISP

LAMTPO

100 W 1st N St

PO Box 1499

Morristown, TN 37816-1499

e-mail: richd@mymorristown.com

phone: (423) 581-6277

1. QUALIFICATIONS SUBMITTAL FORMAT

Any consulting firm wishing to submit a RFQ shall have a current prequalification status with the Tennessee Department of Transportation (TDOT).

The preferred maximum length of submittals is thirty (30) pages on 8.5" x 11" paper. The preferred organization for the submittals is as generally indicated by the arrangement of information in this RFQ.

A. Consultant Team and Resumes

Provide a personnel summary of those individuals, including sub-Consultants, who will be participating in the project. Identify the roles, task-lead responsibility, and the percentage of the project that each person will be responsible for. Include a time estimate for each personnel, listed by task number. Experience relevant to this project should be detailed with a portfolio of similar work completed to date. Provide resumes of the project team members indicating their education and years of applicable experience. Identify relevant similar projects and the contributions of the individuals. This section should include resumes of professional planners, and licensed transportation and traffic engineers employed by the firm who are available to commit to this project. Do not include resumes of individuals that are not expected to have a role in the project.

B. Consultant's Experience

Describe experience with Transportation Corridor Plans and similar work. Identify previous project work experience that is relevant to this project. Highlight the key features and benefits produced by the Consultant in that project. Identify which of the team members proposed for this project also worked on the example project. Provide contact names, phone number and e-mail addresses for at least four (4) representative example projects so that MPO staff may contact the team's references.

C. Other Consultant Requirements

The Consultant Team is expected to include Disadvantaged Business Enterprise (DBE) participation and the percentage participation is to be described in the submittal of qualifications. The Consultant, when selected, will be expected to enter a contract that meets all State and Federal requirements with respect to Civil Rights and all other standard requirements for consulting contracts involving the expenditure of State and Federal funds.

2. EVALUATION OF QUALIFICATIONS AND CONSULTANT SELECTION

A Consultant Evaluation Committee (CEC) shall be established, and will evaluate the qualifications of firms based at a minimum on the following factors:

1. Work experience in the required disciplines with TDOT, the Agency, and/or other clients
2. Specialized expertise;
3. Professional licensure;
4. Staff capabilities of prime consultant
5. Size of project and limited or unlimited prequalification status; and,
6. Workload capacity; including amount of work under contract with the Agency, if applicable
7. Past performance on Agency Projects;
8. Technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures);
9. Other factors including interviews and demonstrations, as approved by the Agency; and
10. Participation of qualified and certified Disadvantaged Business Enterprise (DBE) (can be consultant or sub-consultants) (or at least show good faith efforts in obtaining DBE).

Submittals that are late or which the review team determines have shown a severe disregard for submittal instructions will be disqualified. The review team will consider the Consultant's resumes and experience in relation to the corridor study. The review team will consider how well the Consultant's submittal addresses the various Federal, State, and MPO requirements for the corridor study that were outlined in the RFQ. Based upon the evaluation process just described, the review team will rank the submittals that were received and recommend the top-ranked Consultant with which to begin negotiations. If negotiations are unsuccessful with the top-ranked Consultant, then negotiations would commence with the next highest ranked Consultant, and so forth, until a contract is reached.

It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities. With regard to all aspects of this contract, contractor certifies and warrants it will comply with this policy.

LAMTPO encourages women and minority owned firms to submit qualifications for the provision of the services described herein. LAMTPO does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

In order to comply with reporting requirements pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), responding firms are asked to please voluntarily provide the following information. The information should be provided as it applies to the authorized company representative who has submitted the bid and whose signature appears on the bid request form.

Race: ☐ *White* ☐ *African American* ☐ *Hispanic* ☐ *Asian*
☐ *American Indian* ☐ *Other:* _____

Gender: ☐ *Male* ☐ *Female*

This information is not required and if submitted, will not affect you as a bidder of services or supplies to LAMTPO. It is requested for compliance with government record keeping and reporting purposes.

FTA Section 5307 This is for public transportation capital and operations of services. ETHRA provides public transportation services in the LAMTPO region. LAMTPO does a split letter agreement to TDOT to send the contracts to ETHRA for them to receive these funds. ETHRA is a direct recipient for these funds.

FTA Section 5310 This is used for capital purchases for public transportation. LAMTPO does a split letter agreement to TDOT to send the contracts to ETH RA for them to receive these funds. ETHRA is a direct recipient for these funds.

FTA Section 5339 This is used for capital purchases for public transportation. LAMTPO does a split letter agreement to TDOT to send the contracts to ETH RA for them to receive these funds. ETH RA is a direct recipient for these funds.

STBG-Local Surface Transportation Block Grant (STBG) funds. These funds are distributed to the various local agencies, when developing the TIP. Once the local agencies approved on how much funding they get, the TIP is then approved by the LAMTPO Executive Board. It is then up to the local agencies that received the funding to contact TDOT to start the contract process to move forward on projects.

11. List funding sources and any applications approved for federal projects.

FTA Section 5303 Residual Funds Mass Transit Feasibility Study (2023)
(\$99,995.00)

CPG Funds For SR160 Corridor Study (2023) (\$200,000.00)

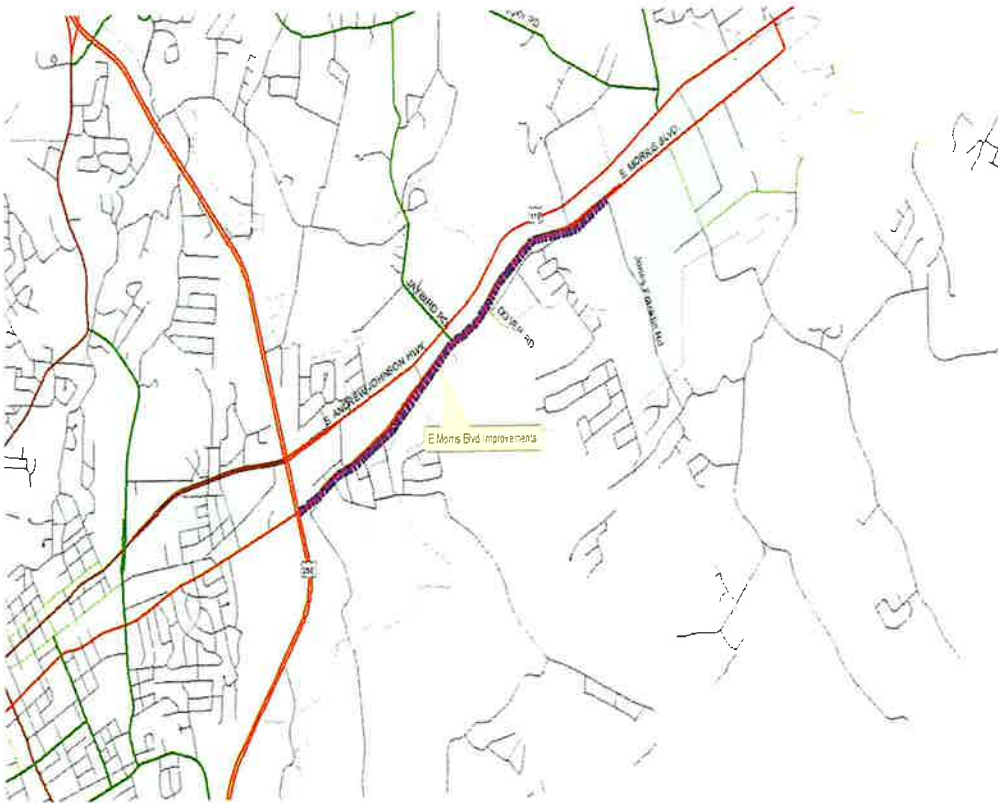
see extra sheets

Fund Code	Fiscal Year	Budget Total	Programmed Funds	Federal Funding	State Funding	Local Funding	Federal Carryover	Remaining Balance
5307	2023	\$1,789,090	\$1,789,090	\$939,545	\$339,000	\$510,545	\$0	\$0
5307	2024	\$1,842,763	\$1,842,763	\$967,732	\$381,547	\$493,484	\$0	\$0
5307	2025	\$1,898,047	\$1,898,046	\$996,764	\$392,994	\$508,289	\$0	\$1
5307	2026	\$1,954,987	\$1,954,987	\$1,026,666	\$404,784	\$523,537	\$0	\$0
5310(U)	2023	\$232,898	\$232,898	\$186,318	\$0	\$46,580	\$0	\$0
5310(U)	2024	\$239,885	\$239,885	\$191,908	\$0	\$47,977	\$0	\$0
5310(U)	2025	\$247,081	\$247,081	\$197,665	\$0	\$49,416	\$0	\$0
5310(U)	2026	\$254,494	\$254,494	\$203,595	\$0	\$50,899	\$0	\$0
5339	2023	\$345,100	\$345,100	\$239,315	\$0	\$105,785	\$0	\$0
5339	2024	\$100,000	\$100,000	\$80,000	\$0	\$20,000	\$0	\$0
5339	2025	\$100,000	\$100,000	\$80,000	\$0	\$20,000	\$0	\$0
5339	2026	\$100,000	\$100,000	\$80,000	\$0	\$20,000	\$0	\$0
ACRAISE	2023	\$2,343,033	\$2,343,033	\$0	\$2,343,033	\$0	\$0	\$0
CRP	2023	\$408,316	\$408,316	\$326,653	\$0	\$81,663	\$0	\$0
CRP	2024	\$210,303	\$210,303	\$168,242	\$0	\$42,061	\$0	\$0
CRP	2025	\$214,509	\$214,509	\$171,607	\$0	\$42,902	\$0	\$0
CRP	2026	\$218,799	\$218,799	\$175,039	\$0	\$43,760	\$0	\$0
CRRSAA	2023	\$0	\$0	\$0	\$0	\$0	\$0	\$0
HSIP	2023	\$160,000	\$160,000	\$144,000	\$16,000	\$0	\$0	\$0
HSIP	2024	\$20,000	\$20,000	\$18,000	\$2,000	\$0	\$0	\$0
HSIP	2025	\$10,000	\$10,000	\$9,000	\$1,000	\$0	\$0	\$0
HSIP	2026	\$10,000	\$10,000	\$9,000	\$1,000	\$0	\$0	\$0
HSIP-R	2023	\$35,000	\$35,000	\$31,500	\$3,500	\$0	\$0	\$0
HSIP-R	2024	\$35,000	\$35,000	\$31,500	\$3,500	\$0	\$0	\$0
HSIP-R	2025	\$20,000	\$20,000	\$18,000	\$2,000	\$0	\$0	\$0
HSIP-R	2026	\$10,000	\$10,000	\$9,000	\$1,000	\$0	\$0	\$0
NHPP	2023	\$10,793,600	\$10,793,600	\$8,634,880	\$2,158,720	\$0	\$0	\$0
NHPP	2024	\$52,043,600	\$52,043,600	\$41,634,880	\$10,408,720	\$0	\$0	\$0
NHPP	2025	\$4,803,000	\$4,803,000	\$3,842,400	\$960,600	\$0	\$0	\$0
NHPP	2026	\$3,712,400	\$3,712,400	\$2,969,920	\$742,480	\$0	\$0	\$0
RAISE	2023	\$21,087,292	\$21,087,292	\$21,087,292	\$0	\$0	\$0	\$2,968,600
STBG-L	2023	\$5,546,590	\$2,577,990	\$4,437,272	\$0	\$1,109,318	\$0	\$3,481,880
STBG-L	2024	\$6,243,480	\$2,761,600	\$5,469,760	\$0	\$773,720	\$2,374,880	\$3,510,480
STBG-L	2025	\$5,267,480	\$1,757,000	\$4,866,080	\$0	\$401,400	\$3,260,480	\$3,460,480
STBG-L	2026	\$4,610,480	\$1,150,000	\$4,380,480	\$0	\$230,000	\$3,460,480	\$0
STBG-S	2023	\$1,680,560	\$1,680,560	\$1,344,448	\$336,112	\$0	\$0	\$0
STBG-S	2024	\$1,470,490	\$1,470,490	\$1,176,392	\$294,098	\$0	\$0	\$0
STBG-S	2025	\$840,280	\$840,280	\$672,224	\$168,056	\$0	\$0	\$0
STBG-S	2026	\$210,070	\$210,070	\$168,056	\$42,014	\$0	\$0	\$0
UROP	2023	\$339,000	\$0	\$0	\$339,000	\$0	\$0	\$339,000
UROP	2024	\$381,547	\$0	\$0	\$381,547	\$0	\$0	\$381,547
UROP	2025	\$392,994	\$0	\$0	\$392,994	\$0	\$0	\$392,994
UROP	2026	\$404,784	\$0	\$0	\$404,784	\$0	\$0	\$404,784

8/2/2023

Long Range Plan #	Conformity Status
Plan pages 11-13, 80-83	Not Applicable

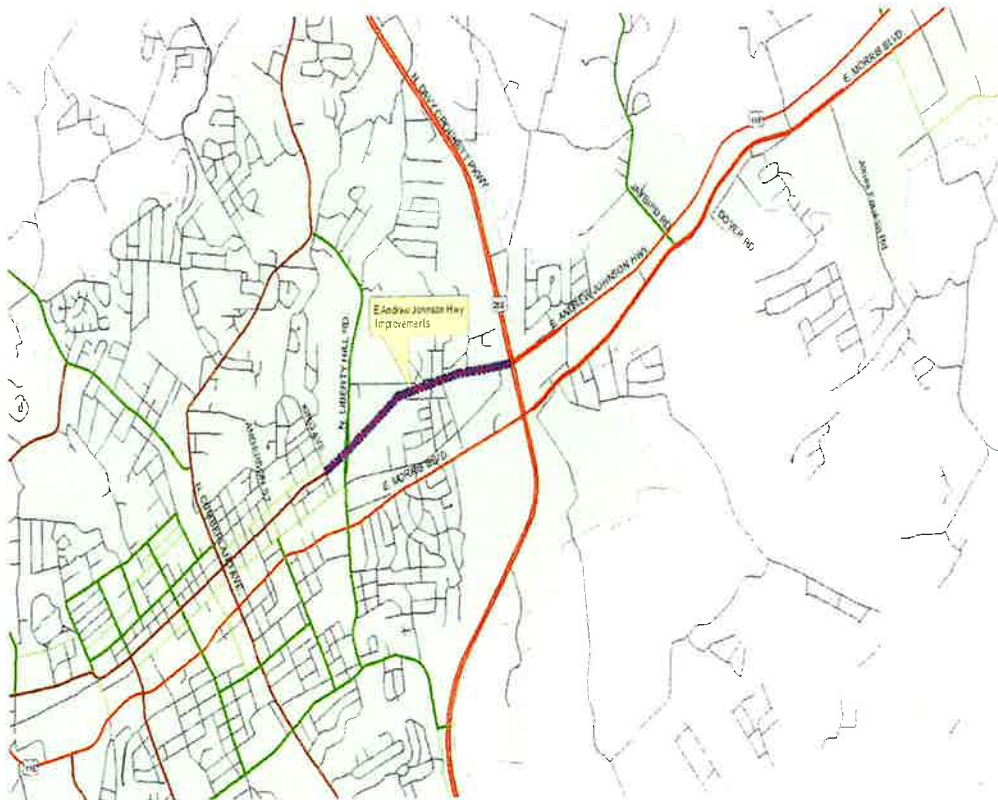
FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-D	STBG-L	\$400,000	\$320,000	\$0	\$80,000
2023	PE-D/ROW/CONST	CRRSAA	\$0	\$0	\$0	\$0
2023	PE-N/PE-D/ROW/CONST	CRP	\$408,316	\$326,653	\$0	\$81,663
2024	CONST	STBG-L	\$1,800,000	\$1,440,000	\$0	\$360,000
Total			\$2,608,316	\$2,086,653	\$0	\$521,663



10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 1008		1.3	Morristown
State	County		
TN	Hamblen		
State Route	Total Project Cost		
	\$1,107,000		
Project Name			
E Andrew Johnson Hwy			
Termini			
King Ave to 25E (Davy Crockett Pkwy)			
Project Description			
resurfacing, milling, grading, repaving, sidewalk Ada compliant (if needed), stormwater drainage repair, ROW (if needed), signage, striping, ITS traffic signal improvements (tied into fibernet system, new cabinets and controllers, mast arms, radar detection, new signal heads (if needed), and pedestrian signals (if needed)			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Not Applicable	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D	STBG-L	\$100,000	\$80,000	\$0	\$20,000
2024	PE-D	STBG-L	\$100,000	\$80,000	\$0	\$20,000
2025	CONST	STBG-L	\$357,000	\$285,600	\$0	\$71,400
2026	CONST	STBG-L	\$550,000	\$440,000	\$0	\$110,000
Total			\$1,107,000	\$885,600	\$0	\$221,400



TIP Project Report

8/2/2023

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 1010	127680.00	0.2	Morristown
State	County		
TN	Hamblen		
State Route	Total Project Cost		
	\$1,934,000		

Project Name

Central Church Rd improvements

Termini

US Hwy 11E to Connie St

Project Description

Widen from 2 to 3 lanes (2 thru lanes with center turn lane) curb and gutter, stormwater drainage improvements, ADA compliant sidewalks (if needed), signage, striping, ROW (if needed), ITS traffic signal improvements (tied into fibernet system, new cabinets and/or controllers, mast arms, radar detection, new signal heads(if needed) and pedestrian signals (if needed)

Long Range Plan #	Conformity Status
2055	Not Applicable

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-D	STBG-L	\$200,000	\$160,000	\$0	\$40,000
2024	ROW	STBG-L	\$500,000	\$400,000	\$0	\$100,000
2025	CONST	STBG-L	\$1,000,000	\$800,000	\$0	\$200,000
2026	PE-N/PE-D/ROW/CONST	CRP	\$218,799	\$175,039	\$0	\$43,760
Total			\$1,918,799	\$1,535,039	\$0	\$383,760



TIP Project Report
7/17/2023

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 1100	133677.00	3.7	TDOT
State	County		
TN	Hamblen		
State Route	Total Project Cost		
SR-343	\$23,430,325		

Project Name

SR343 Complete Streets and ITS Traffic Signal Coordination

Termini

Complete Streets from US 11E/E-W Morris Boulevard to SR-160 and ITS Traffic Signal Coordination from N. Liberty Hill Road to Lincoln Avenue/Algonquin Avenue

Project Description

Component 1: Complete Streets-reducing the existing subject portion of SR 343 from a 4/5-lane highway to a 3-lane roadway. The complete street segment will also include a 10' shared use path on the western side of the roadway, a 6' sidewalk on the eastern side of the roadway and buffers to allow separation from the travel lane. **Component 2:** ITS-various traffic signal improvements at 13 locations along the SR 343 corridor from the North Liberty Hill intersection (to the north) to the Lincoln Avenue intersection (to the south). Project also includes ADA compliance, crosswalks, pedestrian signals, installation of mast arms, improved signal timing and adjusted clearance times.

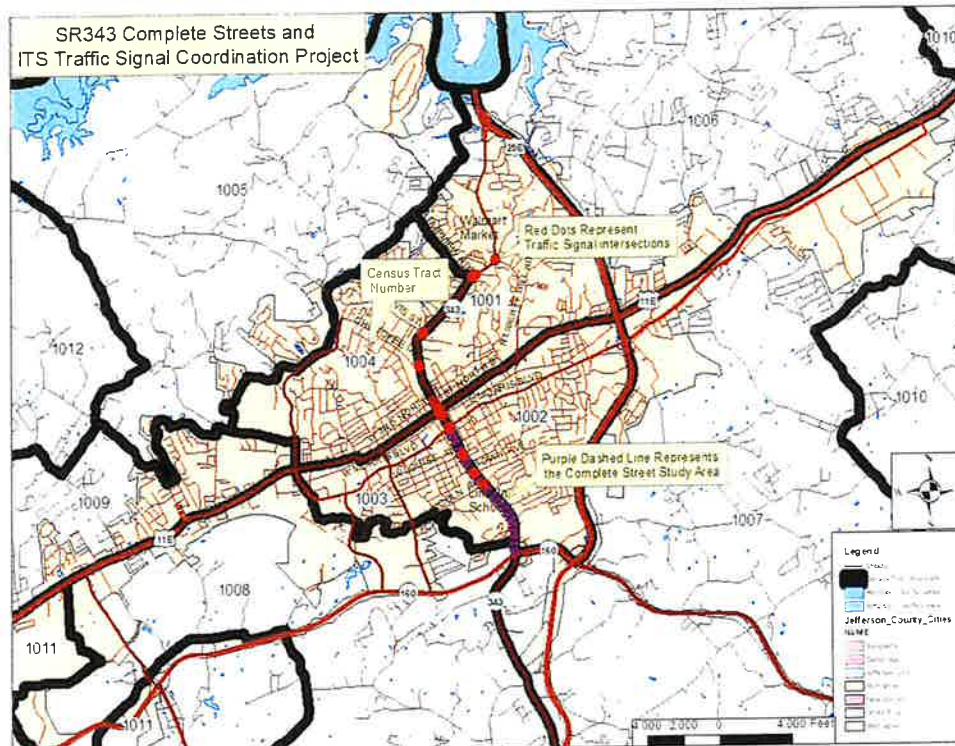
Long Range Plan #

2065

Conformity Status

Exempt

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N	ACRAISE	\$1,640,123	\$0	\$1,640,123	\$0
2023	PE-D	ACRAISE	\$702,910	\$0	\$702,910	\$0
2023	ROW	RAISE	\$3,063,964	\$3,063,964	\$0	\$0
2023	CONST	RAISE	\$18,023,328	\$18,023,328	\$0	\$0
Total			\$23,430,325	\$21,087,292	\$2,343,033	\$0

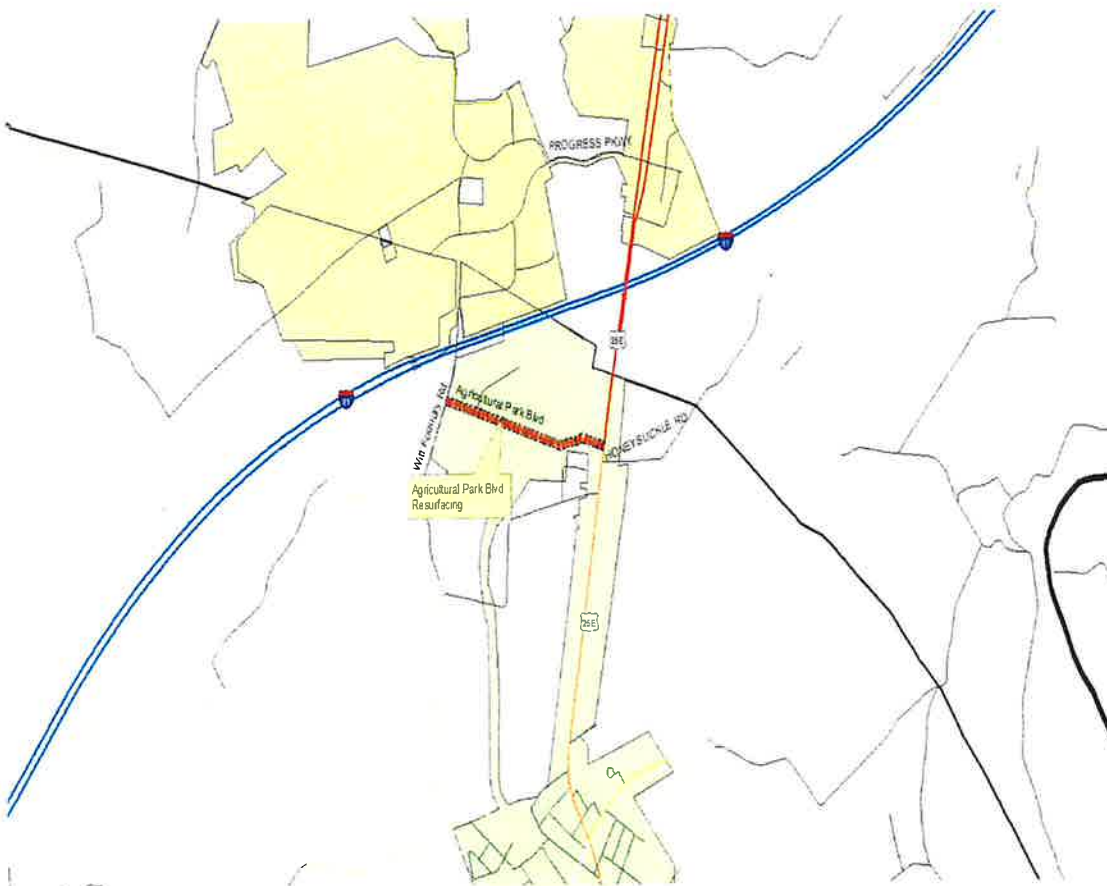


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2010		0.75	White Pine
State	County		
TN	Jefferson		
State Route	Total Project Cost		
	\$261,600		
Project Name			
Agricultural Park Blvd Resurfacing			
Termini			
Witt Boundary Rd to US Hwy 25E			
Project Description			
Resurfacing, milling, grading, repaving, sidewalk ADA compliant (if needed) signage, striping			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N	STBG-L	\$50,000	\$40,000	\$0	\$10,000
2023	PE-D	STBG-L	\$50,000	\$40,000	\$0	\$10,000
2024	CONST	STBG-L	\$161,600	\$129,280	\$0	\$32,320
Total			\$261,600	\$209,280	\$0	\$52,320



TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 3016		0.46	Jefferson City
State	County		
TN	Jefferson		
State Route	Total Project Cost		
	\$1,300,000		

Project Name

Old AJ Hwy SR92 realignment/ Overlook Rd extension

Termini

SR92 at Old AJ Hwy to US Hwy 11E

Project Description

Construct new 2 lane road with curb and gutter, ADA compliant sidewalks, signs, striping, ROW (if needed), ITS traffic signal improvements (tied into fiber-wired system, with cabinets and/or controllers, mast arms, radar, video and/or loop detection, new signal heads (if needed) and pedestrian signals (if needed)

Long Range Plan

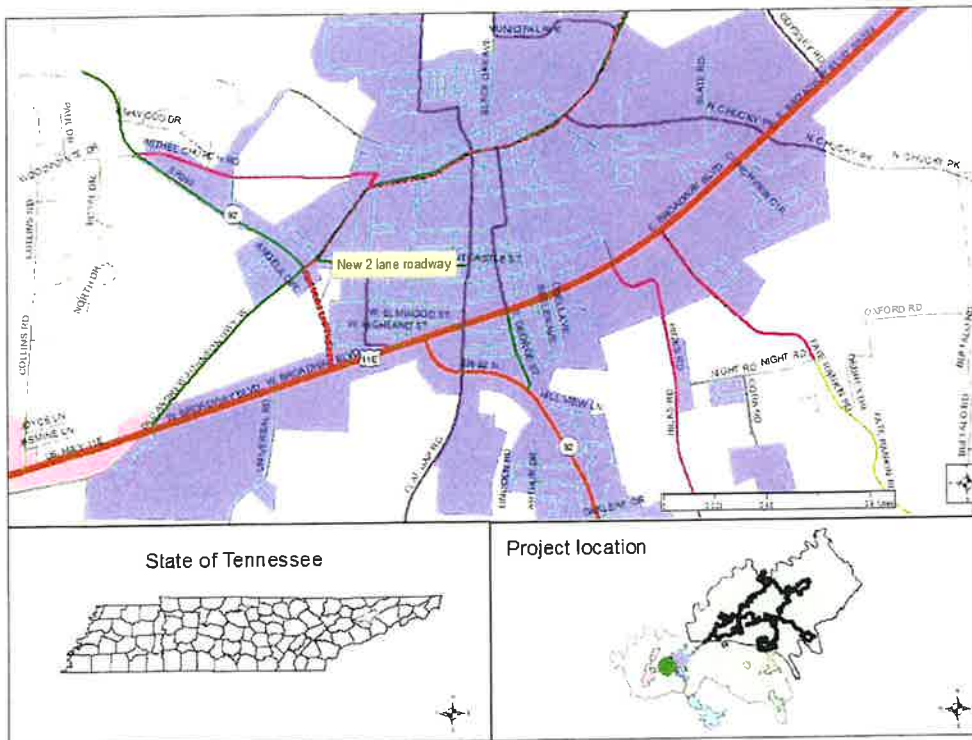
17

Conformity Status

Exempt

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N	STBG-L	\$50,000	\$40,000	\$0	\$10,000
2023	PE-D	STBG-L	\$50,000	\$40,000	\$0	\$10,000
2024	ROW	STBG-L	\$200,000	\$160,000	\$0	\$40,000
2025	CONST	STBG-L	\$400,000	\$320,000	\$0	\$80,000
2026	CONST	STBG-L	\$600,000	\$480,000	\$0	\$120,000
Total			\$1,300,000	\$1,040,000	\$0	\$260,000

SR92 Extension Jefferson CityTN



TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 3018		0.33	Jefferson City

State	County
TN	Jefferson

State Route	Total Project Cost
	\$218,545

Project Name
Branner Ave Resurfacing

Termini
Ken Sparks Way to Old AJ Hwy

Project Description
Resurface Branner Avenue including milling, grading, repaving, sidewalk ADA compliant if needed, striping, signage, stormwater drainage repair (if needed) It may include ITS traffic signal improvements (if needed) (such as tied into fiber-wire system, new cabinets and/or controllers, radar, video and/or loop detection, new signal heads and/or pedestrian signals)

Long Range Plan #	Conformity Status
Plan pages 11-13, 80-83	Exempt

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	STBG-L	\$218,545	\$174,836	\$0	\$43,709
Total			\$218,545	\$174,836	\$0	\$43,709



TIP Project Report

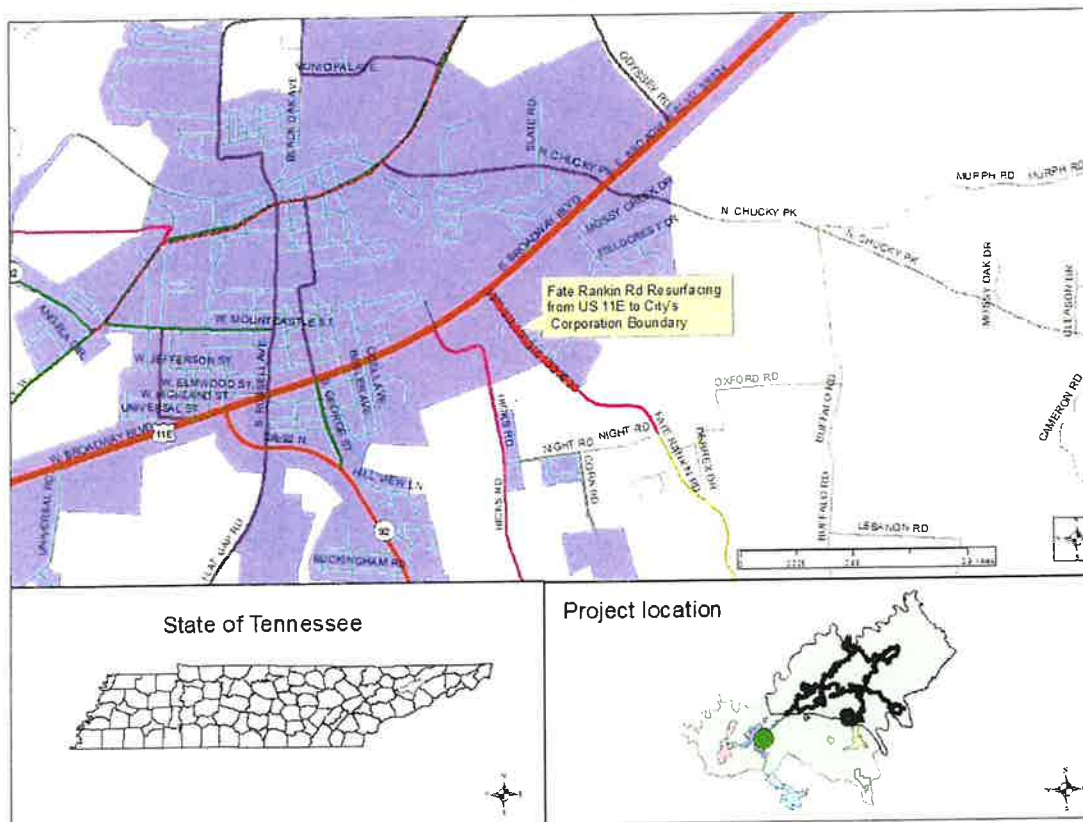
10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 3020		0.59	Jefferson City
State	County		
TN	Jefferson		
State Route	Total Project Cost		
	\$240,400		
Project Name			
Municipal Drive Resurfacing			
Termini			
Old Andrew Johnson Hwy to Black Oak Rd			
Project Description			
Resurface Municipal Drive including milling, grading, repaving, sidewalk ADA compliant if needed, striping, signage, stormwater drainage repair (if needed), It may include ITS traffic signal improvements (if needed) (such as tied into fiber-wire system, new cabinets and/or controllers, radar, video and/or loop detection, new signal heads and/or pedestrian signals)			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	STBG-L	\$240,400	\$192,320	\$0	\$48,080
Total			\$240,400	\$192,320	\$0	\$48,080



10/6/2022



TIP Project Report

8/2/2023

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 3022		2.43	Jefferson City
State	County		
TN	Jefferson		
State Route	Total Project Cost		
	\$1,100,500		

Project Name
Old Andrew Johnson Hwy Resurfacing

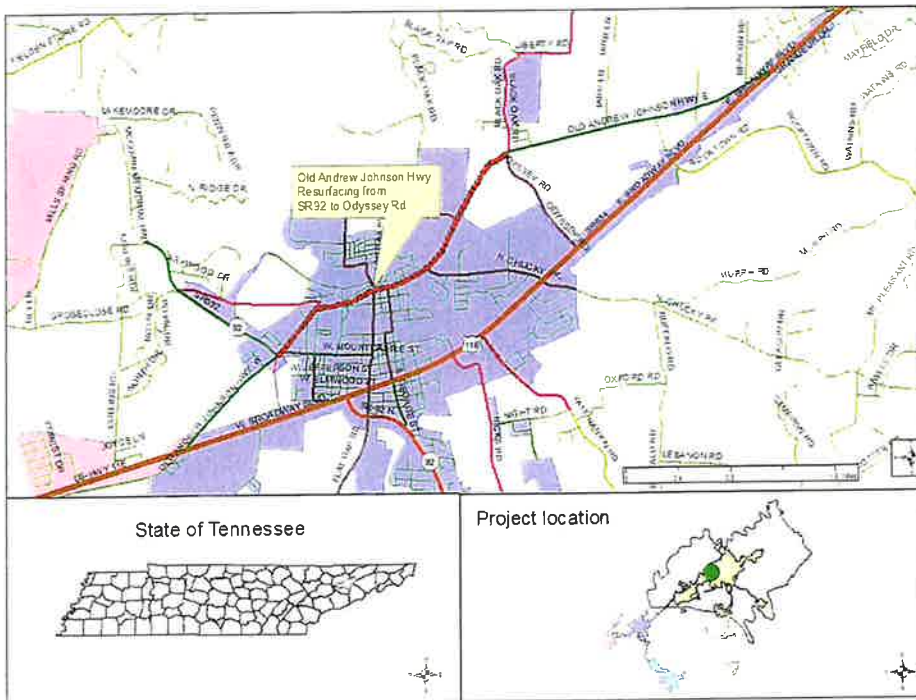
Termini
SR92(northbound) TO ODYSSEY RD/ CITY CORPORATION BOUNDARY

Project Description
Resurface Old Andrew Johnson Hwy including milling, grading, repaving, sidewalk ADA compliant if needed, striping, signage, stormwater drainage repair (if needed). It may include ITS traffic signal improvements (if needed) (such as tied into fiber-wire system, new cabinets and/or controllers, radar, video, and/or loop detection, new signal heads and/or pedestrian signals) (if needed)

Long Range Plan #	Conformity Status
Plan pages 11-13, 80-83	Exempt

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	CRRSAA		\$0	\$0	\$0
2023	PE-N/PE-D/ROW/CONST	STBG-L	\$1,000,500	\$800,400	\$0	\$200,100
2024	PE-N/PE-D/ROW/CONST	CRP	\$210,303	\$168,242	\$0	\$42,061
2025	PE-N/PE-D/ROW/CONST	CRP	\$214,509	\$171,607	\$0	\$42,902
Total			\$1,425,312	\$1,140,249	\$0	\$285,063

Old Andrew Johnson Hwy Resurfacing Jefferson City TN

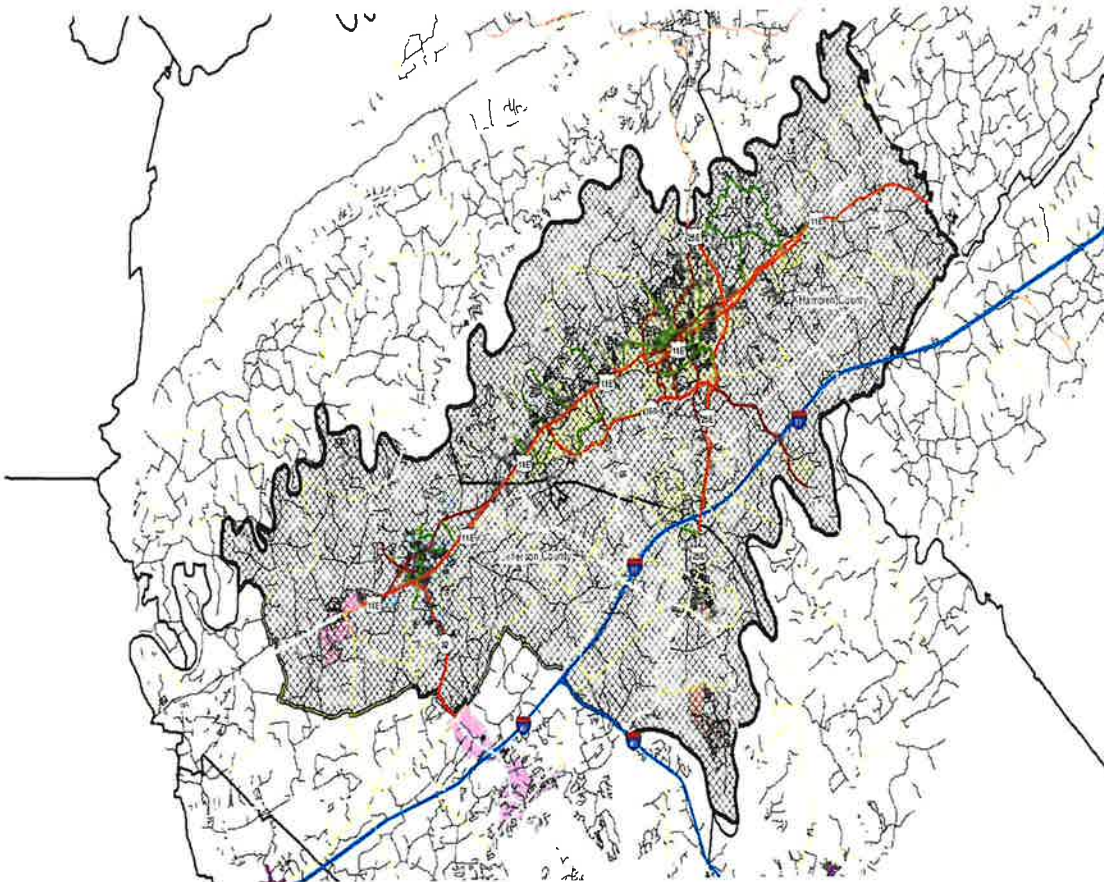


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 6000			ETHRA/ Lakeway Transit
State	County		
TN	Region 1		
State Route	Total Project Cost		
	\$6,857,343		
Project Name			
Public Transportation Operations FTA Section 5307 funding			
Termini			
Within the LAMTPO Region; Hamblen and Jefferson Counties			
Project Description			
Public Transportation Operations. Operations includes, but not limited to, operating, preventative maintenance, Jobs Access Reverse Commute (JARC), and safety and security purposes.			
Long Range Plan #		Conformity Status	
PL pp 11-13,80-83,91-92		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	OPERATIONS	5307	\$1,639,090	\$819,545	\$339,000	\$480,545
2024	OPERATIONS	5307	\$1,688,263	\$844,132	\$381,547	\$462,584
2025	OPERATIONS	5307	\$1,738,911	\$869,456	\$392,994	\$476,461
2026	OPERATIONS	5307	\$1,791,078	\$895,539	\$404,784	\$490,755
Total			\$6,857,342	\$3,428,672	\$1,518,325	\$1,910,345

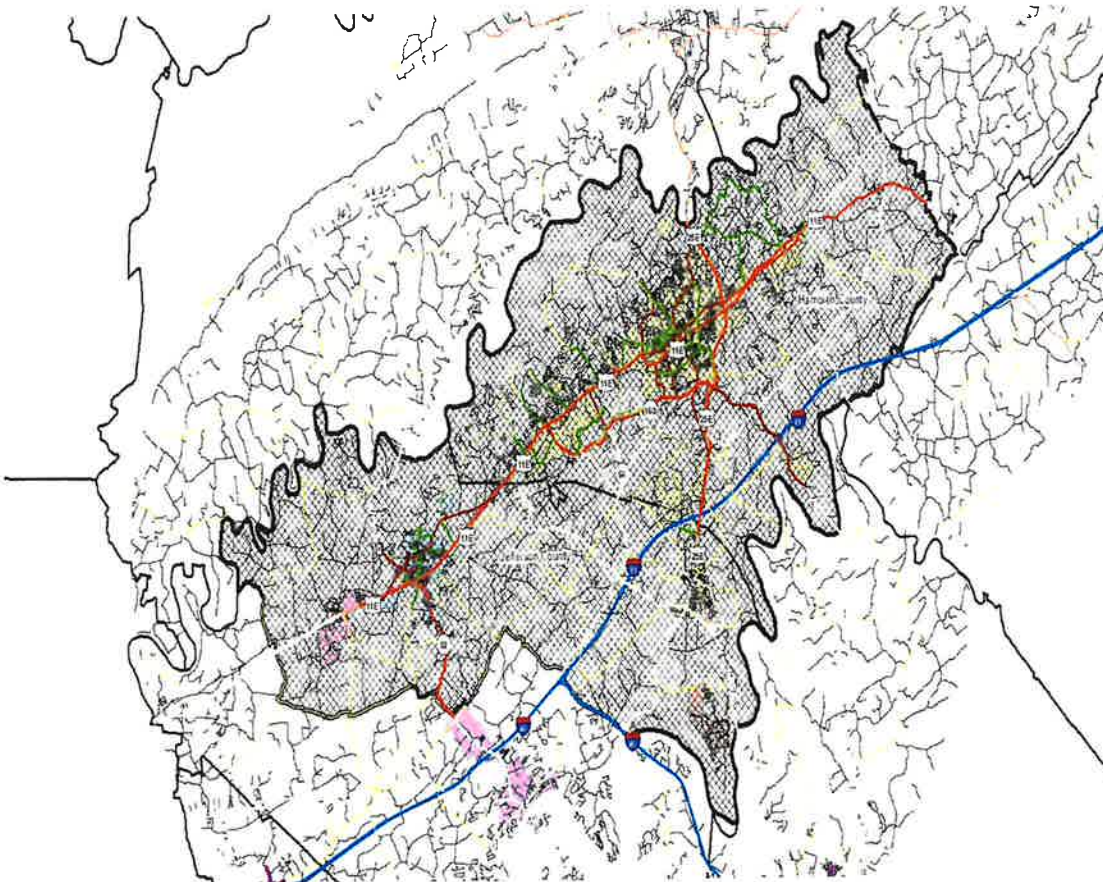


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 6001			ETHRA, Lakeway Transit
State	County		
TN	Region 1		
State Route	Total Project Cost		
	\$628,000		
Project Name			
Public Transportation Capital purchases FTA Section 5307 funding			
Termini			
within the LAMTPO MPA			
Project Description			
Purchase ADA compliant vehicles, replacement parts for vehicles; new equipment (computers, GPS, radios, lifts, etc)			
Long Range Plan #		Conformity Status	
PL pp 11-13,80-83,91-92		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	CAPITAL	5307	\$150,000	\$120,000	\$0	\$30,000
2024	CAPITAL	5307	\$154,500	\$123,600	\$0	\$30,900
2025	CAPITAL	5307	\$159,135	\$127,308	\$0	\$31,827
2026	CAPITAL	5307	\$163,909	\$131,127	\$0	\$32,782
Total			\$627,544	\$502,035	\$0	\$125,509

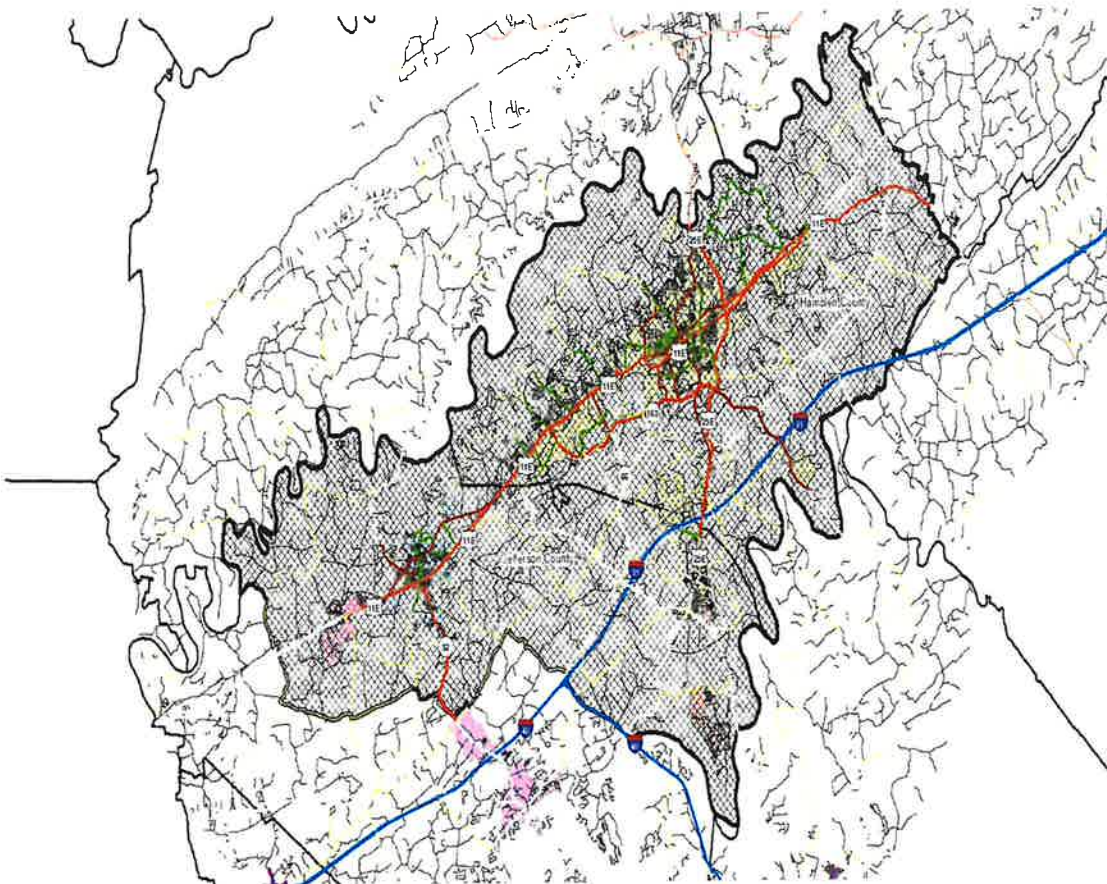


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 6002			ETHRA, Lakeway Transit
State	County		
TN	Region 1		
State Route	Total Project Cost		
	\$974,358		
Project Name			
FTA Section 5310 purchase of equipment/ vehicles/ transit facility			
Termini			
LAMTPO MPA			
Project Description			
Purchase ADA compliant vehicles, replacement parts for vehicles; new equipment (computers, GPS, radios, lifts, etc)			
Long Range Plan #		Conformity Status	
Pl pp 11-13, 80-83, 91-92		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	CAPITAL	5310(U)	\$232,898	\$186,318	\$0	\$46,580
2024	CAPITAL	5310(U)	\$239,885	\$191,908	\$0	\$47,977
2025	CAPITAL	5310(U)	\$247,081	\$197,665	\$0	\$49,416
2026	CAPITAL	5310(U)	\$254,494	\$203,595	\$0	\$50,899
Total			\$974,358	\$779,486	\$0	\$194,872

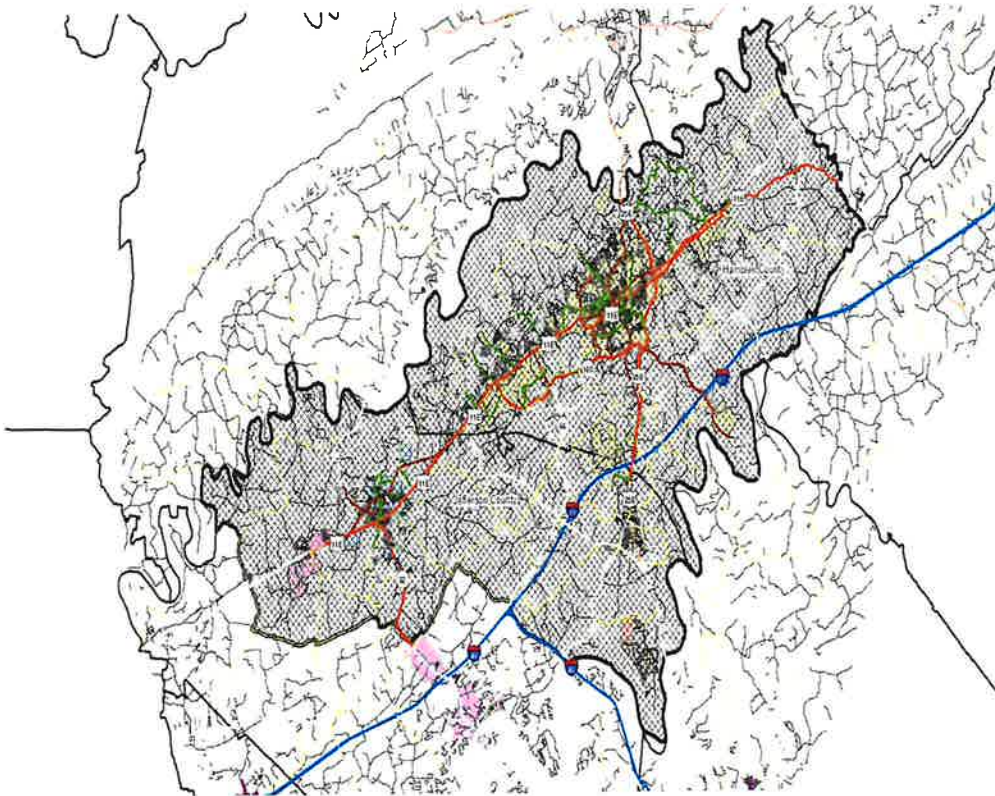


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 6003			ETHRA, Lakeway Transit
State	County		
TN	Region 1		
State Route	Total Project Cost		
	\$720,400		
Project Name			
FTA section 5339 capital expenses purchase of equipment/ vehicles/ transit facility			
Termini			
LAMTPO MPA			
Project Description			
Purchase ADA compliant vehicles, replacement parts for vehicles; new equipment (computers, GPS, radios, lifts, etc), new transit facility			
Long Range Plan #		Conformity Status	
PL pp 11-13,80-83,91-92		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	CAPITAL	5339	\$100,000	\$80,000	\$0	\$20,000
2023	CAPITAL	5339	\$245,100	\$159,315	\$0	\$85,785
2024	CAPITAL	5339	\$100,000	\$80,000	\$0	\$20,000
2025	CAPITAL	5339	\$100,000	\$80,000	\$0	\$20,000
2026	CAPITAL	5339	\$100,000	\$80,000	\$0	\$20,000
Total			\$645,100	\$479,315	\$0	\$165,785

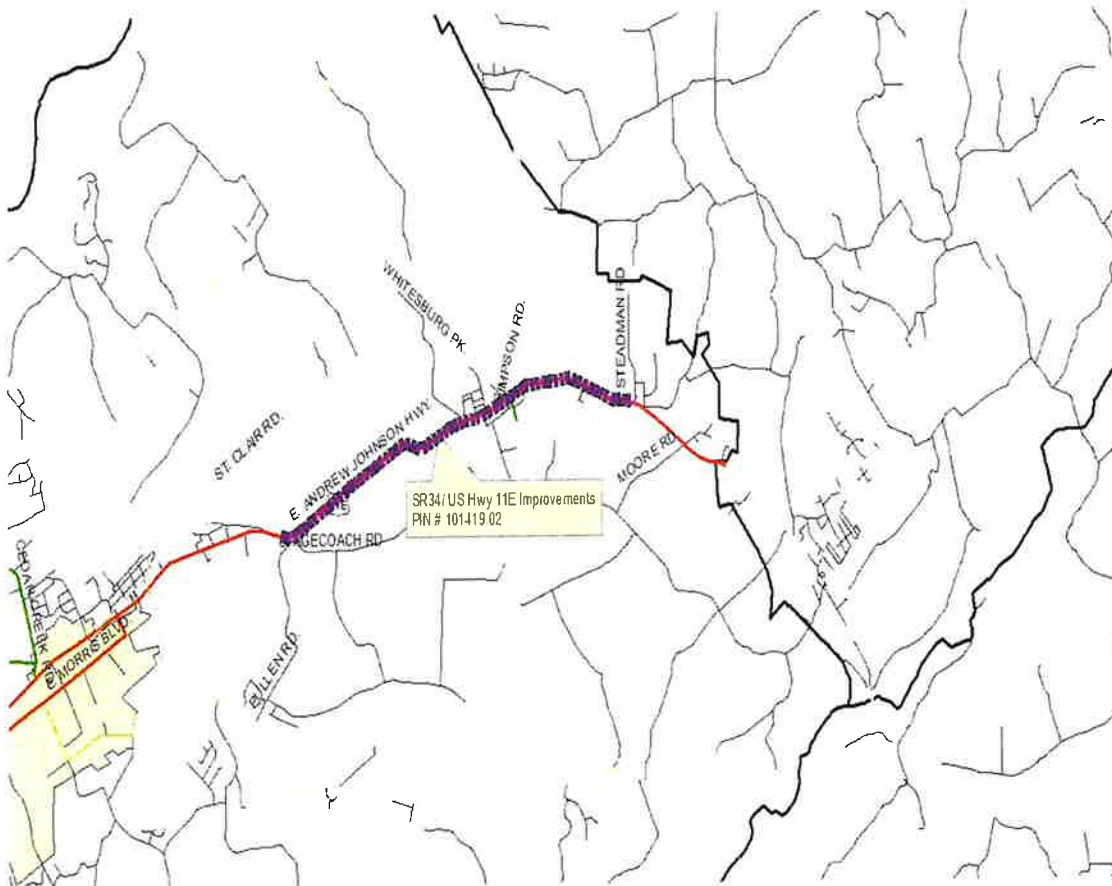


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2032009	101419.02	3.7	TDOT
State	County		
TN	Hamblen		
State Route	Total Project Cost		
SR-34	\$19,825,000		
Project Name			
SR34 US 11E			
Termini			
WEST OF OLD STAGECOACH RD IN RUSSELLVILLE TO STEADMAN RD (EPD) (IA)			
Project Description			
Construct 5 lane roadway in a 5 lane ROW on new alignment			
Long Range Plan #		Conformity Status	
8000		Not Applicable	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	ROW	NHPP	\$3,600,000	\$2,880,000	\$720,000	\$0
Total			\$3,600,000	\$2,880,000	\$720,000	\$0



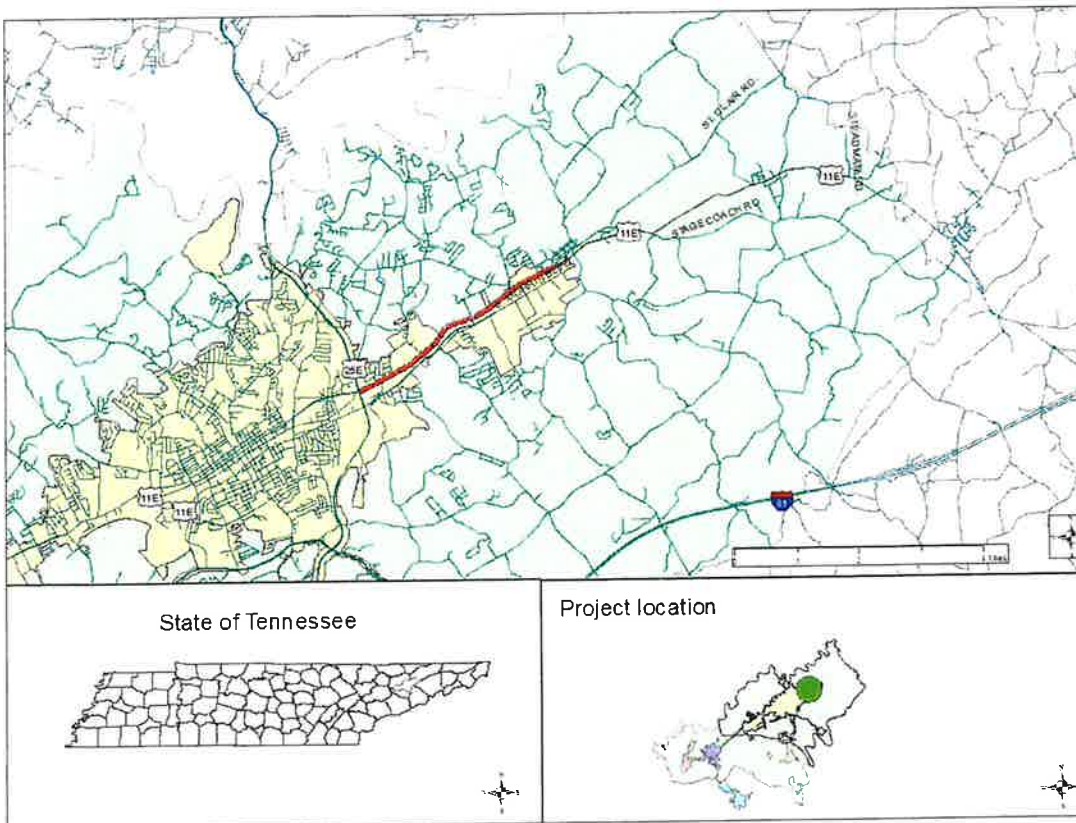
TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2032010	101419.03	3.8	TDOT
State	County		
TN	Hamblen		
State Route	Total Project Cost		
SR-34	\$68,500,000		
Project Name			
E Andrew Johnson Hwy from Near US 25E (SR32) in Morristown to Near E Morris Blvd (IA)			
Termini			
From SR-32 in Morristown to Near East Morris Boulevard (IA)			
Project Description			
Widen from 2-lanes to 5-lanes			
Long Range Plan #	Conformity Status		
8000-01	Not Applicable		

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2024	CONST	NHPP	\$45,500,000	\$36,400,000	\$9,100,000	\$0
Total			\$45,500,000	\$36,400,000	\$9,100,000	\$0

SR34 Project

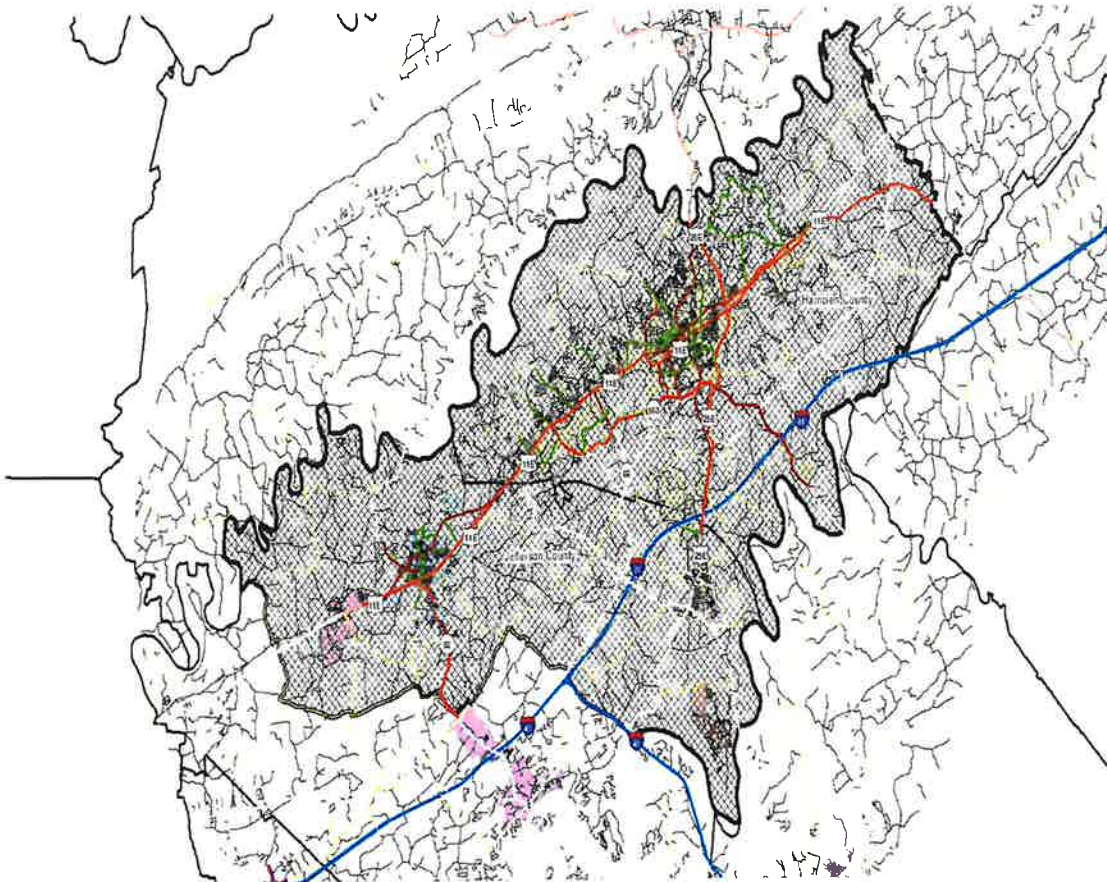


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2032060	126762.00		TDOT
State	County		
TN	Hamblen, Jefferson		
State Route	Total Project Cost		
	\$22,252,600		
Project Name			
National Highway Performance Program (NHPP) Grouping			
Termini			
LAMTPO MPA			
Project Description			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	NHPP	\$7,193,600	\$5,754,880	\$1,438,720	\$0
2024	PE-N/PE-D/ROW/CONST	NHPP	\$6,543,600	\$5,234,880	\$1,308,720	\$0
2025	PE-N/PE-D/ROW/CONST	NHPP	\$4,803,000	\$3,842,400	\$960,600	\$0
2026	PE-N/PE-D/ROW/CONST	NHPP	\$3,712,400	\$2,969,920	\$742,480	\$0
Total			\$22,252,600	\$17,802,080	\$4,450,520	\$0

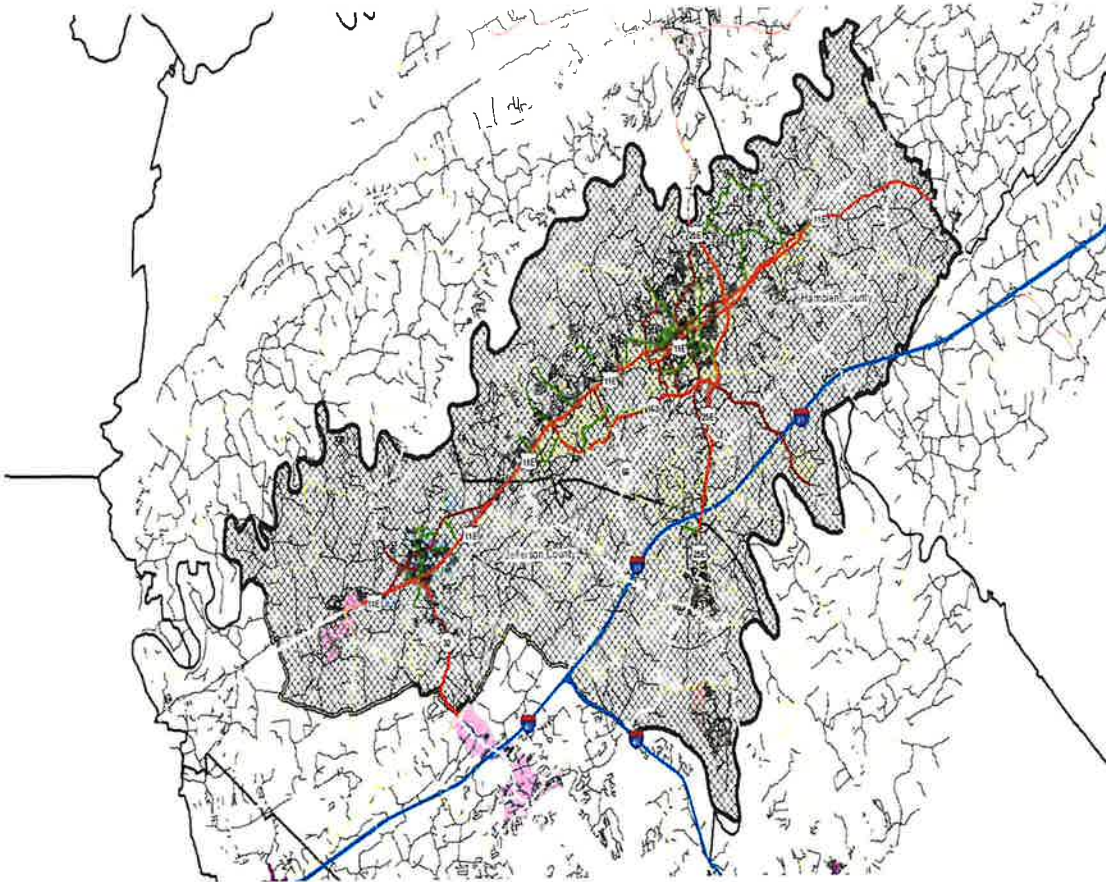


TIP Project Report

10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2032065	126763.00		TDOT
State	County		
TN	Hamblen, Jefferson		
State Route	Total Project Cost		
	\$4,201,400		
Project Name			
MAINTENANCE/ CONSTRUCTION (STBG-STATE)			
Termini			
LAMTPO MPA			
Project Description			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Exempt	

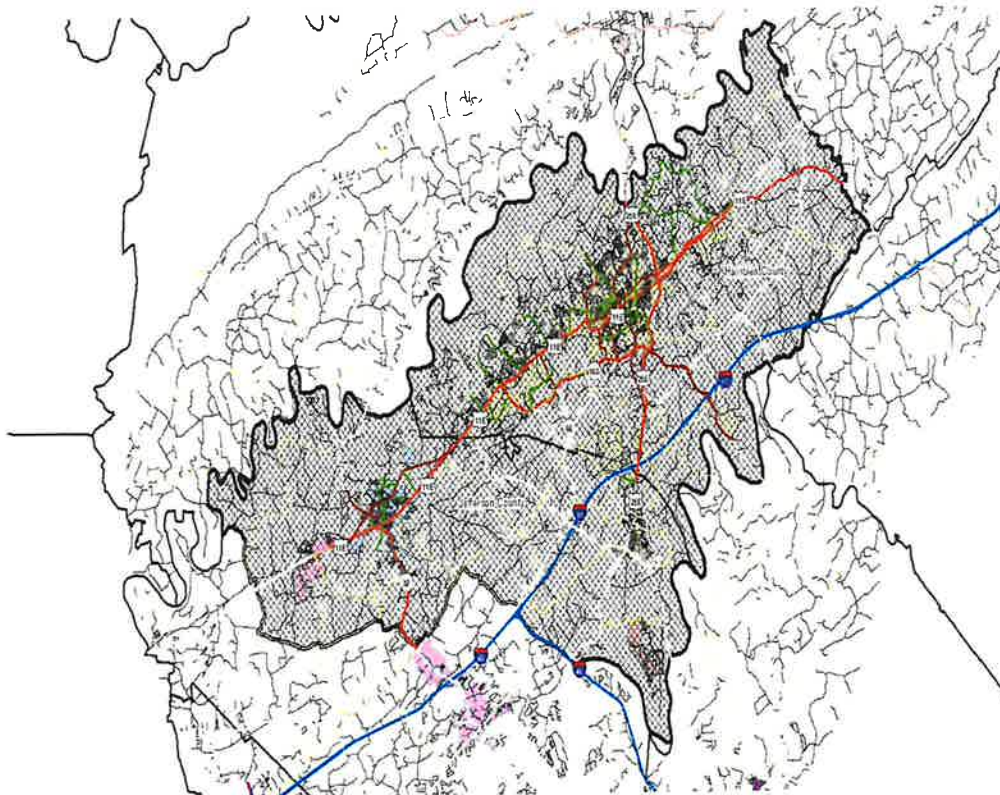
FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	STBG-S	\$1,680,560	\$1,344,448	\$336,112	\$0
2024	PE-N/PE-D/ROW/CONST	STBG-S	\$1,470,490	\$1,176,392	\$294,098	\$0
2025	PE-N/PE-D/ROW/CONST	STBG-S	\$840,280	\$672,224	\$168,056	\$0
2026	PE-N/PE-D/ROW/CONST	STBG-S	\$210,070	\$168,056	\$42,014	\$0
Total			\$4,201,400	\$3,361,120	\$840,280	\$0



TIP Project Report
10/6/2022

TIP ID	PIN #	Length in Miles	Lead Agency
LAM 2032095	126764.00		TDOT
State	County		
TN	Hamblen, Jefferson		
State Route	Total Project Cost		
	\$300,000		
Project Name			
SAFETY (HIGHWAY HAZARD ELIMINATION)			
Termini			
LAMTPO MPA			
Project Description			
Long Range Plan #		Conformity Status	
Plan pages 11-13, 80-83		Exempt	

FY	Phase	Funding	Programmed Funds	Fed Funds	State Fund	Local Funds
2023	PE-N/PE-D/ROW/CONST	HSIP	\$160,000	\$144,000	\$16,000	\$0
2023	PE-N/PE-D/ROW/CONST	HSIP-R	\$35,000	\$31,500	\$3,500	\$0
2024	PE-N/PE-D/ROW/CONST	HSIP	\$20,000	\$18,000	\$2,000	\$0
2024	PE-N/PE-D/ROW/CONST	HSIP-R	\$35,000	\$31,500	\$3,500	\$0
2025	PE-N/PE-D/ROW/CONST	HSIP-R	\$20,000	\$18,000	\$2,000	\$0
2025	PE-N/PE-D/ROW/CONST	HSIP	\$10,000	\$9,000	\$1,000	\$0
2026	PE-N/PE-D/ROW/CONST	HSIP	\$10,000	\$9,000	\$1,000	\$0
2026	PE-N/PE-D/ROW/CONST	HSIP-R	\$10,000	\$9,000	\$1,000	\$0
Total			\$300,000	\$270,000	\$30,000	\$0



13. Provide a written description of the planning process, discussing how project selection and/or criteria for the Unified Planning Work Program (UPWP), Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) will be accomplished in a nondiscriminatory manner. (Use addendum sheets.)

Staff informs the TAC, Executive Board, and general public when they are about to start the process of collecting data and/or projects for the UPWP, LRTP and/or the TIP. If the general public submits a project, staff will determine if it belongs in the UPWP, or the LRTP and/or TIP, but will also forward the requested project to the local agency to make a decision if it is one of their top priorities to include the project. The rationale is due to the fact that the local agency will have to put up a local match if using state and/or federal funds.

Staff collects the data and projects submitted, and then makes a recommendation to the TAC first for their approval. The recommendation is based on the amount of projects to be done, and if it is financially feasible to do all of the projects submitted. If all of the projects cannot be funded staff will notify the TAC and state that not all projects can be funded, or that all projects will be partially funded (it should be noted that all projects submitted in the past had been completely funded). If the TAC approves the projects and the project(s) are then forwarded to the Executive Board for their approval.

Once the project listing is completed, staff develops a draft document of the UPWP, LRTP and/or TIP. Once the draft document(s) meets the TDOT/ FTA/ FYWA approval criteria, the document(s) will be placed in local libraries, placed on the www.lamtpo.com website, and info sent to the various agencies to comment on the document, and there will be a 30-day public comment period. If requested, staff will send a copy of the document(s) to the requester. After the 30-day public comment period, the UPWP, LRTP and/or TIP documents will be brought to the Executive Board for approval.

The Public Participation Plan outlines the process of how documents are completed, and how the public can be involved in the transportation planning process.

14. Provide an analysis assessing any effects on Environmental Justice (EJ) traditionally underserved communities that include transportation congestion and air quality projects.

- **The potential impact on traditionally under-served communities and businesses during and after project;**
- **The potential environmental impact;**
- **Detailed list of traditionally underserved owned businesses and households to be effected;**
- **Any significant changes or impacts on traditionally under-served communities; and**
- **Description of how this/these project(s) will mitigate any identified adverse, social, economic, or environmental effects.**

Note: If report(s) on the above-described projects have been conducted or are in the possession of TDOT personnel, provide the name, date and project termination date of each such project.

(EJ) Environmental Justice

Title VI of the Civil rights Act of 1964 protects persons from discrimination based on their race, color, or national origin in programs and activities that receive Federal financial assistance. LAMTPO is funded at the federal level, so all of our transportation planning processes must comply with this law.

Environmental Justice stems from Title VI, focusing on including low-income and minority populations in federally funded programs. Environmental justice has three general principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

By providing the opportunity for everyone to participate in the transportation planning process, we are ensuring that the needs of all people can be met and that their desires for how the whole community should function and develop will be considered. To accomplish this, LAMTPO staff will use Census data to determine where concentrations of the underserved or underrepresented reside. Using this data, staff will:

1. Hold public meetings that are convenient to these geographic concentrations in terms of walk-ability and available transit options, which tend to be used more by low-income individuals than other forms of transportation.
 2. Make all draft documents available for public review at local libraries
 3. Residents or organizations that express an interest by attending public meetings or notifying us by other means will be included in the direct mailing list to receive information about future events and plan development
 4. Continue to research creative methods of reaching these populations with information, documents, and invitations other than the techniques listed within this document;
 5. Seek out community leaders or representatives of these groups to participate in our planning processes as appropriate; and
- Meet and make presentation

Environmental Mitigation.

LAMTPO is following TDOT's lead for the environmental consultation process. When developing the Social Service Coordination Plan and the Public Participation Plan, LAMTPO had sent the various documents to numerous local, state and federal agencies to review and ask for comments, and no comments were received.

LAMTPO staff is in the process of developing GIS maps that shows where future projects are to occur that are in relationship to flood boundaries and/or topographic concerns (mountainsides, sinkholes, historical preservation, etc.). Additional modeling will be done using TRANSCAD to determine traffic congestion, and what the future road projects may do to help alleviate the traffic congestion. Additional corridor studies will be done to help determine what multimodal and intermodal improvements are needed, and to determine the effects on the surrounding environment.

SAFETEA-LU required LAMTPO to consult with federal, state and tribal land management, wildlife, and regulatory agencies to develop a general discussion on possible environmental mitigation activities that should be incorporated into transportation projects identified in this plan. Since the transportation planning activities of LAMTPO are regional in scope, this environmental mitigation discussion does not focus on each individual project within the LRTP but rather offers a summary of environmental sensitive areas to be aware of, the analyses conducted by LAMTPO staff to identify potential conflicts of planned projects and mitigation strategies that could be considered in an effort to minimize any negative affect that a project may have on an environmentally sensitive area.

There are numerous environmentally sensitive areas found throughout the LAMTPO study area. Some areas are yet to be identified and will only become known once a project level analysis is completed, such as caves, sinkholes, and wetlands. More detailed information will be needed during the NEPA process of each project to make sure that the natural, historical, environmental, or endangered wildlife habitat will not be negatively impacted.

In developing projects lists for the LRTP, LAMTPO conducts top level analysis to determine the potential need for future environmental mitigation. Specifically, LAMTPO looks at proposed project locations throughout the region to determine their proximity to the following natural or socio-cultural resources datasets. That analysis provides early guidance to project sponsors to develop mitigation strategies.

- Cemetery surveys
- Regional water resources
- Endangered species habitat areas
- TDEC Terrestrial Habitat areas
- TDEC aquatic Habitat areas
- State Division of Archaeology properties
- TDEC designated state natural areas
- TDEC Endangered and rare species
- Historic properties, and
- Historic National Register Districts

Environmental Mitigation Activities

LAMTPO is committed to protecting and preserving environmentally sensitive areas. LAMTPO shall avoid environmentally sensitive areas as much as possible. In special cases which it cannot avoid environmentally sensitive areas, then the governing entities of LAMTPO shall minimize the amount of negative impact a project may have, and finally to mitigate any affected areas. In doing so, LAMTPO recognizes that not every project will require the same type and/or level of mitigation. Some projects such as new roadways and/or roadway widening involve major construction with considerable earth disturbance. Others like intersection improvements, street lighting, and resurfacing projects involve minor construction and minimal, if any, earth disturbance. The mitigation efforts used for a project should be dependent upon how severe the impact on environmentally sensitive areas is expected to be. The following three step process should be used to determine the type of mitigation strategy to apply for any given project:

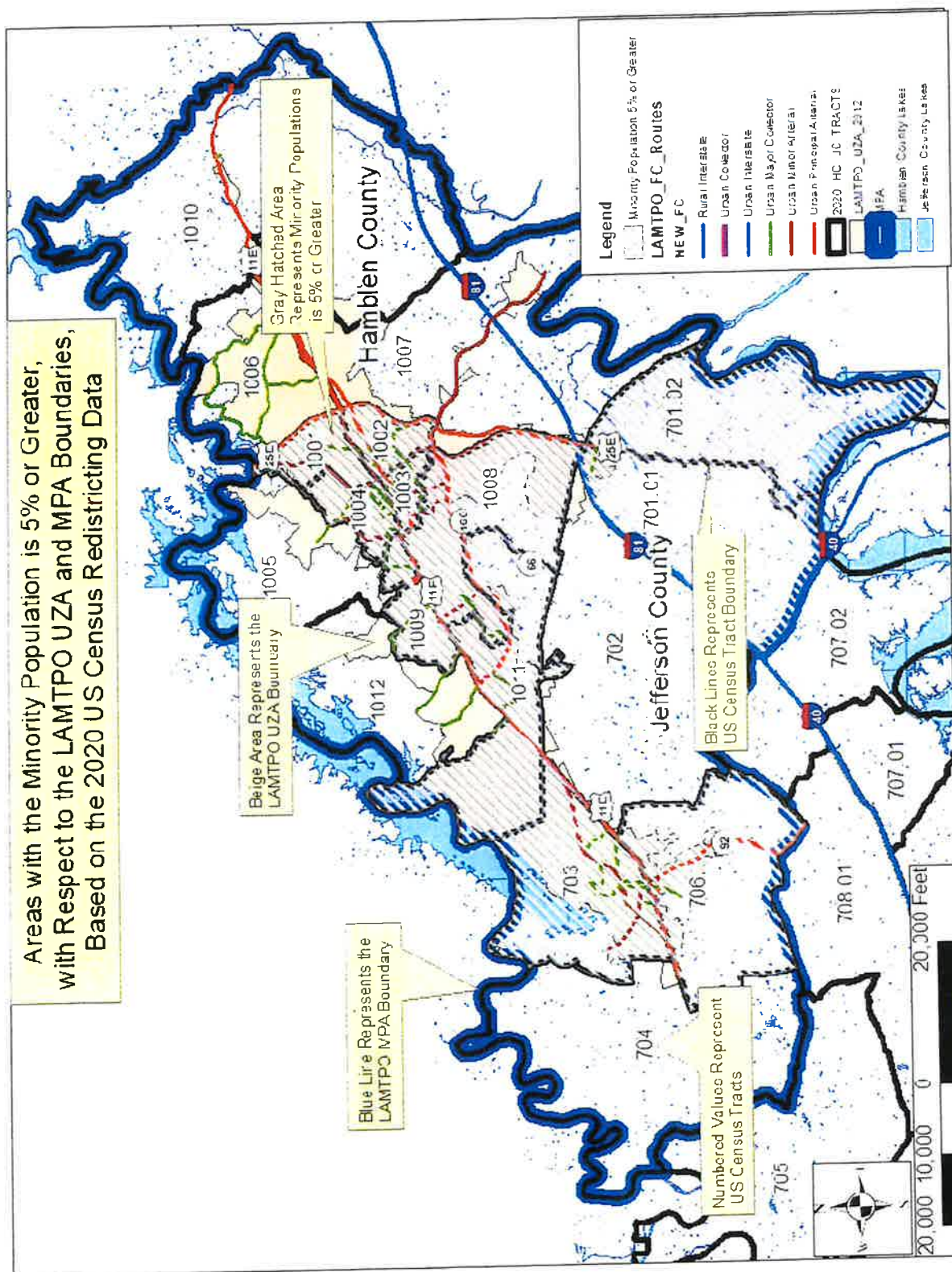
- i. Identify environmentally sensitive areas throughout the project study area
- ii. Determine how and to what extent the project will impact these environmentally sensitive areas; and
- iii. Develop appropriate mitigation strategies to lessen the impact these project(s) have on the environmentally sensitive areas.

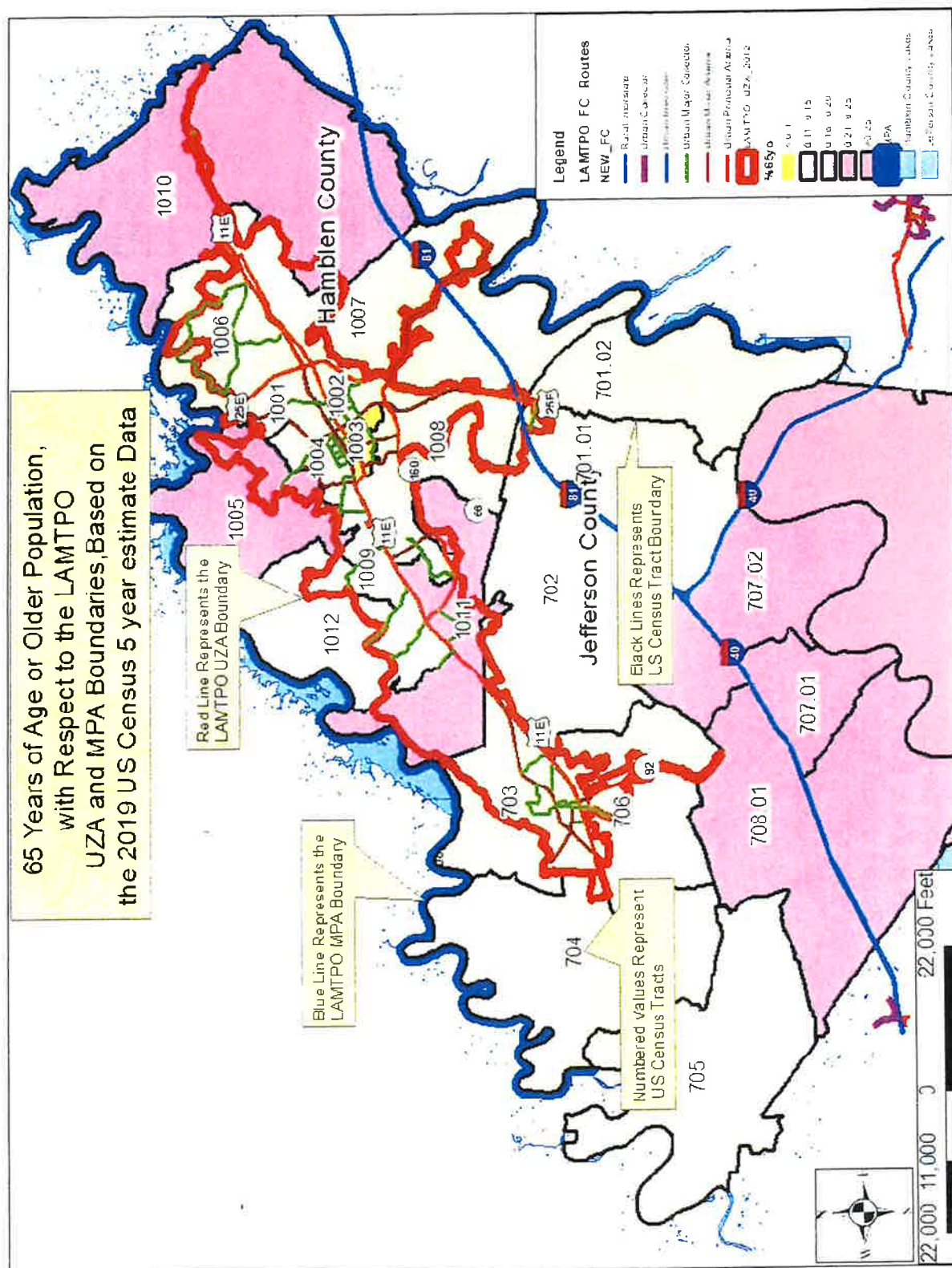
To the extent possible, transportation projects should minimize off-site disturbance in sensitive areas and develop strategies to preserve air and water quality, limit tree removal, minimize grading and other earth disturbance, provide erosion and sediment control, and limit noise and vibration. Where feasible, alternative designs or alignments should be developed that would lessen the project's impact on environmentally sensitive areas. The three (3) step mitigation planning process should solicit public input and offer alternative designs or alignments and mitigation strategies for comment by LAMTPO and local governments.

For major construction projects, such as new roadways, or for projects that may have a region wide environmental impact, a context sensitive solutions process should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of the project.

A context sensitive solutions process, for any project, should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of a project. The table below details mitigation activities that could be considered to deal with the primary areas of concern.

Environmental Concern	Potential Mitigation Activities
Wetlands or Water Resources	Mitigation sequencing requirements involving avoidance, minimization, compensation (could include preservation, creation, restoration, in lieu of fees, riparian buffers); design exceptions and variances; environmental compliance monitoring
Forested and other Natural Resources	Avoidance, minimization; Replacement property for open space easements to be of equal fair market value and of equivalent usefulness; design exceptions and variances; environmental compliance monitoring
Agricultural Areas	Avoidance, minimization; design exceptions and variances; environmental compliance monitoring
Endangered and Threatened Species	Avoidance, minimization time of year restrictions, construction sequencing; design exceptions and variances; species research; species fact sheets; Memoranda of Agreements for species management; environmental compliance monitoring
Ambient Air Quality	Transportation control measures, transportation emission reduction measures
Neighborhoods, Communities, Homes and Businesses	Impact avoidance or minimization; context sensitive solutions for communities (appropriate functional and/or esthetic design features).
Cultural Resources	Avoidance or minimization; landscaping for historic properties; preservation in place or excavation for archeological sites; Memoranda of Agreement with the Department of Historic Resources; design exceptions and variances; environmental compliance monitoring
Parks and Recreational Areas	Avoidance, minimization, mitigation; design exceptions and variances; environmental compliance monitoring





In the table below is a summary of the FFY2020-2023 TIP projects that may affect Title VI areas.

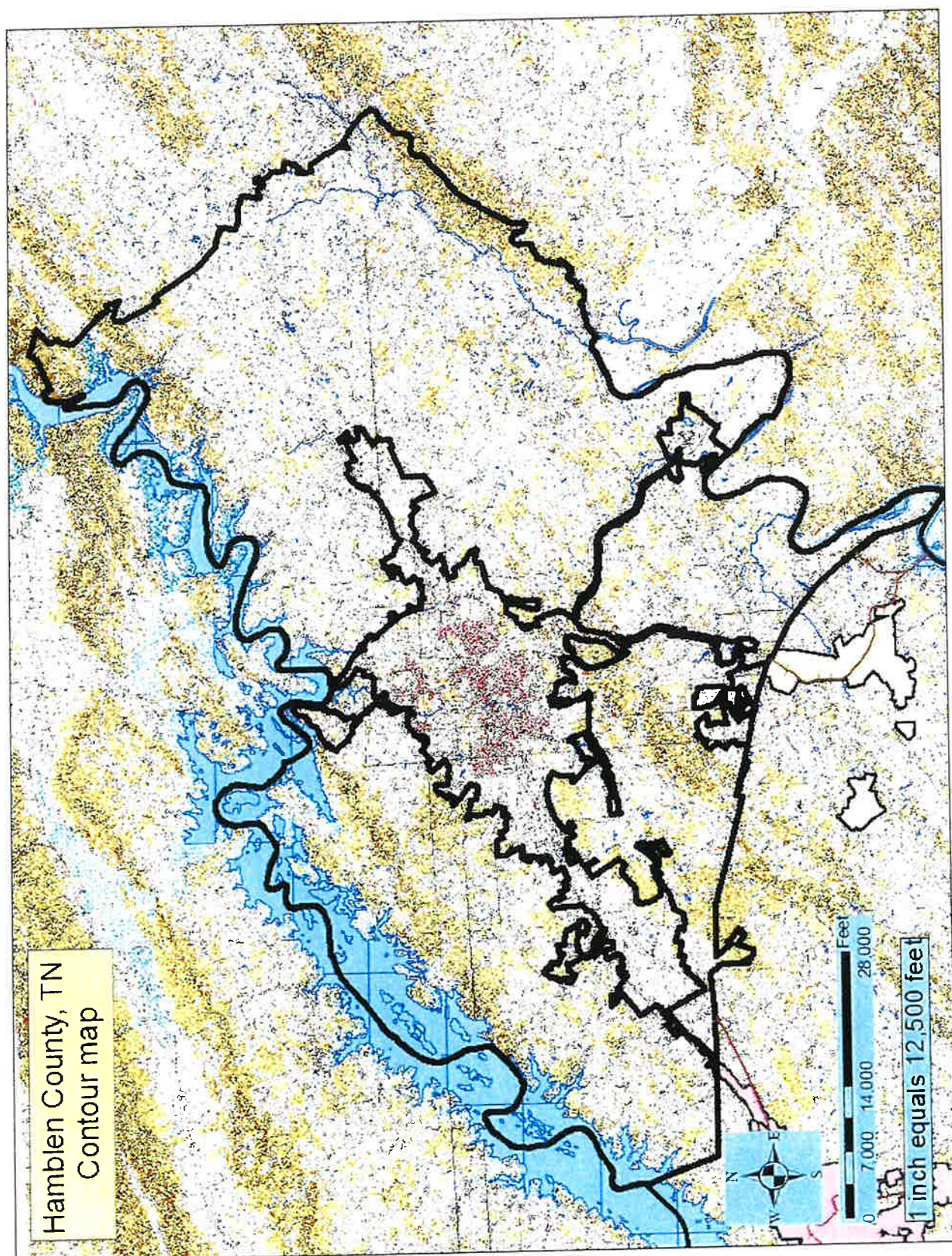
TIP ID	Project	Low to Moderate Income Populations Affected	High Minority Populations Affected	LEP Areas Affected	65 years old or older Populations Affected	High Hispanic Populations Affected
1003	E Morris Blvd resurfacing	Yes	Yes	No	Yes	No
1008	E Andrew Johnson Hwy resurfacing	Yes	Yes	Yes	Yes	Yes
1010	Central Church Rd Improvements	Yes	Yes	Yes	Yes	Yes
2010	Agricultural Park Blvd resurfacing	Yes	No	No	Yes	Yes
3016	Old AJ Hwy realignment/ Overlook Rd extension	Yes	Yes	No	Yes	Yes
3017	Russell Av resurfacing	Yes	Yes	No	Yes	Yes
3018	Branner Av resurfacing	Yes	Yes	No	Yes	Yes
3020	Municipal Dr resurfacing	Yes	Yes	No	Yes	Yes
3021	Fate Rankin Rd resurfacing	No	Yes	No	Yes	Yes
3022	Old AJ hwy resurfacing from SR92N to city limits	Yes	Yes	No	Yes	Yes
TDOT	US Hwy 11E Expansion	Yes	Yes	No	Yes	Yes

The maps on the following pages represent the various land use, cultural, historical aspects of Hamblen and Jefferson Counties, Tennessee. The maps were created using ESRI ArcGIS 10 ArcInfo, using a TN State Plane projection. All of the information for the maps, except the contour maps and the FEMA map, were from on the Tennessee State Base Map program for Hamblen and Jefferson counties. The contour map information was provided by the USGS, and these quadrangle maps are available from the Tennessee Data Spatial Server,

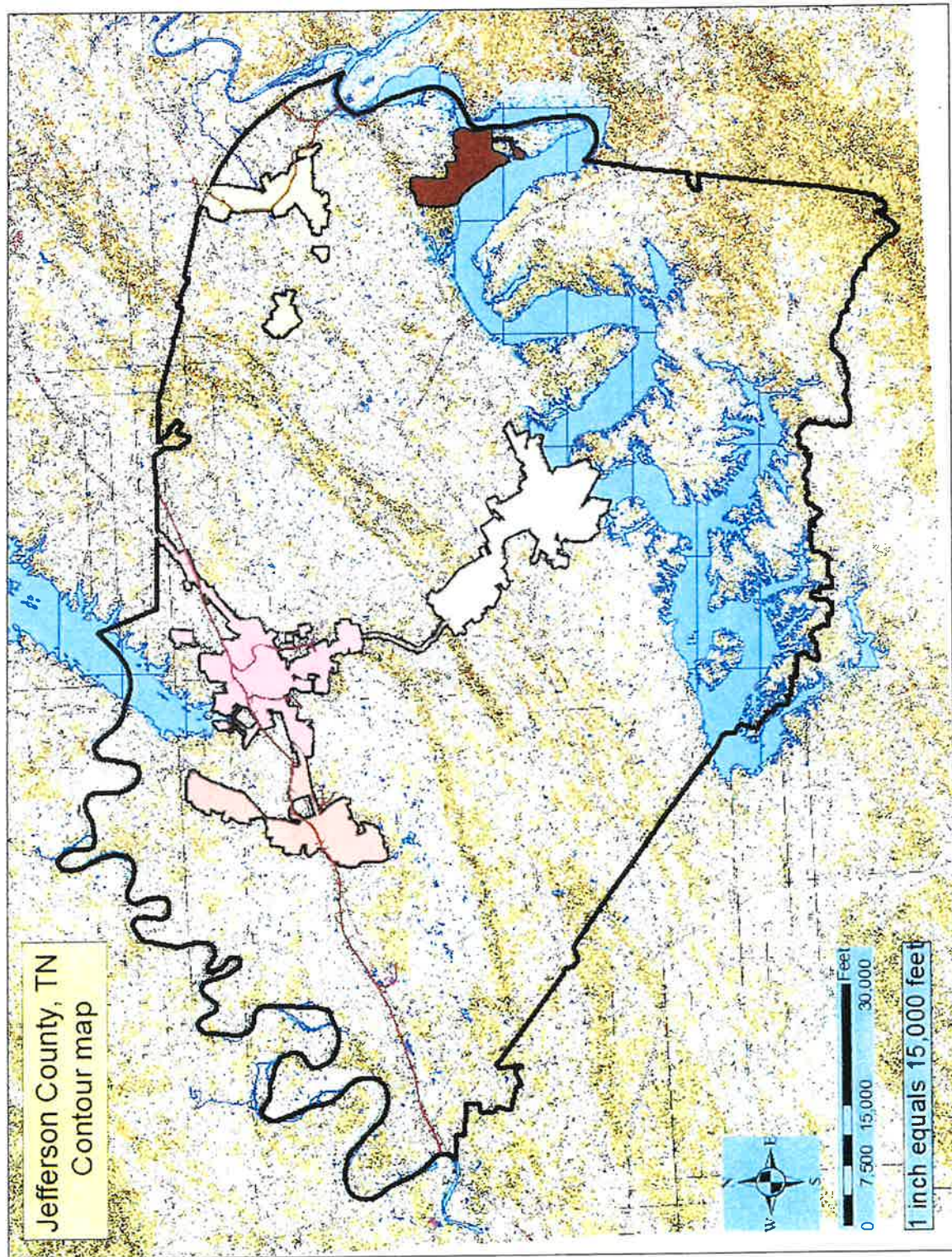
<http://www.tngis.org>. The 2010 Census map information was obtained from the U. S. Census Bureau, <http://www.census.gov>.

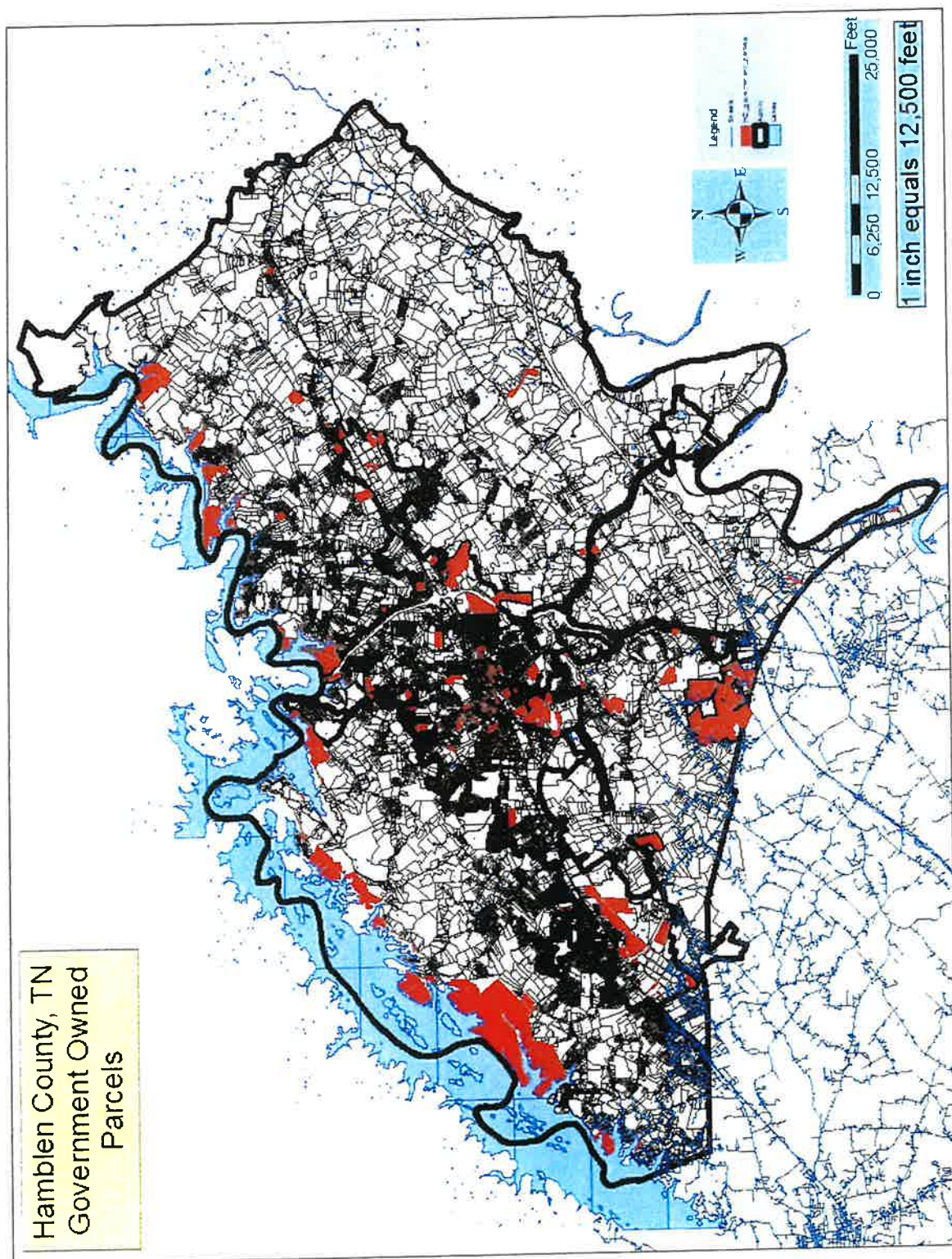
The FEMA Map information was obtained from the FEMA Map service center, <http://msc.fema.gov>. FEMA maps for Jefferson County Tennessee have not been completed yet. Each County in Tennessee will have digital FEMA maps, but they will be done in the same order as when the Tennessee State Base Mapping program originally flew and did their county parcel maps. Jefferson County was one of the last counties to be flown, thus they will be one of the last counties to get the FEMA maps digitized. It will be at least one more year, (if not longer) before the Jefferson County FEMA maps will be ready.

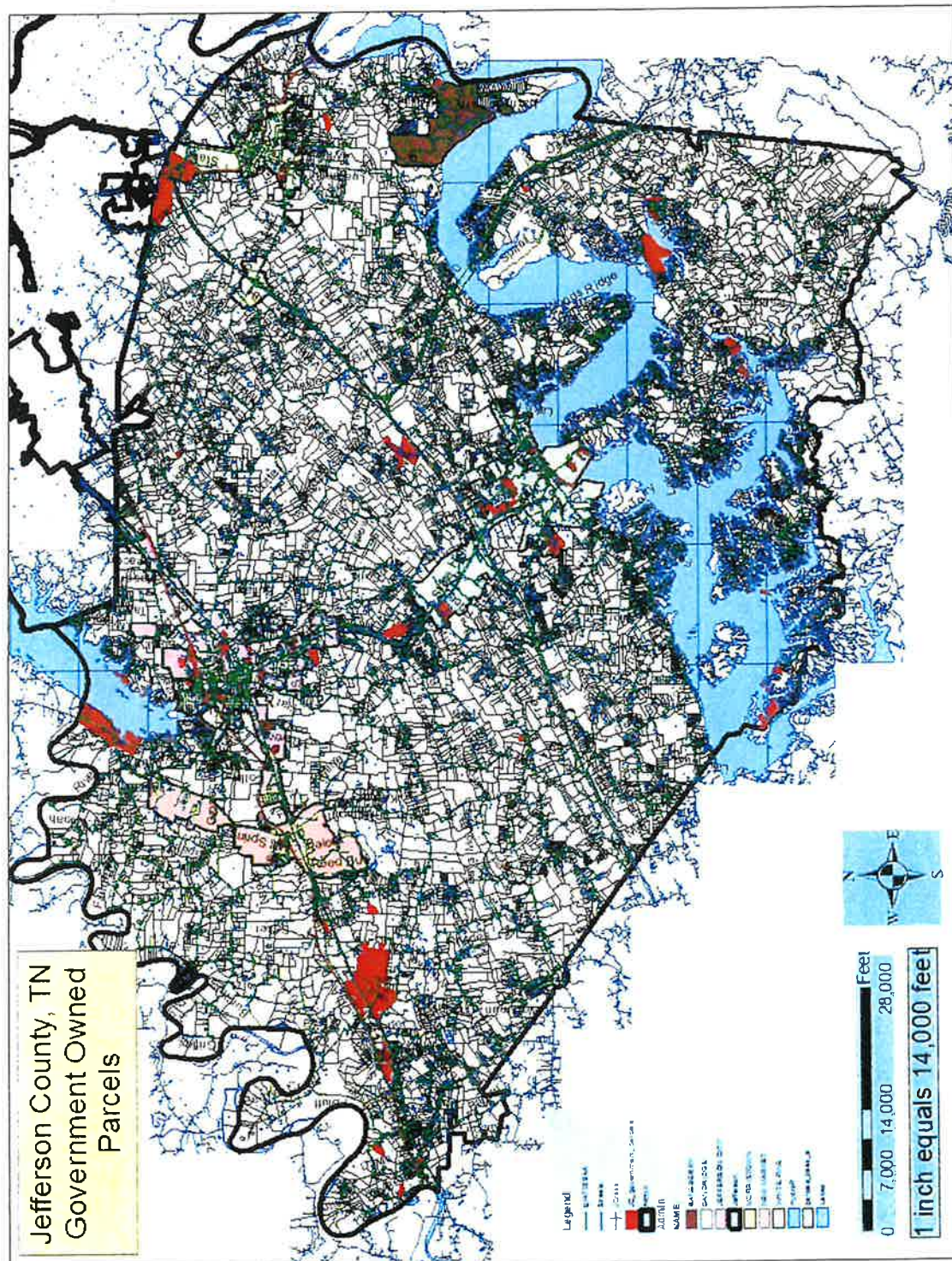
All projects within the LRTP were analyzed to see if there would be any negative impacts on the environment, ethnic, historical, or culturally sensitive areas. From a small-scale map perspective, there will not be any negative impacts. However, additional in depth studying for each project will need to be done to determine if there will be any potential impacts on the environment, ethnic, historical, or culturally sensitive areas.



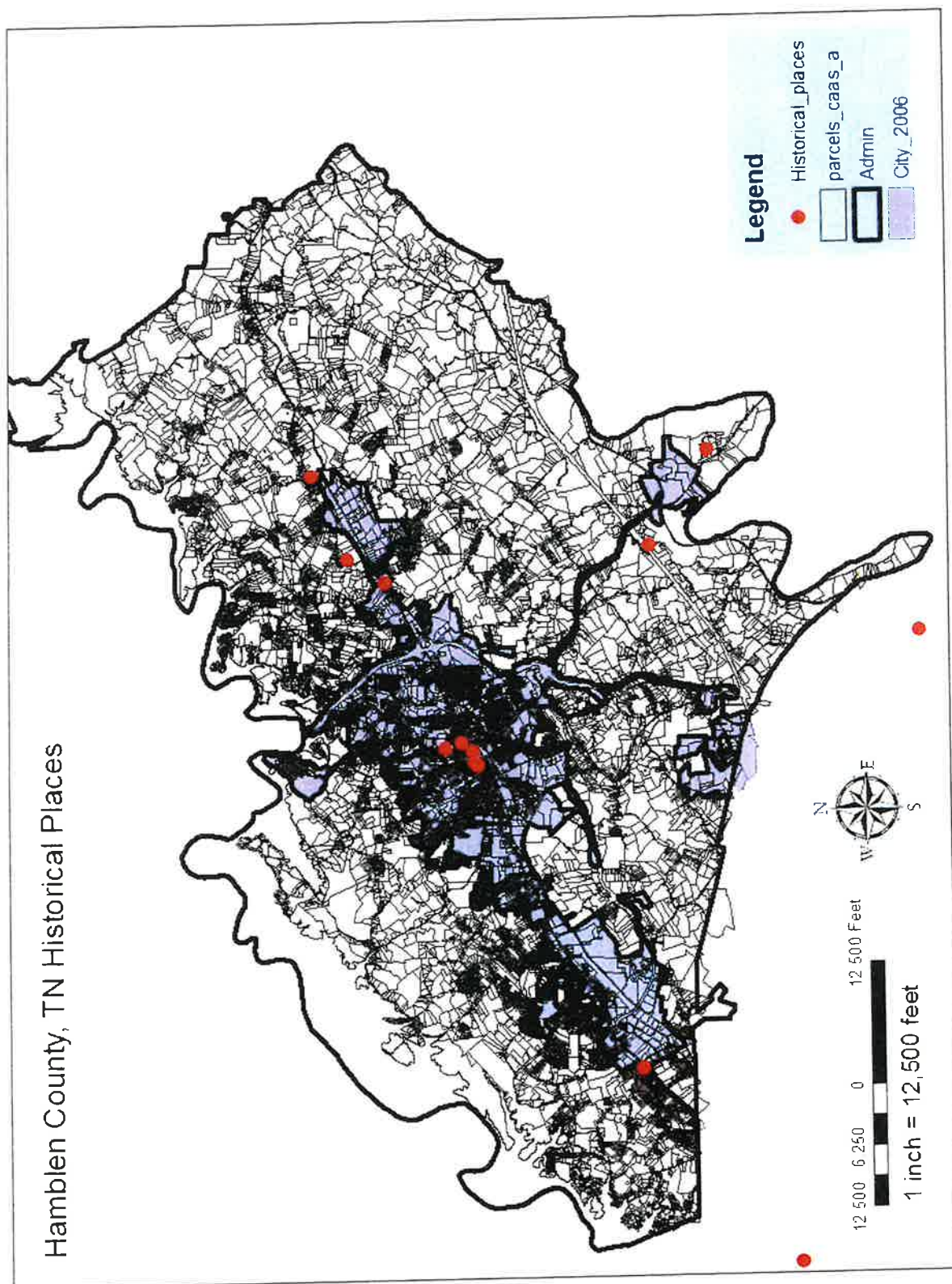
Hamblen County, TN
Contour map





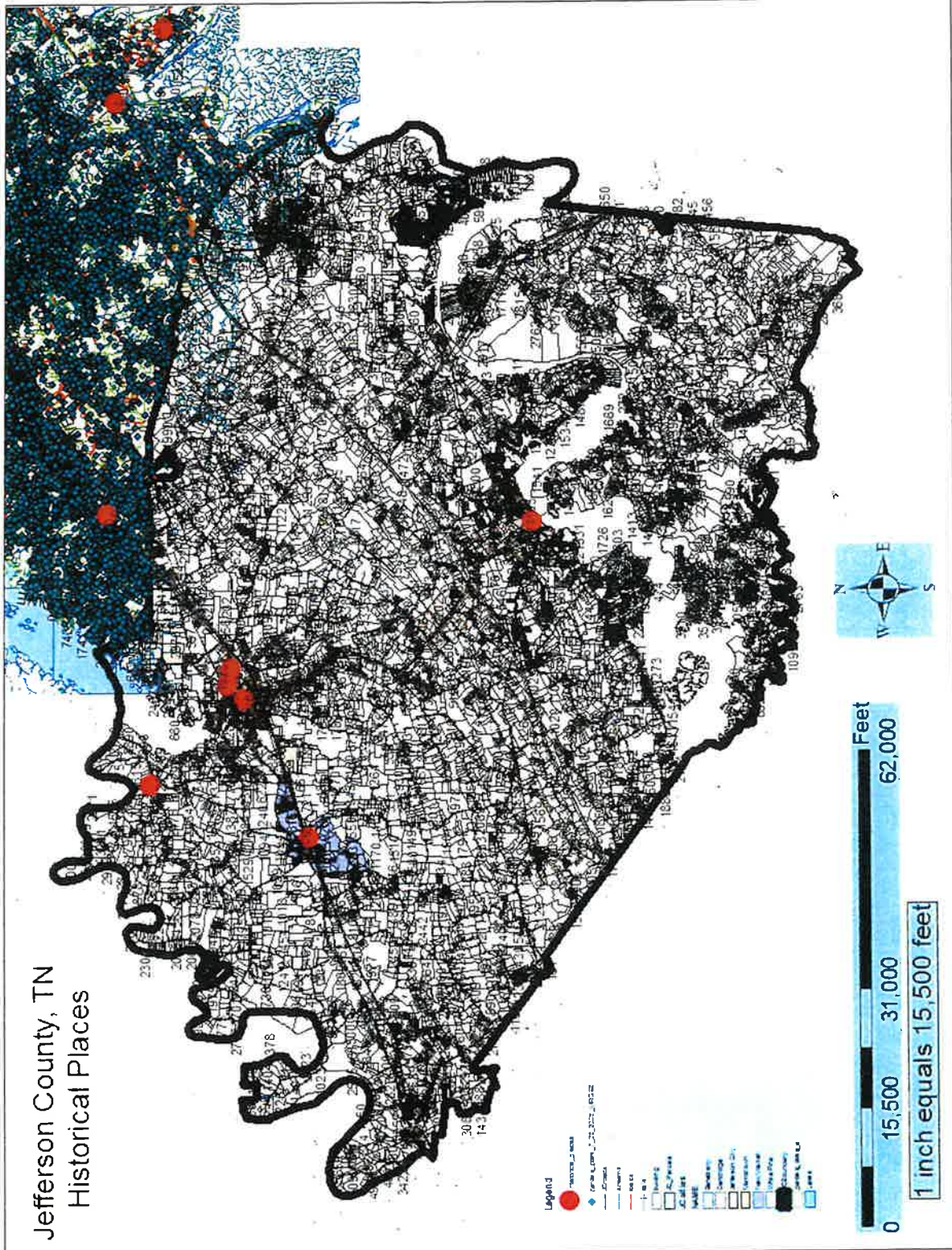


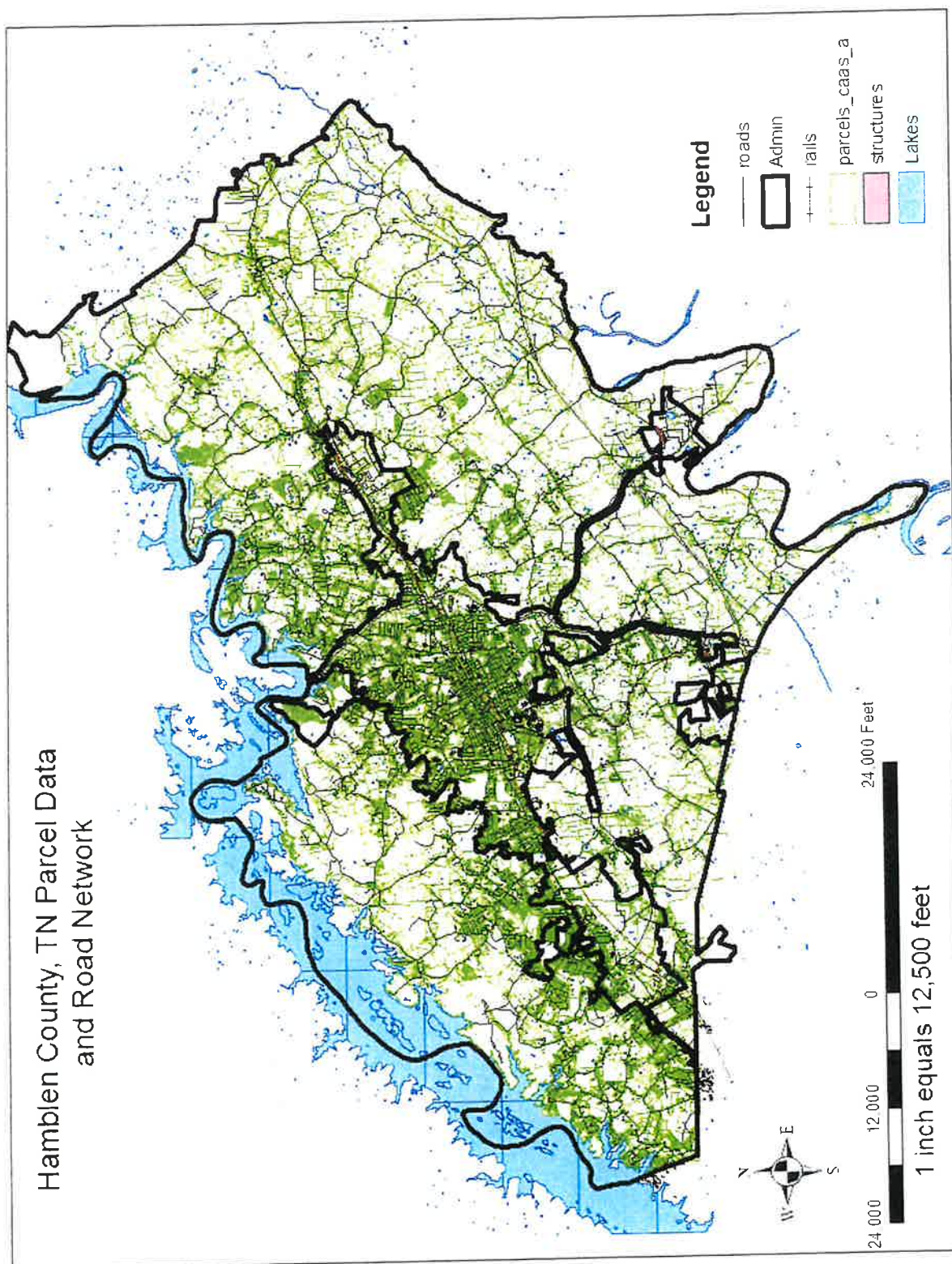
Hamblen County, TN Historical Places

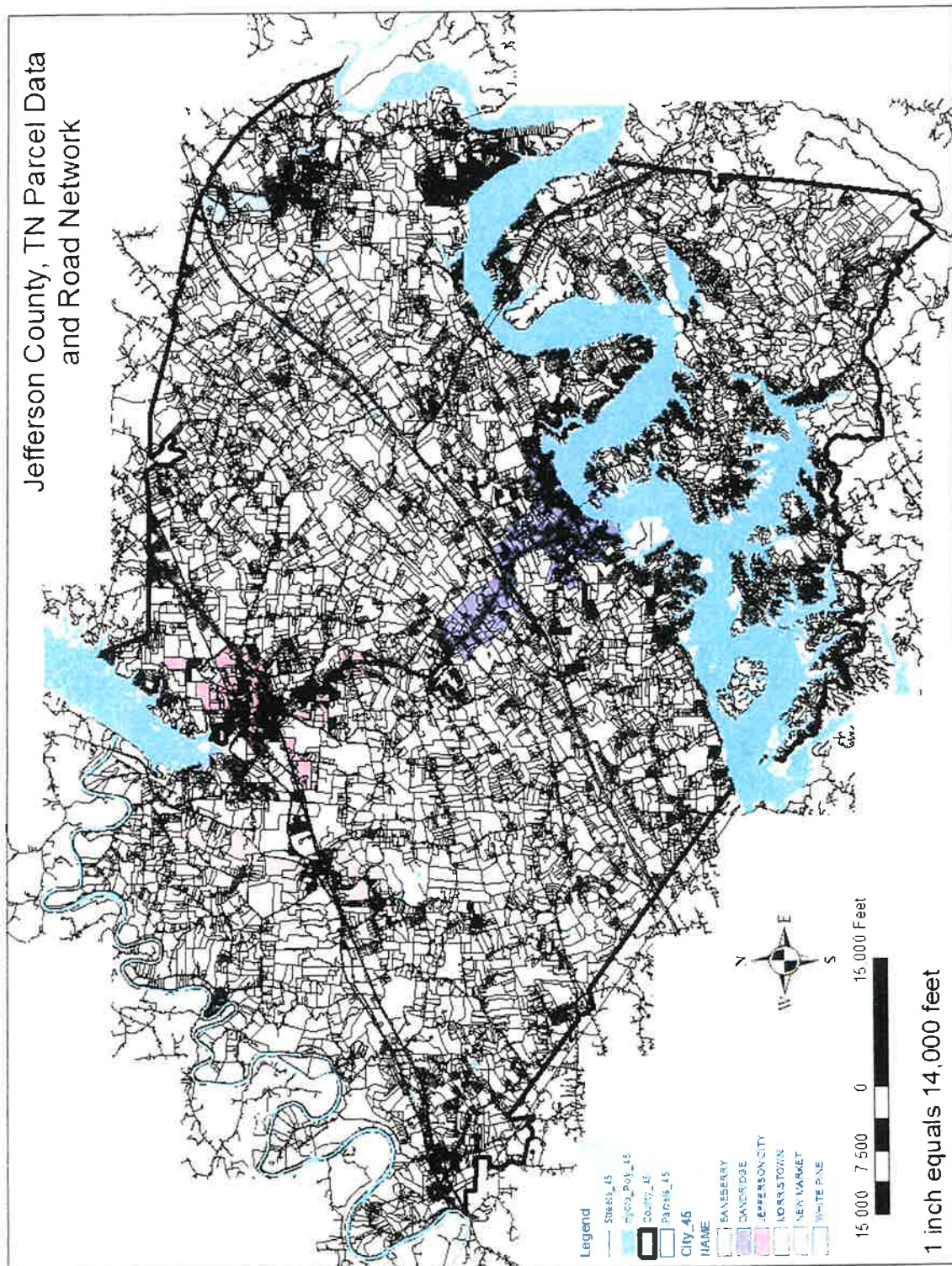


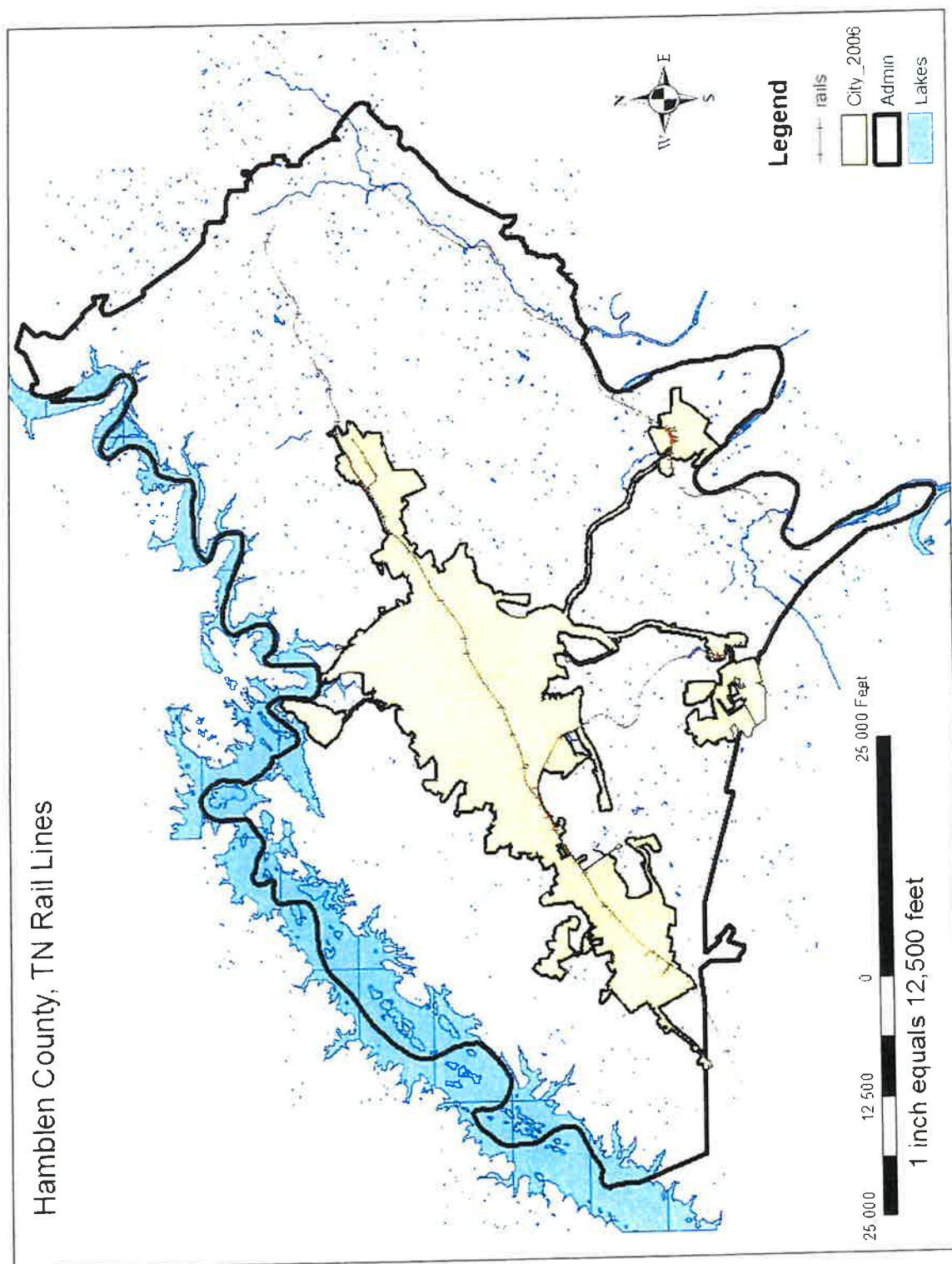
- Legend**
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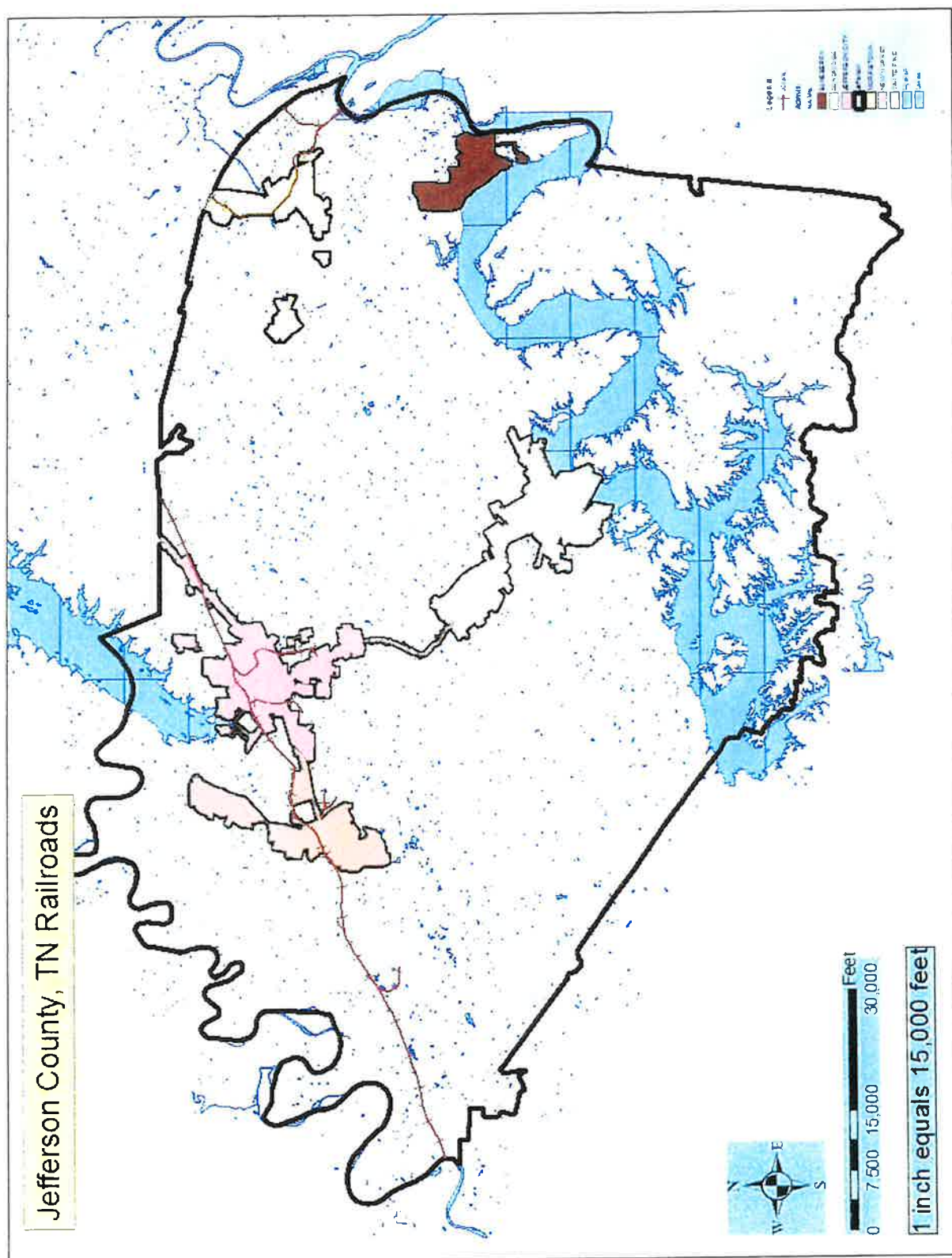
Jefferson County, TN Historical Places



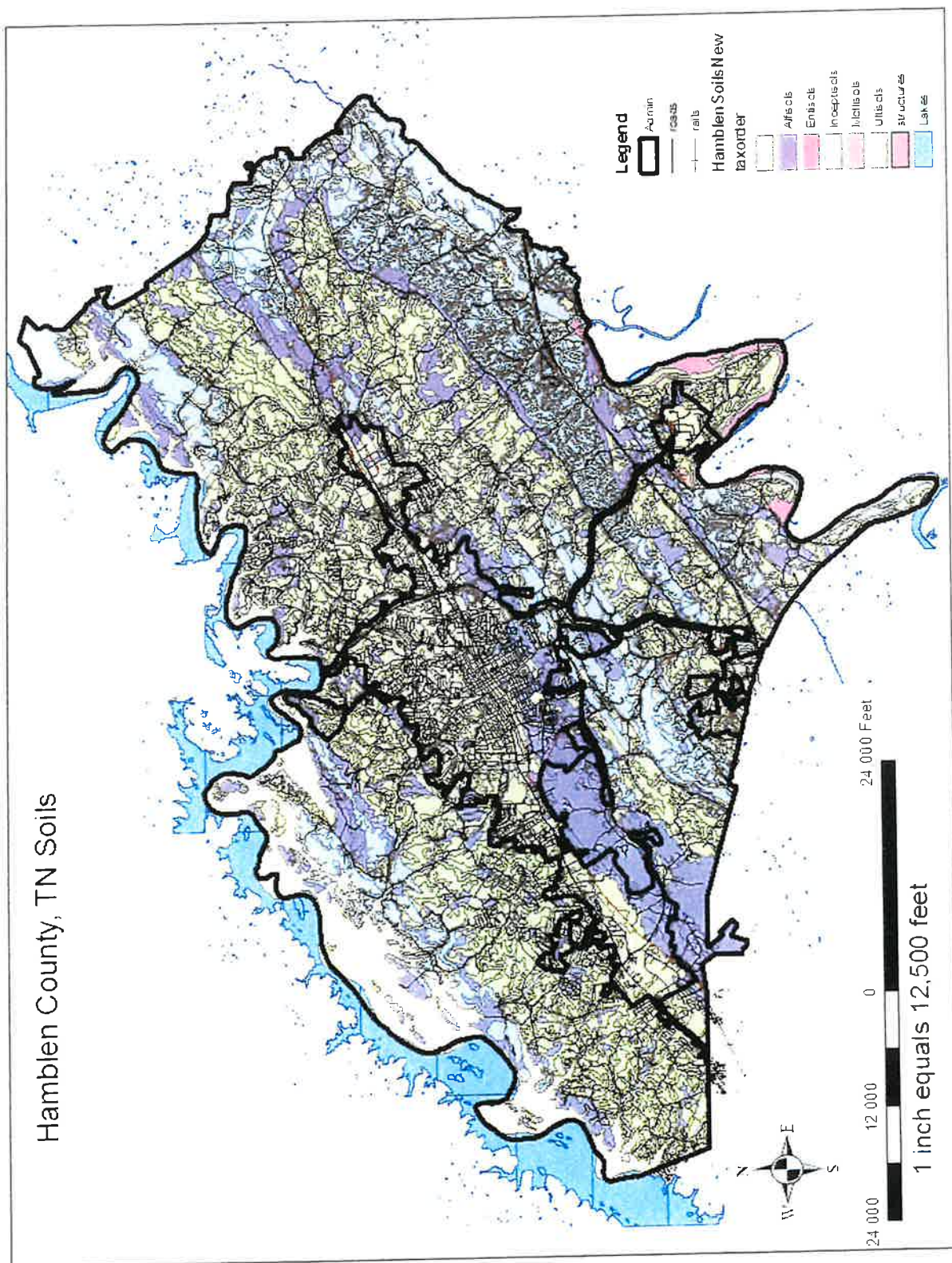


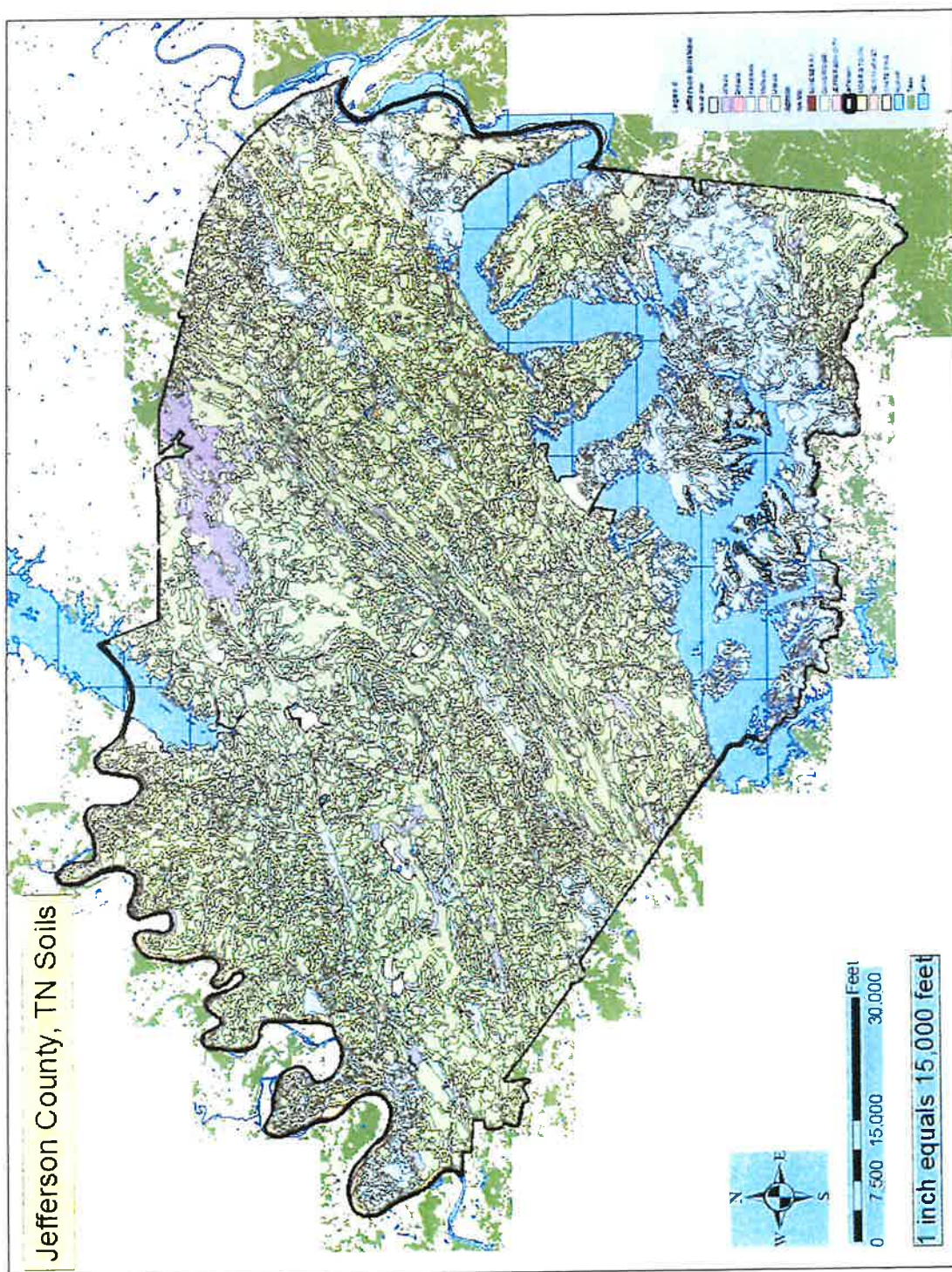


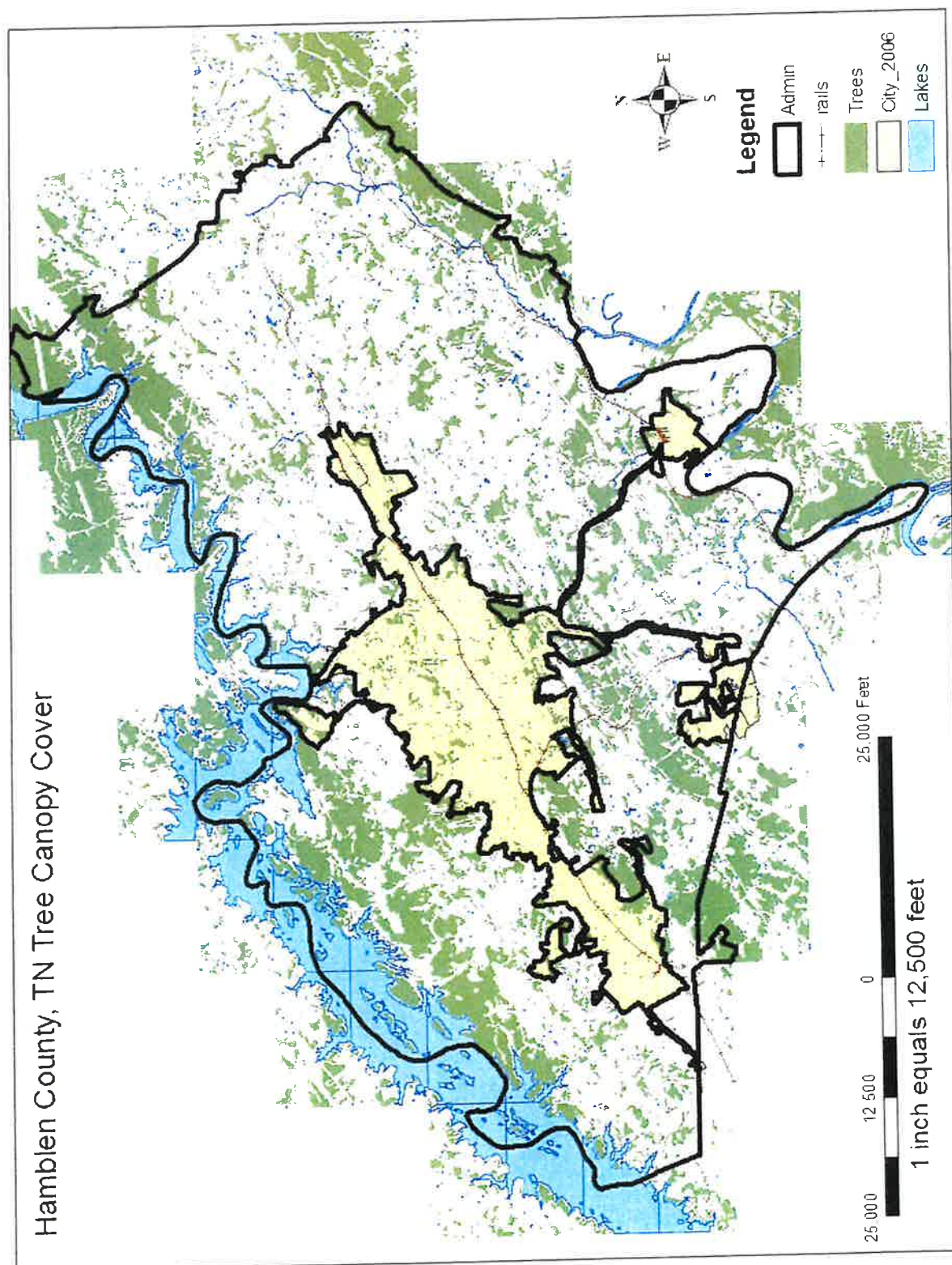




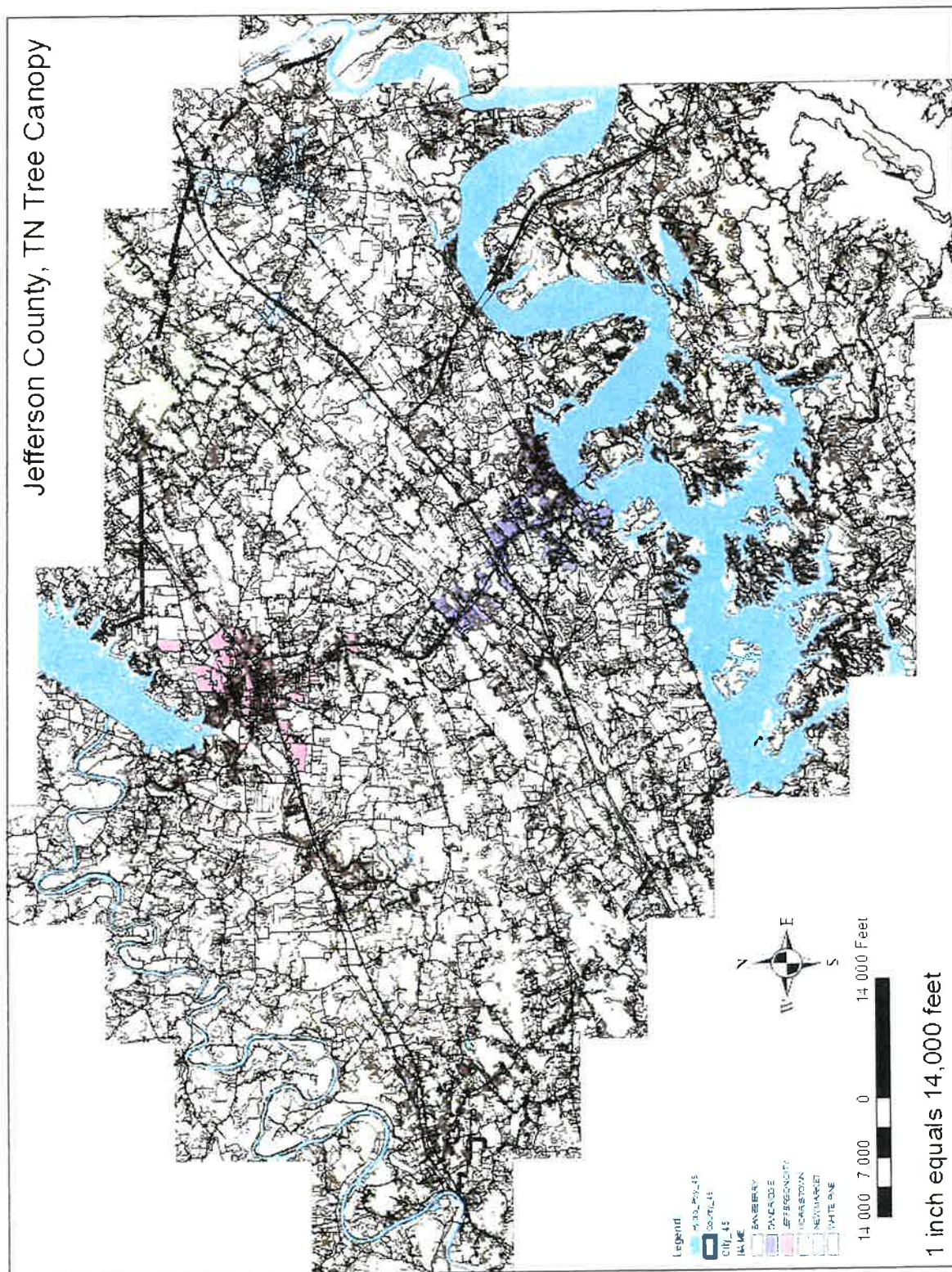
Hamblen County, TN Soils





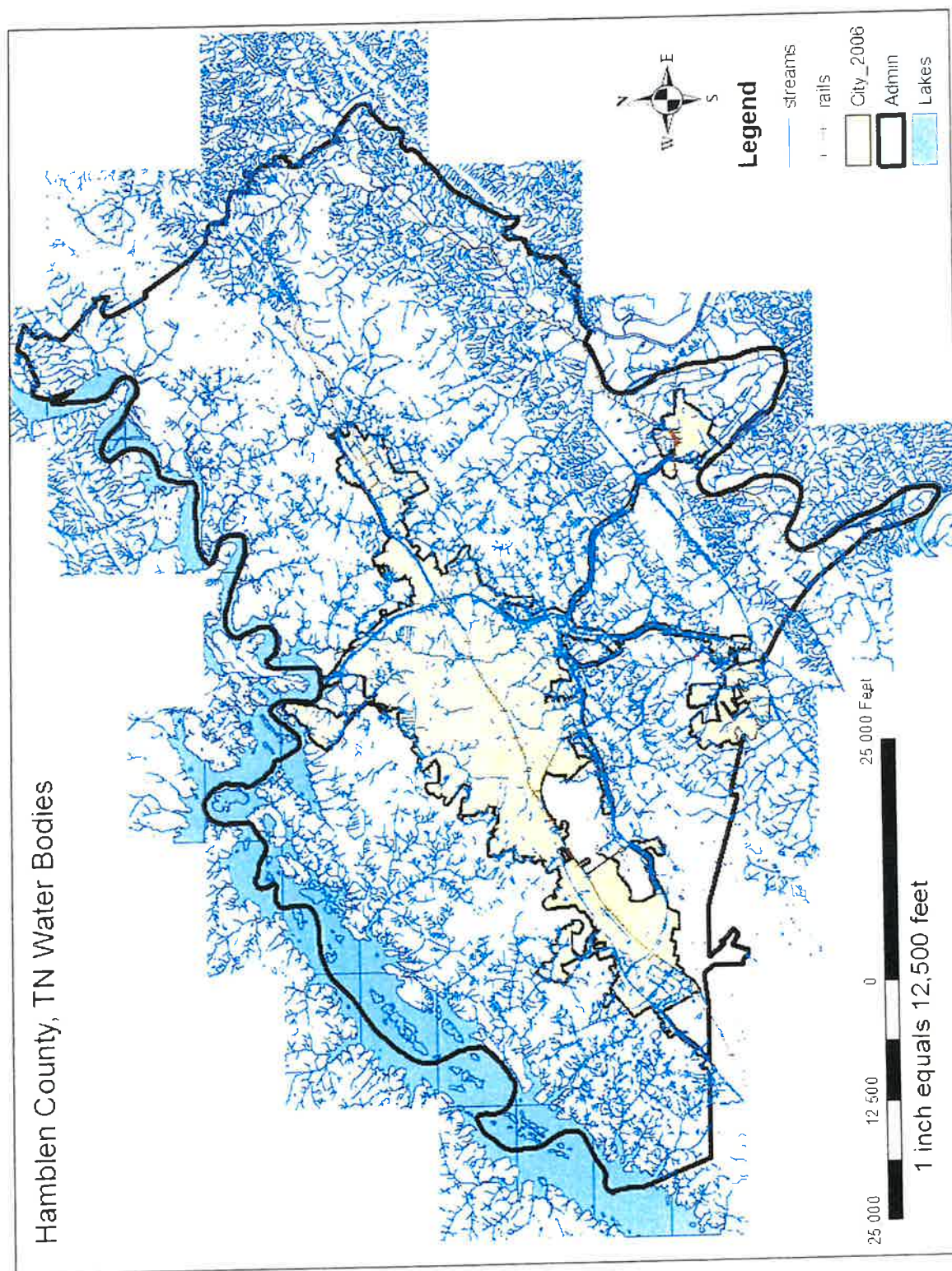


Jefferson County, TN Tree Canopy

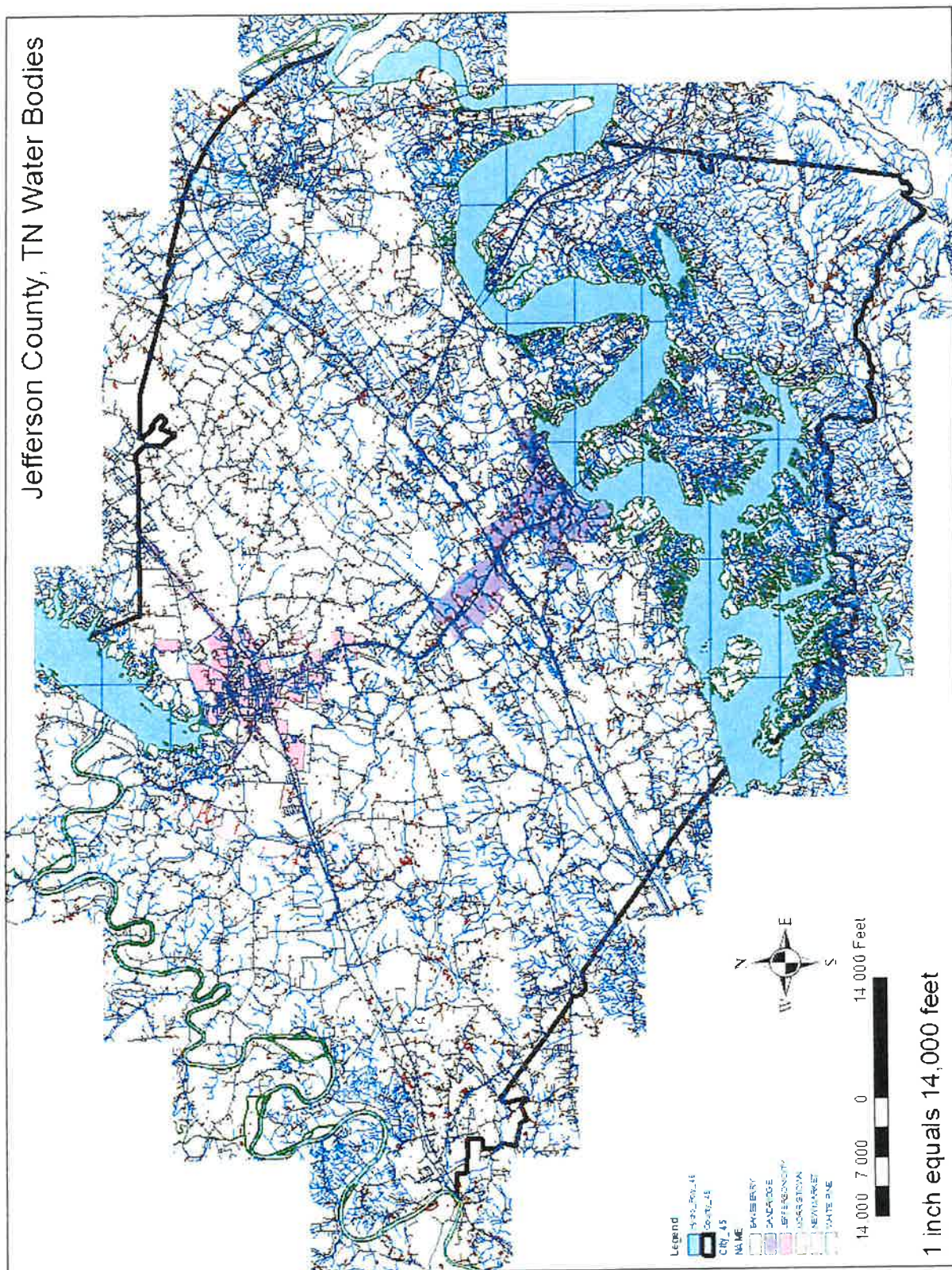


1 inch equals 14,000 feet

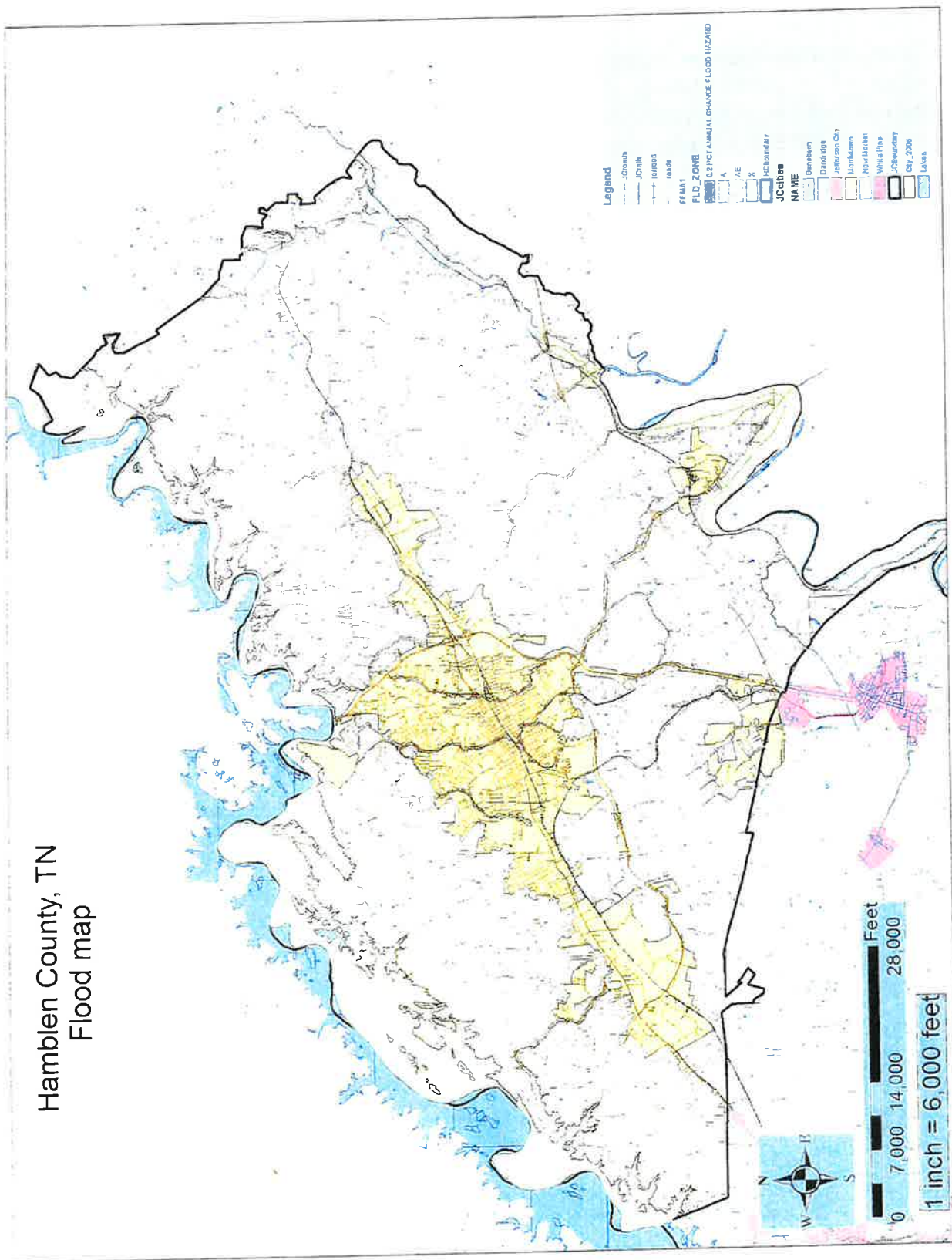
Hamblen County, TN Water Bodies



Jefferson County, TN Water Bodies



Hamblen County, TN Flood map



LAND USE

Commercial development occurs primarily along the arterial corridors, such as Hwy 11E through Jefferson City and Morristown, Hwy 343 (Cumberland Rd/ Buffalo Trail) in Morristown, SR92 and Old Andrew Johnson Hwy in Jefferson City, Hwy 25E in Morristown and White Pine, and Hwys 113 and 341 in White Pine.

The maps on the III-141 and III-142 represent the existing land use and the future land use within the LAMTPO study area, respectively. The maps were created using a geographic information mapping system (GIS), ESRI's ArcView software. The existing land use map was determined by:

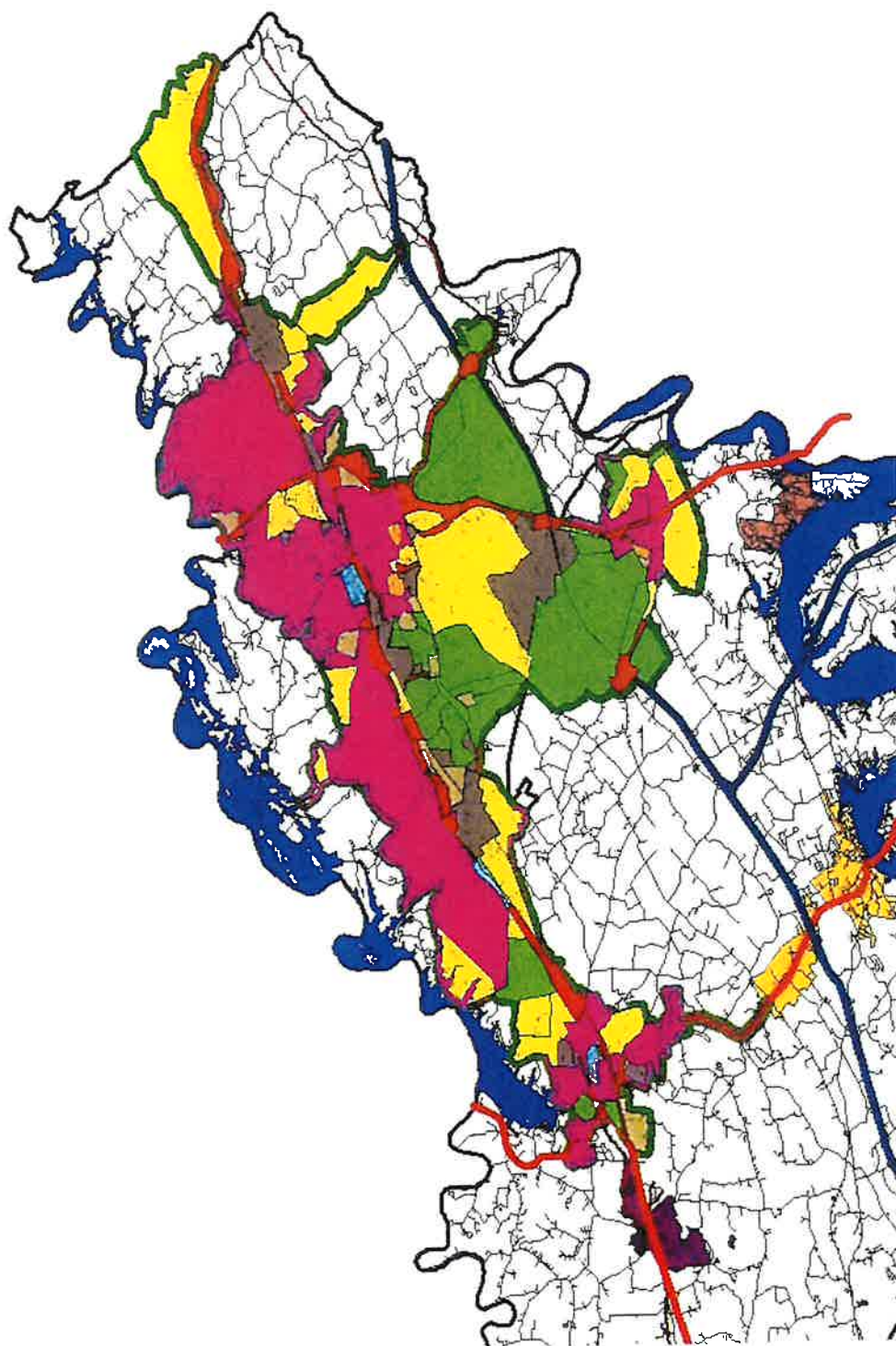
1. Existing zoning maps from the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County.
2. From information provided by the State of Tennessee Comptroller's Real Estate Assessment Data, website,
3. By Staff doing extensive field research, including driving/ mapping the entire study area, looking at parcel data, reviewing site plans, and reviewing and analyzing local plans that were done by the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County;

The Future land use map was created by the following:

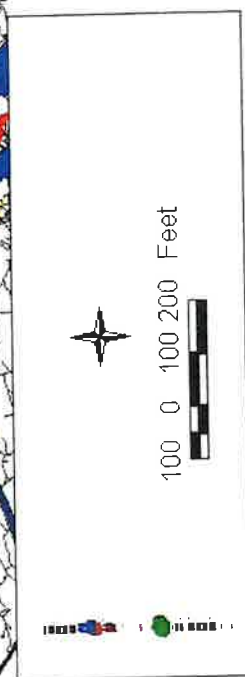
1. Basing the information on existing land use/ zoning patterns
2. From staff field research, including driving/ mapping the entire study area, looking at parcel data, reviewing site plans, and reviewing and analyzing local plans that were done by the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County;
3. Having the LAMTPO subcommittee review and make any necessary changes, if required.

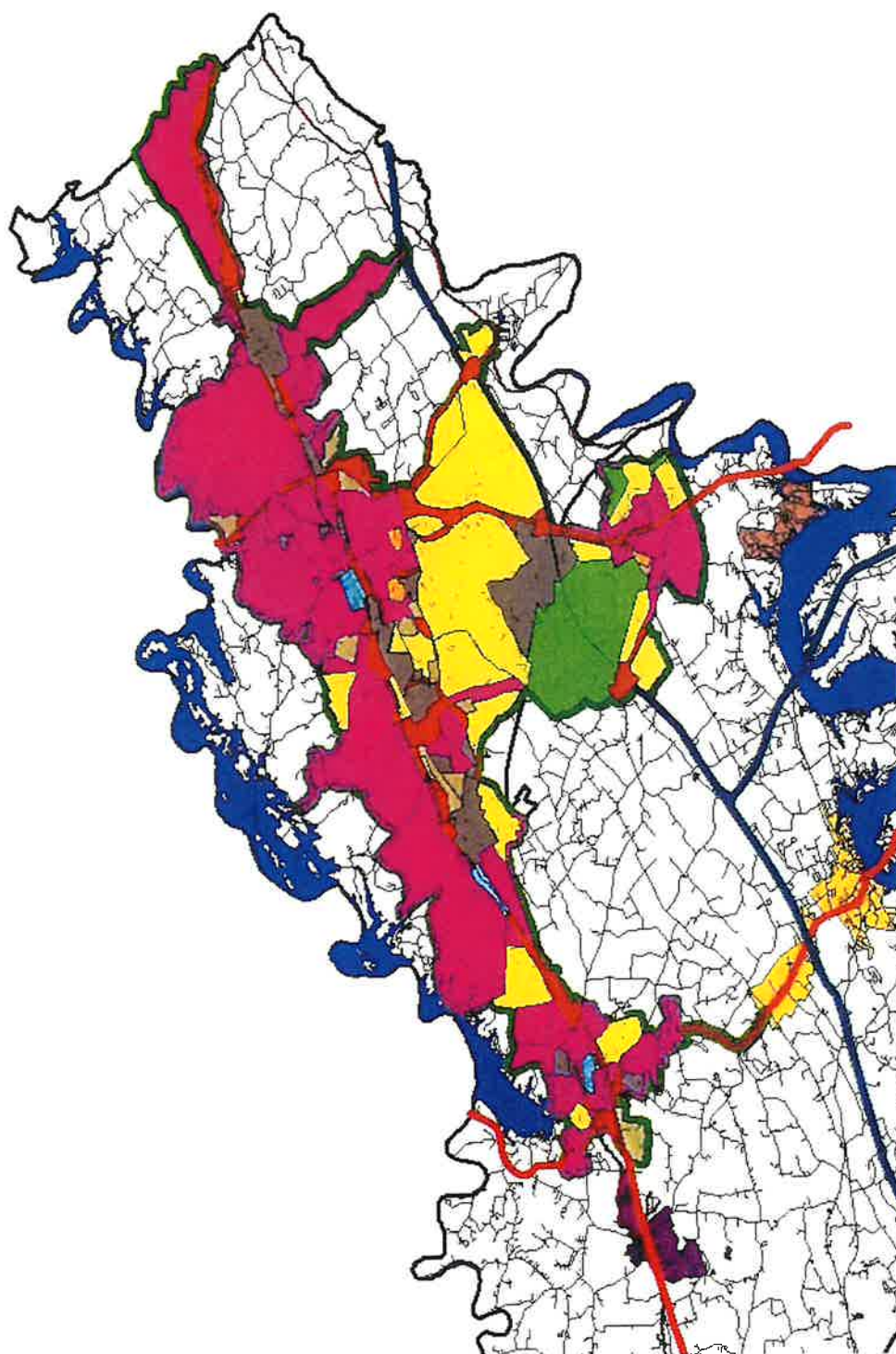
The future land map shown is what the subcommittee agreed what may be the future land use within the LAMTPO study area.

As anticipated, the travel demand model illustrates that the existing corridors that are heavily traveled (11E, 25E, I-81, and SR343), that they will continue to be heavily traveled in the future as well, whether there are any improvements or not. These routes are also the main thoroughfares for commercial and industrial businesses. The area with the most congestion will be W Andrew Johnson Highway/ Broadway St (11E/ SR34). By building a reliever/ access road that parallels this in Morristown, the existing roadway can be maintained, and congestion will be kept to a minimal. By implementing traffic signal coordination in Jefferson City as well as in Morristown, traffic will become more free-flowing on the main thoroughfare.

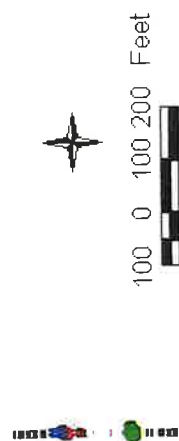


LAMTPO
Existing Land Use





LAMTPO
Future Land Use



1. Describe the effectiveness of your public involvement process as well as any strategies to ensure traditionally underserved populations have an opportunity for full participation in your planning process. (Use addendum sheets.)

Advertisements are done in English and Spanish, and are placed in local newspapers, including *Hola Lakeway*, and sent to East Tennessee Hispanic Area Chamber of Commerce. All documents, transportation plans, etc, can be transcribed to another language, but a request must be done in writing beforehand.

All meetings are held in a public building or park, that is ADA accessible.

Information is posted on LinkedIn as well as Nextdoor social media.

Surveys are done online, in English and Spanish. Requests for hard-copy surveys are available upon request. Each survey that has been done, there had been over 100 responses, whereas before by just doing hard copy surveys, we would only get about 20 responses. The Surveys for SR160 Corridor Study and the US Hwy 11E Corridor Study had well over 400 responses for each.

Staff has also done various transportation presentations at other locations, as requested by other organizations, such as the Morristown Chamber of Commerce and ETHRA.

2. Provide a copy of the MPO's Public Participation Plan that includes an outreach plan to engage the minority, low income, and the limited English proficient (LEP) population.

See attachment



Public *Participation* *Plan* *(PPP)*

This report was funded in part through grants from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), U.S. Department of Transportation (USDOT). The view and opinions of the authors (or agencies) expressed herein do not necessarily state or reflect those of the U.S. Department of Transportation.

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO)

Morristown, TN – Jefferson City, TN – White Pine, TN – Hamblen County, TN – Jefferson County, TN

Resolution Number: 2018-003

**A RESOLUTION BY THE LAMTPO EXECUTIVE BOARD ADOPTING
THE PUBLIC PARTICIPATION PLAN (PPP)**

WHEREAS, a comprehensive, cooperative, and continuing (3-C) transportation process is to be carried out in the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) region; and

WHEREAS, the Public Participation Plan (PPP) was first required by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and recently updated in the recent Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, in accordance with the requirements of the United States Department of Transportation (USDOT), Section 450.316 of the Metropolitan Planning Regulations, this plan includes a proactive public outreach process that provides complete information, timely public notice, full public access to key decisions and supports early and continuing involvement of the public in developing plans and programs; and

WHEREAS, the PPP had been reviewed for past performance and been updated accordingly; and

WHEREAS, the general public, affected public agencies and special interest groups, and interested parties were invited to participate and/or comment in the development of the PPP; and

WHEREAS, the PPP process had completed a minimum 45-calendar day public review and comment period from April 1, 2018 through June 30, 2018; and

WHEREAS, The Tennessee Department of Transportation (TOOT) and the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) had reviewed and approved this PPP; and

WHEREAS, the Technical Advisory Committee (TAC) has endorsed this PPP as a guiding document for achieving a coordinated transportation system; and

WHEREAS, the elements of the PPP are to receive final approval from the LAMTPO Executive Board; and

NOW, THEREFORE, BE IT RESOLVED the LAMTPO Executive Board does hereby approve and adopt the update to the Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) Public Participation Plan (PPP).

September 26, 2018

Chair,
LAMTPO

Date

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LIST OF ABBREVIATIONS

Abbreviation	Full Name Description
3-C	Continuing, Cooperative, and Comprehensive planning process
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADHS	Appalachian Development Highway System
AQ	Air Quality
CAA	Clean Air Act
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CPG	Consolidated Planning Grant
CTPP	Census Transportation Planning Products
DBE	Disadvantaged Business Enterprise
EPA	Environmental Protection Agency
ETDD	East Tennessee Development District
ETHRA	East Tennessee Human Resources Agency
FAF	Freight Analysis Framework
FAST Act	Fixing America's Surface Transportation Act
FFY	Federal Fiscal Year (from October 1 to September 30)
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTA Section 5303	FTA Section 5303 Metropolitan Transportation Planning (5303)
FTA Section 5307	FTA Section 5307 Urbanized Area Formula Grants (5307)
FTA Section 5309	FTA Section 5309 Capital Investments Grant
FTA Section 5310	FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities
FTA Section 5311	FTA Section 5311 Rural Areas Formula Grant
FTA Section 5312	FTA Section 5312 Public Transportation Innovation
FTA Section 5324	FTA Section 5324 Emergency Relief
FTA Section 5337	FTA Section 5337 State of Good Repair
FTA Section 5339	FTA Section 5339 Bus and Bus Facilities
FRA	Federal Railroad Administration
FY	Fiscal Year
GIS	Geographic Information Systems
GPS	Geographical Positioning System
HPP	High Priority Project

Abbreviation	Full Name Description
HSIP	Highway Safety Improvement Program
HSTCP	Human Services Transportation Coordination Plan
HUD	Housing and Urban Development
IAC	Inter-Agency Consultation
IM	Interstate Maintenance
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITS	Intelligent Transportation Systems
LAMTPO	Lakeway Area Metropolitan Transportation Planning Organization
LED	Light Emitting Diode
LEP	Limited English Proficiency
L RTP	Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century
MOBILE 6.2	Mobile Source Emission Factor Model
MOVES	Motor Vehicle Emission Simulator
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MTPO	Metropolitan Transportation Planning Organization
NAAQS	National Ambient Air Quality Standards
NHFP	National Highway Freight Program
NHPP	National Highway Performance Program
NHS	National Highway System
PC 1101	Public Chapter 1101
PEAs	Planning Emphasis Areas
PL 112	FHWA Section 112 Planning Funds
POP	Program of Projects
PPP	Public Participation Plan
RPO	Rural Transportation Planning Organization (North and South)
SAFETEA-LU	Safe, Accountable, Flexible and Efficient Transportation: A Legacy for Users
SHSP	Strategic Highway Safety Plan
SIP	State Implementation Plan
SPR	State Planning and Research Funds
SRTS	Safe Routes To School
SSCP	Social Services Coordination Plan
STBG	Surface Transportation Block Grant
STIP	State Transportation Improvement Program
TAP	Transportation Alternatives Program

Abbreviation	Full Name Description
TAC	Technical Advisory Committee
TCA	Tennessee Code Annotated
TCM	Transportation Control Measures
TDEC	Tennessee Department Of Environment and Conservation
TDM	Travel Demand Model
TDOT	Tennessee Department of Transportation
TDOT-LRPD	TDOT Long Range Planning Division
TDOT-DMTR	TDOT Division of Multimodal Transportation Resources
TDOT-OCT	TDOT Office of Community Transportation
TIFIA	Transportation Infrastructure Finance and Innovation Act
TIGER	Transportation Invest Generating Economic Recovery Program
TIP	Transportation Improvement Program
TPO	Transportation Planning Organization
TRANSCAD	Transportation Computer Aided Design
TRIMS	Tennessee Roadway Information Management System
UPWP	Unified Planning Work Program
UROP	State Operating Assistance Program
USDOT	United States Department of Transportation
UZA	Urbanized Area

Section 1. Introduction

What is a Public Participation Plan?

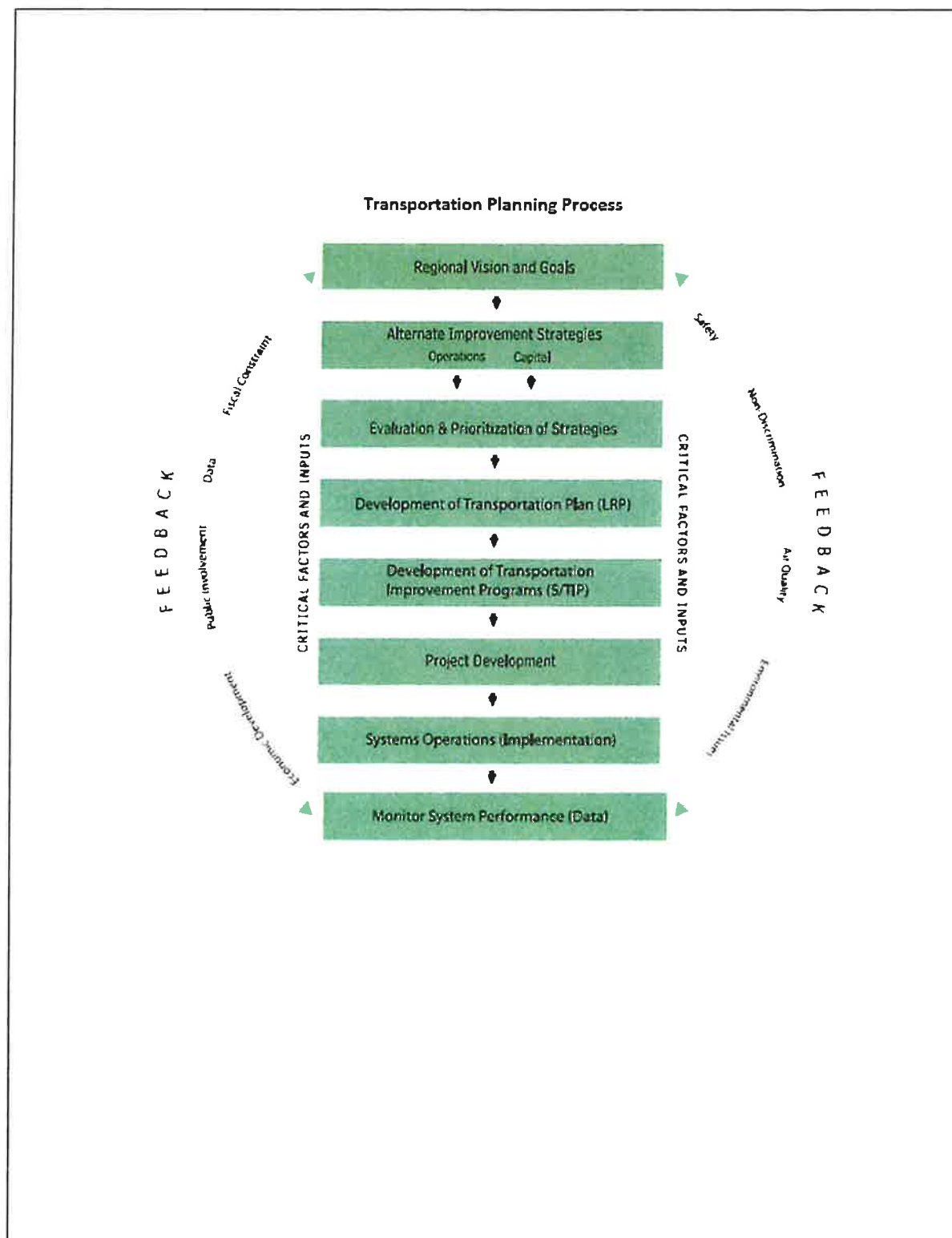
The Public Participation Plan (PPP) is an umbrella policy, encompassing the plans and programs of the transportation planning process. Public participation is an integral part of the Lakeway Area Metropolitan Transportation Planning Organization's (LAMTPO) planning efforts. The PPP encompasses the public participation programs for all the major planning activities, including the Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), the Civil Rights documents Title VI and Disadvantaged Business Enterprise ((DBE), the provisions for the Americans with Disabilities Act (ADA), and any Air Quality Conformity Determinations (if needed). Currently all counties in the LAMTPO metropolitan planning area (MP A) are classified as "attainment" for air quality by the Environmental Protection Agency and do not fall under air quality conformity issues. The planning process is shown on the next page that starts with a vision of how transportation should be for the region all the way through to the system's performance. As you can see in *Figure 1.1 - Transportation Planning Process* on the next page, public participation is noted as feedback and it is continuous as the planning process progresses.

What is an MPO?

According to the Federal Highway Administration (FHWA), metropolitan transportation planning is the process of examining travel and transportation issues and needs in metropolitan areas. It includes a demographic analysis of the community in question, as well as an examination of travel patterns and trends. The planning process includes an analysis of alternatives to meet projected future demands, and for providing a safe and efficient transportation system that meets mobility while not creating adverse impacts to the environment. In metropolitan areas over 50,000 in population, the responsibility for transportation planning lies with designated Metropolitan Planning Organizations (MPOs).

An MPO is a transportation policy-making organization made up of representatives from local government and transportation authorities. In 1962, the United States Congress passed legislation that required the formation of an MPO for any Urbanized Area (UZA) with a population greater than 50,000, as defined by the U.S. Census Bureau. Congress created MPOs in order to ensure that existing and future expenditures for transportation projects and programs are based on a continuing, cooperative and comprehensive ("3-C") planning process. Federal funding for transportation projects and programs are channeled through this planning process. Statewide and metropolitan transportation planning processes are governed by Federal law in the United States Code (23 USC 134 and 135). As a prerequisite for the receipt of both federal transit and federal highway funding, MPOs are responsible for the development of a Long Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP) for its metropolitan planning area.

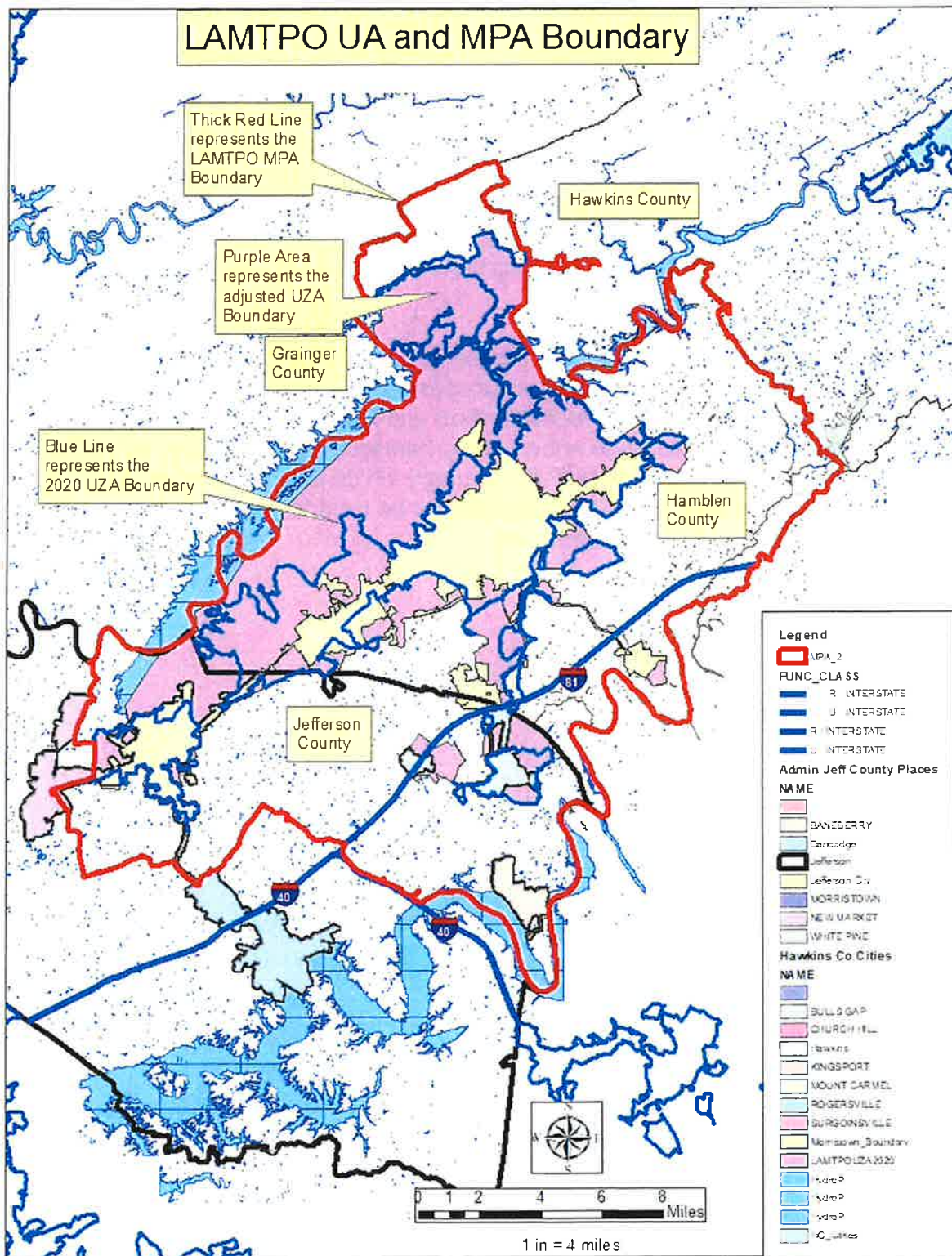
Figure 1.1. Transportation Planning Process (Source: Johnson City MPO Public Participation Plan 2016).



About LAMTPO

LAMTPO is an acronym for the Lakeway Area Metropolitan Transportation Planning Organization. LAMTPO is the metropolitan planning organization (MPO) for the region consisting of Morristown, Jefferson City, White Pine, and portions of Hamblen County and Jefferson County. In May 2002, the U.S. Census Bureau designated this region as an urbanized area, which is defined as an area with a population of 50,000 or greater and generally with a population density of approximately 1,000 people per square mile. Under federal regulations, all places that are designated as an urbanized area must form a metropolitan transportation planning organization. As a result, LAMTPO was established in 2002.

The LAMTPO urbanized area population, based on the 2010 U.S. Census, is 113,951. In March 2012, the LAMTPO urbanized area expanded to include a portion of New Market and additional areas of the Alpha Talbott and Russellville areas in Hamblen County. The map on the next page shows the urbanized area boundary, as well as the larger Metropolitan Planning Area (MPA) boundary which is addressed by this plan. The MPA covers the entire area which is anticipated to be urbanized within the next 20 years, including the current urbanized area.



LAMTPO Organization and Management

Role in the LAMTPO Planning Process

Executive Board

The Executive Board is the decision-making body of the LAMTPO, which is comprised of:

- a. Mayor of Morristown
- b. Mayor of Jefferson City
- c. Mayor of White Pine
- d. Mayor of Bean Station
- e. County Mayor of Hamblen County
- f. County Mayor of Jefferson County
- g. Governor of Tennessee (or his/her representative)
- h. Mass Transit Representative (ETHRA Director)
- i. Railroad Representative (Norfolk Southern)

Final responsibility for transportation planning and programming is vested with the Executive Board.

Role in the LAMTPO Planning Process

Transportation Technical Advisory Committee (TAC)

The TAC consists of administrative and technical leadership. Along with the LAMTPO Coordinator, it provides recommendations to the Executive Board. The TAC is comprised of the following officials or their designees:

- a. City Administrator of Morristown
- b. City Manager of Jefferson City
- c. Public Works Director of White Pine
- d. Bean Station personnel
- e. Jefferson County Highway Superintendent
- f. Hamblen County Highway Superintendent
- g. ETHRA Director
- h. Norfolk Southern Railroad Administrator
- i. East Tennessee Development District (ETDD) Executive Director
- j. TDOT Chief Engineer
- k. TDOT Multimodal Transportation Resources Division Director
- l. FHW A Division Administrator
- m. FT A Regional Administrator

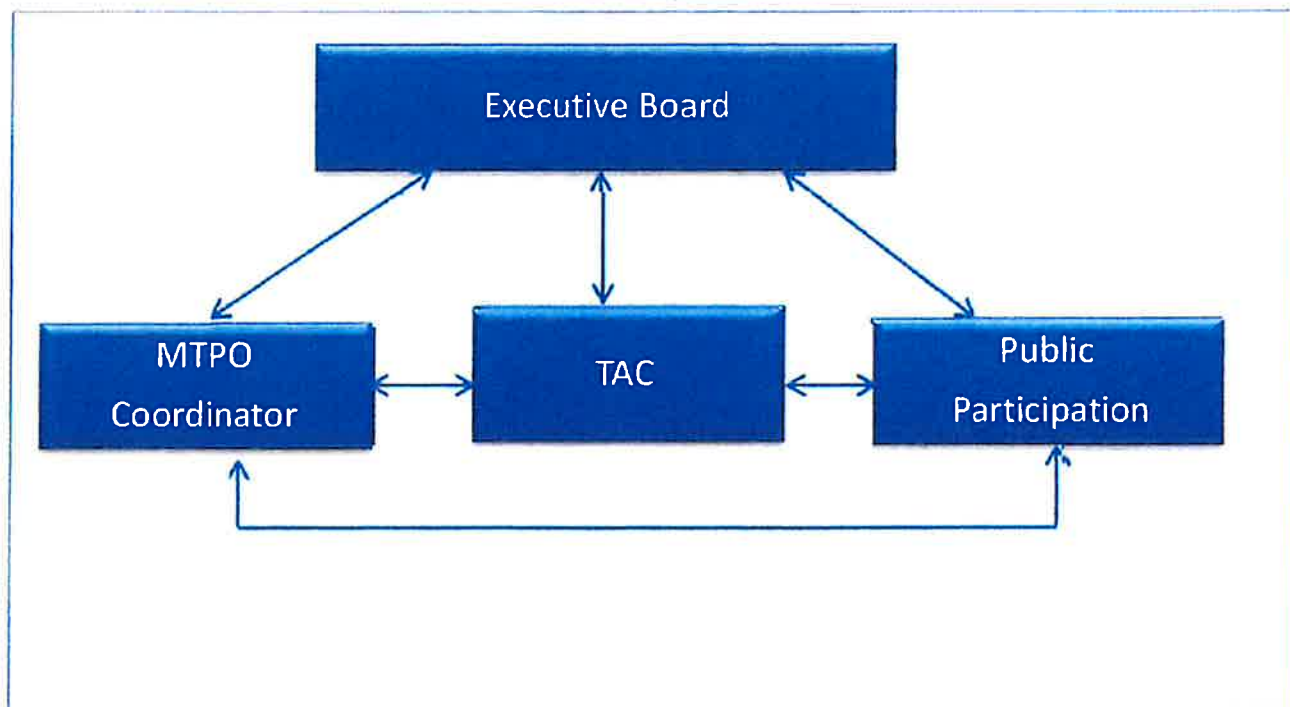
The TAC takes its direction from and is accountable to, the Executive Board and acts through the LAMTPO staff, local planning staff(s), or stud committees as applicable.

Role in the LAMTPO Planning Process

MTPO Coordinator

The MTPO coordinator is the staff member for LAMTPO. He/she conducts studies, develops plans and programs, and chairs all MTPO sub-committees. The MTPO coordinator is the liaison between the MTPO and the FHWA, FTA, TDOT, local governments, and other groups or individuals interested in transportation issues. The MTPO coordinator is responsible for preparing the meeting agendas, posting public notice of the meetings as required, calling the roll of the meetings, keeping minutes of the meetings, recording the votes for items or projects on an agenda, and other duties as required in the function of transportation planning within the MTPO study area. The MTPO coordinator or other planning staff serves as the secretary for the Executive Board, in a non-voting role.

The LAMTPO transportation planning process functions under a committee structure, as outlined below:



Section 2: Federal and State Requirements

The following types of federal and state requirements affect how LAMTPO conducts business and ensures its public participation process meets the needs of the transportation planning process.

Federal Legislation

There are five (5) core functions of the MPO:

- a. **Establish a Setting:** Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.
- b. **Identify and evaluate alternative transportation improvement options:** Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program (UPWP).
- c. **Prepare and maintain a Metropolitan Transportation Plan (MTP) or Long Range Transportation Plan (LRTP):** Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty (20) years that fosters (1) mobility and access for people and goods; (2) efficient system performance and preservation; and (3) good quality of life.
- d. **Develop a Transportation Improvement Program (TIP):** Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals, using spending, regulating, operating, management, and financial tools.
- e. **Involve the Public:** Involve the general public and other affected constituencies in the four essential functions listed above.

5 Core Functions of the MPO:

1. **Establish a setting**
2. **Identify and Evaluate Alternative Transportation Improvement Options**
3. **Prepare and Maintain a Long Range Transportation Plan (LRTP)**
4. **Develop a Transportation Improvement Program (TIP)**
5. **Involve the Public**

Federal Metropolitan Planning Factors

In addition to these five core functions, MPOs are also required to address the ten (10) planning factors during the metropolitan planning process. These factors can be found in the Code of Federal Regulations (CFR), Title 23, Section 450.306(b):

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency
2. Increase the safety of the transportation system for motorized and non-motorized users
3. Increase the security of the transportation system for motorized and non-motorized users
4. Increase the accessibility and mobility of people and for freight
5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and locally planned growth and economic development patterns
6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight
7. Promote efficient system management and operation
8. Emphasize the preservation of the existing transportation system
9. Improve transportation system resiliency and reliability and reduce or mitigate stormwater impacts on the surface transportation system
10. Enhance travel and tourism

Public Outreach

Public outreach in metropolitan transportation planning has long been a federal requirement. Federal law includes a number of specific requirements and performance standards and expectations for state departments of transportation and MPOs during transportation planning. This core set of requirements and performance standards have been amended and reinforced through additional transportation and environmental legislation, and related regulations and orders addressing environmental justice and persons with disabilities. Federal legislation passed in 2005, the Safe, Accountable, Flexible Transportation Equity Act - Legacy for Users (SAFETEA-LU), reauthorized the federal-aid transportation program and required some changes to the public outreach process. These mandated changes placed an increased emphasis on particular elements such as involving an expanded list of interested parties, increasing interagency consultation, and emphasizing visualization techniques and electronically accessible information. Public outreach was a requirement in the federal transportation act SAFETEA-LU (2005), and continued in the Moving Ahead for Progress in the 21st Century (MAP-21) (2012). The current Federal transportation act, Fixing America's Surface Transportation (FAST) Act, passed in 2015, also continues to require the public outreach. The Code of Federal Regulations, Title 23: Highways, Section 450.316 pertaining to public outreach is attached as Appendix A.

Disadvantaged Business Enterprise (DBE)

The USDOT defines a DBE as a for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control

management and daily business operations. African-Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

USDOT DBE regulations require state and local transportation agencies that receive DOT financial assistance, to establish goals for the participation of DBEs. Each DOT-assisted State and local transportation agency is required to establish annual DBE goals, and review the scopes of anticipated large prime contracts throughout the year and establish contract-specific DBE subcontracting goals.

In addition to establishing goals, state and local recipients also certify the eligibility of DBE firms to participate in DOT-assisted projects. Some groups are presumed to be socially and economically disadvantaged for the purposes of participation in this program. In 1987 Congress added women to the groups presumed to be disadvantaged. The main objectives of the DBE Program are:

- a. To ensure that small disadvantaged business enterprises (DBE) can compete fairly for federally funded transportation-related projects.
- b. To ensure that only eligible firms participate as DBEs.
- c. To assist DBE firms in competing outside the DBE Program.

To participate in the DBE program, a small business owned and controlled by socially and economically disadvantaged individuals must receive DBE certification from the relevant state- generally through the state Uniform Certification Program (UCP).

Roles and Responsibilities of State and Local Transportation Agencies

As recipients of DOT financial assistance, state and local transportation agencies are required to:

- a. Certify the eligibility of DBE firms to participate in their DOT-assisted contracts;
- b. Establish narrowly-tailored goals for the participation of disadvantaged entrepreneurs; and
- c. Evaluate their DOT-assisted contracts throughout the year and establish contract-specific DBE subcontracting goals as necessary to achieve the overall goal of the agency.

The level of DBE subcontracting goals may vary; however, by the end of the year, the amount of contract/subcontract awards to DBEs must be consistent with the overall goal.

Title VI

LAMTPO ensures compliance with Title VI of the Civil Rights Act of 1964, which states, "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 subjected to discrimination under any program or activity receiving Federal financial assistance." LAMTPO seeks to engage persons who are traditionally underserved or underrepresented in the transportation planning process. These populations are identified through the analysis of Decennial Census or American Community Survey data, along with knowledge of the community. A Title VI document is on the LAMTPO website (www.lamtpo.com), and is updated every three (3) years. Title VI notices are also provided on the LAMTPO website (www.lamtpo.com) and posted at key locations within the city, in both English and Spanish. Key locations are where the notices are visibly seen, such as elevators, bulletin boards in the lobby areas, and in front of department offices. Civil Rights clauses are also included in third-party contracts.

LAMTPO uses the U.S. Census information to locate minority and low-income residential areas. The information obtained is from the decennial census (10-year), as well as the 3-year and 5-year American Community Survey (ACS) data. The ACS data is checked once a year (if new data is available). LAMTPO staff downloads the Census data (excel format) and incorporates it into existing US Census shapefiles (blocks, block groups, and or tracts). The shapefiles are then mapped to see if there are any population shifts, such as the number of people in a census tract or block group, or where there is a high minority population.

The largest ethnic population within the LAMTPO region is Caucasian (white). The largest minority group within the LAMTPO region are Hispanic, followed by African-Americans. When LAMTPO staff is about to begin developing a document, such as the UPWP, LRTP, or TIP, it is advertised in the local newspapers and/or websites in English and Spanish. This is done to allow the general population know what is going on, and to give input as to what projects should go into these documents. Also, information is sent to the local NAACP (Johnson City and Knoxville) and the East Tennessee Hispanic Chamber of Commerce for documentation input as well.

Once the draft documents had received concurrence for public comment, the information is sent to the contact listing shown in Appendix C, to the East Tennessee Hispanic Chamber of Commerce, as well as the local city halls and county courthouses, and the local public libraries for review and comment. The TAC and Executive Board will be notified of any comments, and any recommendations to resolve the comments.

The Americans with Disabilities Act of 1990

The Americans with Disabilities Act of 1990, which was updated in 2010, requires coordinating with disabled communities in the development and improvement of transportation services. Persons with disabilities must also be able to access the sites where public involvement activities occur as well as the information presented. The Americans with Disabilities Act of 1990 requires coordinating with disabled communities in the development and improvement of transportation services. LAMTPO will ensure

that meeting locations meet ADA requirements. A request for reasonable accommodation (i.e. large print documents, audio materials) can be made within five (5) business days of a meeting. Please contact the MPO coordinator at 423-581-6277, or by email at richd@mymorristown.com for further assistance.

Executive Orders

The President of the United States will often issue Executive Orders for agencies of the Executive Branch, such as the Department of Transportation, for managing the operations of the federal government. Executive Orders have the full force of the law. There are two executive orders that are directed at project level decision making in the engineering and design phases for projects as well as long range and project programming activities. The first, Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority and Low Income Population, was signed by President Clinton in February 1994, which reinforced the requirements of Title VI of the Civil Rights Act (1964) and focused federal attention on the environmental and human health conditions in minority and low income communities. The second, Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency, was also signed by President Clinton in August 2000 and requires federal agencies and grantees to make their activities accessible to non-English speaking persons.

LAMTPO ensures compliance with the Executive Orders. LAMTPO has a Limited English Proficiency (LEP) Policy to outline steps to assist LEP individuals. For example, all documents include a note in Spanish that documents can be translated into another language, upon request. Telephone translation services are available for LEP individuals. A translator can be provided at meetings, if requested. *The LEP is part of the Title VI program (March 2017), and can be found on the www.lamlpo.com website.*

Tennessee Open Meetings Act

All sessions of every meeting of the Executive Board and Executive Staff shall be open to the public pursuant to the Tennessee Open Meetings Act, T.C.A. Section 8-44-101, *et seq* (full text found in Appendix B). The public shall be afforded the opportunity to comment on current agenda items at the meetings of the Executive Board and Executive Staff. The chair of the meetings shall determine the time to be allotted to each speaker. Before commenting on an item, the person must state their name and address for the record.

Section 3: General Guidelines

Public Workshops (Kickoff), Public Meetings, and Public Hearings

Public workshops, meetings, and hearings can be held for a variety of reasons. Depending on the nature of the meeting, there will be varying levels of public input. The purpose of these public meetings has several objectives:

- To confirm the purpose and intent of the plan or project
- To present the trends and forecasts for the region
- To gather public input

These meetings may be specially scheduled, project - or plan-specific.

Public workshops are held during the review/ public comment period for a document or project, such as the UPWP, LRTP and/or TIP. These are usually the kickoff meetings to begin the review process for a document. This is to gather information such as what transportation projects should be in the LRTP and TIP, or what the projected land use should be along a certain roadway. LAMTPO Staff consults with the local agencies planning staff and by using countywide GIS shapefiles to determine existing land use and projected land use. This makes the transportation demand modeling (TDM) for the LRTP and/or TIP more accurate, thus seeing where congestion may or may not occur within the LAMTPO region.

Generally these workshops are during a regular scheduled TAC meeting, but additional workshops may be held on an as needed basis. Stakeholders are generally involved in one or more of the workshops for a specific plan or project.

Public meetings are during the public comment period for the LRTP, TIP, UPWP, Title VI, DBE program, HSTCP, and PPP. These meetings are when a draft document is available for public comment. These meetings are to inform the general public of the reports or documents to be approved, and to allow the general public to comment on them. These meetings are held in Morristown, White Pine and Jefferson City without any elected officials. It gives the general public another opportunity to comment on a specific plan or program without feeling nervous or pressure by any political forum.

Public hearings are also held during the public comment period on the LRTP, TIP and PPP. The public hearings are held when a document or project is open for approval or adoption by the Executive Board. Public hearings and workshops may also be scheduled at meetings of the Executive Board and Technical Advisory Committee (TAC). Actions of meetings may result in the adoption or approval of the UPWP, TIP, LRTP, Title VI, DBE, HSTCP, and/or PPP. Other actions include adoption of resolutions for amendments, adjustments, endorsements, special plans and reports. For meetings to be successful, the following steps are recommended.

Early Involvement - Early Involvement with local community leaders (including elected officials, city managers and department heads) and stakeholders (including non-profit groups, businesses and community service agencies) can help to determine suitable meeting forums and information formats to foster valuable input, especially when

soliciting input from target populations including the traditionally underserved populations.

Accessibility - LAMTPO public meetings, hearings and workshops are held at a convenient location and time. All meeting locations shall be accessible to comply with the Americans with Disabilities Act (ADA). In general, LAMTPO meetings will occur at one of the following locations:

1. Morristown City Center Building
 100 W 1st N St
 Morristown, TN 37814
2. Jefferson City City Hall
 112 City Center Drive
 Jefferson City, TN 37760
3. White Pine Town Hall
 1548 Main Street
 White Pine, TN 37890
4. Bean Station Town Hall
 785 Main Street
 Bean Station, TN 37708

TAC meetings are held on the Thursday before the Executive Board meeting, at 10 am (eastern). The TAC voted and approved the 10am start time for these meetings. The Executive Board meets on the 2nd Wednesday at of each month, and the Executive Board voted and approved the 12:00 pm (noon eastern) start time for the meetings. At the annual meeting(s), the TAC and the Executive Board shall vote to decide when and at what time(s) the TAC and Executive Board meetings shall occur, respectively. The TAC and Executive Board shall assess whether or not the meeting dates and times shall change.

If a meeting is canceled, it will be posted on the www.lamtpo.com website, and emails sent out stating the cancellation.

Additional meetings will be held at other locations when necessary. LAMTPO staff will check to see if another meeting site is ADA accessible, convenient for the target audience, and is large enough for a proposed meeting. These meeting may be for corridor studies, training opportunities, minority population outreach efforts, or for additional public comment opportunities, if needed.

Public Notices Information Tools and Techniques

LAMTPO will employ various outreach and information tools for public involvement. Outreach tools are used to solicit information from the public, while information tools are used to share information with the public. Listed below are techniques that LAMTPO can choose from to encourage public outreach and information dissemination to ensure that all area residents have the opportunity to be involved in the transportation planning process, including traditionally underserved groups. These are generally listed and plan-specific guidelines are listed later in this plan.

1. Public Notices - Public notices and/or advertisements will be placed in regional general circulation newspapers (and/or websites) deemed appropriate for the project. Public notices are also placed on the www.lamtpo.com website.
 - a. Public notices are also sent by an email distribution list to all LAMTPO members and other interested individuals.
 - b. LAMTPO may send the public service announcements and meeting advertisements to the public access cable television station, and/or radio stations.
2. Unless otherwise provided in this plan, all notices shall be published a minimum of **ten (10) calendar days** prior to the meeting date. The agenda for the meeting is made available on the www.lamtpo.com website, under the Meetings tab.
3. If a special meeting is called for unusual circumstances or urgent situations, notices shall be published a minimum of **three (3) calendar days** prior to the meeting date, with the purpose of the meeting stated in the notice and be limited to that item(s).

In addition to the notice for public meetings, public notices are specified for individual plans in the Section 4 "Plan-Specific Guidelines." Direct Outreach- When appropriate, traditional letters about plans, studies, projects or any other information deemed important for public input will be mailed out to identified parties. For example, letters may be mailed to property owners directly affected by a project or household travel surveys mailed out to gather data for the travel demand model. Addresses are identified through the use of the counties' property assessment databases.

Other Tools for Public Outreach and Public Comments

1. Email Distribution List - LAMTPO maintains an email distribution list of all Executive Board and Executive Staff members, along with other interested city/state agencies, stakeholders, and individuals in the community. Anyone can request to be added to or removed from the list, either in person or by contacting the MTPO Coordinator at 423-581-6277, or by email at richd@mymorristown.com. In addition, the MTPO administrative staff will add individuals identified as stakeholders as they come in contact with LAMTPO.

As individuals leave their elected office or organization, they are removed from the list, unless they request to remain on the list as an interested party.

2. Website - LAMTPO's website (www.lamtpo.com) is employed as a tool for disseminating information on public notices, meeting agendas and minutes, draft/adopted documents, project updates, maps and other documents. LAMTPO's website is an information resource for its members, special interest groups and the general public. The website provides information about meetings, plans and projects, as well as contact information for the administrative staff and board members. LAMTPO will post draft and final documents on the website for public comment and review. The following is a brief list of content on the website:

- a. Documents such as the UPWP, TIP, LRTP and PPP, along with their amendments and/or adjustments.
- b. Links for various governing agencies of LAMTPO, as well as links to several state and federal government sites
- c. A listing of current LAMTPO members
- d. Tentative Meeting schedule and upcoming meeting agendas
- e. Executive Board and TAC meeting minutes
- f. Transit/ Public Transportation Information
- g. Title VI and DBE documents
- h. Advertisement page
- i. Contact information for LAMTPO staff.

3. Presentations & Exhibits-LAMTPO staff is frequently invited to present at conferences, civic meetings and local neighborhood meetings. This usually involves giving a presentation and providing handouts, along with setting up an exhibit table.

4. Advanced Visualization Techniques - Advanced visualization techniques shall be used to enhance the public's understanding of the LAMTPO plans and programs. These techniques will employ such technologies as photographs, posters, geographic information system (GIS)-based maps, interactive maps, 3D-visualization, video animation, use of a multi-media room with large format presentation screen, video clips and other technology that will enhance the public knowledge of plans and programs in an effort to present technical knowledge in an understandable format.

5. Posters and Flyers - When appropriate, participation from target populations will be sought by posting flyers and posters in locations such as the Johnson City Transit Center, government centers, social service agencies, employment centers, community centers, public health clinics, public libraries and other popular meeting places.

6. Surveys - LAMTPO may use electronic, web-based, and paper surveys to gather public input and comments about specific projects or plans. Links to web-based surveys may be provided on the website, and also emailed. In an effort to broaden the publication of the survey link, LAMTPO staff may request other websites to include a link to the survey, such as the main city or county website for member jurisdictions.

7. Committees - LAMTPO has adopted the approach to establish partnerships with existing committees that have an interest in transportation plans, projects, and/or programs. LAMTPO will also establish advisory committees on specific tasks or projects as needed for information gathering and advice.

8. Public Comments - Opportunities for public comments and/or questions will be provided to all interested parties at public hearings, workshops, and Executive Board meetings. A specified period for receiving comments is provided to the public for plans such as the PPP, TIP and the LR TP prior to adoption. The comments can be submitted verbally or in writing. A sample comment form is included at the end of this document as Appendix E. Comments can be submitted in the following ways:

- a. Comment forms in paper formats mailed or given to LAMTPO staff, the address is: 100 W 1st N St, PO Box 1499, Morristown TN 37816-1499;
- b. Emails sent to MTPO staff, at richd@mymorrisotwn.com;
- c. Faxes sent to the MTPO office (423-585-4679); and/or
- d. Other times, MTPO staff may use electronic surveys with specific questions to gather information from the public using services such as SurveyMonkey.

Section 4. Plan Specific Guidelines

Overview

In addition to the general guidelines for all LAMTPO activities, there are specific guidelines that will outline the outreach process for specific LAMTPO products.

Key documents produced by the LAMTPO process, include:

- a. Long Range Transportation Plan (LRTP);
- b. Transportation Improvement Program (TIP);
- c. Public Participation plan (PPP);
- d. Unified Planning Work Program (UPWP); and
- e. Title VI and Limited English Proficiency (LEP) program;
- f. Disadvantaged Business Enterprise (DBE) program.

Long Range Transportation Plan (LRTP)

The LRTP is a long-range (20+ year) multimodal strategy and capital improvement program developed to guide the effective investment of public funds in transportation facilities.

The LRTP is updated every **four (or five)** years and may be amended as a result of changes in projected Federal, State, and local funding; major investment studies; congestion management systems plans; interstate interchange justification studies; and environmental impact studies. Please check the 2040 Long Range Transportation Plan, Chapter 1, page 1-6 for amendment processes.

LAMTPO Staff consults with the local agencies planning staff and by using countywide GIS shapefiles to determine existing land use and projected land use. This makes the transportation demand modeling (TDM) for the LRTP and/or TIP more accurate, thus seeing where congestion may or may not occur within the LAMTPO region.

The current LRTP is available for viewing online at www.lamtpo.com under the LRTP tab, as well as at LAMTPO staff office, 100 W 1st N St, Morristown, TN 376816-1499.

Table 4.1. Development of the LRTP.

Development of the LRTP	Process
Advertisement	Advertise for the TAC and Executive Board meetings (in English and Spanish)
Start-up process	<p>Staff will inform to the TAC and Executive Board, at their respective meetings, when staff will start the development of the LRTP (usually at the annual meeting(s)). Staff will request for any projects to be included in the LRTP.</p> <p>LAMTPO staff will contact each local agency separately for their proposed project lists. TDOT will be contacted as well for their proposed projects within the LAMTPO region to be included in the LRTP.</p> <p>Any individual or interested party can request for a project to be included in the LRTP, however that information will be forwarded to the local agency for their decision if the proposed request is a top priority for them. The request must be submitted to:</p> <p style="padding-left: 40px;">MTPO Coordinator 100 W 1st N St Morristown, TN 37814 richd@mymorristown.com 423-581-6277</p> <p>Due to financial constraints, the LTP usually takes 2 years' worth of planning funding in order to complete the LRTP. However, staff requests all project submittals within the first year of the LRTP development.</p>
Completion of Project Listing	<p>Once staff has compiled the proposed projects (with cost estimates) from each of the entities, staff will determine if all projects are able to be in the LRTP due to financial constraint. If a project or projects need to be taken out, then staff will inform the TAC and Executive Board that the projects will need to be ranked and voted on to determine the final project listing.</p> <p>If an individual or interested party had requested a project to be included in the LRTP, they will be informed whether or not if the proposed request is within the draft LRTP.</p>

Travel Demand Modeling and Air Quality	Once the project list is completed, it is forwarded to the Knoxville TPO and TDOT for Travel Demand Modeling (TDM) and Air Quality modeling (if needed)
1st Draft of LRTP	Once the 1 st draft is completed, it is sent to the local agencies for their review, as well as sent to TDOT for their initial review and comments
2nd Draft of LRTP	LAMTPO will analyze and revise LRTP document based on comments received from local agencies and TDOT, if any, and will be sent back for TDOT's concurrence. If approved, TDOT will request a clean draft to send to FHWA and FTA for their review process.
3rd Draft of LRTP	Staff will analyze and revise LRTP document based on comments received from FHWA and FTA, and will send it back to TDOT for concurrence. If approved by TDOT, it is forwarded back to FHWA and FTA for their concurrence of approval.
Final Draft of LRTP	Once approval and concurrence from TDOT, FHWA and FTA, the LRTP is now available for the public comment/ public hearing/ approval process.

Table 4.2. LRTP Public Comment Guideline Technique(s)

Activity Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499)
Comment Opportunities	<p>Public Participation can occur by:</p> <ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board. 8. During public meetings held specifically for the LRTP <p>Minimum of 30 days, prior to adoption for updates and amendments. The public comment period begins with public notice.</p> <p><i>If there are significant changes to the final draft LRTP or TIP from the one made available for public comment, an additional opportunity will be provided for public comment on the revised changes. LAMTPO staff shall check with TDOT, FHWA, and/or FTA to determine if changes are significant and warrant additional opportunity for public comments.</i></p>
Public Workshop	<p>This is the kickoff meeting</p> <p>Public meeting(s) are to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).</p>
Public Meeting(s) Specifically for the LRTP	<p>Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website.</p>
Public Notice for the Executive Board's Adoption of the LRTP Amendment Notice	<p>Amendments to the LRTP will follow the same public review process and procedures as that of plan adoption.</p> <p>A public comment summary will be made available to members of the Executive Board prior to the meeting for the LRTP adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.</p>
Summary of Comments Received	<p>After the LRTP public comment review is completed, the Executive Board shall have an open Public hearing for the LRTP approval.</p>
Public Hearing	<p>The final, adopted LRTP document will be available on the www.lamtpo.com website and at the LAMTPO staff office.</p>
Final Adopted Document	

Transportation Improvement Program (TIP)

The TIP is a four-year plan that lists all regionally significant and federally funded projects and services in the MPO planning area, such as highway and street projects, public transit projects, major corridor studies, transportation enhancements and bicycle/pedestrian enhancements. Projects that are included in the TIP must be consistent with, or be selected from, an approved LRTP. Additionally, the TIP must be fiscally constrained or have funding mechanisms already in place for all projects and strategies. The TIP can be amended or adjusted as a result of changes in funding or need. Administrative Adjustments (minor changes) to the TIP do not require a specific public outreach plan. The current TIP is available for viewing online (www.lamtpo.com, **under the TIP tab**), as well as at the LAMTPO staff office. *Please check the 2017-2020 TIP Chapter 4, page 4-4 for TIP amendment process.*

Since the TIP is derived from the LRTP, the public has already been involved in the planning process to some degree. LAMTPO Staff consults with the local agencies planning staff and by using countywide GIS shapefiles to determine existing land use and projected land use. This makes the transportation demand modeling (TDM) for the LRTP and/or TIP more accurate, thus seeing where congestion may or may not occur within the LAMTPO region.

Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHW A/FT A for 20 business days. After comments have been addressed and the draft has been finalized, it is advertised for public comment review (see table below).

Table 4.3. TIP Development Process.

Development of the TIP	Process
Advertisement	Advertise for the TAC and Executive Board meetings (in English and Spanish)
Start-up process	<p>Staff will inform to the TAC and Executive Board, at their respective meetings, when staff will start the development of the TIP (usually at the annual meeting(s)). Staff will request for any projects to be included in the TIP (<i>proposed projects must be within the current LRTP</i>).</p> <p>LAMTPO staff will contact each local agency separately for their proposed project lists. TDOT will be contacted as well for their proposed projects within the LAMTPO region to be included in the TIP.</p> <p>Any individual or interested party can request for a project to be included in the TIP, however that information will be forwarded to the local agency for their decision if the proposed request is a top priority for them. The request must be submitted to:</p>

MTPO Coordinator
 100 W 1st N St
 Morristown, TN 37814
 richd@mymorristown.com
 423-581-6277

Staff requests project submittals to be within 30 days.

**Completion of
Project Listing**

Once staff has compiled the proposed projects (with cost estimates) from each of the entities, staff will determine if all projects are able to be in the TIP due to financial constraint. If a project or projects need to be taken out, then staff will inform the TAC and Executive Board that the projects will need to be ranked and voted on to determine the final project listing.

**Travel Demand
Modeling and
Air Quality
1st Draft of TIP**

If an individual or interested party had requested a project to be included in the TIP, they will be informed whether or not if the proposed request is within the draft TIP.

Once the project list is completed, it is forwarded to the Knoxville TPO and TDOT for Travel Demand Modeling (TDM) and Air Quality modeling (if needed)

Once the 1st draft is completed, it is sent to the local agencies for their review, as well as sent to TDOT for their initial review and comments

2nd Draft of TIP

LAMTPO will analyze and revise TIP document based on comments received from local agencies and TDOT, if any, and will be sent back for TDOT's concurrence. If approved, TDOT will request a clean draft to send to FHWA and FTA for their review process.

3rd Draft of TIP

Staff will analyze and revise TIP document based on comments received from FHWA and FTA, and will send it back to TDOT for concurrence. If approved by TDOT, it is forwarded back to FHWA and FTA for their concurrence of approval.

**Final Draft of
LRTP**

Once approval and concurrence from TDOT, FHWA and FTA, the TIP is now available for the public comment/ public hearing/ approval process.

Table 4.4. TIP Public Comment Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499) Public Participation can occur by:
Comment Opportunities	<ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the TIP(if any)
Public Comment Period	Minimum of 14 days , prior to adoption for updates and amendments. The public comment period begins with public notice. <i>If there are significant changes to the final draft LRTP or TIP from the one made available for public comment, an additional opportunity will be provided for public comment on the revised changes. LAMTPO staff shall check with TDOT, FHWA, and/or FTA to determine if changes are significant and warrant additional opportunity for public comments.</i>
Public Meeting(s) Specifically for the TIP	Public meeting(s) are to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).
Public Notice for the Executive Board's Adoption of the TIP	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website.
Amendment Notice	Amendments to the TIP will follow the same public review process and procedures as that of TIP adoption.
Summary of Comments Received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the TIP adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Final Adopted Document	The final, adopted TIP document will be available on the www.lamtpo.com website and at the LAMTPO staff office.

Public Transportation Program of Projects (POP)

East Tennessee Human Resource Agency (ETHRA) relies on its coordination with the LAMTPO public participation process outlined in the PPP to ensure public awareness and outreach of the agency's Program of Projects (POP). LAMTPO's public involvement activities, public notices, and public comment periods on the TIP will satisfy the POP requirement of the Urbanized Area Formula Program (Section 5307 and 5339) administered by FTA.

Public notices of the TIP will state: *"Public involvement activities and time established for public review and comment on the TIP will satisfy the Program of Projects requirement for the Federal Transit Administration Urbanized Area Formula Program."*

Annual Listing of Obligated Projects

According to 23 CFR 450.334, an annual listing of obligated projects, including investments in pedestrian walkways and bicycle transportation facilities, for which federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the state, transit operator and metropolitan planning organization for public review. The listing shall be consistent with the categories identified in the TIP. The listing includes both highway (Federal Highway Administration) and transit (Federal Transit Administration) projects. At the beginning of each federal fiscal year, the Annual Listing of Obligated Projects will be made publicly available. Notice will be given through the www.Jamtgo.com website, under the "Documents" tab, the listing will be distributed and discussed at the Executive Board/Staff meetings, along with the listing emailed to the members.

The Public Participation Plan (PPP)

The PPP outlines the strategies used to provide and receive information from the public on transportation planning and programming process including funding for projects, studies, plans, and committee actions. Once a draft PPP has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHW A/FT A for 20 business days. After comments have been addressed and the draft has been finalized, the final draft will be presented to the Executive Board for approval to begin the public review period. The draft PPP will be posted for review to the public for a period of 45 calendar days, which is a federally mandated established period of review.

Table 4.5 Public Participation Plan Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499) Public Participation can occur by:
Comment Opportunities	<ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the PPP
Public Comment Period	Minimum of 45 days , prior to adoption for updates and amendments. The public comment period begins with public notice.
Public Meeting(s) Specifically for the PPP	Public meeting(s) are to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).
Public Notice for the Executive Board's Adoption of the PPP Amendment Notice	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website. Amendments to the PPP will follow the same public review process and procedures as that of PPP adoption. A public comment summary will be made available to members of the Executive Board prior to the meeting for the PPP adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Summary of Comments Received	The final, adopted PPP document will be available on the www.lamtpo.com website and at the LAMTPO staff office.
Final Adopted Document	

Unified Planning Work Program

The UPWP is a one-to-two-year plan developed by the LAMTPO administrative staff which outlines work and planning efforts to be conducted. The UPWP includes all federally funded transportation planning activities that are in the LAMTPO MPA. In developing the UPWP, federally-required planning factors for MPOs are considered. Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, it is made available on the website a minimum of seven (7) calendar days prior to the Executive Board meeting scheduled for adoption.

**Table 4.6. Development of the UPWP.
Process**

Development of the UPWP

Advertisement

Start-up process

Advertise for the TAC and Executive Board meetings

Staff will inform to the TAC and Executive Board, at their respective meetings, when staff will start the development of the UPWP. Staff will state the tasks that will be accomplished in the UPWP and will request for any additional items and/or projects (such as surveys, corridor studies, etc.) to be included as well.

Any individual or interested party can request for a certain item (such as corridor study) or project to be included in the UPWP, however that information will be forwarded to the local agency for their decision if the proposed request is a top priority for them. The request must be submitted to:

MTPO Coordinator
100 W 1st N St
Morristown, TN 37814
richd@mymorristown.com
423-581-6277

Staff will request the information to be submitted within 30 days.

1st Draft of UPWP

After the 30 days, LAMTPO Staff starts to develop the UPWP. If an individual or interested party had requested an item or project to be included in the UPWP, they will be informed whether or not if the proposed request is within the draft UPWP.

Once the 1st draft is completed, it is sent to the local agencies for their review, as well as sent to TDOT for their initial review and comments.

- 2nd Draft of UPWP** Staff will analyze and revise UPWP document based on comments received from local agencies and TDOT, if any, and send back for TDOT's concurrence. If approved, TDOT will request a clean draft to send to FHWA and FTA for their review process.
- 3rd Draft of UPWP** Staff will analyze and revise UPWP document based on comments received from FHWA and FTA, and send back to TDOT for concurrence. If approved by TDOT, it is forwarded back to FHWA and FTA for their concurrence of approval.
- Final Draft of UPWP** Once approval and concurrence from TDOT, FHWA and FTA, the UPWP is now available for the public comment/ public hearing/ approval process.

Table 4.7. UPWP Public Comment Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499) Public Participation can occur by:
Comment Opportunities	<ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the UPWP
Public Comment Period Public Meeting(s) Specifically for the UPWP	Public Comment Period is not required; it is posted to the website a minimum of seven (7) calendar days prior to the Executive Board meeting to adopt the UPWP. Public meeting(s) are not required; UPWP is discussed and adopted at for the UPWP the Executive Board meeting that is open to the public.
Public Notice for the Executive Board's Adoption of the UPWP Amendment Notice	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website. Amendments to the UPWP will follow the same public review process and procedures as that of UPWP adoption.
Summary of Comments Received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the UPWP adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Final Adopted Document	The final, adopted UPWP document will be available on the www.lamtpo.com website and at the LAMTPO staff office.

Title VI

Section 601 of Title VI of the Civil Rights Act of 1964 states the following: 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 subjected to discrimination under any program or activity receiving Federal financial assistance. LAMTPO maintains an active Title VI document, that is updated every three (3) years, and does self-assurances and certifications to maintain Title VI compliance.

Table 4.8. Title VI Public Comment Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499) Public Participation can occur by:
Comment Opportunities	<ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the Title VI (if any)
Public Comment Period	Minimum of 30 days , prior to adoption for updates and amendments. The public comment period begins with public notice.
Public Meeting(s) Specifically for Title VI	Public meeting(s) are to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).
Public Notice for the Executive Board's Adoption of Title VI Amendment Notice	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website. Amendments to the Title VI will follow the same public review process and procedures as that of Title VI adoption. A public comment summary will be made available to members of the Executive Board prior to the meeting for the Title VI adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Summary of Comments Received	
Final Adopted Document	The final, adopted Title VI document will be available on the www.lamtpo.com website and at the LAMTPO staff office.

Disadvantaged Business Enterprise (DBE)

The USDOT defines a DBE as a for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. In general, a DBE document is needed for agencies that are receiving FHWA funds for project(s) in excess of \$500,000.00, or for FTA funds in excess of \$250,000.00. There a few projects within the LAMTPO region that the costs are in excess of \$500,000.00. ETHRA also receives FTA funds in excess of \$250,000.00 annually for public transportation, thus the need for DBE documents.

Table 4.9 DBE Public Comment Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499) Public Participation can occur by:
Comment Opportunities	<ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the DBE (if any)
Public Comment Period	Minimum of 45 days , prior to adoption for updates and amendments. The public comment period begins with public notice.
Public Meeting(s) Specifically for DBE	Public meeting(s) are to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).
Public Notice for the Executive Board's Adoption of DBE Amendment Notice	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website. Amendments to the DBE will follow the same public review process and procedures as that of DBE adoption. A public comment summary will be made available to members of the Executive Board prior to the meeting for the DBE adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Summary of Comments Received	
Final Adopted Document	The final, adopted DBE document will be available on the www.lamtpo.com website and at the LAMTPO staff office.

Section 5: Consultation with Federal, State and Local Agencies

As part of the "Consultation Process" required by Section 450.316 of the Code of Federal Regulations (Appendix A), LAMTPO has established contact with federal, state, and local agencies in developing documents such as the LRTP, TIP, UPWP, as well as the Public Participation Plan, and any other document that may be needed. Formal coordination with these agencies will help to identify effective mitigation strategies for potential impacts of projects included in LAMTPO's Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP). The LAMTPO public participation processes shall be coordinated with the statewide transportation public involvement process through review and communication wherever possible. The LAMTPO Contact Listing is available in Appendix C.

In addition to contacting the various agencies listed in Appendix C, LAMTPO staff will also contact the East Tennessee Hispanic Chamber of Commerce via email at mail@hccet.org. This will help in trying to get the Hispanic population involved in the transportation planning process in the LAMTPO planning area.

LAMTPO staff communicates with various federal, state, and local agencies through telephone calls, emails, and interagency conference (IAC) calls. Topics discussed are air quality issues, long range planning, transportation improvement programs, and also any LRTP and/or TIP amendments. LAMTPO staff attends TDOT meetings, conferences, and conference calls to discuss various transportation related issues, such as congestion, air quality, performance measures, etc.

TDOT Office of Community Transportation (OCT) attends LAMTPO meetings, and informs the TAC and Executive Board personnel, and any interested person, party, or organization attending these meetings, of any transportation related issue being done by TDOT.

TDOT communicates with LAMTPO staff to have certain projects to be added to the LRTP and/or the TIP. These state sponsored projects are then added to the LRTP (LAMTPO and TDOT's) as well as within the LAMTPO TIP and the state's STIP. When TDOT is doing a statewide LRTP, LAMTPO staff attends regional meetings that are being hosted by TDOT. LAMTPO has also posted survey links for the statewide LRTP on the www.lamtpo.com website, as requested by TDOT.

Interagency agreements, such as the Memorandum of Agreement for Air Quality, and the Corridor Management Agreement (CMA) for SR66, will be maintained between LAMTPO and other local and regional agencies. This shall include TDOT, the Knoxville TPO and the East Tennessee Rural Planning Organizations (RPO's) (North and South).

This PPP was developed through consultation with an expanded list of known interested parties, private citizens, regional and local agencies, including private transportation

providers, and anyone else interested in transportation planning, through meetings, direct mailings and an online survey. The PPP will be posted online for review and notice will be given to interested parties.

Section 6. Evaluating the Performance of the PPP

The PPP shall be reviewed periodically based on changes in local, state, or federal legislation, and in response to periodic evaluations of the effectiveness of public participation techniques that are used by LAMTPO. When updates or amendments are made to the PPP, the same process for adoption will be followed, including the same 45-calendar day comment period.

As part of the evaluation process, LAMTPO will seek to ask the following questions regarding its strategies and outreach methods in order to evaluate the effectiveness of the PPP:

- a. How many people did the method reach?
- b. Do the people that the method reached have a better understanding of our process as a result?
- c. Did this method reach people new to our process?

These questions determine the effectiveness of a method and its potential value moving forward. Other ways to determine the overall effectiveness of the PPP might include:

- a. Tabulation of media coverage;
- b. Surveys (including web based, email based);
- c. Comment/feedback cards;
- d. Website polling (including the number of hits);
- e. Periodic review and updating of outreach mailing lists (at least annually)

LAMTPO will look to outside sources, such as FHWA's *A Guide to Transportation Decision Making*, to provide guidance in evaluating and finding new outreach methods, especially methods that are able to be measured in a statistically significant way. This guidance can be a meaningful tool in evaluating which methods and practices may warrant further consideration and which practices may warrant less emphasis.

Reliable Outside Sources

LAMTPO will look to outside sources that are able to evaluate outreach methodology, especially those that are able to do so in a statistically significant way. This can be a meaningful source of information in evaluating which methods and practices may warrant further consideration and which practices may warrant less emphasis. A Tennessee Department of Transportation did a statewide survey (done in 2011) revealed that the most effective communication tools for public outreach are public meetings, e-mail, and websites as well as newspaper and direct mailings. The least effective communication tools are legal documents at libraries and telephone and direct mail surveys.

Past Evaluation

LAMTPO staff has found that public meetings, mail/ email, and website were the best form of engaging the public, whereas the least effective communication tool(s) was having documents at libraries.

Documents are available at the local libraries, however, most people view the documents online at the www.lamtpo.com website.

There had been issues in advertising in the minority newspapers. If the minority newspaper do not have enough advertisements within a certain timeframe, then their newspaper circulation may be delayed a month (possibly two). To compensate for this, LAMTPO staff writes advertisements in English and Spanish to be placed in all of the local newspapers. The ads are placed on the www.lamtpo.com website as well.

LAMTPO staff has tried to have meetings in the evening hours, however, staff has had better public involvement when public meetings are held during the day, when more walk-in traffic is coming in the city halls of White Pine, Jefferson City and Morristown.

LAMTPO staff has done paper surveys, especially for public transportation. However, in recent years, the numbers of responses has decreased. LAMTPO anticipates to do more surveys, but to include online surveys to try to generate more public input.

Comments on this Public Participation Plan (PPP)

This PPP has been developed in consultation with interested parties as required by federal rules and regulations. This was done through input received during ongoing outreach activities as well as during the comment period of this Plan. Before it was adopted, we made this Plan available for public review and comment from July 1, 2018 to September 26, 2018 (minimum is 45 days), and the resulting public input has been addressed and incorporated as appropriate into this plan.

It should be noted that public comment meetings were held at the White Pine Town Hall at 10-11am and in the Morristown City center Building at 1-2 pm on August 9, 2018, as well as a public comment meeting at the Jefferson City City Hall Building at 11 am to 12pm on August 10, 2018. No comments were received.

Appendix A

Code of Federal Regulations, Title 23, Part 450

23 CFR 450

§450.316 Interested parties, participation, and consultation.

(a) The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

(i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;

(ii) Providing timely notice and reasonable access to information about transportation issues and processes;

(iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;

(iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;

(v) Holding any public meetings at convenient and accessible locations and times;

(vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;

(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;

(viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts;

(ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and

(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

(2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, metropolitan transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 204.

(c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

(d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

Appendix B

Tennessee Open Meetings Act
TENNESSEE CODE ANNOTATED
 TITLE 8. PUBLIC OFFICERS AND EMPLOYEES
 CHAPTER 44. PUBLIC MEETINGS
 PART 1. GENERAL PROVISIONS

*** Current through the 2014 Regular Session and amendments approved at the November 4, 2014 General Election***

- § 8-44-101. Policy- Construction.
- § 8-44-102. Open meetings- "Governing body" defined - "Meeting" defined.
- § 8-44-103. Notice of public meetings.
- § 8-44-104. Minutes recorded and open to public- Secret votes prohibited.
- § 8-44-105. Action nullified- Exception.
- § 8-44-106. Enforcement - Jurisdiction.
- § 8-44-107. Board of directors of Performing Arts Center Management Corporation.
- § 8-44-108. Participation by electronic or other means.
- § 8-44-109. Electronic communication
- § 8-44-110 [Repealed.]
- § 8-44-111 Open meetings- Development of educational program required --Materials.

8-44-101. Policy -- Construction.

(a) The general assembly hereby declares it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret.

(b) This part shall not be construed to limit any of the rights and privileges contained in article I, § 19 of the Constitution of Tennessee.

HISTORY: Acts 1974, ch. 442, §§ 1, 8; T.C.A., § 8-4401.

8-44-102. Open meetings -- "Governing body" defined -- "Meeting" defined.

(a) All meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee.

(b) (1) "Governing body" means:

(A) The members of any public body which consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration and also means a community action agency which administers community action programs under the provisions of 42 U.S.C. § 2790 [repealed]. Any governing body so defined by this section shall remain so defined, notwithstanding the fact that such governing body may have designated

itself as a negotiation committee for collective bargaining purposes, and strategy sessions of a governing body under such circumstances shall be open to the public at all times;

(B) The board of directors of any nonprofit corporation which contracts with a state agency to receive community grant funds in consideration for rendering specified services to the public; provided, that community grant funds comprise at least thirty percent (30%) of the total annual income of such corporation. Except such meetings of the board of directors of such nonprofit corporation that are called solely to discuss matters involving confidential doctor-patient relationships, personnel matters or matters required to be kept confidential by federal or state law or by federal or state regulation shall not be covered under the provisions of this chapter, and no other matter shall be discussed at such meetings;

(C) The board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one (1) or more counties, cities, towns and local governments pursuant to the provisions of title 7, chapter 54 or 58. The provisions of this subdivision (b)(1)(C) shall not apply to any county with a metropolitan form of government and having a population of four hundred thousand {400,000} or more, according to the 1980 federal census or any subsequent federal census;

(D) The board of directors of any nonprofit corporation which through contract or otherwise provides a metropolitan form of government having a population in excess of five hundred thousand {500,000}, according to the 1990 federal census or any subsequent federal census, with heat, steam or incineration of refuse;

(E) (i) The board of directors of any association or nonprofit corporation authorized by the laws of Tennessee that:

- (a)** Was established for the benefit of local government officials or counties, cities, towns or other local governments or as a municipal bond financing pool;
- (b)** Receives dues, service fees or any other income from local government officials or such local governments that constitute at least thirty percent {30%} of its total annual income; and
- (c)** Was authorized as of January 1, 1998, under state law to obtain coverage for its employees in the Tennessee consolidated retirement system.

(ii) The provisions of this subdivision (b)(1)(E) shall not be construed to require the disclosure of a trade secret or proprietary information held or used by an association or nonprofit corporation to which this chapter applies. In the event a trade secret or proprietary information is required to be discussed in an open meeting, the association or nonprofit corporation may conduct an executive session to discuss such trade secret or proprietary information; provided, that a notice of the executive session is included in the agenda for such meeting.

(iii) As used in this subdivision (b){l}{E):

(a) "Proprietary information" means rating information, plans, or proposals; actuarial information; specifications for specific services provided; and any other similar commercial or financial information used in making or deliberating toward a decision by employees, agents or the board of directors of such association or corporation; and which if known to a person or entity outside the association or corporation would give such person or entity an advantage or an opportunity to gain an advantage over the association or corporation when providing or bidding to provide the same or similar services to local governments; and

(b) "Trade secret" means the whole or any portion or phrase of any scientific or technical information, design, process, procedure, formula or improvement which is secret and of value. The trier of fact may infer a trade secret to be secret when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

(b) (2) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program.

(c) Nothing in this section shall be construed as to require a chance meeting of two (2) or more members of a public body to be considered a public meeting. No such chance meetings, informal assemblages, or electronic communication shall be used to decide or deliberate public business in circumvention of the spirit or requirements of this part.

HISTORY: Acts 1974, ch. 442, § 2; 1979, ch. 411, §§ 1, 2; T.C.A., § 8-4402; Acts 1985, ch. 290, § 1, 2; 1986, ch. 594, § 1; 1988, ch. 908, §§ 3, 5; 1997, ch. 346, § 1; 1998, ch. 1102, §§ 1, 3.

8-44-103. Notice of public meetings.

(a) **Notice of Regular Meetings.** Any such governmental body which holds a meeting previously scheduled by statute, ordinance, or resolution shall give adequate public notice of such meeting.

(b) **Notice of Special Meetings.** Any such governmental body which holds a meeting not previously scheduled by statute, ordinance, or resolution, or for which notice is not already provided by law, shall give adequate public notice of such meeting.

(c) The notice requirements of this part are in addition to, and not in substitution of, any other notice required by law.

HISTORY: Acts 1974, ch. 442, § 3; T.C.A., § 8-4403.

8-44-104. Minutes recorded and open to public -- Secret votes prohibited.

- (a) The minutes of a meeting of any such governmental body shall be promptly and fully recorded, shall be open to public inspection, and shall include, but not be limited to, a record of persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of roll call.
- (b) All votes of any such governmental body shall be by public vote or public ballot or public roll call. No secret votes, or secret ballots, or secret roll calls shall be allowed. As used in this chapter, "public vote" means a vote in which the "aye" faction vocally expresses its will in unison and in which the "nay" faction, subsequently, vocally expresses its will in unison.

HISTORY: Acts 1974, ch. 442, § 4; T.C.A., § 8-4404; Acts 1980, ch. 800, § 1.

8-44-105. Action nullified -- Exception.

Any action taken at a meeting in violation of this part shall be void and of no effect; provided, that this nullification of actions taken at such meetings shall not apply to any commitment, otherwise legal, affecting the public debt of the entity concerned.

HISTORY: Acts 1974, ch. 442, § 5; T.C.A., § 8-4405.

8-44-106. Enforcement -- Jurisdiction.

- a. The circuit courts, chancery courts, and other courts which have equity jurisdiction, have jurisdiction to issue injunctions, impose penalties, and otherwise enforce the purposes of this part upon application of any citizen of this state.
- b. In each suit brought under this part, the court shall file written findings of fact and conclusions of law and final judgments, which shall also be recorded in the minutes of the body involved.
- c. The court shall permanently enjoin any person adjudged by it in violation of this part from further violation of this part. Each separate occurrence of such meetings not held in accordance with this part constitutes a separate violation.
- d. The final judgment or decree in each suit shall state that the court retains jurisdiction over the parties and subject matter for a period of one (1) year from date of entry, and the court shall order the defendants to report in writing semiannually to the court of their compliance with this part.

HISTORY: Acts 1974, ch. 442, § 6; T.C.A., § 8-4406.

8-44-107. Board of directors of Performing Arts Center Management Corporation.

The board of directors of the Tennessee Performing Arts Center Management Corporation shall be subject to, and shall in all respects comply with, all of the provisions made applicable to governing bodies by this chapter.

HISTORY: Acts 1981, ch. 375, § 1.

8-44-108. Participation by electronic or other means.

{a} As used in this section, unless the context otherwise requires:

- (1) "Governing body" refers to boards, agencies and commissions of state government, including state debt issuers as defined in this section and municipal governing bodies. For the purpose of this section only, "municipal governing bodies" means only those municipal governing bodies organized under title 6, chapter 18, and having a city commission of three (3) members, and having a population of more than two thousand five hundred (2,500), according to the 2000 federal census or any subsequent federal census;
- (2) "Meeting" has the same definition as defined in § 8-44-102;
- (3) "Necessity" means that the matters to be considered by the governing body at that meeting require timely action by the body, that physical presence by a quorum of the members is not practical within the period of time requiring action, and that participation by a quorum of the members by electronic or other means of communication is necessary; and
- (4) "State debt issuers" means the Tennessee state funding board, Tennessee local development authority, Tennessee housing development agency, and Tennessee state school bond authority, and any of their committees.

- (b)
 - (1) A governing body may, but is not required to, allow participation by electronic or other means of communication for the benefit of the public and the governing body in connection with any meeting authorized by law; provided, that a physical quorum is present at the location specified in the notice of the meeting as the location of the meeting.
 - (2) If a physical quorum is not present at the location of a meeting of a governing body, then in order for a quorum of members to participate by electronic or other means of communication, the governing body must make a determination that a necessity exists. Such determination, and a recitation of the facts and circumstances on which it was based, must be included in the minutes of the meeting.
 - (3) If a physical quorum is not present at the location of a meeting of a governing body other than a state debt issuer, the governing body other than a state debt issuer must file such determination of necessity, including the recitation of the facts and circumstances on which it was based, with the office of secretary of

state no later than two (2) working days after the meeting. The secretary of state shall report, no less than annually, to the general assembly as to the filings of the determinations of necessity. This subdivision (b)(3) shall not apply to the board of regents, to the board of trustees of the University of Tennessee or to the Tennessee higher education commission.

(4) Nothing in this section shall prohibit a governing body from complying with § 8-44-109.

- (c) (1) Any meeting held pursuant to the terms of this section shall comply with the requirements of the Open Meetings Law, codified in this part, and shall not circumvent the spirit or requirements of that law.
- (2) Notices required by the Open Meetings Law, or any other notice required by law, shall state that the meeting will be conducted permitting participation by electronic or other means of communication.
- (3) Each part of a meeting required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting. Any member participating in such fashion shall identify the persons present in the location from which the member is participating.
- (4) Any member of a governing body not physically present at a meeting shall be provided, before the meeting, with any documents that will be discussed at the meeting, with substantially the same content as those documents actually presented.
- (5) All votes taken during a meeting held pursuant to the terms of this section shall be by roll call vote.
- (6) A member participating in a meeting by this means is deemed to be present in person at the meeting for purposes of voting, but not for purposes of determining per diem eligibility. However, a member may be reimbursed expenses of such electronic communication or other means of participation.

HISTORY: Acts 1990, ch. 815, § 1; 1999, ch. 490, § 1; 2005, ch. 82, § 1; 2008, ch. 923, § 1; 2012, ch.1054, § 3.

8-44-109. Electronic communication

- (a) A governing body may, but is not required to, allow electronic communication between members by means of a forum over the Internet only if the governing body:
- (1) Ensures that the forum through which the electronic communications are conducted is available to the public at all times other than that necessary for technical maintenance or unforeseen technical limitations;
 - (2) Provides adequate public notice of the governing body's intended use of the electronic communication forum;
 - (3) Controls who may communicate through the forum;
 - (4) Controls the archiving of the electronic communications to ensure that the

electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to the archived electronic communications is user-friendly for the public; and

(5) Provides reasonable access for members of the public to view the forum at the local public library, the building where the governing body meets or other public building.

(b) Electronic communications posted to a forum shall not substitute for decision making by the governing body in a meeting held in accordance with this part. Communications between members of a governing body posted to a forum complying with this section shall be deemed to be in compliance with the open meetings laws compiled in this part.

(c) Prior to a governing body initially utilizing a forum to allow electronic communications by its members that meets the requirements of this section, including the public notice required in subsection (a), the governing body shall file a plan with the office of open records counsel. The plan shall describe how the governing body will ensure compliance with subsection (a). Within thirty (30) days of receipt of the plan, the office of open records counsel shall acknowledge receipt of the plan and shall report whether or not the plan and the proposed actions comply with subsection (a). If the office determines that compliance with subsection (a) has not been met, the office shall provide written comments regarding the plan to the governing body. Until such time as the governing body complies with the written comments provided by the office and the office issues a report of compliance, the governing body shall not be allowed to establish or utilize such forum. This subsection (c) shall not apply to any governing body that had established a forum pursuant to this section prior to May 7, 2009.

(d) No member participating in an electronic communication pursuant to this section is deemed to be eligible for per diem for such participation.

(e) As used in this section, "governing body" means the elected governing body of a county, city, metropolitan form of government or school board.

HISTORY: Acts 2008, ch. 923, § 2; 2009, ch. 175, § 2.

8-44-110. [Repealed.]

8-44-111. Open meetings -- Development of educational program required -- Materials.

(a) The municipal technical advisory service (MTAS) for municipalities and the county technical assistance service (CTAS) for counties, in order to provide guidance and direction, shall develop a program for educating their respective public officials about the open meetings laws codified in this chapter, and how to remain in compliance with such laws.

(b) The Tennessee school board association shall develop a program for educating elected school board members about the open meetings laws and how to remain in compliance with such laws

(c) The utility management review board shall develop a program for board members of water, wastewater and gas authorities created by private act or under the general law and of utility districts, in order to educate the board members about the open meetings laws and how to remain in compliance with such laws.

(d) The state emergency communications board created by § 7-86-302 shall develop a program for educating emergency communications district board members about the open meetings laws and how to remain in compliance with such laws.

(e) The office of open records counsel established in chapter 4, part 6 of this title shall establish educational programs and materials regarding open meetings laws in this state, to be made available to the public and to public officials.

HISTORY: Acts 2008, ch. 1179, § 5.

Appendix C

AGENCY CONTACT LISTING

Agency	Name	Address_1	Address_2	City_St_Zip
Carson Newman University	President	1646 S. Russell Ave		Jefferson City, TN 37760
Walters State Community College	President	500 S. Davy Crockett Pkwy		Morristown, TN 37813
Hamblen Co. Dept. of Education	Director	210 E. Morris Blvd		Morristown, TN 37813
Jefferson County Schools	Director	114 Gay St	PO Box 190	Dandridge, TN 37725
Social Security	Director	3112 Millers Point Dr		Morristown, TN 37813
Central Services	Director	2450 Old Hwy 25E		Morristown, TN 37813
Morristown-Hamblen Healthcare System	Director	908 W. 4th North St		Morristown, TN 37814
Jefferson County Chamber of Commerce	Director	532 Patriot Dr		Jefferson City, TN 37760
Jefferson County Chamber of Commerce	Director	PO Box 890		Dandridge, TN 37725
Morristown Area Chamber of Commerce	Director	825 W. 1st North St		Morristown, Tn 37814
Jefferson City Library	Director	108 City Center DR		Jefferson City, TN 37760
Morristown-Hamblen Library	Director	417 W. Main St		Morristown, TN 37814
White Pine Library	Director	1708 Main St		White Pine, TN 37890
MATS	Director	733 W Main St		Morristown, TN 37814
Healthstar Physicians	Director	420 W. Morris Blvd		Morristown, TN 37813

Agency	Name	Address_1	Address_2	City_St_Zip
Hamblen County EMS	Director	511 W. 2nd North St		Morristown, TN 37814
Hamblen County Health Dept.	Director	331 W. Main St.		Morristown, TN 37814
Veterans Service Center	Director	511 W. 2nd North St		Morristown, TN 37814
Hamblen County Human Services	Director	2416 W. Andrew Johnson Hwy		Morristown, TN 37814
TN Senior Benefits	Director	2351 E. Morris Blvd		Morristown, TN 37813
Childrens Services	Director	1077 E Morris Blvd		Morristown, TN 37813
Tennessee Technology Center	Director	821 W. Louise Ave		Morristown, TN 37813
Tennessee Community Assistance Corporation	Director	740 E. Main St		Morristown, Tn 37814
Jefferson County EMS	Director	581 W Old AJ Hwy		New Market, TN 37820
Jefferson County Health Dept.	Director	931 Industrial Park Rd		Dandridge, TN 37725
Jefferson City Senior Citizens Center	Director	807 W. Jefferson St		Jefferson City, TN 37760
Jefferson City Community Center	Director	1247 N Hwy 92		Jefferson City, TN 37760
Jefferson County Family Resource Center	Director	341 W. Broadway		Jefferson City, TN 37760
TENNOVA/ St. Mary's Hospital	Director	110 Hospital Dr		Jefferson City, TN 37760
Jefferson City Housing Authority	Director	942 E. Ellis St		Jefferson City, Tn 37760
Morristown Housing Authority	Director	600 Sulphur Springs Rd		Morristown, TN 37813

Agency	Name	Address_1	Address_2	City_St_Zip
Morristown Senior Citizens Center	Director	841 Lincoln Ave		Morristown, TN 37813
Douglas Cherokee Economic Authority	Director	534 E. 1st North St		Morristown, TN 37814
ETHRA	Mike Patterson	9111 Cross Park Dr, Suite D-100		Knoxville, TN 37923
RPO N and S East Tennessee District	Don Brown		P. O. Box 249	Alcoa, TN 37701
ETDD	Director		P. O. Box 249	Alcoa, TN 37701
Darby House	Director	249 E. Broadway		Jefferson City, TN 37760
Regency Retirement Village	Director	739 E. 2nd North St		Morristown, TN 37814
TDOT - Title VI Program Regions I and II	Pamela Sharp	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT Civil Rights Division	Vince Malone, Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT Civil Rights Division	Cynthia Howard, Title VI Program Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT Civil Rights Division	David Neese, Small Business Development Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT	Troy Ebbert	Region I	7345 Region Lane	Knoxville, TN 37914
TDOT	Mathew Cushing	James K Polk Bldg- Suite 1800	505 Deaderick St,	Nashville, TN 37243
TDOT, OCT	Michelle Christian	Region I	7345 Region Lane	Knoxville, TN 37914
City of Morristown	Tony Cox	100 W. 1st North St		Morristown, TN 37814
City of Jefferson City	John Johnson	P.O. Box 530		Jefferson City, TN 37760-0530
Town of White Pine	Bob Hardy	1548 Main St,	PO Box 66	White Pine, TN 37890-0066
Knoxville TPO	Mike Conger	400 Main St, Suite 403		Knoxville, TN 37902

Agency	Name	Address_1	Address_2	City_St_Zip
Knoxville TPO	Jeff Welch	400 Main St, Suite 403		Knoxville, TN 37902
Corps of Engineers, Memphis District	Commander	167 North Main Street		Memphis, TN 38002
US Fish and Wildlife Service	Field Supervisor	446 Neal Street		Cookeville, TN 38501
US EPA, Region 4	Regional Administrator		61 Forsyth Street	Atlanta, Georgia 30303
US EPA, Region 4	EPA Director		61 Forsyth Street	Atlanta, Georgia 30303
Regional NEPA Coordinator	NEPA Coordinator	Sam Nunn Atlanta Federal Center	61 Forsyth Street, SW	Atlanta, GA 30303-8960
Tennessee Valley Authority	Director	400 West Summit Hill Drive		Knoxville, TN 37902-1499
National Park Service	Ms. Pat Hooks, Regional Director	100 Alabama Street SW	1924 Building	Atlanta, GA 30303
National Park Service	Philip Campbell, Unit Manager	PO Box 429	208 N. Maiden Street	Wartburg, TN 37887
National Park Service	Superintendent	Big South Fork National Recreation Area	4564 Leatherwood Road	Oneida TN 37841
National Park Service	Superintendent	Stones River National Battlefield	3501 Old Nashville Hwy	Murfreesboro, TN 37129
National Park Service	Asst. Superintendent	Great Smoky Mountains National Park	107 Park Headquarters Road	Gatlinburg, TN 37738
National Park Service	Asst. Superintendent	Natchez Trace Parkway	2680 Natchez Trace Parkway	Tupelo, MS 38804
USDA Forest Service	Regional Forester	Region 8 (Southern Region)	1720 Peachtree Road NW	Atlanta, GA 30309
USDA Forest Service	Director	Cherokee National Forest	2800 N. Ocoee St	Cleveland, TN 37312
USDA Forest Service	Director	100 Van Morgan Drive		Golden Pond, KY 42211

Agency	Name	Address_1	Address_2	City_St_Zip
US Coast Guard	Rear Admiral	Hale Boggs Federal Building	500 Poydras Street	New Orleans, LA 70130
US Coast Guard	Bridge Administrator	1222 Spruce Street		St. Louis, MO 63103-2398
Tennessee Department of Environment and Conservation	Manager	711 RS Gass Blvd		Nashville, TN 37243
Tennessee Department of Environment and Conservation	Deputy Commissioner	711 RS Gass Blvd		Nashville, TN 37243
USDA	Director	367 Dr MLK Jr Pkwy		Morristown, TN 37813
FHWA	Director/ Planner	404 BNA Dr, Bldg 200, Suite 508		Nashville, TN 37217
FTA	Andres Ramirez	230 Peachtree Street NW Suite 800		Atlanta, GA 30303
FTA, Civil Rights	Carlos Gonzales/ Dee Foster	230 Peachtree Street NW Suite 800		Atlanta, GA 30303
Norfolk-Southern Railroad	Susan Terpay	Three Commercial Place		Norfolk, VA 23510-9217
Norfolk-Southern Railroad	Director	249 E Manley Court Circle		Morristown, TN 37814
TDEC Environmental Field Offices	Senior Director	3711 Middlebrook Pike		Knoxville, TN 37921
TDEC Parks and Conservation Operations	Assistant Commissioner	711 RS Gass Blvd		Nashville, TN 37243
Tennessee Wildlife Resources Agency	Executive Director	5107 Edmondson Pike		Nashville, TN 37211
Tennessee Wildlife Resources Agency	Director	3030 Wildlife Way		Morristown, TN 37814
Tennessee State Historic Preservation Office	Executive Director	Clover Bottom Mansion	2941 Lebanon Road	Nashville, TN 37243-0442

Agency	Name	Address_1	Address_2	City_St_Zip
TDEC Air Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TDEC Land Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TDEC Water Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TN NAACP	President	PO Box 14096		Knoxville, TN 37914
TN NAACP	President	PO Box 1878		Johnson City, TN 37601
FHWA DBE	Joi HamiltonJones	404 BNA Dr, Bldg 200, Suite 508		Nashville, TN 37217
Hamblen County Democratic Party	Director	910 W Main St		Morristown, TN 37814
Hamblen County Republican Party	Director	4327 W Andrew Johnson Hwy Suite 5		Morristown TN 37814
Panther Creek SP	Director	2010 Panther Creek Rd		Morristown TN 37814
Hola Lakeway	Director	2450 S Cumberland St		Morristown TN 37813
Hispanic Chamber of Commerce of East TN	Director	PO Box 31552		Knoxville TN 37930

Appendix D

Environmental Justice, Title VI, LEP

This appendix contains excerpts from LAMTPO's FTA Title VI Plan which explains how LAMTPO conducts public involvement and makes special efforts to reach out to those persons protected under Title VI. The Title VI document can be found on the LAMTPO website, www.lamtpo.com. LAMTPO strives to be sure that all programs or projects planned under LAMTPO's responsibility consider Title VI and Environmental Justice impacts. LAMTPO monitors these efforts by analyzing project selection, project location, funding distribution, and possible project impacts, especially social and environmental impacts with regards to Title VI and Environmental Justice populations. LAMTPO maintains a set of adopted objectives which state that all plans and programs must consider Title VI impacts and include a proactive public involvement process that seeks to engage members of low income, minority groups, and Limited English Proficiency (LEP) populations early in the planning process. LAMTPO believes part of its role is to alert the responsible jurisdiction that there are community concerns, to help inform the community about the project, and to act as a liaison between the community and the jurisdiction.

Each project's public involvement plan must consider Title VI issues and look to include opportunities for persons protected under Title VI to participate. Each plan's level of public involvement can vary depending on the magnitude of the project, its potential impact on the community, and its budget. Every LAMTPO staff member is reminded to consider Title VI issues and plan the necessary outreach accordingly. Examples and techniques LAMTPO staff considers in designing a public involvement process with regards to Title VI are as follows:

- Hold meetings geographically in Title VI areas. □
- Use a variety of meeting locations and different start times to encourage participation.
- If possible, consider broadcasting the meeting on public access television.
- All meeting dates and times and all draft Plans are posted on the LAMTPO website.
- Send all draft Plans to area libraries.
- Advertise meetings and post legal notices general circulation newspapers (and/or their websites) within the region. This shall include minority newspapers. The advertisements and legal notices are in English and Spanish.
- If budget allows, consider buying an advertisement in the newspapers. This may bring more attention and awareness than the legal notices.
- If appropriate, meeting announcements should be sent to neighborhoods, community groups or community centers, churches, and/or special interest groups.
- If possible, use other agencies to help communicate with the public, such as the Morristown Area Chamber of Commerce, Jefferson County Chamber of

Commerce, East Tennessee Human Resource Agency (ETHRA), Morristown Central Services, senior citizens centers, ALPS, MATS, CEASE. Many of these agencies or organizations represent disadvantaged populations, including but not limited to minority, low-income, and Hispanic populations.

- Send information by email to the East Tennessee Hispanic Chamber of Commerce
- Accept written comments in order to help those who may not feel comfortable talking or approaching a staff member. Participating in public meetings can be intimidating and LAMTPO recognizes that individual comfort levels with attendees vary. Comments can be sent to :
 LAMTPO Coordinator
 100 W 1st N St, PO Box 1499, Morristown TN 37816-1499
 or by email to richd@mymorristown.com
- LAMTPO makes sure that all reports and documents include a Title VI statement of protection, or how someone can access Title VI information. Title VI information can be found on the LAMTPO website, www.lamtpo.com

Limited English Proficient (LEP) individuals are persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP persons are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. Recipients of federal funding are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. LAMTPO provides the following opportunities:

- LAMTPO keeps updated maps of areas that have been identified as either Hispanic, Low-Income, or LEP areas.
- LAMTPO staff are made aware of these resources and are responsible for ensuring that if they are working on a project or study that encompasses these areas, they will follow the actions stated in the plan. If meetings are held in these areas, extra effort will be made to advertise in a Hispanic newspaper and/or website.
- LAMTPO has access to telephone language interpreter service through the City of Morristown.
- If notified within a reasonable timeframe, LAMTPO can offer interpreter services at meetings or at the office.
- LAMTPO has a LEP plan that states LAMTPO will translate vital documents into languages other than English, as long as the requests meet the LAMTPO LEP plan guidelines. If the reports or documents can not be translated, then LAMTPO will offer assistance from an interpreter to explain the contents of the report(s) or document(s).
- If interpreter services are needed, LAMTPO staff will post signs at entry points to meetings notifying the public of translator services when LAMTPO anticipates attendance of persons who do not speak English well.

- If meetings or services are in areas where LAMTPO knows there is a concentration of persons who do not speak English well, LAMTPO may look to partner with other agencies or organizations in those areas. One possible example is Douglas Cherokee Economic Authority, who have personnel that are bi-lingual.

LAMTPO staff always makes an extra effort to reach out to Title VI low-income, minority and Hispanic communities. This has been done in the past by have documents and pamphlets translated into Spanish, sending information to churches that cater to Hispanics, sending information to the East Tennessee Hispanic Chamber of Commerce and to other agencies that cater to low income and minority populations.

LAMTPO Staff will receive regular training for all Civil Rights components (Title VI, DBE, LEP, and Environmental Justice). Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin by a recipient of the United States Department of Transportation or Federal Transit Administration funding can seek information or file complaint with LAMTPO. For information on Title VI or how to file a complaint, visit the LAMTPO website, www.lamtpo.com.

Appendix E

Public Comment Sheet

Your comments and suggestions are an important aspect of the transportation planning process.

Please provide your comments and suggestions on **[DOCUMENT NAME]**.
Please send any comments or suggestions by **[DATE]**. **Please state how you found out about meeting, and/or about the document you may have questions or comments on.**

You can submit comments by email to richd@mymorristown.com
Please send written comments by mail to:

Transportation Planning Coordinator
LAMTPO
100 W 1ST N ST
Morristown, TN 37816-1499
By Phone: (423) 581-6277
By Fax: (423) 585-4679

Comments: _____

(Optional) Participant Information:

Name: _____

Address: _____

Phone: _____ email: _____

Appendix F

Performance Evaluation of the LAMTPO Public Participation Plan

LAMTPO staff has reviewed past records of public participation and outreach methods for performance and make the following recommendations for updating the Public Participation Plan:

1. *Updated the Agency Contact listings for review of MTPO and Transit Documents:*
 - a. No comments have ever been received from the public using this outreach method;
 - b. Staff will continue to have copies of the documents available to the public at the LAMTPO office located at the Morristown City Center Building, 100 W 1st N St, Morristown TN.
 - c. Documents will continue to be available online on the www.lamtpo.com website; all area libraries and city/town halls have internet access in which the public can access the documents available on line.
2. *Recommend continuing the public hearings held during document public comment review periods:*
 - a. Very few participants attend these hearings; however, LAMTPO staff will continue to hold these hearings in addition to the meetings of the TAC and Executive Board to adopt these documents. LAMTPO staff has tried to have meetings in the evening hours, however, staff has had better public involvement when public meetings are held during the day, when more walk-in traffic is coming in the city halls of White Pine, Jefferson City and Morristown.

LAMTPO staff has found that public meetings, mail/ email, and website were the best form of engaging the public, whereas the least effective communication tool(s) was having documents at libraries.

Documents are available at the local libraries, however, most people view the documents online at the www.lamtpo.com website.

There had been issues in advertising in the minority newspapers. If the minority newspaper do not have enough advertisements within a certain timeframe, then their newspaper circulation may be delayed a month (possibly two). To compensate for this, LAMTPO staff writes advertisements in English and Spanish to be placed in all of the local newspapers. The ads are placed on the www.lamtpo.com website as well.

LAMTPO staff has done paper surveys, especially for public transportation. However, in recent years, the numbers of responses has decreased. LAMTPO anticipates to do more surveys, but to include online surveys to try to generate more public input.

Appendix G

TRANSPORTATION GLOSSARY

American Association of State Highway and Transportation Officials (AASHTO) –

A nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia and Puerto Rico.

Access/Accessibility - The opportunity to reach a given end use within a certain time frame, or without being impeded by physical, social or economic barriers.

Alternative Modes of Transportation - Forms of transportation that provide transportation alternatives to the use of single-occupant automobiles. Examples include: rail, transit, carpools, bicycles and walking.

Americans with Disabilities Act (ADA) - Federal civil rights legislation for persons with disabilities, signed into law in 1990, that prohibits discrimination specifically in the areas of employment, public accommodation, public services, telecommunications and transportation. Transportation requirements include the provision of "comparable paratransit service" that is equivalent to general public fixed-route service for persons who are unable to use regular bus service due to a disability.

Arterial Street-A class of street serving major traffic movements (high-speed, high volume) for travel between major points.

Attainment Area - An area considered to have air quality that meets or exceeds the U.S. Environmental Protection Agency (EPA) health standards used in the Clean Air Act. Nonattainment areas are areas considered not to have met these standards for designated pollutants. An area may be an attainment area for one pollutant and a nonattainment area for others.

Capacity - A transportation facility's ability to accommodate a moving stream of people or vehicles in a given time period. The maximum rate of flow at which persons or vehicles can be reasonably expected to traverse a point or uniform segment of a lane or roadway during a specified time period under prevailing roadway, traffic and control conditions; usually expressed as vehicles per hour or persons per hour.

Capital Improvement Program (CIP) - A plan for future capital infrastructure and program expenditures which identifies each capital project, its anticipated start and completion and allocates existing funds and known revenue sources for a given period of time. Most local governments have a CIP.

Clean Air Act (CAA) - Federal statute established by the United States Congress which set the nation's air quality goals and the process for achieving those goals. The original Clean Air Act was passed in 1963, but the national air pollution control program is

actually based on the 1970 version of the law. The 1990 Clean Air Act Amendments are the most recent revisions of the 1970 law.

Code of Federal Regulations (CFR) - The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation.

Congestion -A condition under which the number of vehicles using a facility is great enough to cause reduced speeds and increased travel times.

Congestion Management Process (CMP) -Systematic process for managing congestion. Provides information on transportation system performance and finds alternative ways to alleviate congestion and enhance the mobility of people and goods, to levels that meet state and local needs.

Consolidated Planning Grant (CPG) - Primary source of funding for metropolitan planning designated by the FHWA, FTA and TDOT. This is the combined funding grant of FHWA PL funds and FTA Section 5303 funds.

Context Sensitive Solution (CSS) -A collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist.

Design Standards-Standards that are met when a new road is constructed, or when a deficient section is improved. These standards pertain to all relevant geometric and structural features required to provide a desired level of service over the life of the project. The life of the project is generally 20 years beyond its implementation.

Disadvantage Business Enterprise (DBE) -

East Tennessee Human Resource Agency (ETHRA) - The transit agency serving the LAMTPO region.

Environmental Assessments (EA) -Prepared for federal actions under the National Environmental Policy Act (NEPA) where it is not clearly known how significant the environmental impact might be. If, after preparing an environmental assessment, it is determined that the project impact is significant, an Environmental Impact Statement (EIS) is then prepared. If not, a "finding of no significant impact" (FONSI) is documented.

Environmental Impact Statements (EIS) -Prepared for federal actions that have a significant effect on the human and natural environment. These are disclosure documents prepared under the National Environmental Policy Act (NEPA) that provide a

full description of the proposed project, the existing environment and analysis of the anticipated beneficial and adverse environmental effects of all reasonable alternatives. There are various stages -Draft EIS and Final EIS.

Environmental Justice (EJ) -Environmental justice assures that services and benefits allow for meaningful participation and are fairly distributed to avoid discrimination.

Environmental Protection Agency (EPA) -The federal regulatory agency responsible for administering and enforcing federal environmental laws, including the Clean Air Act, the Clean Water Act, the Endangered Species Act and others. EPA is the source agency of air quality control regulations affecting transportation.

Federal Highway Administration (FHWA)-A branch of the U.S. Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads and bridges. The FHWA also administers the Federal Lands Highway Program, including survey, design and construction of forest highway system roads, parkways and park roads, Indian reservation roads, defense access roads and other Federal lands roads.

Federal Transit Administration (FTA) - A branch of the U.S. Department of Transportation that is the principal source of federal financial assistance to America's communities for planning, development and improvement of public or mass transportation systems. FTA provides leadership, technical assistance and financial resources for safe, technologically advanced public transportation to enhance mobility and accessibility, to improve the nation's communities and natural environment and to strengthen the national economy.

Financial Planning - The process of defining and evaluating funding sources, sharing the information and deciding how to allocate the funds.

Financial Programming - A short-term commitment of funds to specific projects identified in the regional Transportation Improvement Program (see TIP).

Fiscal or Financial Constraint -Sufficient financial information must be provided to demonstrate that projects in the metropolitan transportation plan (LRTP), TIP, and STIP can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained. For the TIP and the STIP, financial constraint/fiscal constraint applies to each program year. Additionally, projects in air quality nonattainment and maintenance areas can be included in the first two years of the TIP and STIP only if funds are "available" or "committed." Please see http://www.fhwa.dot.gov/planning/guidfinconstr_qa.cfm, for more information.

Fixing America's Surface Transportation (FAST) Act - Authorizes the Federal surface transportation programs for highways, highway safety and transit for the five-year federal fiscal year period of 2016-2020.

Geographic Information System (GIS) - Computerized data management and information system designed to capture, store, retrieve, analyze and display geographically referenced information.

High-Occupancy Vehicle (HOV) - Vehicles carrying two or more people. The number that constitutes an HOV for the purposes of HOV highway lanes may be designated differently by different transportation agencies.

Infrastructure Investment and Jobs Act (IIJA)- Authorizes the Federal surface transportation programs for highways, highway safety and transit for the five-year federal fiscal year period of 2021-2026.

Intelligent Transportation Systems (ITS) - The application of advanced technologies to improve the efficiency and safety of transportation systems.

Intermodal - The ability to connect and the connections between modes of transportation.

LAMTPO - Lakeway Area Metropolitan Transportation Planning Organization

Level of Service (LOS) - A qualitative rating of how well a unit of transportation supply (e.g. street, intersection, bikeway, etc) serves its current or projected demand. LOS A= free-flow condition (32 percent of capacity); B = reasonably free-flow conditions (51 percent); C = operation stable but becoming more critical (75 percent); D = lower speed range of stable flow (92 percent); E = unstable flow (100 percent); F = forced flow; >100 percent of capacity, stop-and-go operation.

Limited English Proficiency (LEP) - Persons with Limited English Proficiency are individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit in federally funded programs and activities.

Long Range Transportation Plan (LRTP) - A document resulting from regional or statewide collaboration and consensus on a region or state's transportation system and serving as the defining vision for the region's or state's transportation systems and services. In metropolitan areas, the plan indicates all of the transportation improvements scheduled for funding over a minimum of the next 20 years.

Maintenance Area-Maintenance area is any geographic region of the United States previously designated nonattainment pursuant to the CAA Amendments of 1990 and subsequently re-designated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

Metropolitan Planning Area (MPA) - The geographic area in which the metropolitan

transportation planning process must be carried out. The MPA boundary shall, as a minimum, cover the UZA(s) and the contiguous geographic area(s) likely to become urbanized within the twenty year forecast period covered by the transportation plan. The boundary may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Census Bureau.

Metropolitan Planning Organization (MPO) - An MPO is a planning agency established by federal law to assure a continuing, cooperative and comprehensive transportation planning process takes place that results in the development of plans, programs and projects that consider all transportation modes and supports the goals of the community. Any urbanized area or contiguous urbanized areas, as defined by the U.S. Census Bureau, containing a population of greater than 50,000 are required to have an MPO. [See Metropolitan Transportation Planning Organization.

Metropolitan Transportation Planning Organization - The same as MPO. The Lakeway Area MTPO decided to add the word "Transportation" to its title which more accurately reflects the nature of the organization and to eliminate confusion with other regional planning commissions and agencies.

Mode, Intermodal, Multimodal - Form of transportation, such as automobile, transit, bicycle and walking. Intermodal refers to the connections between modes and multimodal refers to the availability of transportation options within a system or corridor.

Moving Ahead for Progress in the 21st Century Act (MAP-21) - Authorizes the Federal surface transportation programs for highways, highway safety and transit for the two-year period 2012-2014, which was extended by several continuing resolutions.

National Ambient Air Quality Standard (NAAQS) - Standards established pursuant to Section 109 of the Clean Air Act.

National Environmental Policy Act of 1969 (NEPA) - An established national environmental policy requiring that any project using federal funding or requiring federal approval, including transportation projects, examine the effects of proposed and alternative choices on the environment before a federal decision is made.

National Historic Preservation Act (NHPA) - Law requiring federal agencies to consider the potential effect of a project on a property that is registered on or eligible for the National Register of Historic Places. If effects are identified, federal and state agencies and the public must identify means to mitigate the harm.

Non-attainment - Any geographic area that has not met the requirements for clean air as set out in the Clean Air Act Amendments of 1990. An area can at the same time be classified as in attainment for one or more air pollutants and as a non-attainment area for another air pollutant.

Paratransit - Alternative known as "special or specialized" transportation, which often includes flexibly scheduled and routed transportation services. These services use low capacity vehicles such as vans to operate within normal urban transit corridors or rural areas. Services usually cater to the needs of persons whom standard mass transit services would serve with difficulty, or not at all. Common patrons are the elderly and persons with disabilities.

Planning Funds (PL) - Primary source of funding for metropolitan planning designated by the FHWA.

Right-of-Way (ROW) - Public space legally established for the use of pedestrians, vehicles or utilities. Right-of-way typically includes the street, sidewalk and buffer strip areas.

Rural Planning Organization (RPO) - An organization similar to an MPO, composed of representatives of rural local governments and appointed representatives from the geographic area covered by the organization with the purpose of involving local officials in multi-modal transportation planning through a structured process.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - Authorized the Federal surface transportation programs for highways, highway safety and transit for the five-year period 2005-2009, and extended by several continuing resolutions until 2012.

Stakeholders - Individuals and organizations involved in or affected by the transportation planning process. Include federal/state/local officials, MPOs, transit operators, freight companies, shippers and the general public.

State Implementation Plan (SIP) - As defined in section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA.

Surface Transportation Program (STP) - Federal-aid highway funding program that funds a broad range of surface transportation capital needs, including many roads, transit, sea and airport access, vanpool, bike and pedestrian facilities.

Tennessee Department of Environment and Conservation (TDEC) - Agency created to protect and improve the quality of Tennessee's land, air, water and recreation resources. It administers a variety of programs to safeguard human health and the environment while ensuring natural resources meet healthful, regulatory standards.

Tennessee Department of Transportation (TDOT) - The State agency that manages the highway system within Tennessee. TDOT's mission is to plan, implement, maintain

and manage an integrated transportation system for the movement of people and products, with emphasis on quality, safety, efficiency and the environment for Tennesseans. TOOT is the administrative agency that responds to policy set by the Tennessee Legislation.

Title VI-Title VI of the Civil Rights Act of 1964. Prohibits discrimination in any program receiving federal assistance.

Transportation Conformity- Process to assess the compliance of any transportation plan, program, or project with air quality implementation plans. The conformity process is defined by the Clean Air Act.

Transportation Control Measures (TCM) -Transportation strategies that affect traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include HOV lanes, provision of bicycle facilities, ridesharing, telecommuting, etc. Such actions may be included in a State Implementation Plan (SIP) if needed to demonstrate attainment of the National Ambient Air Quality Standards (NAAQS).

Transportation Demand Management (TDM)-"Demand-based" techniques that are designed to change travel behavior in order to improve the performance of transportation facilities and to reduce the need for additional road capacity. Methods include the use of alternative modes, ridesharing and vanpool programs and trip-reduction programs and/or ordinances.

Transportation Improvement Program (TIP) - A staged, multiyear (typically four years) listing of surface transportation projects proposed for federal, state and local funding within a metropolitan area. MPOs are required to prepare a TIP as a short-range programming document to complement its long-range transportation plan. TIPs contain projects with committed funds over a multiyear period.

Transportation Management Area (TMA)-All urbanized areas over 200,000 in population and any other area that requests such designation. The MPO is responsible for transportation planning with a TMA.

Transportation Planning Process - A collaborative process of examining demographic characteristics and travel patterns for a given area. This process shows how these characteristics will change over a given period of time and evaluates alternatives for the transportation system of the area and the most expeditious use of local, state and federal transportation funding. Long range planning is typically done over a period of 20 years; short-range programming of specific projects usually covers a period of 4 years.

Unified Planning Work Program (UPWP) - The management plan for the (metropolitan) planning program. Its purpose is to coordinate the planning activities of all participants in the planning process.

Urbanized Area - Area that contains a city of 50,000 or more population plus incorporated surrounding areas meeting size or density criteria as defined by the U.S. Census.

Vehicle Miles of Travel (VMT) - The sum of distances traveled by all motor vehicles in a specified region.

Appendix H
Examples of Advertisements

Example of a LAMTPO Executive Board meeting Advertisement (in English and Spanish).

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) Executive Board meeting scheduled for Wednesday August 11, 2021 at 9 am., has been POSTPONED until Wednesday August 18, 2021 at 9 am. The meeting will be held at the Jefferson City City Hall Building, 112 City Center Drive, Jefferson City, TN.

Items to be discussed are:

6. FFY2022-2023 UPWP
7. Status Update of the SR343 Corridor Study

Information about the meeting can be obtained by contacting Rich DesGroseilliers at richd@mymorristown.com or at 423-581-6277, or can be viewed at www.lamtpo.com. All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

La reunión de la Junta Ejecutiva de la Organización Metropolitana de Planificación del Transporte del Área de Lakeway (LAMTPO, por sus, por sus, por sus) programada para el miércoles 11 de agosto de 2021 a las 9 de la mañana, ha sido POSPUESTA hasta el miércoles 18 de agosto de 2021 a las 9 de la mañana. La reunión se llevará a cabo en el Edificio del Ayuntamiento de Jefferson City, 112 City Center Drive, Jefferson City, TN.

Los temas a tratar son:

1. UPWP FFY2022-2023
2. Actualización del estado del estudio SR343 Corridor

La información sobre la reunión se puede obtener poniéndose en contacto con Rich DesGroseilliers en richd@mymorristown.com o al 423-581-6277, o se puede ver en www.lamtpo.com. Se invita a todas las partes interesadas a asistir a la reunión. Es política de LAMTPO no discriminar por motivos de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

Example of a Public Workshop/ Kickoff Meeting

**Public Meeting for SR343/ S Cumberland St Study
Thursday November 18, 2021
Morristown City Center Training Room
100 W 1st N St, Morristown, TN 37814**

The City of Morristown, TN is currently doing a SR343 ITS Traffic Signal Coordination and S Cumberland St Complete Streets Study. On Thursday November 18, 2021, from 11:30 am to 1:30 pm there will be a Public Meeting to be held at the Morristown City Center Building Training Room, 100 W 1st N St, Morristown, TN 37814. CDM Smith Associates are the consultants handling this project.

This public meeting will:

- Give a status update of the corridor study
- Give results of online survey that was done during the month of October
- Allow the public to get an idea of how S. Cumberland St could look like

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

**Reunión pública para el estudio SR343 / S Cumberland St
Jueves 18 de noviembre de 2021
Sala de entrenamiento del centro de la ciudad de Morristown
100 W 1st N St, Morristown, TN 37814**

La ciudad de Morristown, TN, actualmente está realizando un estudio de coordinación de señales de tráfico SR343 ITS y S Cumberland St Complete Streets. El jueves 18 de noviembre de 2021, de 11:30 am a 1:30 pm, habrá una reunión pública que se llevará a cabo en la Sala de Capacitación del Edificio Morristown City Center, 100 W 1st N St, Morristown, TN 37814. CDM Smith Associates son los consultores que manejan este proyecto.

Esta reunión pública:

1. Dar una actualización del estado del estudio del corredor
 2. Dar resultados de la encuesta en línea que se realizó durante el mes de octubre
 3. Permita que el público se haga una idea de cómo podría verse S. Cumberland St
- Todas las partes interesadas están invitadas a asistir a la reunión. Es política de LAMTPO no discriminar por motivos de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

Example of a Public Comment Meeting Advertisement (in English and Spanish).

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) will be having public meetings concerning the Title VI program.

Information concerning the Title VI Program can be obtained from Rich DesGroseilliers at 423-581-6277, or on the www.lamtpo.com website. Additional copies will be on file at the public libraries in Morristown, Jefferson City, and White Pine. The dates of the meetings are:

The meeting dates are as follows:

1. Thursday January 26 2017 at 9am to 10 am at the White Pine Town Hall, 1548 Main St., White Pine.
2. Thursday January 26 2017 at 10:30 am to 11:30 am at the Jefferson City Municipal Building, 112 City Center Dr, Jefferson City.
3. Thursday, January 26, 2017 from 1 pm to 2 pm in the Council Chambers, 100 W. 1st. North St., Morristown.

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

El Lakeway área metropolitana transporte planificación organización (LAMTPO) va a tener reuniones públicas sobre el programa del título VI.

Puede obtenerse información sobre el título VI Programa Rich DesGroseilliers en 423-581-6277, o en la Web www.lamtpo.com. Copias adicionales estarán en los archivos de las bibliotecas públicas de Morristown, Jefferson City y pino blanco. Las fechas de las reuniones son:

Las fechas de reunión son los siguientes:

1. jueves, 26 de enero de 2017 en el 9:00 a 10:00 en la Casa Consistorial de blanco pino, 1548 Main St., pino blanco.
2. jueves, 26 de enero de 2017 a las 10:30 a 11:30 am en el edificio Municipal ciudad de Jefferson, 112 ciudad centro Dr, Jefferson City.
3. jueves, 26 de enero de 2017 1 pm a 14:00 en la cámara del Consejo, 100 w. 1st. St. del norte, Morristown.

Todas las partes interesadas están invitadas a asistir a la reunión. Es la política de LAMTPO no para discriminar sobre la base de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

Example of a Public Hearing Meeting Advertisement (In English and Spanish)

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) Technical Advisory Committee (TAC) and the Executive Board scheduled meetings for May 4, 2017 and May 10, 2017, respectively, have been postponed. There will be a joint TAC/ Executive Board meeting on Thursday, May 25, 2017 at 12:00 pm at the Jefferson City City Hall Building, 112 City Center Drive, Jefferson City TN 37760. The main item of discussion is the approval of the 2040 Long Range Transportation Plan (LRTP). Information concerning the 2040 LRTP can be obtained from Rich DesGroseilliers at 423-581-6277, or on the www.lamtpo.com website. Additional copies will be on file at the public libraries in Morristown, Jefferson City, and White Pine.

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

El Lakeway área metropolitana transporte planificación organización (LAMTPO) Comité Técnico Consultivo (CTC) y la Junta Ejecutiva previstas reuniones 04 de mayo de 2017 y el 10 de mayo, 2017, respectivamente, han sido pospuestas. Habrá un conjunto TAC / Comité Ejecutivo reunidos en jueves, 25 de mayo de 2017 en 12:00 en el edificio de pasillo de ciudad de Jefferson ciudad, unidad del centro de la ciudad de 112, Jefferson City TN 37760. El tema principal de discusión es la aprobación de la 2040 larga gama transporte Plan (LRTP).

Información relativa a la 2040 LRTP puede obtenerse Rich DesGroseilliers en 423-581-6277, o en la Web www.lamtpo.com . Copias adicionales estarán en los archivos de las bibliotecas públicas de Morristown, Jefferson City y pino blanco.

Todas las partes interesadas están invitadas a asistir a la reunión. Es la política de LAMTPO no para discriminar sobre la base de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

Appendix O

US Census Language Identification Flash Cards

United States
Census
2010

U.S. DEPARTMENT OF COMMERCE
Economic and Statistics Administration
U.S. CENSUS BUREAU

LANGUAGE IDENTIFICATION FLASHCARD

Hello, I'm from the U.S. Census Bureau. Is someone here now who speaks English and can help us?
If not, please write your phone number and someone will contact you in English.

01. English

Buenos días (Buenas tardes), soy de la Oficina del Censo de los Estados Unidos. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, por favor, anote su número de teléfono y alguien se comunicará con usted en español.

02. Español/
Spanish

Përshëndetje, unë vij nga Zyra e Regjistrimit të Popullsisë së Sh.B.A-së. A ndodhet dikush tani këtu që flet anglisht dhe mund të na ndihmojë? Nëse jo, ju lutemi shkruani numrin e telefonit tuaj dhe dikush do t'ju kontaktojë në gjuhën shqipe.

03. Shqip/
Albanian

እንደምንት ፡ ከአሜሪካ የሕዝብ ቆጠራ ቢሮ ነኝ ፡፡ አሁን እንግሊዝኛ ቋንቋ የሚናገር እና ለረዳን የሚችል ሰው አለ? ከሌለ እባክትን የሰልክ ቁጥርን ይጻፉልንና በአማርኛ የሚያናግርት ይጻፉልን፡፡

04. ሞሽኒርቱሽ/Amharic

مرحباً، أنا من مكتب الإحصاء الأمريكي. هل يوجد هنا الآن شخص يتحدث الإنجليزية ويمكنه مساعدتنا؟ إذا لم يوجد، فلارجاء أتابة رقم هاتفكم وسيصل بكم أحد الأشخاص باللغة العربية.

05. العربية/
Arabic

Բարև Ձեզ, ես ԱՄՆ-ի Մարդահամարի Բյուրոյից եմ՝ Ներկա՞ է արդյոք մեկը, որը խոսում է Ամերիկյան կարող է մեզ օմնսել՝ Եթե ոչ, մերեք Ձեր հեռախոսի համարը և Ձեզ հետ կկապվեն Չայերենով:

06. Չայերեն/
Armenian

হ্যালো, আমি ইউ.এস. সেন্সাস বিউরো থেকে এসেছি। এখানে এখন এমন কেউ আছেন কি যিনি ইংরেজি বলতে পারেন এবং আমাদের সাহায্য করতে পারেন যদি তেমন কেউ না থাকে, আপনার ফোন নম্বর লিখে দিন এবং আপনার সঙ্গে একজন বাংলায় যোগাযোগ করবেন।

07. বাংলা/
Bengali

Разрешете да ви се представя, аз съм служител на Бюрото по преброяване на населението на САЩ. Има ли тук някой, който говори английски и би могъл да ни помогне? Ако няма, моля, напишете своя телефонен номер, за да може някой от нашите служители да ви се обади на български.

08. български/
Bulgarian

<p>နိသယူၤမသာ အုန မှ် ဃနညျကျ ကြမနကေၤညါသနသညန. နမန ညသတ တသၤၤစနုၤ ညါၤရ် ညါၤ ခဏၤ. နစ ကျိၤ ညသၤအယ ဣနုၤတမအန ပသကမ စသညန ညကာဘနမ ညါၤသနသညန တဏ် ခသညအခေအ ပသက ညါၤနညါၤရ်.</p>	09. မြန်မာ/ Burmese
<p>សូម្បី ខ្ញុំមកពីកម្រិតវិស័យជំរឿនរបស់សហរដ្ឋអាមេរិក ១១ ។ ជនសុស ប៉ារ៉ុត ។ តើមាននរណាទៅ មិនដែលប្រើប្រាស់ភាសាអង់គ្លេសហើយអាចជួយយើងបានទេ ? ប្រសិនបើមិនមានទេ សូមសរសេរ លេខទូរស័ព្ទរបស់អ្នកបក ហើយនរណាម្នាក់នឹងទាក់ទងអ្នកជាភាសាខ្មែរ ។</p>	10. ភាសាខ្មែរ/ Cambodian
<p>您好。我是为美国人口普查局工作的。您这里有没有会说英语的人可以帮助我们？如果没有，请写下您的电话号码，然后将有人用中文与您联系。</p>	11. 中文/ Chinese (Simplified)
<p>您好。我是为美國人口普查局工作的。請問您這里有沒有會說英語的人可以幫助我們？如果沒有，請寫下您的電話號碼，之後將有人使用中文與您聯絡。</p>	12. 中文/ Chinese (Traditional)
<p>Dobar dan, ja sam iz Američkog biroa za cenzus. Ima li ovdje nekoga tko govori engleski i može nam pomoći? Ako nema, molim Vas da napišete svoj broj telefona, pa ćemo stupiti s Vama u kontakt na hrvatskom jeziku.</p>	13. hrvatski/ Croatian
<p>Dobrý den, jsem z Amerického úřadu pro sčítání lidu (U.S. Census Bureau). Je zde někdo, kdo hovoří anglicky a může nám pomoci? Pokud ne, napište prosím své telefonní číslo a někdo Vás bude kontaktovat v češtině.</p>	14. čeština/ Czech
<p>سلام، من در دفتر نفوس شماری، در ایالات متحده امریکا ایفای وظیفه مینمایم. آیا همراه شما، همین لحظه کسی است که با لسان انگلیسی آشنایی داشته باشد و ما را کمک کرده بتواند؟ اگر نیست، پس لطفاً نمبر تلفونتانرا بدهیست! به لسان مندی با شما در تماس شوم.</p>	15. دری / Dari
<p>Kudual, yen ye raan de maktam de kuën de koc de Amerika. Non raan ye jam ë thon de Linglith léu bë wok kony ë kë looiku? Na liu, ke yi gǝr telepundu ku anon raan bë yiin col ë thuonjǝn.</p>	16. Thuonjǝn/ Dinka
<p>Hallo, ik ben van het Amerikaanse Census Bureau. Is er iemand hier die Engels spreekt en ons kan helpen? Als dat niet zo is, wilt u dan uw telefoonnummer opschrijven? Dan zal iemand telefonisch contact met u opnemen in het Nederlands.</p>	17. Nederlands/ Dutch

سلام. من یک کارمند اداره سرشماری ایالات متحده هستم. آیا کسی حالا اینجا هست که به زبان انگلیسی صحبت میکند و میتواند به ما کمک کند؟ اگر کسی نیست، لطفاً شماره تلفنشان را بنویسید، و یک نفر به زبان فارسی با شما تماس خواهد گرفت.	18. فارسی/ Farsi
Bonjour, je travaille pour le Bureau de Recensement des États-Unis. Y a-t-il quelqu'un ici qui parle anglais et puisse nous aider ? Sinon, notez votre numéro de téléphone pour que quelqu'un puisse vous contacter en Français.	19. Français/ French
Guten Tag. ich komme im Auftrag des Bundesbüro zu Durchführung von Volkszählungen. Kann ich mit jemandem sprechen, der Englisch spricht und der uns helfen kann? Wenn nicht, schreiben Sie bitte Ihre Telefonnummer auf und es wird sich jemand in deutscher Sprache mit Ihnen in Verbindung setzen.	20. Deutsch/ German
Γειά σας, Είμαστε από την Υπηρεσία Απογραφής των ΗΠΑ. Είναι κανείς εδώ αυτή τη στιγμή που μιλάει Αγγλικά να μας εξυπηρετήσει; Αν όχι, παρακαλώ σημειώστε το τηλέφωνό σας και θα επικοινωνήσει κάποιος μαζί σας στα ΕΛΛΗΝΙΚΑ.	21. Ελληνικά/ Greek
Bonjou, mwèn se anpwlaye biwo resansman ameriken. Èske m ka pale ak yon moun nan kay la ki konn pale anglè ? Si pa gen moun nan kay la ki pale anglè, tanpri ekri nimewo telefòn ou pou yon moun kki pale kreyòl ayisyen rele w.	22. kreyòl ayisyen/ Haitian Creole
שלום, אני ממשרד מפקד האוכלוסין של ארצות הברית. האם יש כאן מישהו ברגע זה שמדבר אנגלית ויכול לעזור לנו? במידה ולא, אנא כחבו את מספר הטלפון שלכם ומישהו ייצור קשר אתכם בשפה העברית.	23. עברית/ Hebrew
हेलो, मे यूएस जनगणना ब्यूरो से हू। क्या अभी यहाँ ऐसा कोई व्यक्ति है जो अंग्रेजी बोलता हो और हमारी मदद कर सकता हो? यदि नहीं, तो कृपया अपना फोन नंबर लिखें और कोई व्यक्ति आपसे हिन्दी में संपर्क करेगा।	24. हिन्दी/ Hindi
Nyob zoo. Kuv tuaj hauv Teb Chaws Asmeskas Chaw Suav Pej Xeem tuaj Puas muaj leej twg nyob hauv tsev uas txawj lus Askiv thiab pab tau peb? Yog tsis muaj. thov sau koj tus xov tooj tseg, mami li muaj ib tug neeg hais lus Hmoob hu tuaj rau koj.	25. Hmoob/ Hmong
Jó napot kívánok, az Egyesült Államok Népszámlálási Hivatalától vagyok. Van a közelben valaki, aki beszél angolul, és segíteni tud nekünk? Ha nem, kérem, írja le a telefonszámát, és kapcsolatba fogunk lépni Önnel magyarul	26. Magyar/ Hungarian

Hello, taga Census Bureau ako ng U.S. Adda kadi kadakayo nga makapagsarita ti English ken mabalin nga tumulong kaniami? Nu awan paki surat yo iti numero iti telepono yo ta adda iti tumawag kaniayo nga ag Ilocano.

27. Ilocano/
Ilocano

Salve, chiamo da parte del Census Bureau degli Stati Uniti. C'è qualcuno che parla inglese ed è in grado di aiutarci? In caso negativo, scriva il numero di telefono e sarà contattato da qualcuno che parla Italiano.

28. Italiano/
Italian

こんにちは。私は米国勢調査局の係員です。こちらには英語を理解できこの調査にご協力いただける方がいらっしゃいますか? もしもない場合は、あなたのお電話番号をお書きいただければ、日本語を話す係員が連絡をいたします。

29. 日本語/
Japanese

안녕하세요. 저는 미국 인구조사국에서 일하고 있습니다. 영어를 사용하시는 분 중에 저희를 도와 주실 수 있는 분이 여기 계십니까? 없으신 경우, 전화번호를 적어주시면 한국어를 할 수 있는 직원이 연락을 드릴 것입니다.

30. 한국어/
Korean

ສະບາຍດີ, ຂ້າພະເຈົ້າ ມາຈາກສຳນັກງານສຳຫວັດພົນລະເມືອງ ແຫ່ງສະຫະລັດອາເມລິກາ. ມີໃຜຢູ່ທີ່ນີ້ ສາມາດເວົ້າພາສາອັງກິດ ແລະ ຊ່ວຍເຫຼືອພວກເຮົາໄດ້ບໍ່? ຖ້າບໍ່ມີ, ກະລຸນາຂຽນເລກ ໂທລະສັບຂອງທ່ານ ແລະ ພວກເຮົາ ຈະຕິດຕໍ່ຫາທ່ານ ເປັນພາສາລາວ.

31. ພາສາລາວ/
Laotian

Sveiki, aš esu iš JAV Gyventojų surašymo biuro. Ar čia dabar yra kas nors, kas kalba angliškai ir galėtų mums padėti? Jei ne, prašome užrašyti savo telefono numerį ir su jumis susisieks lietuvių kalba.

32. Lietuvių/
Lithuanian

ഹലോ, ഞാൻ ഈ എൻ സെൻസസ് ബ്യൂറോയിൽ നിന്നാണ്. ഇവിടെ സംസാരിക്കുന്ന ആരെങ്കിലും ഇംഗ്ലീഷിൽ ഇവിടെയുണ്ടോ ഞങ്ങൾക്ക് സഹായിക്കാൻ? ഇല്ലെങ്കിൽ, നിങ്ങളുടെ ടെലിഫോൺ നമ്പർ എഴുതി നൽകുക. മലയാളത്തിൽ സംസാരിക്കുന്ന ആരെങ്കിലും താങ്കളെ സമ്പർക്കിച്ച്.

33. മലയാളം/
Malayalam

Yá'áí'éc'h, Nee'máá runáháhúágo Bíla'ashdla'íi náóltah bil haz'á bá naashnish, Háidaaish kóó Bilagáanaa bió zaad yee yálti'ígíi hóó? 'Ádingo 'éi nibéésh bee hane'é nihá 'ádíííit dóó t'áá háida t'áá Díné Bizaad yee yálti'ígíi nich'íi' náhodoonih.

34. Diné Bizaad/
Navajo

नमस्ते, म अमेरिकाको जनगणना अफिसबाट आएका। यहाँ अंग्रेजी बोल्न जान्ने अन्त हामीलाई मदन गनसक्ने कोहि मान्छे छन ? नभए, नेपालको फोन नम्बर लेखिदिनु अनि कसैले नेपालीसित नेपाली भाषामा कुरा गर्नेछन् ।

35. नेपाली/
Nepali

ਹੈਲੋ, ਮੈਂ ਯੂ.ਐੱਸ. ਜਨਗਣਨਾ ਬਿਊਰੋ ਵਲੋਂ ਆਇਆ/ਆਈ ਹਾਂ। ਕੀ ਇਥੇ ਕੋਈ ਅੰਗਰੇਜ਼ੀ ਬੋਲ ਸਕਦਾ ਹੈ ਅਤੇ ਸਾਡੀ ਮਦਦ ਕਰ ਸਕਦਾ ਹੈ? ਜੇ ਨਹੀਂ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਆਪਣਾ ਟੈਲੀਫੋਨ ਨੰਬਰ ਲਿਖ ਦਿਉ ਅਤੇ ਕੋਈ ਤੁਹਾਨੂੰ ਪੰਜਾਬੀ ਵਿੱਚ ਸੰਪਰਕ ਕਰੇਗਾ।

36. ਪੰਜਾਬੀ/
Panjabi

Dzień dobry. Jestem z Amerykańskiego Biura Spisu Ludności. Czy ktoś tutaj mówi po angielsku i mógłby nam pomóc? Jeżeli nie, proszę napisać swój numer telefonu, a ktoś skontaktuje się z Państwem po polsku.

37. Polski/
Polish

Olá, sou do Serviço de censo dos Estados Unidos. Alguém aqui fala inglês e pode nos ajudar? Caso contrário, escreva seu telefone e alguém vai entrar em contato com você em português.

38. Português/
Portuguese

Bună ziua, sunt de la Biroul de Recensământ al S.U.A. Este cineva aici, în acest moment, care vorbeşte engleză şi ne poate ajuta? Dacă nu, vă rog scrieţi-vă numărul de telefon şi cineva vă va contacta telefonic în română.

39. Română/
Romanian

Здравствуйте! Я представляю Бюро переписи населения Соединенных Штатов. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то, пожалуйста, напишите свой телефонный номер, чтобы наши сотрудники могли побеседовать с вами по-русски.

40. русский/
Russian

Добар дан, ја сам из Америчког бироа за попис становништва. Да ли овде има некога ко говори енглески и може да нам помогне? Ако нема, молим Вас да напишете свој број телефона, па ћемо контактирати с Вама на српском језику.

41. српски/
Serbian

Hallo, Waxaan anigu ka tirsanahay Xafiiska Tirakoobka Mareykanka. Halkan ciddi ma Joogta hadda oo ku hadasha Ingiriisiga oo na caawin karta? Haddi kalese, fadlan qor lambarka talafoonkaaga markaasna qof ayaa kugulasoo xidhiidhi doona adiga Soomaalliga.

42. Soomaali/
Somali

Halo, nimetoka Shirika la Sensa la Merika Je, kuna mtu hapa sasa anayezungumza Kiingereza na anaweza kutusaidia? Ikiwa hakuna, tafadhali andika nambari yako ya simu na mtu atawasiliana na wewe kwa Kiswahili.

43. Kiswahili/
Swahili

Hello, Ako'y galing sa U.S. Census Bureau. Mayroon ba ditong marunong magsalita ng Ingles at makakatulong sa amin ngayon? Kung wala, pakisulat ang telepono ninyo at may tatawag sa inyo sa Tagalog.

44. Tagalog/
Tagalog

<p>สวัสดีครับ/ค่ะ ผม/ดิฉันเป็นเจ้าหน้าที่จากสำนักงานส่มมะโนประชากรสหรัฐ มีใครพอจะพูดภาษาอังกฤษเพื่อช่วยแปลได้บ้างหรือเปล่า ครับ/ค่ะ ถ้าไม่มีช่วยแจ้งเบอร์โทรศัพท์เพื่อที่เราจะสามารถติดต่อกลับมาใหม่ได้เป็นภาษาไทย</p>	<p>45. ไทย/ Thai</p>
<p>ሃላው፡ ከብ ቤት ጽሕፈት ምዝገባ ሕዝብ አጫሪክ እየ አኑ። ሕጂ እንግሊዝኛ ዝህራራብን ክሕግዝን ዝክሕልን ሰብ ኣብዚ ኣሉዶ? እንተዘይኮነ፡ ብኻብረትኩም ቁጽሪ ቴሌፎንኩም ጽሓፉ፡፡ ሓደሰብ ብትግርኛ ክሃረበኩም እዩ።</p>	<p>46. ትግርኛ/ Tigrinya</p>
<p>Merhaba, A.B.D. İstatistik Bürosu'ndanım. Orada İngilizce konuşan ve bize yardım edebilecek birisi var mı? Yoksa, lütfen telefon numaranızı yazın, sizinle Türkçe dilinde temasa geçilecek.</p>	<p>47. TÜRKÇE/ Turkish</p>
<p>Привіт, Ми з США. Сенсає Бюро. Тут є хтось, хто володіє англійською мовою і може допомогти нам? Якщо ні, будь ласка, запишіть ваш телефонний номер і з вами зв'яжуться на українській мові.</p>	<p>48. українська мова/ Ukrainian</p>
<p>ہیلو، میں امریکی مردم شماری بیورو سے ہوں۔ کیا یہاں کوئی ایسا شخص ہے جو انگریزی بولتا ہو اور ہماری مدد کر سکتا ہو؟ اگر نہیں، تو براہ کرم اپنا فون نمبر لکھوائیں اور کوئی شخص آپ سے اردو زبان میں رابطہ کرے گا۔</p>	<p>49. اردو/ Urdu</p>
<p>Xin chào, tôi là nhân viên của Cục Thống Kê Dân Số Hoa Kỳ. Ở đây hiện có ai biết nói tiếng Anh và có thể giúp chúng tôi không? Nếu không, xin vui lòng ghi lại số điện thoại của quý vị. Chúng tôi sẽ liên lạc lại với quý vị bằng tiếng Việt.</p>	<p>50. Tiếng Việt/ Vietnamese</p>
<p>האלאו, איך בין פון די יונייטעד סטעיטס צענזוס ביורא. איז פאראן דא איינער וואס רעדט ענגליש און קען אונז העלפן? אויב נישט, ביטע שרייבט אראפ אייער טעלעפאן נומער און איינער וועט זיך פארשטענדליך מיט אייך אידיש.</p>	<p>51. אידיש/ Yiddish</p>

APPENDIX P

NOTICE OF PUBLIC MEETINGS AND COMMENTS

The Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) will be having public comment meetings concerning the Title VI program and the DBE Program and Goals. Information concerning these items can be obtained from Rich DesGroseilliers at 423-581-6277, or can be seen on the www.lamtpo.com website. The meeting dates are as follows:

The meeting dates are as follows:

1. Thursday February 24, 2022 at 9am to 10 am at the White Pine Town Hall, 1548 Main St., White Pine.
2. Thursday February 24, 2022 at 10:30 am to 11:30 am at the Jefferson City Municipal Building, 112 City Center Dr, Jefferson City.
3. Thursday, February 24, 2022 from 1 pm to 2 pm in the planning conference room, 100 W. 1st. North St., Morristown.

All interested parties are invited to attend the meeting. It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities.

La Organización de Planificación de Transporte Metropolitano del Area de Lakeway (LAMTPO) tendrá reuniones de comentarios públicos sobre el programa título VI y el programa y objetivos de DBE. La información sobre estos artículos se puede obtener de Rich DesGroseilliers al 423-581-6277, o se puede ver en el sitio web de www.lamtpo.com. Las fechas de las reuniones son las siguientes:

Las fechas de las reuniones son las siguientes:

1. Jueves 24 de febrero de 2022 de 9am a 10 am en el Ayuntamiento de White Pine, 1548 Main St., White Pine.
2. Jueves 24 de febrero de 2022 de 10:30 am a 11:30 am en el Edificio Municipal de Jefferson City, 112 City Center Dr, Jefferson City.
3. Jueves, 24 de febrero de 2022 de 1 pm a 2 pm en la sala de conferencias de planificación, 100 W. 1st. North St., Morristown.

Todas las partes interesadas están invitadas a asistir a la reunión. Es política de LAMTPO no discriminar por motivos de raza, color, origen nacional, edad, sexo o discapacidad en la operación de sus programas, servicios y actividades.

No Comments were received

3. Provide a copy of the MPO's plan for providing language assistance to LEP persons.

Use US Census Language Identification Flash Cards,

All LAMTPO employees, including management staff, will be provided a copy of the *LAMTPO Transit Language Assistance Implementation Plan for Limited English Proficiency Persons*, and will be educated on procedures and services available and the importance of the plan. This information will also become part of the LAMTPO training/orientation for new employees. Training topics provided to all LAMTPO employees will include:

- ☐ Understanding LAMTPO's LEP policies and procedures;
- ☐ How to access a staff interpreter and/or a staff member to utilize Avaza Language Services Corp. (615)534-3400, or Verbatim services (877)457-6589 telephone interpreters;

- ☐ How to access LAMTPO documents; and
- ☐ Documentation of language assistance requests.

Additional training will be provided to employees who will have direct contact with LEP individuals, assisting them to utilize the telephonic interpretation system.

LAMTPO planning staff will work with "in-person" oral interpreters for LAMTPO public meetings, as well work with professional translators to provide and/or update major documents in Spanish or other languages if need arises.



Language Identification Card

I work for the U.S. Census Bureau. Is someone here now who speaks English and can help us?
If not, someone may contact you who speaks _____.

Español (Spanish 02)

Trabajo para la Oficina del Censo de los EE. UU. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, alguien que habla español podría comunicarse con usted.

普通话、广东话 (Chinese simplified)

我是美国人口普查局的工作人员。请问您这里有没有会说英语的人可以帮助我们？

(Mandarin 03): 如果没有，可能会有会讲普通话的人与您联系。

(Cantonese 04): 如果没有，可能会有会讲广东话的人与您联系。

如果您閱讀繁體中文，請參閱第2頁（普通話或廣東話）(Chinese traditional on pg 2)

Tiếng Việt (Vietnamese 05)

Tôi làm việc cho Cục Thống Kê Dân Số Hoa Kỳ. Hiện có ai ở đây biết nói tiếng Anh và có thể giúp quý vị và tôi không? Nếu không, một nhân viên nói tiếng Việt có thể sẽ liên lạc với quý vị.

한국어 (Korean 06)

저는 미국 인구조사국에서 일하고 있습니다. 여기 계신 분 중에서, 영어를 하실 수 있어서 저희를 도와주실 수 있는 분이 혹시 계신지요? 없으시면, 한국어를 하시는 분이 연락을 드릴 수도 있습니다.

Русский (Russian 07)

Я представляю Бюро переписи населения США. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то тогда возможно, с Вами свяжется наш сотрудник, говорящий по-русски.

العربية (Arabic 08)

أنا أعمل لمكتب الإحصاء الأمريكي. هل يوجد شخص هنا يتكلم الإنجليزية و يمكنه ان يساعدنا الآن؟ إذا لا، فقد يتصل بكم شخص يتكلم اللغة العربية.

Tagalog (Tagalog 09)

Nagtatrabaho ako para sa Kawanihan ng Senso ng U.S. Mayroon ba rito ngayong nagsasalita ng Ingles at maaaring tumulong sa amin? Kung wala, maaaring may kumontak sa inyo na nagsasalita ng Tagalog.

Polski (Polish 10)

Jestem pracownikiem Urzędu Spisu Ludności USA. Czy w tej chwili jest tu ktoś, kto mówi po angielsku i może nam pomóc? Jeżeli nie, może skontaktować się z Państwem ktoś, kto mówi po polsku.

Français (French 11)

Je travaille pour le Bureau de recensement des États-Unis. Y a-t-il quelqu'un ici qui parle anglais et qui pourrait nous aider? Sinon, quelqu'un qui parle français pourrait vous contacter.

Kreyòl Ayisyen (Haitian Creole 12)

Mwen travay pou Biwo Resansman Etazini. Èske gen yon moun la ki pale anglè ki ka ede nou? Si pa genyen, yon moun isit la ki pale kreyòl ka rele ou.

Português (Portuguese 13)

Trabalho para a Agência do Censo dos EUA. Há alguém aqui, agora, que fale inglês e que possa nos ajudar? Caso não haja, uma pessoa que fala português poderá entrar em contato com você.

日本語 (Japanese 14)

私はアメリカ合衆国国勢調査局の係員です。こちらには英語を理解でき この調査にご協力いただける方がいらっしゃいますか？もしない場合は、日本語を話す係員があなたに連絡をすることがあります。

Shqip (Albanian 15)

Unë punoj për Byronë Amerikane të Censurit. A ka njeri këtu tani që flet anglisht dhe mund të na ndihmojë? Nëse jo, dikush që flet shqip mund t'ju kontaktojë.

አማርኛ (Amharic 17)

እኔ የአሜሪካ ህዝብ ቆጠራ ቢሮ ሰራተኛ ነኝ። እንግሊዝኛ የሚናገርና ሊረዳን የሚችል ሰው አለ?
ከሌለ አማርኛ የሚችል ሰው ሊያነጋግርዎ ይችላል።

Հայերեն (Armenian 18)

Ես աշխատում եմ ԱՄՆ Մարդահամարի բյուրոյի համար: Ներկա^օ է այստեղ այժմ որևէ մեկը, ով խոսում է անգլերեն և կարող է օգնել մեզ: Եթե ոչ, ապա հայերեն խոսող որևէ մեկը կարող է կապվել Ձեզ հետ:

বাংলা (Bengali 19)

আমি ইউ.এস. জনগণনা ব্যুরোতে কাজ করি। এখানে এখন কি এমন কেউ আছেন যিনি ইংরেজি বলতে পারেন এবং আমাদের সাহায্য করতে পারবেন? না থাকলে বাংলা বলতে পারেন এমন কেউ আপনার সাথে যোগাযোগ করতে পারেন।

Босански/ Bosanski (Bosnian 20)

Ja radim za Američki biro za popis stanovništva. Ima li ovdje nekoga ko govori engleski i može nam pomoći? Ako nema, s Vama bi mogao kontaktirati neko ko govori bosanski.

Ja radim za Američki biro za popis stanovništva. Ima li ovdje nekoga ko govori engleski i može nam pomoći? Ako nema, s Vama bi mogao kontaktirati neko ko govori bosanski.

Български (Bulgarian 21)

Служител съм на Бюрото за преброяване на населението на САЩ. Има ли тук някой, който говори английски и би могъл да ни помогне? Ако няма, с вас може да се свърже някой от нашите служители, който говори български.

မြန်မာဘာသာ (Burmese 22)

ကျွန်တော်/ကျွန်မက အမေရိကန်ပြည်ထောင်စု သန်းခေါင်စာရင်းဌာနအတွက် အလုပ်လုပ်ပါတယ်။
ဒီမှာ အင်္ဂလိပ်စကားပြောတတ်ပြီး ကျွန်တော်/ကျွန်မတို့ကို ကူညီနိုင်သူ ရှိပါသလား။ မရှိဘူးဆိုရင်တော့
မြန်မာစကားပြောတတ်သူတစ်ဦးက လူကြီးမင်းကို ဆက်သွယ်ပါလိမ့်မယ်။

普通話、廣東話 (Chinese traditional 23)

我是美國人口普查局的工作人員。請問您這裡有沒有會說英語的人可以幫助我們？

(Mandarin 03): 如果沒有，可能會有會講普通話的人聯絡您。

(Cantonese 04): 如果沒有，可能會有會講廣東話的人聯絡您。

Hrvatski (Croatian 23)

Ja radim za američki Ured za popis stanovništva. Ima li trenutno ovdje nekoga tko govori engleski i tko bi nam mogao pomoći? Ako nema, mogao bi Vas kontaktirati netko tko govori hrvatski.

Čeština (Czech 24)

Pracuji pro Americký úřad pro sčítání lidu. Je zde někdo, kdo hovoří anglicky a může nám pomoci? Pokud ne, je možné, že Vás bude kontaktovat někdo, kdo hovoří česky.

Nederlands (Dutch 25)

Ik werk voor het Censusbureau van de VS. Is er hier iemand die Engels spreekt en ons kan helpen?
Zo niet, dan kan iemand contact met u opnemen die Nederlands spreekt.

فارسی (Farsi 26)

من برای اداره سرشماری ایالات متحده کار می‌کنم. آیا هم‌اکنون اینجا کسی هست که به زبان انگلیسی حرف بزند و بتواند به من و شما کمک کند؟
اگر نیست، در این صورت احتمال دارد یک نفر از اداره سرشماری که به زبان فارسی صحبت می‌کند با شما تماس بگیرد.

Deutsch (German 27)

Ich arbeite für die US-amerikanische Statistikbehörde. Kann ich mit jemandem sprechen, der Englisch spricht und der uns helfen kann? Wenn nicht, kann jemand, der Deutsch spricht, Kontakt mit Ihnen aufnehmen.

Ελληνικά (Greek 28)

Εργάζομαι στο Γραφείο Απογραφής Πληθυσμού των ΗΠΑ. Είναι κανείς εδώ αυτή τη στιγμή που μιλάει Αγγλικά να μας εξυπηρετήσει; Αν όχι, μπορεί κάποιος να επικοινωνήσει μαζί σας στα Ελληνικά.

ગુજરાતી (Gujarati 29)

હું યુ.એસ. જન ગણના બ્યુરો માટે કામ કરું છું. શું હાલમાં અહીં એવી કોઈ વ્યક્તિ છે જે અંગ્રેજી બોલી શકે અને અમને મદદ કરી શકે? જો કોઈ ના હોય તો, ગુજરાતી બોલતી કોઈપણ વ્યક્તિ તમારી સાથે સંપર્ક કરી શકે છે.

עברית (Hebrew 30)

אני עובד עבור לשכת מפקד האוכלוסין של ארה"ב. האם נמצא כאן עכשיו מישהו שמדבר אנגלית
ויכול לעזור לנו? במידה ולא, ישנה אפשרות שייצור אתכם קשר מישהו שמדבר עברית.

हिंदी (Hindi 31)

मैं यू.एस. जनगणना ब्यूरो के लिए काम करता हूँ। क्या यहाँ अभी कोई ऐसा है जो अंग्रेज़ी बोलता हो और हमारी मदद कर सकता हो? अगर नहीं तो, कोई आपसे संपर्क करेगा जो हिंदी में बात करता हो।

Hmoob (Hmong 32)

Kuv ua hauj lwm rau Teb Chaws Asmeskas Koom Haum Suav Pej Xeem. Puas muaj leej twg tam sim no txawj hais lus Askiv thiab yuav pab tau peb? Yog tsis muaj, muaj neeg hais Lus Hmoob yuav hu rau koj.

Magyar (Hungarian 33)

Az Egyesült Államok Népszámlálási Hivatalánál dolgozom. Van a közelben valaki, aki beszél angolul, és segíteni tud most nekünk? Ha nincs, akkor lehet, hogy egy magyarul beszélő munkatársunk fel fogja venni Önnel a kapcsolatot.

Igbo (Igbo 34)

Ana m arụrụ ndị Ngalaba Gọmentị U.S. na-ahụ maka Ọnụọgụgụ ndị mmadụ oru. È nwèrè onye nọ ebe à ugbo, a bụ onye na-asụ Igbo nwere ike inyere anyị aka? Ọ bụrụ nà è nweghi, otù onye nà-asụ Igbo nwèrè ike jkpọtụrụ gị.

Ilokano (Ilocano 35)

Agtrabtrabahoak para iti U.S. Census Bureau. Adda kadi ditoy ita iti siasinoman a makapagsao iti Ingles ken makatulong kadakami? No awan, adda maysa a mangkontak kadakayo a makapagsao iti Ilokano.

Bahasa Indonesia (Indonesian 36)

Saya bekerja untuk Biro Sensus A.S. Apakah di sini ada yang bisa berbahasa Inggris dan dapat membantu kami? Jika tidak, seseorang yang berbahasa Indonesia mungkin menghubungi Anda.

Italiano (Italian 37)

Lavoro per conto dell'Ufficio Censimento degli Stati Uniti. C'è qualcuno qui adesso che parli inglese e possa aiutarci? In caso contrario, qualcuno che parla italiano potrebbe contattarla.

ខ្មែរ (Khmer 38)

ខ្ញុំធ្វើការឱ្យការិយាល័យជំរឿនរបស់សហរដ្ឋអាមេរិក តើនៅទីនេះ មាននរណាម្នាក់ ចេះនិយាយភាសាអង់គ្លេស ហើយអាចជួយយើងខ្ញុំបានទេ? បើសិនជាគ្មានទេ នោះនឹងមានគេដែលចេះនិយាយភាសាខ្មែរទាក់ទងទៅលោកអ្នក។

ພາສາລາວ (Lao 39)

ຂ້າພະເຈົ້າເຮັດວຽກຢູ່ສຳນັກງານສຳຫຼວດພົນລະເມືອງແຫ່ງສະຫະລັດ. ຕອນນີ້ມີໃຜຢູ່ທີ່ນີ້ທີ່ສາມາດເວົ້າພາສາອັງກິດ ແລະ ຊ່ວຍເຫຼືອພວກເຮົາໄດ້ບໍ່? ຖ້າບໍ່ມີ, ຈະມີຄົນທີ່ເວົ້າພາສາລາວໄດ້ຕິດຕໍ່ຫາທ່ານ

Lietuvių (Lithuanian 40)

Aš esu iš JAV gyventojų surašymo biuro. Ar čia dabar yra kas nors, kas kalba angliškai ir galėtų man ir jums padėti? Jei ne, su jumis gali susisiekti lietuviškai kalbantis asmuo.

മലയാളം (Malayalam 41)

ഞാൻ യു.എസ്. സെൻസസ് ബ്യൂറോയിൽ ജോലി ചെയ്യുന്നു. ഇപ്പോൾ ഇംഗ്ലീഷ് ഭാഷ സംസാരിക്കുന്ന, ഞങ്ങളെ സഹായിക്കാൻ കഴിയുന്ന ഒരാൾ ഇവിടെ ഉണ്ടോ? ഇല്ലെങ്കിൽ, മലയാളം സംസാരിക്കുന്ന ആരെങ്കിലും നിങ്ങളെ ബന്ധപ്പെടുക്കാം

मराठी (Marathi 42)

मी यू.एस. जनगणना कार्यालयासाठी काम करतो. इथे आता कुणी अशी व्यक्ती आहे का जी इंग्रजी बोलते व आम्हाला मदत करू शकेल? नसेल तर, कुणी मराठी बोलणारी व्यक्ती आपल्याशी संपर्क करेल.

Diné (Navajo 43)

U.S. Wááshindoondi Diné Nídawólta' Bina'anishgi naashnish. Ła'kóóh hóló k'ad Bilagáana bizaad yee yálti'ígíí dóó nihiká adoolwo'ígíí? Doodago éi ła' da shíí naanidínóotaał Dinék'ehjí yálti'ígíí.

नेपाली (Nepali 44)

म अमेरिकी जनगणना ब्यूरोमा काम गर्छु । अहिले यहाँ अंग्रेजी बोल्न जान्ने र हामीलाई मद्दत गर्नसक्ने कोही मान्छे हुनुहुन्छ? यदि कोही छैन भने, तपाईंसँग नेपाली भाषामा कुरा गर्ने कसैले सम्पर्क गर्न सक्दछ ।

ਪੰਜਾਬੀ (Punjabi 45)

ਮੈਂ ਯੂ.ਐਸ. ਜਨਗਣਨਾ ਬਿਊਰੋ ਲਈ ਕੰਮ ਕਰਦਾ ਹਾਂ। ਕੀ ਇਥੇ ਹੁਣ ਕੋਈ ਅੰਗਰੇਜ਼ੀ ਬੋਲਣ ਅਤੇ ਸਾਡੀ ਮਦਦ ਕਰਨ ਵਾਲਾ ਵਿਅਕਤੀ ਹੈ? ਜੇਕਰ ਨਹੀਂ, ਤਾਂ ਤੁਹਾਡੇ ਨਾਲ ਪੰਜਾਬੀ ਬੋਲਣ ਵਾਲਾ ਵਿਅਕਤੀ ਸੰਪਰਕ ਕਰੇਗਾ।

Română (Romanian 46)

Lucrez pentru Biroul pentru recensământ al SUA. Aveți pe cineva lângă dumneavoastră care vorbește limba engleză și ne poate ajuta? Dacă nu aveți pe nimeni, este posibil să fiți contactat(ă) de o altă persoană care vorbește limba română.

Српски / Srpski (Serbian 47)

Ja radim za Američki biro za popis stanovništva. Da li ovde ima nekoga ko govori engleski i može da nam pomogne? Ako nema, postoji mogućnost da sa Vama kontaktira osoba koja govori srpski jezik.

Ja radim za Američki biro za popis stanovništva. Da li ovde ima nekoga ko govori engleski i može da nam pomogne? Ako nema, postoji mogućnost da sa Vama kontaktira osoba koja govori srpski jezik.

සිංහල (Sinhala 48)

මම එක්සත් ජනපද සංගණන කාර්යාංශයේ සේවය කරමි. මෙහි සිටින ඉංග්‍රීසි බස කථා කරන කෙනෙක්ට අපට උදව් කළ හැකිද? එසේ නොමැති නම් සිංහල බස කථා කරන කෙනෙක් ඔබව සම්බන්ධ කරගනු ඇත.

Slovenčina (Slovak 49)

Pracujem pre Úrad pre sčítanie obyvateľstva USA. Je tu teraz niekto, kto hovorí po anglicky a môže nám pomôcť? Ak nie, možno Vás bude kontaktovať niekto, kto hovorí po slovensky.

Soomaali (Somali 50)

Waxaan u shaqeeyaa Xafiiska Tirakoobka Mareykanka. Hadda ma joogaa qof ku hadla af Ingiriis oo na caawin kara? Haddii uusan joogin, waxaa laga yaabaa inuu idin la soo xiriiro qof ku hadla af Soomaali.

Kiswahili (Swahili 51)

Ninafanya kazi na Shirika la Sensa ya Marekani. Je, kuna mtu hapa ambaye anazungumza Kiingereza na anaweza kutusaidia? Ikiwa hamna, mtu anaweza kuwasiliana nawe anayezungumza Kiswahili.

தமிழ் (Tamil 52)

நான் அமெரிக்க மக்கள்தொகைக் கணக்கெடுப்பு பணியகத்தில் வேலை செய்கிறேன். இங்கே இப்போது யாராவது ஆங்கிலம் பேசுபவர் இருக்கிறாரா மேலும் அவரால் நமக்கு உதவி செய்ய முடியுமா? இல்லையென்றால் யாராவது தமிழ் பேசும் ஒருவர் உங்களைத் தொடர்பு கொள்ளலாம்.

తెలుగు (Telugu 53)

నేను యు.ఎస్. జనాభా గణన బ్యూరో కోసం పని చేస్తున్నాను. నాకు సహాయం చెయ్యడానికి ఆంగ్లంలో మాట్లాడేవారు ఎవరైనా ఉన్నారా? లేకపోతే, తెలుగు మాట్లాడే వారు మిమ్మల్ని సంప్రదిస్తారు.

ไทย (Thai 54)

ฉันทำงานให้กับสำนักงานสำมะโนสหรัฐฯ ตอนนี้ฉันมีใครที่พูดภาษาอังกฤษได้และสามารถช่วยเราแปลได้หรือไม่ หากไม่มี อาจมีคนพูดภาษาไทยได้ติดต่อกับคุณในภายหลัง

ትግርኛ (Tigrinya 55)

የፍደታድ ስቴትስ ቶቦራ ህዝቢ ቢሮ እየ ዝሰርሑ። ኣብዚ ሕዚ ቋንቋ እንግሊዝ ዝፈልጉን ክሕግዙና ዝኽእልን ሰብ ኣሎዶ? ተዘየለ ከሊእ ትግርኛ ዝፈልጉ ከዘርበኩም ይኽእል እዩ።

Türkçe (Turkish 56)

A.B.D. Nüfus Sayım Bürosu'ndanım. Burada İngilizce konuşan ve bize yardımcı olabilecek birisi var mı? Yoksa, Türkçe konuşan biri sizinle irtibata geçebilir.

Twi (Twi 57)

Me ne U.S. Nnipakan Asoe a woye nnipakan ne nhwehwemu adwuma na eye adwuma. Obi a aka Brɔfo kasa a ɔbetumi aboa yen wo ha seesei anaa? Se obiara nni ha saa a, yebema obi a aka Twi ne mo abekasa.

Українська (Ukrainian 58)

Я представляю Бюро перепису населення США. Поряд із Вами є будь-яка особа, що розмовляє англійською мовою та зможе нам допомогти? Якщо ні, можливо, до Вас звернеться наш представник, що розмовляє українською мовою.

اردو (Urdu 59)

میں امریکی مردم شماری بیورو کے لئے کام کرتا ہوں۔ کیا ابھی یہاں کوئی ایسا شخص ہے جو انگریزی بول سکتا ہو اور ہماری مدد کر سکتا ہو؟ اگر نہیں، تو کوئی شخص آپ سے رابطہ کرے گا جو اردو میں بات کرے گا۔

יידיש (Yiddish 60)

איך אַרבעט פֿאַר דעם צענזוס ביוראָ פֿון די פֿאַראײניקטע שטאַטן. איז עמעצער איצט דאָ אין דער היים וואָס רעדט ענגליש און קען אונדז העלפֿן? אויב נישט, וועט עמעצער וואָס רעדט ייִדיש אײַך אפֿשר קאָנטאַקטירן.

Yorùbá (Yoruba 61)

Mo ná Ilé-iṣẹ́ Ìkànnìyàn Ilẹ̀ Amẹ́ríkà ṣiṣẹ́. Njẹ ẹnikan wà níbí yìí nísisiyí tí ó nsọ Èdè Gẹ̀ẹ̀sì tí ó sì lè ràn wá lọwọ́? Bí bẹ̀ẹ̀kọ́, ẹnikan lè kàn sí ọ tí ó nsọ èdè Yorùbá.

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4. Describe how traditionally underserved media sources are included in all notification processes for public meetings or public reviews of agency documents.

Advertisements are done in English and Spanish, and are placed in local newspapers, including Hola Lakeway, and sent to East Tennessee Hispanic Area Chamber of Commerce. Information is placed on www.lamtpo.com

Staff uses LinkedIn and Nextdoor social media for public awareness as well.

5. Describe how meeting locations and formats encourage or facilitate participation by traditionally underserved populations (minority and/or low income communities).

All meetings are located in an ADA accessible building or park with ADA accessible meeting spaces. All meetings are open to the public.

Advertisements are done in English and Spanish, and are placed in local newspapers, including Hola Lakeway, and sent to East Tennessee Hispanic Area Chamber of Commerce. Information is placed on www.lamtpo.com

Staff uses LinkedIn and Nextdoor social media for public awareness as well.

1. List primary or subcontracting opportunities for planning studies, corridor studies, or other work which have been provided to minorities and women owned firms in the last 12 months. Provide a copy of your agency's procurement plan. * As a subrecipient of federal funds your agency is required to monitor, track, and report DBE utilization.

Mass Transit Center Feasibility Study, WSP Associates. RFP Process using FTA Section 5303 Funds.

US Hwy 11E Corridor Study in Jefferson City, TN, CDM Smith Associates. This was a UTPG Grant, thus used the State's on-call procurement process

SR160 Corridor Study in Morristown/ Hamblen County TN, CDM Smith Associates. RFP Process, using CPG funds.

2050 Metropolitan Transportation Plan (just underway) Stantec Associates will be the consultant. Used TDOT's On-call consulting process.

ENSURING AN OPEN AND COMPETITIVE PROCESS FOR PROCUREMENT BY TENNESSEE'S MPOs/TPOs

Each of Tennessee's MPOs/TPOs MUST follow an open and competitive process for selecting contractors and consultants. The following guidelines provide a resource to assist the MPOs/TPOs in reviewing their current processes to ensure that the minimum requirements of the State are met.

ROLES AND RESPONSIBILITIES FOR COMPETITIVE PROCUREMENT OF SERVICES

Soon after the MPO/TPO identifies a service need, it should determine who will be involved in the procurement process. Each player in the process should understand his or her responsibilities and be both willing and able to meet them.

There are three major players in the development of a Request for Proposal (RFP):

- RFP Coordinator
- RFP Evaluation Team
- RFP Counsel/Reviewers

RFP Coordinator

The RFP Coordinator provides his or her experience, influence, and consistency to ensure that the MPO/TPO successfully completes the RFP process. We strongly encourage that the MPO/TPO use an RFP Coordinator when developing an RFP. Ideally, an RFP Coordinator should not serve as a member of a Proposal Evaluation Team.

The RFP Coordinator responsibilities include, but are not limited to:

- support program staff in the development of the RFP;
- manage the RFP process;
- instruct the Proposal Evaluation Team regarding the RFP process and schedule, the subject of the RFP, and the evaluation process detailed in the RFP so that team members understand the RFP process and their responsibilities in it;
- manage the proposal evaluation process;
- ensure that all proposals evaluated meet the requirements set forth in the RFP (e.g., proposal delivered on time, proposal is complete, all necessary forms are included in packet, correct number of proposals were submitted);
- coordinate any consultations and financial reviews
- ensure that all evaluation calculations are accurate; and
- maintain the contract file during the RFP process.

Proposal Evaluation Team

The Proposal Evaluation Team must be a group of individuals with relevant technical expertise and experience selected by the MPO/TPO Executive Board to analyze proposals submitted in response to an RFP. The Tennessee Department of Transportation (and any other state DOT, in cases where the MPO/TPO covers multiple states) must always be given the opportunity to participate on the evaluation team. Only Proposal Evaluation Team members are permitted to score proposals.

The number of Proposal Evaluation Team members may vary but should consist of at least three members. A Proposal Evaluation Team may be organized so that all members evaluate all portions of the technical proposals or so that at least three members evaluate specifically assigned portions of the technical proposals. Team members should have sufficient technical knowledge to be able to effectively evaluate the technical proposals or assigned portion thereof.

The Proposal Evaluation Team should review the RFP document and should understand the general RFP requirements and the specific requirements before beginning the evaluation process.

Proposal Evaluation Counsel

Each member of the Proposal Evaluation Team must independently review each proposal. To ensure that each proposal receives proper consideration, no discussion of the proposals between team members is permitted during the evaluation period. The RFP Coordinator however, may review the proposals and provide guidance when technical advice or clarification on the RFP process is needed. All guidance must be provided to all members of the evaluation team, and any such advice or conclusions must be documented in writing for the procurement file.

RFP CONFLICT OF INTEREST

NO individual, company, or other entity involved in any way with the development of the RFP or its scope of service can submit a proposal for that RFP. All appearances of a conflict of interest with regard to the RFP or potential proposers must be avoided. Further, NO RFP Coordinator, Proposal Evaluation Team member, or consultant in an evaluation process should have a financial interest in or have any other apparent conflict of interest with regard to an actual proposer.

It is the MPO's/TPO's responsibility to ensure the independence of those assisting with the development or drafting of an RFP or its scope of service or with the evaluation of proposals. All individuals involved in the RFP process must complete a Conflict of Interest Disclosure Statement form (please see RFP Conflict of Interest Attachment).

RFP DEVELOPMENT

RFP Components

All RFPs must contain the following components:

1. Each proposal must provide the proper documentation to demonstrate that it meets all mandatory requirements made in the RFP;
2. Each proposal must provide the general qualifications and experience of the individuals who will be completing the scope of work (*i.e.*, organization background, resources, proposer background with the subject service, key staff experience, and past work performed for the agency and other clients);
3. Each proposal must provide a technical approach that outlines how the scope of work will be completed (*i.e.*, project understanding, approach, and management plan);
4. Each submittal must include a cost proposal.

State Review of RFPs

Prior to the release of an RFP that proposes to award Federal planning funds to a contractor, the RFP must first be submitted to TDOT's Division of Long Range Planning. TDOT will determine whether the RFP meets all relevant planning and procurement regulations and procedures. For MPOs/TPOs that cover more than one state, the other State(s) DOT must be consulted before releasing the RFP in order to give them the opportunity to comment on any applicable rules or regulations. As the lead agency for the bi-state MPOs/TPOs in Tennessee, TDOT will work to resolve any disputes that arise from this review process.

Proposal Evaluation Criteria

Proposal evaluation criteria should be designed to provide for a reasonable determination of whether and to what extent each proposer can perform the scope of service as required. The requirements within each evaluation area must be carefully detailed in the RFP so that each proposer will provide the necessary information. The areas of evaluation usually include:

- mandatory requirements (these minimum requirements for proposal responsiveness may not be arbitrary);
- general qualifications and experience
- technical approach; and
- cost.

Once the evaluation criteria and specific requirements are developed, weights or percentages must be assigned to the major areas of evaluation (and may be further broken down within that area) depending upon the nature of the service. Assigned weights must be described in the RFP.

RFP AMENDMENT AND CLARIFICATION

During an RFP process, it may become necessary to amend the RFP. Please note that this includes the agency's written responses to clarifications requested by potential proposers. The agency's written responses are considered to be an RFP amendment. (please see RFP Amendment included in the attachments)

RFP COMMUNICATION

Proposal Solicitations

The MPO/TPO is responsible for demonstrating that the services were procured through an open and competitive process. The MPO/TPO may compile a list of potential contractors to whom an RFP or RFP notice will be sent and proposal solicited. If the MPO/TPO maintains a list of potential contractors who have asked to be notified when proposals are being solicited, a notice for each RFP must be sent to the entire list.

The MPO/TPO is encouraged to submit RFP notices to certified Disadvantaged Business Enterprise (DBE) firms as well as other minority-owned and women-owned firms. The Tennessee Uniform Certification Program (TNUCP) Disadvantaged Business Enterprise Directory, which lists the companies that are certified to conduct business in the State of Tennessee can be found at the following website: <http://www.tdot.state.tn.us/dbedirectinternet/>

In addition, the MPO/TPO must provide public notice of the RFP as described below.

Publication

The MPO/TPO shall publish a notification of the RFP's availability in the newspaper(s) of general circulation for the area on the same date that it sends a notice to the list of potential contractors.

A notification of any amendments to the RFP's (including all attachments) must also be published in the newspaper(s) of general circulation for the area as soon as they are released.

NOTE: The published notification of RFP availability can refer all potential proposers to the MPO's/TPO's website for information concerning the RFP. It is also acceptable to use this method to send notices of RFP Amendments.

Internet Posting

The MPO/TPO shall post all RFP's on its Internet website on the same date that it sends a notice to the list of potential contractors. In addition, all MPO/TPO procurement procedures should be published on the MPO/TPO website for full and open public access.

Any amendments to the RFP (including all attachments) must also be posted on the MPO's/TPO's website as soon as they are released.

NOTE: It is acceptable to send an RFP Release Notice (please see RFP Release Notice in Attachments) to potential proposers referring them to the MPO's/TPO's website, rather than using agency funds to print and send the entire RFP document by mail. It is also acceptable to use this method to send notices of RFP Amendments.

RFP CANCELLATION (REJECTION OF ALL PROPOSALS)

To cancel an RFP, the MPO/TPO should complete a RFP Cancellation Request form (please see RFP Cancellation Request included in the attachments) including the date and signature of the RFP Coordinator.

PROPOSAL OPENING AND EVALUATION

Proposals and proposal information are held in confidence until the evaluation of proposals is complete. The only exception to this is a list of actual proposers who submitted timely proposals, which may be made available to the public, upon request, directly after technical proposals are opened by the MPO/TPO.

The evaluation process is comprised of (1) the evaluation of the technical proposals, and subsequently, (2) the evaluation of the associated cost proposals. The evaluation process is to be conducted according to the timeline detailed in the RFP schedule of events.

Technical Proposal Evaluation

The RFP Coordinator should provide each Proposal Evaluation Team member with scoring sheets that indicate the maximum number of points to be awarded within each evaluation area (and any points that may be assigned to individual requirements). Proposal Evaluation Team members should evaluate responsive proposals against the proposal evaluation criteria detailed in the RFP and complete a scoring sheet for each. (Again, a Proposal Evaluation Team may be organized so that all members evaluate all portions of the technical proposals or so that at least three members evaluate specifically assigned portions of the technical proposals.) Scoring sheets will become a part of the record available for public inspection.

Nonresponsive, Rejected Proposal

If the Proposal Evaluation Team determines that technical proposal is nonresponsive or rejects a proposal for any reason, the agency will not complete the proposal evaluation or open the associated cost proposal.

Event of Only One Proposal

In the event that the procuring agency receives only one proposal in response to an RFP by the proposal deadline, two options are available.

- The MPO/TPO may cancel the RFP because of insufficient competition.

NOTE: This option must be exercised before opening the proposal received.

- The MPO/TPO may open the technical proposal to determine whether it meets minimum requirements. If it does not meet minimum requirements, the MPO/TPO head may cancel the RFP. If the proposal meets minimum requirements, the MPO/TPO may open the cost proposal and negotiate with the proposer. In which case, the MPO/TPO head may cancel the RFP if the cost resulting from these negotiations is deemed excessive.

Cost Proposal Evaluation

Cost Proposals submitted by each responsive proposer may not be opened until the evaluation of technical proposals is completed and the individual scores of Proposal Evaluation Team members have been averaged. The RFP Coordinator is to open cost proposals in accordance with the RFP Schedule of Events (no earlier and no later). The RFP Coordinator must calculate each cost proposal score and add them to the averaged technical proposal scores. The total will determine the apparent best-evaluated proposal.

NOTE: If the agency determines that the apparent best-evaluated Proposer is non-responsive and rejects the proposal after opening Cost Proposals, the RFP Coordinator will re-calculate scores for each responsive Cost Proposal to determine the new, apparent best-evaluated Proposer.

Evaluation Review

The proposal evaluation results should be forwarded to the MPO/TPO Executive Board to make the final selection at a public meeting of the MPO/TPO. If the MPO/TPO Board selects a proposer other than the one recommended by the Evaluation Team, it shall state in writing the reason for its selection. Any team member with concerns or objections with regard to the evaluation process or its results should provide a written summary of such for inclusion in the proposal evaluation results submitted to the MPO/TPO head.

Contractor selection is the decision of the MPO/TPO Executive Board. The MPO/TPO Executive Board may choose to:

- authorize the MPO/TPO staff to enter into contract negotiations with the Proposal Evaluation Team's apparent best-evaluated proposer;

- request approval from the contracting authority to award the contract to a proposer OTHER than the Proposal Evaluation Team's apparent best-evaluated proposer; or
- request approval from the contracting authority to reject all proposals and cancel the RFP.

NOTE: To effect such an award, the MPO/TPO shall document the justification for doing so in a written request.

RFP EVALUATION NOTICE

After completion of the evaluation review, the MPO/TPO head must issue a written RFP Evaluation Notice (please see RFP Evaluation Notice included in the attachments) to identify the contractor to which the MPO/TPO will likely award the contract. The MPO/TPO must issue the RFP Evaluation Notice to proposers by the date detailed in the RFP Schedule of Events.

PUBLIC INSPECTION OF RFP FILE

When it issues the RFP Evaluation Notice, the MPO/TPO must also make the official RFP file including all proposals and associated materials available for review by the public in accordance with applicable law and any applicable agency rules, policy, and procedure. See section **RFP PROCUREMENT DOCUMENTATION** for the documents contained in the official RFP file.

When the RFP file is opened for public review, it MUST detail the exact dollar amount of any protest bond that is required should a proposer wish to protest the RFP process.

RFP CONTRACT AWARD

The contract resulting from an RFP process must be substantially the same as the *pro forma* contract (please see Pro Forma Contract Example & Provisions in PL Contracts in the attachments) detailed in the RFP document. However, the MPO/TPO may clarify, add terms and conditions, or revise the pro forma contract requirements in the MPO's/TPO's best interests subsequent to this RFP process, PROVIDED THAT NO such terms and conditions or revision of contract requirements shall materially affect the basis of proposal evaluations or negatively impact the competitive nature of the RFP process. If there is any question about this, the MPO/TPO should consult with TDOT before making any changes to the pro forma contract.

If the selected proposer fails to sign and return the contract drawn pursuant to an RFP within the period detailed in the RFP Schedule of Events (*i.e.*, between the date contract signing is permitted and the contract signature deadline date), the MPO/TPO may determine that the proposer has failed to enter into a contract with the MPO/TPO as required by the RFP.

Accordingly, the MPO/TPO may determine, at its sole discretion, that the Proposer is nonresponsive to the terms of this RFP and reject the proposal. If the MPO/TPO determines that the apparent best evaluated Proposer is nonresponsive and rejects the proposal after opening Cost Proposals, the RFP Coordinator shall re-calculate scores for each responsive, Cost Proposal and award the Contract in accordance with the provisions of the subject RFP.

RFP PROCUREMENT DOCUMENTATION

It is the MPO's/TPO's responsibility to maintain the official contract file for each RFP process. At minimum, the contract file should include the following at the time such files are opened for public inspection:

- conflict of interest disclosure statements;
- the RFP and any amendments or clarifications thereof;
- a list of all potential service providers to whom the RFP or RFP notice was sent;

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- documentation of all RFP announcements and advertisements, to include a record of announcements made on the MPO website;
- documentation of any decision to determine a proposal nonresponsive to the RFP along with a copy of the subject technical proposal;
- a copy of each evaluated proposal;
- Proposal Evaluation Team members' evaluations sheets for each evaluated proposal; (the version open to the public should not show the names of the reviewers)
- a completed Cost Proposal Evaluation Sheet for each evaluated proposal (refer to the applicable RFP model language attachment);
- the Evaluation Notice;
- documentation of the exact dollar amount of the protest bond that is required should a proposer wish to protest the RFP process (the amount must be determined in accordance with [Tennessee Code Annotated, § 12-4-109\(a\)\(1\)\(E\)\(iii\)](#)).

REQUEST FOR QUALIFICATIONS

LAKEWAY AREA METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION (LAMTPO), IN CONJUNCTION WITH THE EAST TENNESSEE HUMAN RESOURCE AGENCY (ETHRA) AND LAKEWAY TRANSIT, TRANSIT CENTER PLANNING FEASIBILITY STUDY

November 21, 2022

Proposals are due January 13, 2023 1:00 P.M.

LAMTPO, in conjunction ETHRA and Lakeway Transit, with in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat., 252.42 U.S.C. 2000d to 2000-4 and Title 49, Code of Federal Regulations Department of Transportation, subtitle A, of the Secretary, Part 21, nondiscrimination in federally assisted programs of the DOT issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

LAMTPO, ETHRA, and Lakeway Transit reserve the right to reject any and all Proposals without cause and to waive any informalities or irregularities.

Grant Funded:



Federal Transit Administration

This project is within the LAMTPO FFY2022-2023 UPWP and will be using FTA section 5303 residual funds (80%), state funds (10%), and local funds (10%) to pay for this study. This study must be done in compliance with any applicable state and/or federal regulations. The contract amount shall not exceed \$100,000.00. The proposed Cost of Study is based on studies of similar nature that are posted online, from various cities

throughout the country. The Contract Type shall be a Firm Fixed Price, as this is a planning document, and information for reimbursement should be based on employee(s) hourly rate. Consultant reimbursement shall be done on a monthly basis and shall describe the percentage of work completed. This is a competitive procurement procedure, all interested TDOT prequalified consulting firms, including minority-own firms are encouraged to submit an RFQ.

Bidder's Checklist

Solicitation Number: LAMTPO
Solicitation Name: Transit Center Planning Feasibility Study
Due Date and Time: January 13, 2023 @ 1:00 PM

The following checklist is provided as a guide to all documents and exhibits that **MUST** be submitted with your Bid to be considered responsive and complete. Failure to provide **ANY** of these documents could render your Bid nonresponsive and may cause it to be rejected.

Letter of Transmittal	
Firms Background	
Project Approach and Methodology with Schedule	
Technical Capacity	
Past Experience (3)	
Key Personnel	
Exhibit A: Bidder's Affidavit	
Exhibit B: Acknowledgement of Federal Clause and Certifications	
Exhibit B: Lobbying Certification	

I, the below signee, have reviewed this checklist and have provided all of the requested documents. I understand that failure to provide the requested documents could render my Bid non-responsive and may cause its rejection.

Signature: _____ Date: _____

Printed Name and Title: _____

Section 1: Announcement

Advertisement Post Date: December 6, 2022

Request for Qualifications Transit Center Feasibility Planning Study

Background: The Lakeway Transit is a fixed route system within the central core of Morristown, TN. Future plans for expanded services are transit routes to

1. Other parts of Morristown / Hamblen County
2. Jefferson City
3. White Pine
4. Other areas of Jefferson County

The Lakeway Transit system began operations on February 16, 2021. It currently runs 3 fixed routes, along with ADA paratransit services. ETHRA operates outside of the Lakeway Transit service area.

Scope of Work: LAMTPO, in conjunction with ETHRA and Lakeway Transit, is soliciting proposals from qualified Consultants to analyze and determine a feasibility plan for a multimodal public transportation center within the LAMTPO metropolitan planning area. This study will complete an alternatives analysis, initial environmental overview, required space study, vehicle flows, warehouse storage needs. This Request For Qualifications (RFQ) is to find a suitable location for a transit center that would benefit the Lakeway Transit fixed route service, as well as demand response services for Hamblen and Jefferson Counties. Finding a location within US Census Tract boundaries of 1003 and 1008 in Hamblen County would be a good starting point.

The transit center building would need to be large enough to have at least two (2) garage bays for vehicle maintenance, as well as parking areas, office spaces, conference/ training room, restrooms, and counter for walk-in customer service. The building must be ADA compliant (or if a vacant lot is recommended, then the lot must be large enough to be able to accommodate a building as described, as well as parking for several buses. It should be noted that ETHRA/ Lakeway Transit are in the process of partnering with Greyhound Bus Lines, thus the need for a large lot to accommodate the larger buses that Greyhound uses.

Bidding Documents: Plans, specifications and addenda for this project are available on-line through LAMTPO's website www.lamtpo.com or by emailing Rich DesGroseilliers at richd@mymorristown.com.

Pre-Proposal Meeting: A Pre-Proposal conference is not being offered.

Questions and Request for Clarifications: All questions, requests for information, and Pre-Bid material substitutions, must be submitted in writing and received by **5:00 PM January 5, 2023** at richd@mymorristown.com.

Plan Holder's List: Email Rich DesGroseilliers at richd@mymorristown.com to have your firm added to the Plan Holder's List to automatically receive updates, addenda and other project information.

Time for Completion: It is anticipated that the Contractor shall work diligently on the completion of the scope of work. The proposed schedule should reflect a completion date not later six (6) months after receipt of a

Notice to Proceed. Contractors are advised that schedules should be realistic and attainable. The Contractor's level of performance will be measured against their proposed schedule.

Proposal Due Date: Emailed Proposals will be received at richd@mymorristown.com until **1:00 PM on January 13, 2023**. When the official clock reads 1:00:01 PM, Proposals are considered late and will not be considered for award.

Anticipated Procurement Schedule: The activities and dates listed below represent the anticipated procurement schedule. LAMTPO will provide changes to the Pre-Bid date and Bid Due date via Addenda. Dates preceded by an asterisk (*) are estimated.

Date	Action
December 9, 2022	RFQ Release/ advertised
January 13, 2023	RFQ submittal deadline to LAMTPO
February 24, 2023	Consultant Selected
March 21, 2023	Consultant Contract approved
April 6, 2023	Stakeholders/ Kickoff meeting
May 1, 2023	Monthly update
June 1, 2023	Monthly update/ public workshops
July 1, 2023	Monthly update
August 1, 2023	First draft of Document/ presentations
September 1, 2023	Revisions, if any
October 2023	Final Document submittal/ presentations

EQUAL OPPORTUNITY: It is LAMTPO's policy to ensure full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from Federally assisted programs of the Department of Transportation and in the Award and administration of all Contracts. Small and women or minority owned Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26 are encouraged to submit Proposals.

End of Section 1

Section 2: Instructions to Proposers

2.1 Introduction:

Interested parties are encouraged to submit a Proposal in accordance with the requirements set forth in the **RFQ NO LATER THAN 1:00 p.m., January 13, 2023**. When the official clock reads 1:00:01 PM, submissions are considered late and will not be considered.

Proposers must be fully insured and registered to conduct business in the State of Tennessee prior to Contract execution date and licensed for business in their state of residence. Policies of insurance, as outlined in the RFQ shall be obtained and kept in force for the duration of the Contract.

By submitting a Proposal in response to this solicitation, Proposers agree to be bound by all legal requirements and contract terms and conditions contained in this RFQ. Failure to include any of the requested information, properly completed forms, and/or documents may be cause for immediate rejection of the proposal.

Except as otherwise provided for herein, Proposals that are incomplete or that are conditioned in any way or contain erasures, alterations, or items not called for in the proposal or that are not in conformance with the law, may be rejected as non-responsive.

In cases where **there are not** at least two (2) proposals submitted, then a sole source procurement may be done due to only one adequate bidder result.

LAMTPO reserves the right to accept or reject any and all submitted proposals, portions or parts thereof; to waive informalities and minor irregularities in proposals; to decline award based on available funding for the Contract; and to award in whole or in part to the most "highly qualified" and responsible Proposer.

In consideration for LAMTPO's review and evaluation of its proposal, the Proposer waives and releases any claims against LAMTPO arising from any rejection of any or all proposals, including any claim for costs incurred by Proposers in the preparation of proposals submitted in response to this solicitation.

If LAMTPO determines that collusion has occurred among Proposers, none of the proposals of the participants in such collusion will be considered; LAMTPO's determination shall be final.

LAMTPO may obtain clarification of any point in submitted proposals or request additional information, if necessary, to properly evaluate proposals. Proposers must be prepared to present necessary evidence of experience, ability, service facilities and financial standing to satisfactorily meet the requirements set forth or implied in the Proposal. Failure of a Proposer to respond to such a request for additional information or clarification may result in rejection of that proposal.

This RFQ provides details on what is required when submitting a Proposal for this Work, how LAMTPO will evaluate the Proposals, and what will be required of the Consultant in performing the Work. This RFQ also gives the estimated dates for the various events in the submission process. While these dates are subject to change, prospective Proposers must be prepared to meet them as they currently stand.

Other sections of the RFQ will cover general submission instructions, project overview, proposal schedule, consultant qualifications and experience, evaluation criteria, and contract terms.

LAMTPO shall use qualifications-based competitive proposal procedures (i.e., Brooks Act procedures) when contracting for A&E services as defined in 40 U.S.C. Section 1102 and U.S.C. Section 5325(d). Services subject to this requirement are program management, construction management, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

2.2 Definitions:

Addenda: A written or graphic document issued to all Bidders and identified as an Addendum prior to Bid opening, which modifies or supplements the Bid Documents and becomes a part of the Contract.

Contract: The written agreement between LAMTPO and the Contractor. The Contract includes, Contract Agreement, these solicitation documents, any and all Addenda issued, various certifications and affidavits, Proposers submitted Proposal and agreed upon Cost Proposal.

Contractor: means the Successful Bidder who is awarded the Contract and has subsequently executed the Contract with LAMTPO.

Cost Proposal: A document requested from the “most highly” qualified Proposer outlining the hourly rates, Overhead, G&A and profit to complete the scope of work.

ETHRA: East Tennessee Human Resource Agency

FTA: Federal Transit Administration

LAMTPO: Lakeway Area Metropolitan Transportation Organization

Proposal: The offer of a Proposer in response to this RFQ

Proposer: means a person, firm or corporation that has made an offer in response to the RFQ

Solicitation Documents: means the solicitation in its entirety

RFQ: is an abbreviation meaning Request for Qualifications.

Subcontractor: An individual, partnership, firm, corporation, or joint venture who is sublet part of the Contract by the Contractor.

Successful Bidder: means the “most highly” qualified Proposer that provides a “fair and reasonable” Cost Proposal

2.3 Basis for Contract Negotiations:

This RFQ, the Proposers submission and the subsequent Cost Proposal shall be used for Contract Negotiations

2.4 Proposal Due Date:

Emailed proposals must be delivered to richd@mymorristown.com NO LATER THAN 1:00 P.M. on January 13, 2023 when the official clock read 1:00:01 PM submissions are considered late and will be rejected.

LAMTPO may refuse to consider a Proposer who it determines to have an unsatisfactory record of performance and/or integrity in connection with the proposal/bidding or performance phase of any previous contract.

Proposals will not be publicly opened and the information contained in all proposals will be kept strictly confidential until a Contract is fully executed.

2.5 Requests for Information (RFI), Communications and Addenda:

Proposers who seek to obtain information, clarification, or interpretations from contacts other than the LAMTPO Coordinator are advised that such material is used at the Proposer's own risk. LAMTPO will not provide binding oral interpretations, explanations, or instructions as to the meaning or interpretation of the solicitation documents. This process will be the only opportunity for Proposers to ask questions. LAMTPO staff will not answer questions regarding this RFQ verbally. All questions must be submitted in writing via email.

Proposers should carefully review this solicitation for defects and questionable or objectionable matter. Comments concerning defects and objectionable material must be made in writing and submitted to Rich DesGroseilliers at richd@mymorristown.com by **January 5 2023, 1:00 PM**. This will allow issuance of any necessary amendments. It will also help prevent the opening of a defective solicitation and exposure of offeror's proposals upon which award could not be made.

Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of LAMTPO, in writing at least five days before the time set for opening.

Submitted Proposals shall be conclusive evidence to LAMTPO that the Proposer has thoroughly examined and understands all requirements of the solicitation and the Work to complete the Contract. The failure or neglect of a Proposer to receive or examine any solicitation document or any part thereof, work site, statutes, regulations, ordinances or resolutions shall in no way relieve the Proposer from the obligations with respect to its Proposal or to the Contract. No claim for additional compensation shall be allowed which is based upon a lack of knowledge thereof.

To be given consideration, any and all communications requesting information, material substitutions, clarifications, and inquiries concerning this solicitation must be submitted in writing and received NO LATER THAN **1:00 P.M.** on **January 5, 2023** to be considered in an Addendum.

2.6 Plan Holders List:

All prospective Proposers are required to register as "Plan Holders" to receive addenda or clarifications regarding the solicitation. It is recommended that Proposers notify Rich DesGroseilliers of their intent to submit a proposal and register with LAMTPO's Plan Holders List in order to receive electronic notification of issued Addenda. Proposers that do not register will not be notified of Addenda and will need to periodically check for Addenda on LAMTPO's website at www.lamtpo.com.

2.7 Right of Rejection:

Proposers must comply with all of the terms of the RFQ, and all applicable local, state, and Federal laws and regulations. LAMTPO may reject any proposal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFQ.

Minor informalities, that do not affect responsiveness, that are merely a matter of form or format; that do not change the relative standing or otherwise prejudice other offers; that do not change the meaning or scope of the RFQ; that are trivial, negligible, or immaterial in nature; that do not reflect a material

change in the work; or, that do not constitute a substantial reservation against a requirement or provision may be waived by LAMTPO.

LAMTPO reserves the right to refrain from making an award if it determines that to be in its best interest of the agency or if funding becomes unavailable.

2.8 Cancellation or Extension:

LAMTPO reserves the right to cancel this solicitation or extend the Proposal Due Date and time, by written Addendum, at any time *prior to* the set Proposal Due Date and time, or in the event only a single proposal or no proposals are received. If a Proposer pursues a protest or a request for reconsideration, its proposal is deemed extended until LAMTPO executes the Contract, or until the protest or request for reconsideration is withdrawn by the Proposer.

2.9 Modification:

Proposers will not be allowed to alter proposals *after* the Proposal Due Date and time. Submitted proposals may only be changed if a written request is received by LAMTPO *before* the set Proposal Due Date and time. Such requests must be signed by an individual authorized to submit proposals on behalf of the firm. All proposal modifications shall be made in writing, executed and submitted in the same form and manner as the original proposal. Nothing in this section shall be construed to permit the Proposer to alter its Proposal *after* it has been submitted pursuant to the terms of this solicitation.

2.10 Withdrawal:

Proposers will not be allowed to withdraw proposals *after* the Proposal Due Date and time unless the award is delayed for a period exceeding ninety (90) days. Any Proposal not so timely withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide LAMTPO the services described herein, or until one or more of the proposals have been approved by LAMTPO, whichever occurs first.

2.11 Disclosure of Proposal Contents:

By submitting a proposal, the Proposer has thereby agreed to the provision of Tennessee State public disclosure laws. LAMTPO will regard proposals as public records which will be available for public inspection and/or copying following contract award, regardless of any markings or notices contained in the proposal documents. Information will not be released by LAMTPO *prior to* contract award in order to protect the integrity of the procurement process, unless otherwise required by law. All proposals will remain confidential until a contract is awarded and fully executed by all parties involved.

If a Proposer considers portions of its proposal to be protected under Tennessee State law, the Proposer shall clearly identify and mark such portions as "CONFIDENTIAL" or "PROPRIETARY" and submit such portions in a sealed envelope separate from the rest of the proposal. It is not usually reasonable or legally defensible to mark an entire proposal as "confidential" or "proprietary". Marking the entire proposal as such will not be honored and the proposal may be rejected as non-responsive. LAMTPO shall not release or divulge such information to third parties without the consent of the Proposer, unless required to do so by applicable law or order of a court of competent jurisdiction. If a member of the public demands to review portions of a proposal marked "Confidential", LAMTPO will notify the affected Proposer of the request and the date that such records will be released unless the Proposer obtains a court order enjoining that disclosure.

It will be the responsibility of the Proposer to protect the confidentiality of any information submitted in the Proposal and the Proposer shall take such legal actions as it may determine to be necessary to protect its interest. If the Proposer has not commenced such action within five (5) calendar days after

receipt of the notice, LAMTPO will make the requested portions available to the Requestor. The Proposer, asserting that portions of its proposal are legally protected, will assume all liability and responsibility for any information declared confidential and shall defend and hold LAMTPO harmless for any cost, penalties, and/or fees (including reasonable attorney fees) incurred in any action regarding the disclosure of said information. LAMTPO assumes no responsibility or liability for any losses or damages which may result from the information contained in the proposal.

After the Proposal due date and until a Contract is awarded, no information will be discussed with the competitors or anyone outside the Evaluation Committee. No Proposer or other member of the public will be told of the rankings among Proposers, nor the number of firms within the competitive range. Proposers will only be told that their proposal was ranked within the competitive range. Names of firms, cost data, or other information from Proposers submitted in response to this RFQ shall remain strictly confidential until after contract award.

2.12 Non-Collusion Affidavits:

Proposer shall submit, with its Proposal, an affidavit (EXHIBIT A) stating that neither Proposer nor its agents, nor any other party on its behalf, has paid or agreed to pay, directly or indirectly, any person, firm, or corporation, any money or valuable consideration for assistance in procuring or attempting to procure the contract that will result from this RFQ, and further agrees that no such money or consideration will be hereafter paid.

2.13 Conflicts of Interest

- a. **Current and Former Employees:** LAMTPO seeks to eliminate and avoid actual or perceived conflicts of interest and unethical conduct by current and former LAMTPO employees in transactions with LAMTPO. Consistent with this policy, no current or former LAMTPO employee may contract with, influence, advocate, advise, or consult with a third party about a LAMTPO transaction, or assist with preparation of bids submitted to LAMTPO while employed by LAMTPO or after leaving LAMTPO's employment, if he/she was substantially involved in determining the Work to be done or process to be followed while a LAMTPO employee.
- b. **Organizational Conflicts of Interest:** An organizational conflict of interest is a situation in which, because of other activities, relationships, or contracts, a contractor or subcontractor is unable, or potentially unable, to render impartial assistance or advice to LAMTPO; a contractor's objectivity in performing the contract work is or might be otherwise impaired; or a contractor has an unfair competitive advantage. LAMTPO will evaluate future procurements related to this Contract to determine if there is an organizational conflict of interest. If an organizational conflict of interest exists, LAMTPO may prohibit the contractor and any of its subcontractors from participating in such related procurements/projects.

2.14 Subcontractors:

Any Subcontractors and outside associates or consulting firms or individuals, including any substitutions thereof, required by the Contractor in connection with work to be provided under this Contract will be subject to prior authorization by LAMTPO. Each subcontract and a cost summary, therefore, shall be subject to review by LAMTPO prior to the Subcontractor proceeding with the work. The Contractor shall be responsible for the professional standards, performance, and actions of all persons and firms performing subcontract work. The Contractor shall be responsible for the completion and submission of any federally required forms that may be required of the Subcontractor. The Contractor, at the request and direction of LAMTPO, will provide copies of any written agreements showing their contractual relationship.

A Proposer's failure to provide this information, within the time set, may cause LAMTPO to consider their proposal non-responsive and reject the proposal.

The substitution of one subcontractor for another must be approved, in writing from LAMTPO, before the substitution is made.

2.15 Personnel:

In submitting their proposals, Proposers are representing that the personnel described in their proposals shall be available to perform the services described, barring illness, accident or other unforeseeable events of a similar nature. Furthermore, all personnel shall be considered to be, at all times, the sole employees of the service provider, under his or her sole discretion, and not employees or agents of LAMTPO.

2.16 Debarment and Suspended

Contractor must not be debarred or suspended in order to conduct business with LAMTPO. Upon the Proposal Due Date and for the full duration of the Contract, the Contractor will not be debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or State department or agency or from bidding on any public contract; and shall not be presently indicted for, or otherwise criminally or civilly charged by, a governmental entity (federal, State or local) with commission of any of the offenses enumerated in below.

Within a three (3) year period preceding this proposal, Contractor shall not have been convicted of or had a civil judgment rendered against them for: Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State or local) transaction or contract; Violation of federal or State anti-trust statutes; Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; or had one or more public transactions (federal, State or local) terminated for cause or default. If it is later determined that the Contractor knowingly rendered an erroneous certification under the Affidavit submitted with its proposal, or failed to notify LAMTPO immediately of circumstances which made the original certification no longer valid, LAMTPO may immediately terminate the Contract.

2.17 Disadvantaged Business Enterprise Goal:

The purpose of the Disadvantaged Business Enterprise (DBE) overall goal is to achieve a "level playing field" for ready, willing and able DBEs seeking to participate in federally-assisted contracts. LAMTPO's DBE goal for federal fiscal year 2023 is 2.20%.

It is the policy of LAMTPO to assure that no person shall, on the grounds of race, color, national origin and sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or otherwise be discriminated against under any of its federally funded programs and activities.

2.18 Discussions with Proposers:

LAMTPO may conduct discussions with proposers for the purpose of clarification. The purpose of these discussions will be to ensure full understanding of the requirements of the RFQ and proposal. If modifications are made as a result of these discussions, they will be put in writing.

2.19 Evaluation of Proposals:

An evaluation committee made up of LAMTPO staff, their designees, and/or subject matter experts will evaluate all responsive proposals. The evaluation will be based solely on the evaluation criteria set out in this RFQ. Proposals will be evaluated on the merits of the information provided not in comparison to other proposals received.

2.20 Contract Type:

It is anticipated that the contract resulting from this solicitation will be a firm-fixed price agreement, based on the successful proposer's Cost Proposal. The final fixed price of the contract may or may not reflect price negotiation between LAMTPO and the successful proposer.

2.21 Contract Documents:

The successful Proposer will receive an award package from LAMTPO that includes the Final Award Notice, two original duplicates of the Contract for signature, and other documents as required. Contractor must immediately sign and return all requested documents to LAMTPO within ten (10) calendar days, unless indicated otherwise, or LAMTPO may utilize their right to cancel the award and go to the next highest scoring Proposer. Proposers should already have preparations in place to notify their insurance broker and/or bonding agent to immediately obtain the required documents. *A sample contract for services is provided to inform submitters of the expected terms and conditions required by LAMTPO. The contract is provided for information and Proposer should note any exception to the Contract language in their Proposal.*

2.22 Failure to Execute Contract:

Should the awarded Contractor fail to execute the Contract within ten (10) days from the Final Award Notice date, LAMTPO may withdraw the award and present the award to the next highest scoring Proposer. Should events give rise to this instance, the Proposer failing to execute a contract may be removed from LAMTPO's bid list for any future contracting opportunities.

2.23 Defective Materials or Services:

When and as often as LAMTPO determines that the products or services furnished under the Contract are not fully and completely in accordance with any requirement of the Contract, LAMTPO may give written notice and description of such non-compliance to the Contractor. Within seven (7) calendar days of receiving such written notification, Contractor must supply LAMTPO with a written detailed plan of action that indicates the time and methods needed to bring the products or services within acceptable limits under the Contract. LAMTPO may reject or accept this plan at its discretion.

In the event this plan is rejected or the defect has not been remedied within thirty (30) days of Contractor's receipt of notice, the products or services will be deemed not accepted and returned to the Contractor at the Contractor's expense. LAMTPO, in its sole discretion, may purchase a replacement from another source and charge-back the cost for such warranty replacement to the Contractor. This procedure to remedy defects is not intended to limit or preclude any other remedies available to LAMTPO by law.

2.24 Insurance Requirements:

The Contractor shall, at its sole cost and expense, obtain and maintain during the entire term of this Contract the minimum insurance set forth below. In the event the Contractor is a Joint Venture, these

insurance requirements shall apply to each Joint Venture member separately. By requiring such minimum insurance, LAMTPO shall not be deemed or construed to have assessed the risks that may be applicable to the Contractor under this Contract. The Contractor shall assess its own risks and, if it deems appropriate and/or prudent, maintain greater limits and/or broader coverage. The fact that insurance is obtained by Contractor shall not be deemed to release or diminish the liability of Contractor, including without limitation, liability under the indemnity provisions of this Contract. Damages recoverable by LAMTPO shall not be limited to the amount of the required insurance coverage.

- Worker's Compensation Insurance in compliance with the laws of the State of Tennessee covering all CONSULTANT's employees who perform under this Agreement.
- Comprehensive Auto Liability Insurance on all vehicles used in connection with this Agreement whether owned, non-owned, or hired; with limits for bodily injury or death not less than \$100,000.00 per person and \$300,000.00 per occurrence, and property damage limits of not less than \$50,000.00; or in the alternative, not less than \$300,000.00 combined single limit coverage.
- Comprehensive General Liability Insurance with limits for bodily injury and property damage of not less than \$300,000.00 per incident and \$600,000.00 aggregate. A certificate of such insurance or a copy of such insurance policy or policies shall be provided to LAMTPO within one week after the execution of this Agreement. CONSULTANT' shall agree to give LAMTPO thirty (30) days written notice of cancellation in coverage below the limits set forth herein.
- Professional liability insurance appropriate to the Consultant's profession with limits of no less than \$2,000,000 per claim and \$2,000,000 policy aggregate limit.

Coverage in the minimum amount set forth herein shall not be construed to relieve Contractor from liability in excess of such coverage. LAMTPO, its employees, and its agents shall be specifically included as an additional insured in the insurance coverage required by this section.

Notwithstanding, LAMTPO reserves all claims or rights of action against Contractor as if LAMTPO were not named in the subject policy or policies.

Taking into account the Scope of Work and Services to be performed by a Subcontractor, the Contractor shall prudently determine whether, and in what amounts, each Subcontractor shall obtain and maintain public liability, professional liability, and any other insurance coverage. Any insurance required of Subcontractors shall, where appropriate and/or applicable, name LAMTPO as an additional insured.

The Contractor and its insurers shall endorse the required insurance policy (ies) to waive their right of subrogation against LAMTPO. The Contractor and its insurers also waive their right of subrogation against LAMTPO for loss of its owned or leased property or property under its care, custody and control.

No provision in this Section shall be construed to limit the liability of the Contractor for services not done in accordance with the Contract, or express or implied warranties. The Contractor's liability for the services shall extend as far as the appropriate periods of limitation provided by law and up to any legal limits.

The Contractor may obtain any combination of coverage or limits that effectively provides the same or better amounts and types of coverage as stipulated above, subject to review and approval by LAMTPO.

The Contractor warrants that this Contract has been thoroughly reviewed by the Contractor's insurance agent(s)/broker(s), who have been instructed by Contractor to procure the insurance coverage required by this Contract.

2.25 Limitation of Liability

A. Non-conforming Services – For any services which fail to conform to the scope of the Contract and such failure is caused solely by the negligence of the Contractor, no charge will be invoiced to LAMTPO. If both parties are negligent, they agree to apportion between them the damage attributable to the actions of each.

B. Damages – Neither party will seek damages, either direct, consequential, or otherwise against the other in addition to the remedies stated herein.

C. Third Party Claims – In the event that either party is found liable for damages to third parties as a result of the performance of services under this Contract, each party will be financially responsible for the portion of damages attributable to its own acts and responsibilities under this Contract

2.26 Taxes:

Any Contract wholly for professional or other applicable services is generally not subject to Retail Sales Tax and therefore, the Consultant shall not collect Retail Sales Tax from LAMTPO on those Contracts. Any incidental taxes paid as part of providing the services shall be included in the payments under the contract.

No adjustments will be made in the amount to be paid by LAMTPO under the Contract because of any misunderstanding or any lack of knowledge of the Proposer as to liability for, or the amount of, any taxes or assessments which the Proposer may be liable or responsible for by law.

2.27 Protest and Appeals Policy:

Proposers are advised that to be considered a valid protest, subject matter can only address issues associated with this Proposal process. Accordingly, the protest cannot be associated with, or challenge the recommendations of, LAMTPO staff or its Evaluation Committee. A protest can only be put forth that LAMTPO staff did not follow their own policies or procedures that govern procurement and, accordingly, a Proposer was unfairly treated. The protest cannot challenge LAMTPO staff or the Evaluation Committee's recommendation of a potentially successful Proposer.

END OF SECTION 2

Section 3: General Scope of Work

Introduction:

Project Understanding: Work will be used to analyze and determine a plan to guide the development of the downtown center for a future Multi-modal Transit Center. This study will complete an alternatives analysis, initial environmental overview, required space study, vehicle flows, warehouse storage needs. The location for a future multimodal transit center shall be within the LAMTPO metropolitan planning area.

Purpose: The purpose of this award is to fund a feasibility transit center study that will be used to analyze and determine a plan to guide the development of the downtown center for a future Port Orchard Multi-modal Transit Center.

Activities to be performed: Complete an alternatives analysis, initial environmental overview, required space study, vehicle flows, and warehouse storage needs to plan for a Multimodal Transit Center.

Expected outcomes: A useable guide to assist LAMTPO understand our needs and ensure proper location and development for a future Multi-modal Transit Center.

Intended beneficiaries: LAMTPO and its riders will have enhanced multimodal connections to transit. The safe transit center will allow customers to transfer between various bus services. The transit hub will provide adequate space to house additional staff and limited supplies while providing riders multi-modal connections to available transportation services

Assumptions

- The Study portion of this Scope of Work (**Tasks 1 – 6**) will be completed using FTA, state, and local funds. LAMTPO will provide any information or resources necessary for completion of the study within 3 business days of request.
- LAMTPO will obtain all rights of entry for study purposes.
- Consultant will identify the property needs for the Multimodal Transit Center alternative sites and any additional mitigation areas.
- Provide a layout of the two alternative sites selected for advancement for a maximum of two (2) bus bays along with a shelter(s) design yet to be specified.
- Identify a bus layover space
- Stormwater management consider below grade facilities dependent upon feasibility for the site
- Consultant will coordinate directly with LAMTPO as defined in this scope of work.
- The study is estimated to be completed within six (6) months.
- All deliverables will be submitted electronically; formats will include PDF, Word, Excel, and GIS shapefiles.

PLANNING/STUDY PHASE

The following list of Tasks is a general overview of the Work that is to be completed. The list of Tasks is not to be considered exhaustive and Consultants will be expected to perform all work necessary to provide LAMTPO with a comprehensive set of deliverables.

1. Public Participation

A comprehensive public participation process with corresponding activities will be developed and implemented by the consultant. This shall be done by a context sensitive approach when developing the study. This can be accomplished by, but not limited to:

1. Public meetings/ workshops
2. Online surveys and engagement.
3. Social media content
4. Project notecards/mailers.

Interim reports shall include monthly progress reports and written summaries of any working meetings held with staff, other government agencies, stakeholders, or the general public. The consultant is required to attend a minimum of four (4) meetings.

1. Stakeholders/ Kickoff meeting
2. Initial Recommendation meeting with the LAMTPO Technical Advisory Committee (TAC)
3. After revisions, Final document presentation to the LAMTPO TAC
4. Final document presentation to the LAMTPO Executive Board

Meetings

1. Kickoff/ Stakeholders meeting to discuss the Transit Center Study project. **LAMTPO and/or ETHRA** staff will help in developing a stakeholders meeting, and to inform the local agencies, TDOT personnel, staff, and from the general public when and where the meeting will take place. The kickoff/ stakeholders meeting is to get information on goals and objectives of the study. Meeting is to include a Powerpoint presentation of findings by the consultant and a consultant-led discussion focusing on examples of transit center projects in environments similar to the LAMTPO area and a methodology for developing goals and policies for a transit center. The consultant is to identify issues and priorities that emerge in the discussion with staff and potential stakeholders. After the meeting, update draft report to include feedback received in the meeting and draft goals and policies.
2. Draft documentation presentation to the **ETHRA Board**. Powerpoint presentation of the plan, showing potential locations, cost estimates to build and/or renovate a transit center, cost estimates to operate and maintain a transit center, and potential funding sources. Discuss potential issues and how to resolve the issues

(if any). Discussion of goals, objectives and/or policies to implement. Update the draft document as needed.

3. Conduct public workshop(s) to present the updated draft report and gather feedback.
4. Presentation (powerpoint) of final document to the **ETHRA Board**.

2. Analyze the Characteristics of Potential Transit Center Site(s)

The consultant will present at least two potential sites for the Multimodal Transit Center. In addition, a no-action alternative must also be considered and evaluated.

Projected land use patterns and environmental elements affecting transportation planning should be identified and should be considered when making the final recommendation.

The various characteristics that should be identified and analyzed are:

- Soils and Geology

- Topography

- Floodplains and Impervious Areas

- Land-Use and Zoning (existing and future conditions)

- Population (existing and future conditions)

- Employment (existing and future conditions)

- Development patterns (existing and future conditions)

- Existing and Future Traffic conditions

- Potential Funding sources to be used for a transit center?

- Examine the multi-modal access for each alternative site

- Examine the transit operational needs of each alternative site

- Explore the connectivity to the surrounding community

- Document the space needs for bus parking, warehouse operations, bus operator rest facilities, and public facilities

- Identify known engineering constraints mitigation measures necessary for success at alternative sites.

3. Questions to be answered

- a. Potential site(s) for a transit center?

- b. Is it better to renovate an existing structure, or to build a new transit center?

- c. Cost estimate to either build a new transit center, or renovate an existing structure?
- d. Cost estimate to run and maintain a transit center?

4. Survey and Base Mapping

Consultant will provide the necessary survey base mapping services to support the Multimodal Transit Center. The following activities are associated with this task:

- Coordinate locations of various utilities
- Collect necessary field boundary evidence to accurately calculate parcel boundaries and rights-of-way affected or adjacent to this project, including possible mitigation areas.
- Complete survey will include adjacent roads for design of access and mobility.
- Create a color conceptual design visualization of the selected project site(s)

5. Recommendations / Implementation

Recommendation will be provided based on data collection and inventorying all transportation, land use, demographic, environmental, and cultural elements for a transit center. The data from the inventory will be analyzed to provide the most accurate depiction of existing conditions. This includes traffic counts, development trends, socioeconomic data, infrastructure and other elements necessary to provide a clear understanding of what is needed for a transit center. The study must include actionable recommendations (based upon costs).

The recommendations shall include, but not limited to:

1. Complete a high-level cost estimate for each phase of the project including but not limited to: planning, design, land acquisition, right of way, permitting and construction.
2. Conceptual design(s) and renderings for selected location(s)
3. Show aerial photos with potential transit center site location(s);
4. Show recommended multimodal improvements, if any;
5. Identify all transportation system solutions that meet the challenges in conjunction with the land use vision along the corridor. Some of the solutions may include, but are not limited to:
 - a. Reflect community values and guiding principles supported by the public, stakeholder groups, and policy/decision-makers through the public participation process.
 - b. Be economically feasible and conform to applicable laws and regulations.
 - c. Outline opportunities and incentives for community investment.

6. Deliverables:

1. High Resolution PDF files suitable for hardcopy printing
2. Standard resolution PDF files suitable for posting online
3. All materials created for steering committee meetings, public meetings, and elected official meetings.
4. Meeting summaries, sign-in sheets, comment sheets, monthly project status reports, field work inventories, GIS data, PowerPoint presentations, graphics, illustrations, maps, handouts, photos, and documentation developed and/or generated throughout the planning process.
5. Innovative planning document formats that encourage public involvement and review.
6. **Draft Transit Center Study document.** The consultant will develop a draft report and plan document integrating all of the components listed in the scope of services. This report will document all comments received from the steering committee, general public, staff, and LAMTPO TAC and/or Executive Board.
7. **Final Transit Center document.** The consultant will develop a final report and plan document that reflects comments collected by the project manager in response to the draft document

END OF SECTION 3

Section 4: Proposal Content

Content and completeness are most important. Clear and effective presentations are preferred, with elaborate, decorative or extraneous materials strongly discouraged. The proposal shall be submitted in an 8 ½" by 11" format with foldouts from this basic size utilized as necessary. Proposal submittal requirements are described below.

All proposals must be submitted as specified on the proposal pages, which follow. Any attachments must be clearly identified. To be considered, the proposal must respond to all parts of the RFQ. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal. If publications are supplied by a proposer to respond to a requirement, the response should include reference to the document number and page number. Proposals not providing this reference will be considered to have no reference material included in the additional documents.

Proposal Requirements

This section describes mandatory descriptions and submittals that must be addressed in or included with each proposal. Failure to address or include all items discussed in this section may subject the proposal to immediate rejection. LAMTPO will be the final authority in determining the responsiveness of a proposal. The RFQ will be evaluated based on the criteria listed in the evaluation criteria.

Emailed proposals must be submitted in accordance with **Section 2.4**. All submission must have the following in the subject line of the email: **"Transit Center Feasibility Study"**.

To be considered a responsive submission, Proposers need to submit RFQ document in PDF or Word format. Proposals shall be submitted as an attachment. LAMTPO will not download proposals from third party sites and will not download from shared links.

Proposers must submit their Proposal without a Cost Proposal.

CONTACT AND SUBMITTAL INFORMATION:

Qualifications Submittal Due Date: Submittals will be received until **12:00 PM January 13, 2023**. Any submittal not received by the LAMTPO prior to the time set in this request shall be disqualified.

Submittal: A PDF digital format must be submitted via email to richd@mymorristown.com, with **Transit Center Feasibility Study RFQ** written in the subject line.

Contact Person

Rich DesGroseilliers, MTPO Coordinator, GISP

LAMTPO

100 W 1st N St

PO Box 1499

Morristown, TN 37816-1499

e-mail: richd@mymorristown.com

phone: (423) 581-6277

1. QUALIFICATIONS SUBMITTAL FORMAT

Any consulting firm wishing to submit a RFQ shall have a current prequalification status with the Tennessee Department of Transportation (TDOT). The consulting firm also must be in compliance with all applicable licensing and tax laws and regulations Reference: (4220.1F. Chapter VI. Section 8.b.(7)) (49 USC Section 5325(j)(2)(D))

The recipient permits potential bidders or offerors to qualify during the solicitation period (from the issuance of the solicitation to its closing date).

The submittals shall be on 8.5" x 11" paper. The preferred organization for the submittals is as generally indicated by the arrangement of information in this RFQ.

A. Consultant Team and Resumes

Provide a personnel summary of those individuals, including sub-Consultants, who will be participating in the project. Identify the roles, task-lead responsibility, and the percentage of the project that each person will be responsible for. Include a time estimate for each personnel, listed by task number. Experience relevant to this project should be detailed with a portfolio of similar work completed to date. Provide resumes of the project team members indicating their education and years of applicable experience. Identify relevant similar projects and the contributions of the individuals. This section should include resumes of professional planners, and licensed transportation and traffic engineers employed by the firm who are available to commit to this project. Do not include resumes of individuals that are not expected to have a role in the project.

B. Consultant's Experience

Describe experience with Transit Center Plans and similar work. Identify previous project work experience that is relevant to this project. Highlight the key features and benefits produced by the Consultant in that project. Identify which of the team members proposed for this project also worked on the example project. Provide contact names, phone number and e-mail addresses for at least four (4) representative example projects so that MPO staff may contact the team's references.

C. Other Consultant Requirements

The Consultant Team is expected to include Disadvantaged Business Enterprise (DBE) participation and the percentage participation is to be described in the submittal of qualifications. The Consultant, when selected, will be expected to enter a contract that meets all State and Federal requirements with respect to Civil Rights and all other standard requirements for consulting contracts involving the expenditure of State and Federal funds.

The Consultant must show proof of financial resources that is adequate to perform the contract or the ability to obtain them (4220.1F. Chapter VI. Section 8.b.(7)) (49 USC Section 5325(j)(2)(D))

D. In addition, the following information from Federal Transit Administration (FTA) and or Tennessee Department of Transportation (TDOT) must be included and addressed:

1. Incorporation of Federal Transit Administration (FTA) Terms

Incorporation of Federal Transit Administration (FTA) Terms - The provisions within include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by DOT, as set forth in the current FTA Circular 4220 are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Contract. The Contractor shall not perform any act, fail to perform any act, or refuse to comply with any request which would cause a violation of the FTA terms and conditions.

2. Federal Changes

49 CFR Part 18 Federal Changes - Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between Purchaser and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

3. Civil Rights Laws and Regulations

The following Federal Civil Rights laws and regulations apply to all contracts.

1. **Federal Equal Employment Opportunity (EEO) Requirements.** These include, but are not limited to:
 - a. Nondiscrimination in Federal Public Transportation Programs. 49 U.S.C. § 5332, covering projects, programs, and activities financed under 49 U.S.C. Chapter 53, prohibits discrimination on the basis of race, color, religion, national origin, sex (including sexual orientation and gender identity), disability, or age, and prohibits discrimination in employment or business opportunity.

- b. **Prohibition against Employment Discrimination.** Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, and Executive Order No. 11246, "Equal Employment Opportunity," September 24, 1965, as amended, prohibit discrimination in employment on the basis of race, color, religion, sex, or national origin.
2. **Nondiscrimination on the Basis of Sex.** Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq. and implementing Federal regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 C.F.R. part 25 prohibit discrimination on the basis of sex.
3. **Nondiscrimination on the Basis of Age.** The "Age Discrimination Act of 1975," as amended, 42 U.S.C. § 6101 et seq., and Department of Health and Human Services implementing regulations, "Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance," 45 C.F.R. part 90, prohibit discrimination by participants in federally assisted programs against individuals on the basis of age. The Age Discrimination in Employment Act (ADEA), 29 U.S.C. § 621 et seq., and Equal Employment Opportunity Commission (EEOC) implementing regulations, "Age Discrimination in Employment Act," 29 C.F.R. part 1625, also prohibit employment discrimination against individuals age 40 and over on the basis of age.
4. **Federal Protections for Individuals with Disabilities.** The Americans with Disabilities Act of 1990, as amended (ADA), 42 U.S.C. § 12101 et seq., prohibits discrimination against qualified individuals with disabilities in programs, activities, and services, and imposes specific requirements on public and private entities. Third party contractors must comply with their responsibilities under Titles I, II, III, IV, and V of the ADA in employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other Federal agencies.

Civil Rights and Equal Opportunity

The Agency is an Equal Opportunity Employer. As such, the Agency agrees to comply with all applicable Federal civil rights laws and implementing regulations. Apart from inconsistent requirements imposed by Federal laws or regulations, the Agency agrees to comply with the requirements of 49 U.S.C. § 5323(h) (3) by not using any Federal assistance awarded by FTA to support procurements using exclusionary or discriminatory specifications. Under this Contract, the Contractor shall at all times comply with the following requirements and shall include these requirements in each subcontract entered into as part thereof.

1. **Nondiscrimination.** In accordance with Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, disability, or age. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.
2. **Race, Color, Religion, National Origin, Sex.** In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e et seq., and Federal transit laws at 49 U.S.C. § 5332, the Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. chapter 60, and Executive Order No. 11246, "Equal Employment Opportunity in Federal Employment," September 24, 1965, 42 U.S.C. § 2000e note, as amended by any later Executive Order that amends or supersedes it, referenced in 42 U.S.C. § 2000e note. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, national origin, or sex (including sexual orientation and gender identity). Such action shall include, but not be limited to, the following: employment, promotion, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
3. **Age.** In accordance with the Age Discrimination in Employment Act, 29 U.S.C. §§ 621-634, U.S. Equal Employment Opportunity Commission (U.S. EEOC) regulations, "Age Discrimination in Employment Act," 29 C.F.R. part 1625, the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq., U.S. Health and Human Services regulations, "Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance," 45 C.F.R.

part 90, and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

4. **Disabilities.** In accordance with section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq., the Architectural Barriers Act of 1968, as amended, 42 U.S.C. § 4151 et seq., and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against individuals on the basis of disability. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.
5. **Promoting Free Speech and Religious Liberty.** The Contractor shall ensure that Federal funding is expended in full accordance with the U.S. Constitution, Federal Law, and statutory and public policy requirements: including, but not limited to, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination.

4. Disadvantaged Business Enterprise (DBE)

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 C.F.R. part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor 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 the Agency 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 contractor from future bidding as non-responsible. 49 C.F.R. § 26.13(b).

Prime contractors are required to pay subcontractors for satisfactory performance of their contracts no later than 30 days from receipt of each payment the Agency makes to the prime contractor. 49 C.F.R. § 26.29(a).

Finally, for contracts with defined DBE contract goals, each FTA Recipient must include in each prime contract a provision stating that the contractor shall utilize the specific DBEs listed unless the contractor obtains the Agency's written consent; and that, unless the Agency's consent is provided, the contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the listed DBE. 49 C.F.R. § 26.53(f) (1).

It is the policy of the Agency and the United States Department of Transportation ("DOT") that Disadvantaged Business Enterprises ("DBE's"), as defined herein and in the Federal regulations published at 49 C.F.R. part 26, shall have an equal opportunity to participate in DOT-assisted contracts.

5. No Government Obligation to Third Parties

The Agency and Contractor acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying Contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this Contract and shall not be subject to any obligations or liabilities to the Agency, Contractor or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying Contract. The Contractor agrees to include the above clause in each subcontract financed

in whole or in part with Federal assistance provided by the FTA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

6. Program Fraud and False or Fraudulent Statements and Related Acts

The contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the contractor's actions pertaining to this contract."

7. Prompt Payment

The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work. In addition, the contractor is required to return any retainage payments to those subcontractors within 30 days after the subcontractor's work related to this contract is satisfactorily completed.

The contractor must promptly notify the Agency, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of the Agency.

8. Access to Records and Reports

- a) Record Retention. The Contractor will retain, and will require its subcontractors of all tiers to retain, complete and readily accessible records related in whole or in part to the contract, including, but not limited to, data, documents, reports, statistics, sub-Contracts, leases, subcontracts, arrangements, other third party Contracts of any type, and supporting materials related to those records.
- b) Retention Period. The Contractor agrees to comply with the record retention requirements in accordance with 2 C.F.R. § 200.333. The Contractor shall maintain all books, records, accounts and reports required under this Contract for a period of at not less than three (3) years after the date of termination or expiration of this Contract, except in the event of litigation or settlement of claims arising from the performance of this Contract, in which case records shall be maintained until the disposition of all such litigation, appeals, claims or exceptions related thereto.
- c) Access to Records. The Contractor agrees to provide sufficient access to FTA and its contractors to inspect and audit records and information related to performance of this contract as reasonably may be required.
- d) Access to the Sites of Performance. The Contractor agrees to permit FTA and its contractors access to the sites of performance under this contract as reasonably may be required.

9. Energy Conservation

The contractor agrees to comply with mandatory standards and policies relating to energy efficiency, which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

10. Safe Operation of Motor Vehicles

Seat Belt Use

The Contractor is encouraged to adopt and promote on-the-job seat belt use policies and programs for its employees and other personnel that operate company-owned vehicles, company rented vehicles, or personally operated vehicles.

The terms “company-owned” and “company-leased” refer to vehicles owned or leased either by the Contractor or Agency.

Distracted Driving

The Contractor agrees to adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging while using an electronic device supplied by an employer, and driving a vehicle the driver owns or rents, a vehicle Contractor owns, leases, or rents, or a privately-owned vehicle when on official business in connection with the work performed under this Contract.

11. Termination

Termination for Convenience (General Provision)

The Agency may terminate this contract, in whole or in part, at any time by written notice to the Contractor when it is in the Agency’s best interest. The Contractor shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The Contractor shall promptly submit its termination claim to Agency to be paid the Contractor. If the Contractor has any property in its possession belonging to Agency, the Contractor will account for the same, and dispose of it in the manner Agency directs.

Termination for Default [Breach or Cause] (General Provision)

If the Contractor does not deliver supplies in accordance with the contract delivery schedule, or if the contract is for services, the Contractor fails to perform in the manner called for in the contract, or if the Contractor fails to comply with any other provisions of the contract, the Agency may terminate this contract for default. Termination shall be effected by serving a Notice of Termination on the Contractor setting forth the manner in which the Contractor is in default. The Contractor will be paid only the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in the contract. If it is later determined by the Agency that the Contractor had an excusable reason for not performing, such as a strike, fire, or flood, events which are not the fault of or are beyond the control of the Contractor, the Agency, after setting up a new delivery of performance schedule, may allow the Contractor to continue work, or treat the termination as a Termination for Convenience.

Opportunity to Cure (General Provision)

The Agency, in its sole discretion may, in the case of a termination for breach or default, allow the Contractor [an appropriately short period of time] in which to cure the defect. In such case, the Notice of Termination will state the time period in which cure is permitted and other appropriate conditions

If Contractor fails to remedy to Agency's satisfaction the breach or default of any of the terms, covenants, or conditions of this Contract within [10 days] after receipt by Contractor of written notice from Agency setting forth the nature of said breach or default, Agency shall have the right to terminate the contract without any further obligation to Contractor. Any such termination for default shall not in any way operate to preclude Agency from also pursuing all available remedies against Contractor and its sureties for said breach or default.

Waiver of Remedies for any Breach

In the event that Agency elects to waive its remedies for any breach by Contractor of any covenant, term or condition of this contract, such waiver by Agency shall not limit Agency's remedies for any succeeding breach of that or of any other covenant, term, or condition of this contract.

Termination for Convenience (Professional or Transit Service Contracts)

The Agency, by written notice, may terminate this contract, in whole or in part, when it is in the Agency's interest. If this contract is terminated, the Agency shall be liable only for payment under the payment provisions of this contract for services rendered before the effective date of termination.

Termination for Default (Supplies and Service)

If the Contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension, or if the Contractor fails to comply with any other provisions of this contract, the Agency may terminate this contract for default. The Agency shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner or performance set forth in this contract.

If, after termination for failure to fulfill contract obligations, it is determined that the Contractor was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the Agency.

Termination for Default (Transportation Services)

If the Contractor fails to pick up the commodities or to perform the services, including delivery services, within the time specified in this contract or any extension, or if the Contractor fails to comply with any other provisions of this contract, the Agency may terminate this contract for default. The Agency shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of default. The Contractor will only be paid the contract price for services performed in accordance with the manner of performance set forth in this contract.

If this contract is terminated while the Contractor has possession of Agency goods, the Contractor shall, upon direction of the Agency, protect and preserve the goods until surrendered to the Agency or its agent. The Contractor and Agency shall agree on payment for the preservation and protection of goods. Failure to agree on an amount will be resolved under the Dispute clause.

If, after termination for failure to fulfill contract obligations, it is determined that the Contractor was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the Agency.

Termination for Default (Construction)

If the Contractor refuses or fails to prosecute the work or any separable part, with the diligence that will ensure its completion within the time specified in this contract or any extension or fails to complete the work within this time, or if the Contractor fails to comply with any other provision of this contract, Agency may terminate this contract for default. The Agency shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. In this event, the Agency may take over the work and complete it by contract or otherwise, and may take possession of and use any materials, appliances, and plant on the work site necessary for completing the work. The Contractor and its sureties shall be liable for any damage to the Agency resulting from the Contractor's refusal or failure to complete the work within specified time, whether or not the Contractor's right to proceed with the work is terminated. This liability includes any increased costs incurred by the Agency in completing the work.

The Contractor's right to proceed shall not be terminated nor shall the Contractor be charged with damages under this clause if:

1. The delay in completing the work arises from unforeseeable causes beyond the control and without the fault or negligence of the Contractor. Examples of such causes include: acts of God, acts of Agency, acts of another contractor in the performance of a contract with Agency, epidemics, quarantine restrictions, strikes, freight embargoes; and
2. The Contractor, within [10] days from the beginning of any delay, notifies Agency in writing of the causes of delay. If, in the judgment of Agency, the delay is excusable, the time for completing the work shall be extended. The judgment of Agency shall be final and conclusive for the parties, but subject to appeal under the Disputes clause(s) of this contract.
3. If, after termination of the Contractor's right to proceed, it is determined that the Contractor was not in default, or that the delay was excusable, the rights and obligations of the parties will be the same as if the termination had been issued for the convenience of Agency.

Termination for Convenience or Default (Architect and Engineering)

The Agency may terminate this contract in whole or in part, for the Agency's convenience or because of the failure of the Contractor to fulfill the contract obligations. The Agency shall terminate by delivering to the Contractor a Notice of Termination specifying the nature, extent, and effective date of the termination. Upon receipt of the notice, the Contractor shall (1) immediately discontinue all services affected (unless the notice directs otherwise), and (2) deliver to the Agency's Contracting Officer all data, drawings, specifications, reports, estimates, summaries, and other information and materials accumulated in performing this contract, whether completed or in process. Agency has a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, all such data, drawings, specifications, reports, estimates, summaries, and other information and materials.

If the termination is for the convenience of the Agency, the Agency's Contracting Officer shall make an equitable adjustment in the contract price but shall allow no anticipated profit on unperformed services.

If the termination is for failure of the Contractor to fulfill the contract obligations, the Agency may complete the work by contract or otherwise and the Contractor shall be liable for any additional cost incurred by the Agency.

If, after termination for failure to fulfill contract obligations, it is determined that the Contractor was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of Agency.

Termination for Convenience or Default (Cost-Type Contracts)

The Agency may terminate this contract, or any portion of it, by serving a Notice of Termination on the Contractor. The notice shall state whether the termination is for convenience of Agency or for the default of the Contractor. If the termination is for default, the notice shall state the manner in which the Contractor has failed to perform the requirements of the contract. The Contractor shall account for any property in its possession paid for from funds received from the Agency, or property supplied to the Contractor by the Agency. If the termination is for default, the Agency may fix the fee, if the contract provides for a fee, to be paid the Contractor in proportion to the value, if any, of work performed up to the time of termination. The Contractor shall promptly submit its termination claim to the Agency and the parties shall negotiate the termination settlement to be paid the Contractor.

If the termination is for the convenience of Agency, the Contractor shall be paid its contract close-out costs, and a fee, if the contract provided for payment of a fee, in proportion to the work performed up to the time of termination.

If, after serving a Notice of Termination for Default, the Agency determines that the Contractor has an excusable reason for not performing, the Agency, after setting up a new work schedule, may allow the Contractor to continue work, or treat the termination as a Termination for Convenience.

12. Debarment and Suspension

a. Applicability: This requirement applies to all FTA grant and cooperative agreement programs for a contract in the amount of at least \$25,000

- (1) This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).
- (2) C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.
- (3) The accompanying certification is a material representation of fact relied upon by the subrecipient. If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Agency and subrecipient, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.”

13. Notification to FTA

If a current or prospective legal matter that may affect the Federal Government emerges, the Recipient must promptly notify the FTA Chief Counsel and FTA Regional Counsel for the Region in which the Recipient is located. The Recipient must include a similar notification requirement in its Third-Party Agreements and must require each Third Party Participant to include an equivalent provision in its sub-agreements at every tier, for any agreement that is a “covered transaction” according to 2 C.F.R. §§ 180.220 and 1200.220.

- (1) The types of legal matters that require notification include, but are not limited to, a major dispute, breach, default, litigation, or naming the Federal Government as a party to litigation or a legal disagreement in any forum for any reason.
- (2) Matters that may affect the Federal Government include, but are not limited to, the Federal Government’s interests in the Award, the accompanying Underlying Agreement, and any Amendments thereto, or the Federal Government’s administration or enforcement of federal laws, regulations, and requirements.
- (3) The Recipient must promptly notify the U.S. DOT Inspector General in addition to the FTA Chief Counsel or Regional Counsel for the Region in which the Recipient is located, if the Recipient has knowledge of potential fraud, waste, or abuse occurring on a Project receiving assistance from FTA. The notification provision applies if a person has or may have submitted a false claim under the False Claims Act, 31 U.S.C. § 3729 et seq., or has or may have committed a criminal or civil violation of law pertaining to such matters as fraud, conflict of interest, bribery, gratuity, or similar misconduct. This responsibility occurs whether the Project is subject to this Agreement or another agreement between the Recipient and FTA, or an agreement involving a principal, officer, employee, agent, or Third-Party Participant of the Recipient. It also applies to subcontractors at any tier. Knowledge, as used in this paragraph, includes, but is not limited to, knowledge of a criminal or civil

investigation by a Federal, state, or local law enforcement or other investigative agency, a criminal indictment or civil complaint, or probable cause that could support a criminal indictment, or any other credible information in the possession of the Recipient.

14. Byrd Anti-Lobbying Amendment

Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the Agency.”

15. Contract Work Hours and Safety Standards Act

- a) Applicability: This requirement applies to all FTA grant and cooperative agreement programs.
- b) Where applicable (see 40 U.S.C. § 3701), all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations at 29 C.F.R. Part 5. See 2 C.F.R. Part 200, Appendix II.
- c) Under 40 U.S.C. § 3702, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week.
- d) The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- e) The regulation at 29 C.F.R. § 5.5(b) provides the required contract clause concerning compliance with the Contract Work Hours and Safety Standards Act:

Compliance with the Contract Work Hours and Safety Standards Act.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1) of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1) of this section.
3. Withholding for unpaid wages and liquidated damages. The agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or

any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1) through (4) of this section."

16. Clean Air Act and Federal Water Pollution Control Act

The Contractor agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251-1387). Violations must be reported to FTA and the Regional Office of the Environmental Protection Agency. The following applies for contracts of amounts in excess of \$150,000:

Clean Air Act

1. The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.
2. The contractor agrees to report each violation to the Agency and understands and agrees that the Agency will, in turn, report each violation as required to assure notification to the Agency, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.
3. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FTA.

Federal Water Pollution Control Act

1. The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.
2. The contractor agrees to report each violation to the Agency and understands and agrees that the Agency will, in turn, report each violation as required to assure notification to the Agency, Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.
3. The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by FTA."

17. Buy America Requirements

The contractor agrees to comply with 49 U.S.C. 5323(j) and 49 C.F.R. part 661 and 2 CFR § 200.322 Domestic preferences for procurements, which provide that Federal funds may not be obligated unless all steel, iron, and manufactured products used in FTA funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 C.F.R. § 661.7. Separate requirements for rolling stock are set out at 49 U.S.C. 5323(j)(2)(C), 49 U.S.C. § 5323(u) and 49 C.F.R. § 661.11. Domestic preferences for procurements The bidder or offeror must submit to the Agency the appropriate Buy America certification. Bids or offers that are not accompanied by a completed Buy America certification will be rejected as nonresponsive.

18. Violation and Breach of Contract

Rights and Remedies of the Agency

The Agency shall have the following rights in the event that the Agency deems the Contractor guilty of a breach of any term under the Contract.

1. The right to take over and complete the work or any part thereof as agency for and at the expense of the Contractor, either directly or through other contractors;
2. The right to cancel this Contract as to any or all of the work yet to be performed;
3. The right to specific performance, an injunction or any other appropriate equitable remedy; and
4. The right to money damages.

For purposes of this Contract, breach shall include.

Rights and Remedies of Contractor

Inasmuch as the Contractor can be adequately compensated by money damages for any breach of this Contract, which may be committed by the Agency, the Contractor expressly agrees that no default, act or omission of the Agency shall constitute a material breach of this Contract, entitling Contractor to cancel or rescind the Contract (unless the Agency directs Contractor to do so) or to suspend or abandon performance.

Remedies

Substantial failure of the Contractor to complete the Project in accordance with the terms of this Contract will be a default of this Contract. In the event of a default, the Agency will have all remedies in law and equity, including the right to specific performance, without further assistance, and the rights to termination or suspension as provided herein. The Contractor recognizes that in the event of a breach of this Contract by the Contractor before the Agency takes action contemplated herein, the Agency will provide the Contractor with sixty (60) days written notice that the Agency considers that such a breach has occurred and will provide the Contractor a reasonable period of time to respond and to take necessary corrective action.

Disputes

Disputes arising in the performance of this Contract that are not resolved by agreement of the parties shall be decided in writing by an authorized representative of Agency. This decision shall be final and conclusive unless within [10] days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the Agency's authorized representative. In connection with any such appeal, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the Agency's authorized representative shall be binding upon the Contractor and the Contractor shall abide by the decision.

In the event that a resolution of the dispute is not mutually agreed upon, the parties can agree to mediate the dispute or proceed with litigation. Notwithstanding any provision of this section, or any other provision of this Contract, it is expressly agreed and understood that any court proceeding arising out of a dispute under the Contract shall be heard by a Court de novo and the court shall not be limited in such proceeding to the issue of whether the Authority acted in an arbitrary, capricious or grossly erroneous manner.

Pending final settlement of any dispute, the parties shall proceed diligently with the performance of the Contract, and in accordance with the Agency's direction or decisions made thereof.

Performance during Dispute

Unless otherwise directed by Agency, Contractor shall continue performance under this Contract while matters in dispute are being resolved.

Claims for Damages

Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of its employees, agents or others for whose acts it is legally liable, a claim for damages therefor shall be made in writing to such other party within a reasonable time after the first observance of such injury or damage.

Remedies

Unless this Contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the Agency and the Contractor arising out of or relating to this Contract or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State in which the Agency is located.

Rights and Remedies

The duties and obligations imposed by the Contract documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the Agency or Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

19. Simplified Acquisition Threshold

Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. § 1908, or otherwise set by law, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. (Note that the simplified acquisition threshold determines the procurement procedures that must be employed pursuant to 2 C.F.R. §§ 200.317–200.327. The simplified acquisition threshold does not exempt a procurement from other eligibility or processes requirements that may apply. For example, Buy America’s eligibility and process requirements apply to any procurement in excess of \$150,000. 49 U.S.C. § 5323(j)(13).)

20. Davis Bacon Act and Copeland Anti-Kickback Act

- a) In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week.
- b) The Non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

“Compliance with the Copeland Anti-Kickback” Act.

1. Contractor. The contractor shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. pt. 3 as may be applicable, which are incorporated by reference into this contract.
2. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as the FTA may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.
3. Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.

21. Contract Work Hours and Safety Standards Act

- f) Applicability: This requirement applies to all FTA grant and cooperative agreement programs.
- g) Where applicable (see 40 U.S.C. § 3701), all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations at 29 C.F.R. Part 5. See 2 C.F.R. Part 200, Appendix II.
- h) Under 40 U.S.C. § 3702, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week.
- i) The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- j) The regulation at 29 C.F.R. § 5.5(b) provides the required contract clause concerning compliance with the Contract Work Hours and Safety Standards Act:

Compliance with the Contract Work Hours and Safety Standards Act.

- 5. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
- 6. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1) of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1) of this section.
- 7. Withholding for unpaid wages and liquidated damages. The agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2) of this section.
- 8. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1) through (4) of this section."

22. Seismic Safety

The contractor agrees that any new building or addition to an existing building will be designed and constructed in accordance with the standards for Seismic Safety required in Department of Transportation (DOT) Seismic Safety Regulations 49 C.F.R. part 41 and will certify to compliance to the extent required by the regulation. The contractor also agrees to ensure that all work performed under this contract, including work performed by a subcontractor, is in

compliance with the standards required by the Seismic Safety regulations and the certification of compliance issued on the project.

23. Special DOL EEO Clause

Applies to construction contracts > \$10,000; This contractor and subcontractor shall abide by the requirements of 41 CFR 60-1.4(a), 60-300.5(a) and 60- 741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability or veteran status.

24. Veterans Hiring Preference

Veterans Employment - Recipients of Federal financial assistance shall ensure that contractors working on a capital project funded using such assistance give a hiring preference, to the extent practicable, to veterans (as defined in section 2108 of title 5) who have the requisite skills and abilities to perform the construction work required under the contract. This subsection shall not be understood, construed or enforced in any manner that would require an employer to give a preference to any veteran over any equally qualified applicant who is a member of any racial or ethnic minority, female, an individual with a disability, or a former employee.

25. Bond Requirements

Bid Guarantee. Bidders shall furnish a bid guaranty in the form of a bid bond, or certified treasurer's or cashier's check issued by a responsible bank or trust company, made payable to the Agency. The amount of such guaranty shall be equal to the value or a percentage of the total bid price.

In submitting this bid, it is understood and agreed by bidder that the Agency reserves the

right to reject any and all bids, or part of any bid, and it is agreed that the Bid may not be withdrawn for a period of [90] days subsequent to the opening of bids, without the written consent of Agency.

It is also understood and agreed that if the undersigned bidder should withdraw any part or all of their bid within [90] days after the bid opening without the written consent of the Agency, or refuse or be unable to enter into this Contract as provided above, or refuse or be unable to furnish adequate and acceptable Performance and Payment Bonds, or refuse or be unable to furnish adequate and acceptable insurance, as provided above, it shall forfeit its bid guaranty to the extent Agency's damages occasioned by such withdrawal, or refusal, or inability to enter into a Contract, or provide adequate security thereof.

It is further understood and agreed that to the extent the defaulting bidder's bid guaranty shall prove inadequate to fully recompense Agency for the damages occasioned by default, then the undersigned bidder agrees to indemnify Agency and pay over to Agency the difference between the bid guarantee and Agency's total damages so as to make Agency whole.

The undersigned understands that any material alteration of any of the above or any of the material contained herein, other than that requested will render the bid unresponsive.

Performance Guarantee. A Performance Guarantee in the amount of 100% of the Contract value is required by the Agency to ensure faithful performance of the Contract. Either a Performance Bond or an Irrevocable Stand-By Letter of Credit shall be provided by the Contractor and shall remain in full force for the term of the Contract. The successful Bidder shall certify that it will provide the requisite Performance Guarantee to the Agency within ten (10) business days from Contract execution. The Agency requires all Performance Bonds to be provided by a fully qualified surety company acceptable to the Agency and listed as a company currently authorized under 31 C.F.R. part 22 as possessing a

Transit Center Feasibility Study RFQ

Certificate of Authority as described hereunder. Agency may require additional performance bond protection when the contract price is increased. The increase in protection shall generally equal 100 percent of the increase in contract price. The Agency may secure additional protection by directing the Contractor to increase the amount of the existing bond or to obtain an additional bond.

If the Bidder chooses to provide a Letter of Credit as its Performance Guarantee, the Bidder shall furnish with its bid, certification that an Irrevocable Stand-By Letter of Credit will be furnished should the Bidder become the successful Contractor. The Bidder shall also provide a statement from the banking institution certifying that an Irrevocable Stand-By Letter of Credit for the action will be provided if the Contract is awarded to the Bidder. The Irrevocable Stand-By Letter of Credit will only be accepted by the Agency if:

1. A bank in good standing issues it. The Agency will not accept a Letter of Credit from an entity other than a bank.
2. It is in writing and signed by the issuing bank.
3. It conspicuously states that it is an irrevocable, non-transferable, "standby" Letter of Credit.
4. The Agency is identified as the Beneficiary.
5. It is in an amount equal to 100% of the Contract value. This amount must be in U.S. dollars.
6. The effective date of the Letter of Credit is the same as the effective date of the Contract
7. The expiration date of the Letter of Credit coincides with the term of the contract.
8. It indicates that it is being issued in order to support the obligation of the Contractor to perform under the Contract. It must specifically reference the Contract between the Agency and the Contractor the work stipulated herein.

The issuing bank's obligation to pay will arise upon the presentation of the original Letter of Credit and a certificate and draft to the issuing bank's representative at a location and time to be determined by the parties. This documentation will indicate that the Contractor is in default under the Contract.

Payment Bonds. A Labor and Materials Payment Bond equal to the full value of the contract must be furnished by the contractor to Agency as security for payment by the Contractor and subcontractors for labor, materials, and rental of equipment. The bond may be issued by a fully qualified surety company acceptable to (Agency) and listed as a company currently authorized under 31 C.F.R. part 223 as possessing a Certificate of Authority as described thereunder.

26. Cargo Preference Requirements

The contractor agrees:

- a) to use privately owned United States-Flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities
- b) pursuant to the underlying contract to the extent such vessels are available at fair and reasonable rates for United States-Flag commercial vessels;
- c) to furnish within 20 working days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill-of-lading in English for each shipment of cargo described in the preceding paragraph to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590 and to the FTA Recipient (through the contractor in the case of a subcontractor's bill-of-lading.); and
- d) to include these requirements in all subcontracts issued pursuant to this contract when the subcontract may involve the transport of equipment, material, or commodities by ocean vessel.

27. Fly America

- a) Definitions. As used in this clause—
 - 1) “International air transportation” means transportation by air between a place in the United States and a place outside the United States or between two places both of which are outside the United States.
 - 2) “United States” means the 50 States, the District of Columbia, and outlying areas.
 - 3) “U.S.-flag air carrier” means an air carrier holding a certificate under 49 U.S.C. Chapter 411.
- b) When Federal funds are used to fund travel, Section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118) (Fly America Act) requires contractors, Agencies, and others use U.S.-flag air carriers for U.S. Government-financed international air transportation of personnel (and their personal effects) or property, to the extent that service by those carriers is available. It requires the Comptroller General of the United States, in the absence of satisfactory proof of the necessity for foreign-flag air transportation, to disallow expenditures from funds, appropriated or otherwise established for the account of the United States, for international air transportation secured aboard a foreign-flag air carrier if a U.S.-flag air carrier is available to provide such services.
- c) If available, the Contractor, in performing work under this contract, shall use U.S.-flag carriers for international air transportation of personnel (and their personal effects) or property.
- d) In the event that the Contractor selects a carrier other than a U.S.-flag air carrier for international air transportation, the Contractor shall include a statement on vouchers involving such transportation essentially as follows:

Statement of Unavailability of U.S. – Flag Air Carriers

International air transportation of persons (and their personal effects) or property by U.S.-flag air carrier was not available or it was necessary to use foreign-flag air carrier service for the following reasons. See FAR § 47.403.

[State reasons]:

- e) Contractor shall include the substance of this clause, including this paragraph (e), in each subcontract or purchase under this contract that may involve international air transportation.

28. Patent Rights and Rights in Data

Intellectual Property Rights

This Project is funded through a Federal award with FTA for experimental, developmental, or research work purposes. As such, certain Patent Rights and Data Rights apply to all subject data first produced in the performance of this Contract. The Contractor shall grant the Agency intellectual property access and licenses deemed necessary for the work performed under this Contract and in accordance with the requirements of 37 C.F.R. part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by FTA or U.S. DOT.

The terms of an intellectual property agreement and software license rights will be finalized prior to execution of this Contract and shall, at a minimum, include the following restrictions:

Except for its own internal use, the Contractor may not publish or reproduce subject data in whole or in part, or in any manner or form, nor may the Contractor authorize others to do so, without the written consent of FTA, until such time as FTA may have either released or approved the release of such data to the public. This restriction on publication, however, does not apply to any contract with an academic institution.

For purposes of this Contract, the term “subject data” means recorded information whether or not copyrighted, and that is delivered or specified to be delivered as required by the Contract. Examples of “subject data” include, but are not limited to computer software, standards, specifications, engineering drawings and associated lists, process sheets,

manuals, technical reports, catalog item identifications, and related information, but do not include financial reports, cost analyses, or other similar information used for performance or administration of the Contract.

1. The Federal Government reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for "Federal Government Purposes," any subject data or copyright described below. For "Federal Government Purposes," means use only for the direct purposes of the Federal Government. Without the copyright owner's consent, the Federal Government may not extend its Federal license to any other party.

- a. Any subject data developed under the Contract, whether or not a copyright has been obtained; and
- b. Any rights of copyright purchased by the Contractor using Federal assistance in whole or in part by the FTA.

2. Unless FTA determines otherwise, the Contractor performing experimental, developmental, or research work required as part of this Contract agrees to permit FTA to make available to the public, either FTA's license in the copyright to any subject data developed in the course of the Contract, or a copy of the subject data first produced under the Contract for which a copyright has not been obtained. If the experimental, developmental, or research work, which is the subject of this Contract, is not completed for any reason whatsoever, all data developed under the Contract shall become subject data as defined herein and shall be delivered as the Federal Government may direct.

3. Unless prohibited by state law, upon request by the Federal Government, the Contractor agrees to indemnify, save, and hold harmless the Federal Government, its officers, agents, and employees acting within the scope of their official duties against any liability, including costs and expenses, resulting from any willful or intentional violation by the Contractor of proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under that contract. The Contractor shall be required to indemnify the Federal Government for any such liability arising out of the wrongful act of any employee, official, or agents of the Federal Government.

4. Nothing contained in this clause on rights in data shall imply a license to the Federal Government under any patent or be construed as affecting the scope of any license or other right otherwise granted to the Federal Government under any patent.

5. Data developed by the Contractor and financed entirely without using Federal assistance provided by the Federal Government that has been incorporated into work required by the underlying Contract is exempt from the requirements herein, provided that the Contractor identifies those data in writing at the time of delivery of the Contract work.

6. The Contractor agrees to include these requirements in each subcontract for experimental, developmental, or research work financed in whole or in part with Federal assistance.

29. Procurement of Recovered Materials

- (1) In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA- designated items unless the product cannot be acquired—
 - i. Competitively within a timeframe providing for compliance with the contract performance schedule;
 - ii. Meeting contract performance requirements; or
 - iii. At a reasonable price.
- (2) Information about this requirement, along with the list of EPA-designate items, is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.

30. Conformance with its National Architecture

Intelligent Transportation Systems (ITS) projects shall conform to the National ITS Architecture and standards. Conformance with the National ITS Architecture is interpreted to mean the use of the National ITS Architecture to develop a regional ITS architecture in support of integration and the subsequent adherence of all ITS projects to that regional ITS architecture. Development of the regional ITS architecture should be consistent with the transportation planning process for Statewide and Metropolitan Transportation Planning (49 CFR Part 613 and 621).

31. Prohibition on certain telecommunications and video surveillance services or equipment

Recipients and sub recipients are prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Tennessee State Clauses

Conflicts of Interest.

The Grantee warrants that no part of the total Grant Contract Amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Grantee in connection with any work contemplated or performed relative to this Grant Contract

Lobbying.

The Grantee certifies, to the best of its knowledge and belief, that:

- a. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than federally appropriated funds 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 contract, grant, loan, or cooperative agreement, the Grantee shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The Grantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, 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 was placed when this transaction was made or entered into and is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352

Nondiscrimination.

The Grantee hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Grant Contract or in the employment practices of the Grantee on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee state constitutional, or statutory law. The Grantee shall, upon request, show proof of nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

Public Accountability.

If the Grantee is subject to Tenn. Code Ann. § 8-4-401 et seq., or if this Grant Contract involves the provision of services to citizens by the Grantee on behalf of the State, the Grantee agrees to establish a system through which recipients of services may present grievances about the operation of the service program. The Grantee shall also display in a prominent place, located near the passageway through which the public enters in order to receive Grant supported services, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

NOTICE: THIS AGENCY IS A RECIPIENT OF TAXPAYER FUNDING. IF YOU OBSERVE AN AGENCY DIRECTOR OR EMPLOYEE ENGAGING IN ANY ACTIVITY WHICH YOU CONSIDER TO BE ILLEGAL, IMPROPER, OR WASTEFUL, PLEASE CALL THE STATE COMPTROLLER'S TOLL-FREE HOTLINE: 1-800-232-5454.

The sign shall be on the form prescribed by the Comptroller of the Treasury. The Grantor State Agency shall obtain copies of the sign from the Comptroller of the Treasury, and upon request from the Grantee, provide Grantee with any necessary signs.

Public Notice.

All notices, informational pamphlets, press releases, research reports, signs, and similar public notices prepared and released by the Grantee in relation to this Grant Contract shall include the statement, "This project is funded under a grant contract with the State of Tennessee, Department of Transportation." All notices by the Grantee in relation to this Grant Contract shall be approved by the State.

Records.

The Grantee and any approved subcontractor shall maintain documentation for all charges under this Grant Contract. The books, records, and documents of the Grantee and any approved subcontractor, insofar as they relate to work performed or money received under this Grant Contract, shall be maintained in accordance with applicable Tennessee law. In no case shall the records be maintained for a period of less than five (5) full years from the date of the final payment. The Grantee's records shall be subject to audit at any reasonable time and upon reasonable notice by the Grantor State Agency, the Comptroller of the Treasury, or their duly appointed representatives.

The records shall be maintained in accordance with Governmental Accounting Standards Board (GASB) Accounting Standards or the Financial Accounting Standards Board (FASB) Accounting Standards Codification, as applicable, and any related AICPA Industry Audit and Accounting guides.

In addition, documentation of grant applications, budgets, reports, awards, and expenditures will be maintained in accordance with U.S. Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Grant expenditures shall be made in accordance with local government purchasing policies and procedures and purchasing procedures for local governments authorized under state law.

The Grantee shall also comply with any recordkeeping and reporting requirements prescribed by the Tennessee Comptroller of the Treasury.

The Grantee shall establish a system of internal controls that utilize the COSO Internal Control -Integrated Framework model as the basic foundation for the internal control system. The Grantee shall incorporate any additional Comptroller of the Treasury directives into its internal control system.

Any other required records or reports which are not contemplated in the above standards shall follow the format designated by the head of the Grantor State Agency, the Central Procurement Office, or the Commissioner of Finance and Administration of the State of Tennessee.

Environmental Tobacco Smoke.

Pursuant to the provisions of the federal "Pro-Children Act of 1994" and the "Children's Act for Clean Indoor Air of 1995," Tenn Code Ann. §§39-17-1601 through 1606, the Grantee shall prohibit smoking of tobacco products within any indoor premises in which services are provided to individuals under the age of eighteen (18) years. The Grantee shall post "no smoking" signs in appropriate, permanent sites within such premises. This prohibition shall be applicable during all hours, not just the hours in which children are present. Violators of the prohibition may be subject to civil penalties and fines. This prohibition shall apply to and be made part of any subcontract related to this Grant Contract."

To facilitate a uniform review process and obtain the maximum degree to comparability, respondents are required to organize proposals in the following manner. Proposals that deviate from this organizational structure or are missing key information elements may be considered non-responsive.

DIRECTIONS FOR SUBMITTAL OF QUALIFICATIONS

1. Letter of Transmittal addressed to the LAMTPO Coordinator as follows:

The letter of transmittal should be written in the form of a standard business letter and must be signed by an individual authorized to legally bind the Proposer's firm to LAMTPO. The letter of transmittal must include:

- Project title
- Name of respondent
- Location of the respondent
- Brief description of respondent's proposal
- Identify Proposer's Project Manager
- Identify the Point of Contact for the Proposal
- Acknowledgment of all Addenda
- Statement of the firm's Affirmative Action Policy and identification of participation by Disadvantaged Business Enterprises.
- Statement that the firm is pre-qualified with TDOT.

The letter of transmittal must also outline any language that the Proposer takes exception with in the provided Sample Agreement. If the Proposer takes no exceptions, this must be stated as well. Failure to state exceptions relieves LAMTPO of any obligation to negotiate terms and conditions.

2. Firms Background – 2 page maximum (this section not scored)

The Proposer shall provide a brief narrative description of their firm. The narrative should outline how the firm's capabilities, capacity, and how long the firm has been actively engaged in providing the services outlined in the Scope of Services section of this solicitation.

3. Project Approach and Methodology with Project Schedule

The Proposal shall address the Scope of Work outlined in the RFQ and describe how the Proposer intends to carry out the tasks. A project schedule shall be provided outlining specific tasks to be performed, key milestones, and individuals responsible for each task. Describe the Proposer's project management techniques for ensuring that the work is accomplished in accordance with established standards and schedules.

The Proposer shall provide a detailed proposed Project Schedule. All major milestones, tasks, and deliverables should be listed. The schedule should start from the RFQ submittal deadline date. Schedules should be realistic and achievable, the Awarded Consultant will be held to their proposed schedule.

The Contractor should be aware that the schedule presented in their Proposal will be used to measure Contractor's performance and compliance. Assumptions used to assemble the proposed schedule should be

clearly articulated including any information or resources that LAMTPO will need to provide to maintain the schedule.

3. Technical Capacity:

Proposer shall provide a narrative summary of the overall qualifications of the proposed team and how those skills will be used to complete the project. The narrative shall include specific examples from past projects demonstrating these qualifications. Proposer should demonstrate how the team will be arranged and how specific roles and responsibilities will be assigned and managed.

Proposer shall demonstrate how proposed team member's specific skills will lead to a positive outcome for LAMTPO. Provide sufficient detail to convey to members of the Evaluation Committee, the firm's knowledge of the subjects and skills necessary for the completion of the contract and any other services necessary to complete the Project.

If the Proposer plans to use any sub-consultants, they should be identified in the narrative and their roles should be outlined as well.

Articulation of a plan for performing the scope of work, including key work elements and a timetable schedule for performance of the work to be completed. This plan for work should incorporate the general and specific requirements for the work outlined herein as well as the project deliverables. The plan for work should evidence a clear understanding of the work product that is desired and it should indicate the firm's ability to complete the work in a timely and professional manner.

4. Past Experience

Proposer shall provide three (3) references for similar projects that the team has completed in the past five (5) years; past LAMTPO work is not desired. For each reference, provide a narrative description of the services provided and how these services relate to LAMTPO's project. These references should also contain examples of challenges that were encountered during the project and how the Proposers team managed these challenges. The reference should contain a summary of the satisfaction level of the client at the end of the project. Each reference should name a primary point of contact including: name of agency, name and title of the point of contact, phone number, and email address. LAMTPO reserves the right to contact these references.

5. Key Personnel:

Proposer shall provide a brief resume or similar description for the key staff members who will be assigned to this project, including their specific responsibilities and individual qualifications. The resume shall include a minimum of two (2) similar projects that each team member has worked on and a description of their roles and responsibilities. Proposer shall also provide similar information for all sub-consultants that will be utilized for this project.

Proposers must identify a Project Manager, who may not be removed/substituted from the project without written approval from LAMTPO. The Proposer will describe the Project Manager's experience, expertise, knowledge, capabilities and resources as they pertain to managing this project's scope of work. The Proposer shall provide a description of three (3) similar projects that the Project Manager acted as either the Project Manager or was a key team leader; including the name of the client organization, primary client contact information, description of the project and time period the work was completed.

6. Required Forms:

- **Exhibit A: Bidder's Affidavit; signed**
- **Exhibit B: Acknowledgement of FTA Clauses**
- **Exhibit B: Lobbying Certification; signed**

END OF SECTION 4

Section 5: Evaluation of Proposals

EVALUATION OF QUALIFICATIONS AND CONSULTANT SELECTION

A Consultant Evaluation Committee (CEC) shall be established, and will evaluate the qualifications of firms based at a minimum on the following factors:

- i. Work experience in the required disciplines with TDOT, the Agency, and/or other clients
- ii. Specialized expertise;
- iii. Professional licensure;
- iv. Staff capabilities of prime consultant
- v. Size of project and limited or unlimited prequalification status; and,
- vi. Workload capacity; including amount of work under contract with the Agency, if applicable
- vii. Past performance on Agency Projects;
- viii. Technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures);
- ix. Other factors including interviews and demonstrations, as approved by the Agency; and
- x. Participation of qualified and certified Disadvantaged Business Enterprise (DBE) (can be consultant or sub-consultants) (or at least show good faith efforts in obtaining DBE).

Submittals that are late or which the review team determines have shown a severe disregard for submittal instructions will be disqualified. The review team will consider the Consultant's resumes and experience in relation to the corridor study. The review team will consider how well the Consultant's submittal addresses the various Federal, State, and MPO requirements for the corridor study that were outlined in the RFQ. Based upon the evaluation process just described, the review team will rank the submittals that were received and recommend the top-ranked Consultant with which to

begin negotiations. If negotiations are unsuccessful with the top-ranked Consultant, then negotiations would commence with the next highest ranked Consultant, and so forth, until a contract is reached.

East Tennessee Human Resource Agency (ETHRA) relies on its coordination with the LAMTPO public participation process outlined in the PPP to ensure public awareness and outreach of the agency's Program of Projects (POP). LAMTPO's public involvement activities, public notices, and public comment periods on the TIP will satisfy the POP requirement of the Urbanized Area Formula Program (Section 5307 and 5339) administered by FTA.

It is the policy of LAMTPO not to discriminate on the basis of race, color, national origin, age, sex, or disability in operation of its programs, services, and activities. With regard to all aspects of this contract, contractor certifies and warrants it will comply with this policy.

5.2 Interviews

If the Evaluation Committee deems it necessary, all vendors in the competitive range will be invited to participate in interviews. Proposers will receive an invitation to the interview along with an agenda covering the information, schedule and presentation format. The Evaluation Committee will score each interview to determine the most highly qualified Proposer.

5.3 Evaluation Committee Recommendations

The Evaluation Committee shall consist of qualified LAMTPO staff or other persons selected by LAMTPO to conduct evaluations of proposals. The committee will evaluate all responsive proposals based upon the information and references contained in the proposals as submitted.

5.3 Pre-Award Conference

If deemed necessary, in LAMTPO's sole discretion, the Proposer determined to be the most highly qualified firm shall participate in a pre-award conference conducted by LAMTPO to clarify and discuss issues of concern and interest to both parties.

5.4 Rejection of Proposals

LAMTPO may reject any Proposal that is not in the required format, does not address all the requirements of this RFQ, or that LAMTPO believes is not in the interest of the Agency to consider or to accept. In addition, LAMTPO may cancel this RFQ, reject all the Proposals, and seek to do the Work through a new RFQ or by other means.

END OF SECTION 5

Exhibits and Attachments

Exhibit A: Bidder's Affidavit

Exhibit B: Federal Contract Clauses and Certifications

Attachment A: Protest and Appeal Policy

Attachment B: Sample Contract

END OF SECTION 6

EXHIBIT A

BIDDERS AFFIDAVIT

NON-COLLUSION

The Bidder affirms that, in connection with this Bid, the prices or cost data have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition and that the proposal herewith submitted is a genuine and not a sham or collusive Bid, or made in the interest or on behalf of any person not therein named; and further says that the said Bidder has not directly, or indirectly, induced or solicited any Bidder on the above Work or supplies to put a sham Proposal, or any other person or corporation to refrain from Bidding; and that said Bidder has not in any manner sought by collusion to secure to himself/herself an advantage over any other Bidders.

CONFLICTS OF INTEREST & ANTI-KICKBACKS

In regards to any performance of the Work or the provision of services or materials under the Contract resulting from this solicitation the Bidder affirms that:

1. It has no direct or indirect pecuniary or proprietary interest, and that it shall not acquire any such interest, which conflicts in any manner or degree with the services required to be performed under this Contract and that it shall not employ any person or agent having such interest. In the event that the Bidder, as Contractor, or its agents, employees or representatives hereafter acquires such a conflict of interest, it shall immediately disclose such interest to LAMTPO and take immediate action to eliminate the conflict or to withdraw from said Contract as LAMTPO may require.
2. No officer, employee, Board member, agent of LAMTPO, or family member of same shall have or acquire any personal interest in this submittal, or have solicited, accepted or granted a present or future gift, favor, service, or other thing of value from or to any person involved in this submittal and that no such gratuities were offered or given by the Bidder or any of its agents, employees or representatives, to any official, member or employee of LAMTPO or other governmental agency with a view toward securing a Contract or securing favorable treatment with respect to the awarding or amending, or the making of any determination with respect to the Award or performance of this Contract.

CONTINGENT FEES AND GRATUITIES

The Bidder affirms that in connection with this Bid:

1. No person or selling agency, except bona fide employees or designated agents or representatives of the Bidder, has been employed or retained to solicit or secure this Contract with an agreement or understanding that a commission, percentage, brokerage, or contingent fee would be paid.
2. No gratuities, in the form of entertainment, gifts or otherwise, were offered or given by the Contractor or any of its agents, employees or representatives, to any official, member or employee of LAMTPO or other governmental agency with a view toward securing this Contract or securing favorable treatment with respect to the awarding or amending, or the making of any determination with respect to the performance of this Contract.

SEGREGATED FACILITIES

The Bidder certifies that their company does not and will not maintain or provide for their employees any segregated facilities at any of their establishments, and that they do not and will not permit their employees to perform their services at any location under its control where segregated facilities are maintained. The Bidder agrees that a breach of this certification will be a violation of the Equal Opportunity or Civil Rights clause in any Contract resulting from acceptance of this Bid. As used in this Certification, the term "segregated facilities" means any waiting rooms, Work areas, restrooms and washrooms, restaurants and other eating areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom, or otherwise.

DEBARMENT AND SUSPENSION

The Proposer shall comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment" 2 C.F.R part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)", 2 C.F.R. part 180. These provisions apply to each contract at any tier of \$25,000 or more, and to each contract at any tier for a federally required audit (irrespective of the contract amount), and to each contract at any tier that must be approved by an FTA official irrespective of the contract amount. As such, the bidder shall verify that its principles, affiliates, and subcontractors are eligible to participate in this federally funded contract and are not presently declared by any Federal department to be:

- a) Debarred from participation in any federally assisted Award;
- b) Suspended from participation in any federally assisted Award;
- c) Proposed for debarment from participation in any federally assisted Award;
- d) Declared ineligible to participate in any federally assisted Award;
- e) Voluntarily excluded from participating in any federally assisted Award;
- f) Disqualified from participating in any federally assisted Award.

By signing and submitting its bid, the bidder certifies as follows:

The certification in this clause is a material representation of fact relied upon by LAMTPO. If it is later determined by LAMTPO that the bidder knowingly rendered an erroneous certification, in addition to remedies available to LAMTPO, the Federal Government may pursue available remedies afforded by 31 U.S.C. § 3802, including but not limited to suspension and/or debarment. The bidder agrees to comply with the requirements of 2 C.F.R. part 180, subpart C, as supplemented by 2 C.F.R. part 1200, while this offer is valid and throughout the period of any contract that may arise from the offer. The bidder further agrees to include a provision requiring such compliance in its lower tier covered transactions.

If Bidder is unable to certify to any of the statements in this certification, the Bidder shall attach an explanation to this Section.

Note: The penalty for making false statements in offers is described in 18 U.S.C. 1001.

THE BIDDER CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 USC SECTIONS 3802, ET SEQ., ARE APPLICABLE THERETO.

Authorized Signature

Date

Printed Name & Title _____

Company Name _____

Subscribed and sworn to before me this _____ day of _____, 2023.

****THIS FORM MUST BE SUBMITTED WITH YOUR BID****

EXHIBIT B

Contractors Certification of Acknowledgment Federal Transit Administration Contract Clauses and Certifications

Source: FTA Master Agreement (26), October 1, 2019
fta-master-agreement-fy-20201

The Contractor, _____, certifies, to the best of its knowledge and belief, that it:

- A. **Has** ____ **Has not** ____ read and understood the attached Federal Transit Administration Contract Clauses as they pertain to project _____, and;
- B. **Has** ____ **Has not** ____ read and understood the attached Federal Transit Administration Contract Certifications as they pertain to project _____.

Signature of Contractor's Authorized Official

Date

Name & Title of Contractor's Authorized Official

FEDERAL TRANSIT ADMINISTRATION CONTRACT CLAUSES

NO FEDERAL GOVERNMENT OBLIGATIONS TO THIRD-PARTIES BY USE OF A DISCLAIMER

Except as the Federal Government expressly consents in writing, the Recipient agrees that:

- (1) The Federal Government shall not have any obligation or liability related to:
 - (a) The Project,
 - (b) Any Third Party Participant at any tier, or
 - (c) Any other person or entity that is not a party (Recipient or FTA) to the Underlying Agreement for the Project, and
- (2) Notwithstanding that the Federal Government may have concurred in or approved any solicitation or third party agreement at any tier that has affected the Project, the Federal Government shall not have any obligation or liability to any:
 - (a) Third Party Participant, or
 - (b) Other entity or person that is not a party (Recipient or FTA) to the Underlying Agreement.

PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATED ACTS

- (1) Civil Fraud. The Recipient acknowledges and agrees that:
 - (a) Federal laws and regulations apply to itself and its Project, including:
 1. The Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq., and
 2. U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. part 31,
 - (b) By executing its Underlying Agreement, the Recipient certifies and affirms to the truthfulness and accuracy of any of the following that the Recipient provides to the Federal Government:
 1. Claim,
 2. Statement,
 3. Submission,
 4. Certification,
 5. Assurance, or
 6. Representation, and
 - (c) The Recipient acknowledges that the Federal Government may impose the penalties of the Program Fraud Civil Remedies Act of 1986, as amended and other applicable penalties if the Recipient:
 1. Presents, submits, or makes available any information in connection with any:
 - a. Claim,
 - b. Statement,
 - c. Submission,
 - d. Certification,
 - e. Assurance, or
 - f. Representation, and
 2. That information is false, fictitious, or fraudulent.
- (2) Criminal Fraud. The Recipient acknowledges that 49 U.S.C. § 5323(l)(1), authorizes the Federal Government to impose the penalties authorized by 18 U.S.C. § 1001 if the Recipient:
 - (a) Presents, submits, or makes available any information in connection with any:
 1. Claim,
 2. Statement,
 3. Submission,
 4. Certification,
 5. Assurance, or

6. Representation, and
- (b) That information is false, fictitious, or fraudulent.

ACCESS TO RECORDS

The Recipient agrees that:

- (1) As required by 49 U.S.C. § 5325(g), 49 C.F.R. § 18.36(i)(10), and 49 C.F.R. § 19.53(e), it will provide, and require its Third Party Participants at each tier to provide, sufficient access to inspect and audit records and information pertaining to the Project to the:
 - (a) U.S. Secretary of Transportation or the Secretary's duly authorized representatives,
 - (b) Comptroller General of the United States, and the Comptroller General's duly authorized representatives, and
 - (c) Recipient and Subrecipient,
- (2) The Recipient will permit and assures that its Third Party Participants will permit the individuals listed above in (1) to do the following:
 - (a) Inspect all:
 1. Project work,
 2. Project materials,
 3. Project payrolls, and
 4. Other Project data, and
 - (b) Audit any information related to the Project under the control of the Recipient or Third Party Participant within:
 1. Books,
 2. Records,
 3. Accounts, or
 4. Other locations.

FEDERAL CHANGES

Changes to Federal Requirements and Guidance:

- (1) **Requirements and Guidance.** New Federal Requirements and Guidance may:
 - (a) Become effective after the FTA Authorized Official signs the Recipient's Underlying Agreement awarding funds for the Project, and
 - (b) Apply to the Recipient or its Project.
- (2) **Modifications.** Federal requirements and guidance that apply to the Recipient or its Project when the FTA Authorized Official awards Federal funds for the Recipient's Underlying Agreement may:
 - (a) Be modified from time to time, and
 - (b) Apply to the Recipient or its Project.
- (3) **Most Recent Provisions.** The latest Federal requirements will apply to the Recipient or its Project, except as FTA determines otherwise in writing using a:
 - (a) Special Condition in the Recipient's Underlying Agreement,
 - (b) Special Requirement in the Recipient's Underlying Agreement,
 - (c) Special Provision in the Recipient's Underlying Agreement,
 - (d) Condition of Award in the Recipient's Underlying Agreement,
 - (e) Letter to the Recipient signed by an authorized FTA official, or
 - (f) Change to FTA or Federal guidance.

CIVIL RIGHTS REQUIREMENTS

The Recipient understands and agrees that it must comply with applicable Federal civil rights laws and regulations, and follow applicable Federal guidance, except as the Federal Government determines otherwise in writing. Specifically:

- (1) Nondiscrimination in Federal Public Transportation Programs. The Recipient agrees to, and assures that each Third Party Participant will, comply with Federal transit law, 49 U.S.C. § 5332 (FTA's "Nondiscrimination" statute):
 - (a) FTA's "Nondiscrimination" statute prohibits discrimination on the basis of:
 1. Race,
 2. Color,
 3. Religion,
 4. National origin,
 5. Sex (including gender identity),
 6. Disability, or
 7. Age, and
 - (b) The FTA "Nondiscrimination" statute's prohibition against discrimination includes:
 1. Exclusion from participation,
 2. Denial of program benefits, or
 3. Discrimination, including discrimination in employment or business opportunity.
- (2) Nondiscrimination – Title VI of the Civil Rights Act. The Recipient agrees to, and assures that each Third Party Participant will:
 - (a) Prohibit discrimination based on:
 1. Race,
 2. Color, or
 3. National origin,
 - (b) Comply with:
 1. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.*,
 2. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964," 49 C.F.R. part 23, and
 3. Federal transit law, specifically 49 U.S.C. § 5332, as stated in section V.(1) of this document, and
 - (a) Except as FTA determines otherwise in writing, follow:
 1. The most recent edition of FTA Circular 4702.1, "Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients," to the extent consistent with applicable Federal laws, regulations, and guidance.
 2. U.S. DOJ, "Guidelines for the enforcement of Title VI, Civil Rights Act of 1964," 28 C.F.R. § 50.3, and
 3. Other applicable Federal guidance that may be issued.
- (3) Equal Employment Opportunity.
 - (a) Federal Requirements and Guidance. The Recipient agrees to, and assures that each Third Party Participant will, prohibit discrimination on the basis of race, color, religion, sex, or national origin, and:
 1. Comply with Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*,
 2. Facilitate compliance with Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note, and as further amended by

Executive Order 13672, "Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity," July 21, 2014,

3. Comply with Federal transit law, specifically 49 U.S.C. § 5332, as stated in section V.(1) of this document, and
4. FTA Circular 4704.1 "Equal Employment Opportunity (EEO) Requirements and Guidelines for Federal Transit Administration Recipients," and
5. Comply with other applicable EEO laws and regulations, as provided in Federal guidance, including laws and regulations prohibiting discrimination on the basis of disability, except as the Federal Government determines otherwise in writing.

(b) Specifics. The Recipient agrees to:

1. Ensure that applicants for employment are employed and employees are treated during employment without discrimination on the basis of their:
 - a. Race,
 - b. Color,
 - c. Religion,
 - d. National Origin,
 - e. Disability,
 - f. Age,
 - g. Sexual Origin,
 - h. Gender identity, or
 - i. Status as a parent, and
2. Take affirmative action that includes, but is not limited to:
 - a. Recruitment advertising,
 - b. Recruitment,
 - c. Employment,
 - d. Rates of pay,
 - e. Other forms of compensation,
 - f. Selection for training, including apprenticeship,
 - g. Upgrading,
 - h. Transfers,
 - i. Demotions,
 - j. Layoffs, and
 - k. Terminations.

(c) Equal Employment Opportunity Requirements for Construction Activities. In addition to the foregoing, when undertaking "construction" as recognized by the U.S. Department of Labor (U.S. DOL), the Recipient agrees to comply, and assures the compliance of each Third Party Participant, with:

1. U.S. DOL regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. chapter 60, and
2. Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order No. 11246, Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note

(4) Disadvantaged Business Enterprise. To the extent authorized by applicable Federal law, the Recipient agrees to facilitate, and assures that each Third Party Participant will facilitate, participation by small business concerns owned and controlled by socially and economically disadvantaged individuals, also referred to as "Disadvantaged Business Enterprises" (DBEs), in the Project as follows:

(a) Requirements. The Recipient agrees to comply with:

1. Section 1101(b) of MAP-21, 23 U.S.C. § 101 note,
2. U.S. DOT regulations, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs," 49 C.F.R. part 26, and
3. Federal transit law, specifically 49 U.S.C. § 5332, as stated in section V.(1) of this document.

- (b) Assurance. As required by 49 C.F.R. § 26.13(a), the Recipient provides assurance that:
 - 1. It shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract.
 - 2. It shall take all necessary and reasonable steps under 49 C.F.R. part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.
- (5) Nondiscrimination on the Basis of Sex. The Recipient agrees to comply with Federal prohibitions against discrimination on the basis of sex, including:
 - (a) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 *et seq.*,
 - (b) U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance", 49 C.F.R. part 25, and
 - (c) Federal transit law, specifically 49 U.S.C. § 5332, as stated in section V.(1) of this document.
- (6) Nondiscrimination on the Basis of Age. The Recipient agrees to comply with Federal prohibitions against discrimination on the basis of age, including:
 - (a) The Age Discrimination in Employment Act (ADEA), 29 U.S.C. § § 621 – 634, which prohibits discrimination on the basis of age,
 - (b) U.S. Equal Employment Opportunity Commission (U.S. EEOC) regulations, "Age Discrimination in Employment Act," 29 C.F.R. part 1625, which implements the ADEA,
 - (c) The Age Discrimination Act of 1975, as amended, 42 U.S.C. § *et seq.*, which prohibits discrimination against individuals on the basis of age in the administration of programs or activities receiving Federal funds,
 - (d) U.S. Health and Human Services regulations, "Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance," 45 C.F.R. part 90, which implements the Age discrimination Act of 1975, and
 - (e) Federal transit law, specifically 49 U.S.C. § 5332, as stated in section V.(1) of this document.
- (7) Nondiscrimination on the Basis of Disability. The Recipient agrees to comply with the following Federal prohibitions pertaining to discrimination against seniors or individuals with disabilities:
 - (a) Federal laws, including:
 - 1. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, which prohibits discrimination on the basis of disability in the administration of federally funded programs or activities,
 - 2. The Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. § 12101 *et seq.*, which requires that accessible facilities and services be made available to individuals with disabilities,
 - 3. The Architectural Barriers Act of 1968, as amended, 42 U.S.C. § 4151 *et seq.*, which requires that buildings and public accommodations be accessible to individuals with disabilities,
 - 4. Federal transit law, specifically 49 U.S.C. § 5332, which now includes disability as a prohibited basis for discrimination, and
 - 5. Other applicable laws and amendments pertaining to access for elderly individuals or individuals with disabilities.
 - (b) Federal regulations, including:
 - 1. U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 C.F.R. part 37,
 - 2. U.S. DOT regulations, "Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 C.F.R. part 27,
 - 3. U.S. DOT regulations, "Transportation for Individuals with Disabilities: Passenger Vessels," 49 C.F.R. part 39,
 - 4. Joint U.S. Architectural and Transportation Barriers Compliance Board (U.S. ATBCB) and U.S. DOT regulations, "Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles," 36 C.F.R. part 1192 and 49 C.F.R. part 38,

5. U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability in State and Local Government Services," 28 C.F.R. part 35,
 6. U.S. DOJ regulations, "Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities," 28 C.F.R. part 36,
 7. U.S. EEOC, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. part 1630,
 8. U.S. Federal Communications Commission regulations, "Telecommunications Relay Services and Related Customer Premises Equipment for Persons with Disabilities," 47 C.F.R. part 64, Subpart F,
 9. U.S. ATBCB regulations, "Electronic and Information Technology Accessibility Standards," 36 C.F.R. part 1194, and
 11. FTA Circular 4710.1, "Americans with Disabilities Act: Guidance," and
 12. Other applicable Federal civil rights and nondiscrimination guidance.
- (8) Drug or Alcohol Abuse - Confidentiality and Other Civil Rights Protections. The Recipient agrees to comply with the confidentiality and civil rights protections of:
- (a) The Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. § 1101 *et seq.*,
 - (b) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. § 4541 *et seq.*, and
 - (c) The Public Health Service Act, as amended, 42 U.S.C. §§ 290dd – 290dd-2.
- (9) Access to Services for People with Limited English Proficiency. Except as the Federal Government determines otherwise in writing, the Recipient agrees to promote accessibility of public transportation services to people whose understanding of English is limited by following:
- (a) Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," August 11, 2000, 42 U.S.C. § 2000d-1 note, and
 - (b) U.S. DOT Notice, "DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency (LEP) Persons," 70 Fed. Reg. 74087, December 14, 2005.
- (10) Environmental Justice. Except as the Federal Government determines otherwise in writing, the Recipient agrees to promote environmental justice by following:
- (a) Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," February 11, 1994, 42 U.S.C. § 4321 note, as well as facilitating compliance with that Executive Order, and
 - (b) DOT Order 5610.2, "Department of Transportation Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," 62 Fed. Reg. 18377, April 15, 1997, and
 - (c) The most recent and applicable edition of FTA Circular 4703.1, "Environmental Justice Policy Guidance for Federal Transit Administration Recipients," August 15, 2012, to the extent consistent with applicable Federal laws, regulations, and guidance.
- (11) Other Nondiscrimination Laws. Except as the Federal Government determines otherwise in writing, the Recipient agrees to:
- (a) Comply with other applicable Federal nondiscrimination laws and regulations, and
 - (b) Follow Federal guidance prohibiting discrimination.

PROMPT PAYMENT OF SUBCONTRACTORS

The Contractor shall ensure that all Subcontractors and suppliers under this Contract are promptly paid to the fullest extent required by RCW 39.04.250, as may be amended. The Contractor is required to pay each Subcontractor performing Work under this prime Contract for satisfactory performance of that Work no later than thirty (30) days after the Contractor's receipt of payment for that Work from LAMTPO. In addition, the Contractor is required to return any retainage payments to those Subcontractors within thirty (30) days after the Subcontractor's Work related to this Contract is satisfactorily completed and any liens have been

secured. Any delay or postponement of payment from the above time frames may occur only for good cause following written approval of LAMTPO.

INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS FTA Circular 4220.1F

The Recipient agrees not to use FTA funds for third party procurements unless there is satisfactory compliance with Federal requirements. Therefore:

- (1) Federal Laws, Regulations, and Guidance. The Recipient agrees:
 - (a) To comply with the requirements of 49 U.S.C. chapter 53 and other applicable Federal laws and regulations now in effect or later that affect its third party procurements,
 - (b) To comply with U.S. DOT third party procurement regulations, specifically 49 C.F.R. § 18.36 or 49 C.F.R. §§ 19.40 – 19.48, and other applicable Federal regulations that affect its third party procurements in effect now and as may be later amended,
 - (c) To follow the most recent edition and any revisions of FTA Circular 4220.1F, “Third Party Contracting Guidance,” to the extent consistent with applicable Federal laws, regulations, and guidance, except as FTA determines otherwise in writing, and
 - (d) That although the FTA “Best Practices Procurement Manual” provides additional third party contracting guidance, the Manual may lack the necessary information for compliance with certain Federal requirements that apply to specific third party contracts at this time.

ENERGY CONSERVATION

The Recipient agrees to, and assures its Subrecipients will:

- (1) State Energy Conservation Plans. Comply with the mandatory energy standards and policies of its State energy conservation plans under the Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6321 *et seq.*, except as the Federal Government determines otherwise in writing, and
- (2) Energy Assessment. Perform an energy assessment for any building constructed, reconstructed, or modified with FTA funds required under FTA regulations, “Requirements for Energy Assessments,” 49 C.F.R. part 622, subpart C.

TERMINATION PROVISIONS

The Recipient agrees to all of the following:

- (1) Justification. After providing notice, the Federal Government may suspend, suspend then terminate, or terminate all or any part of the Federal funding awarded for the Project if:
 - (a) The Recipient has violated the Underlying Agreement or FTA Master Agreement (26), especially if that violation would endanger substantial performance of the Project,
 - (b) The Recipient has failed to make reasonable progress on the Project, or
 - (c) The Federal Government determines that continuing to provide Federal funding for the Project does not adequately serve the purposes of the law authorizing the Project,
- (2) Financial Implications.
 - (a) In general, termination of Federal funding for the Project will not invalidate obligations properly incurred before the termination date to the extent the obligations cannot be canceled, and
 - (b) The Federal Government may:
 1. Recover Federal funds it has provided for the Project if it determines that the Recipient has willfully misused Federal funds by:
 - a. Failing to make adequate progress,
 - b. Failing to make appropriate use of the Project property, or
 - c. Failing to comply with the Underlying Grant Agreement or FTA Master Agreement (26), and

2. Require the Recipient to refund:
 - a. The entire amount of Federal funds provided for the Project, or
 - b. Any lesser amount as the Federal Government may determine, and
- (3) Expiration of Project Time Period. Except for a Full Funding Grant Agreements, expiration of any Project time period established for the Project does not, by itself, constitute an expiration or termination of the Underlying Agreement.

DEBARMENT AND SUSPENSION

The Recipient agrees that:

- (1) It will not engage Third Party Participants that are debarred or suspended except as authorized by:
 - (a) U.S. DOT regulations, "Non-procurement Suspension and Debarment," 2 C.F.R. Part 1200,
 - (b) U.S. OMB, "Guidelines to Agencies on Governmentwide Debarment and Suspension (Non-procurement)," 2 C.F.R. part 180, including any amendments thereto, and
 - (c) Executive Orders Nos. 12549 and 12689, "Debarment and Suspension," 31 U.S.C. § 6101 note,
- (2) It will review the "Excluded Parties Listing System" at <https://epls.gov> (to be transferred to <https://www.sam.gov>), if required by U.S. DOT regulations, 2 C.F.R. part 1200, and
- (3) It will include, and require its Third Party Participants to include a similar condition in each lower tier covered transaction, assuring that all lower tier Third Part Participants:
 - (a) Will comply with Federal debarment and suspension requirements, and
 - (b) Review the "Excluded Parties Listing System" at <https://www.epls.gov> (to be transferred to <https://www.sam.gov>), if necessary to comply with U.S. DOT regulations, 2 C.F.R. part 1200.

PROVISIONS FOR RESOLUTION OF DISPUTES, BREACHES, OR OTHER LITIGATION

The Recipient understands and agrees that:

- (1) FTA Interest. FTA has a vested interest in the settlement of any disagreement involving the Project including, but not limited to:
 - (a) A major dispute,
 - (b) A breach,
 - (c) A default, or
 - (d) Litigation,
- (2) Notification to FTA. If a current or prospective legal matter that may affect the Federal Government emerges:
 - (a) The Recipient agrees to notify immediately:
 1. The FTA Chief Counsel, or
 2. The FTA Regional Counsel for the Region in which the Recipient is located,
 - (b) The types of legal matters that require notification include, but are not limited to:
 1. A major dispute,
 2. A breach,
 3. A default,
 4. Litigation, or
 5. Naming the Federal Government as a party to litigation or a legal disagreement in any forum for any reason, and
 - (c) The types of matters that may affect the Federal Government include, but are not limited to:
 1. The Federal Government's interests in the Project, or
 2. The Federal Government's administration or enforcement of Federal laws or regulations,

(3) Federal Interest in Recovery

- (a) General. The Federal Government retains the right to a proportionate share of any proceeds recovered from any third party, based on the percentage of the Federal share for the Project, but
- (b) Liquidated Damages. Notwithstanding the preceding section XI.(1) of this document, the Recipient may return all liquidated damages it receives to its Project Account rather than return the Federal share of those liquidated damages to the Federal Government,

(4) Enforcement. The Recipient agrees to pursue its legal rights and remedies available under:

- (a) Any third party agreement,
- (b) Any Federal law or regulation,
- (c) Any State law or regulation, or
- (d) Any local law or regulation,

BYRD ANTI-LOBBYING AMENDMENT

The Recipient agrees that, as provided by 31 U.S.C. § 1352(a):

(1) Prohibition on Use of Federal Funds. It will not use Federal funds:

- (a) To influence any:
 - 1. Officer or employee of a Federal agency,
 - 2. Member of Congress,
 - 3. Officer or employee of Congress, or
 - 4. Employee of a Member of Congress,
- (b) To take any action involving the Project or the Underlying Agreement for the Project, including any:
 - 1. Award,
 - 2. Extension, or
 - 3. Modification,

(2) Laws and Regulations. It will comply, and will assure that each Third Party Participant complies with:

- (a) 31 U.S.C. § 1352, as amended,
- (b) U.S. DOT regulations, "New Restrictions on Lobbying," 49 C.F.R. part 20, to the extent consistent with as necessary by 31 U.S.C. § 1352, as amended, and
- (c) Other applicable Federal laws and regulations prohibiting the use of Federal funds for any activity concerning legislation or appropriations designed to influence:
 - 1. The U.S. Congress, or
 - 2. A State legislature, but

(3) Exception. The prohibitions of (1)-(2) above do not apply to an activity that is undertaken through proper official channels, if permitted by the underlying law or regulations.

CLEAN AIR & CLEAN WATER

The Recipient agrees to include adequate provisions in each third party agreement exceeding \$150,000 to ensure that each Third Party Participant will agree to:

- (1) Report the use of facilities placed on or likely to be placed on the U.S. EPA "List of Violating Facilities,"
- (2) Refrain from using any violating facilities,
- (3) Report violations to FTA and the Regional U.S. EPA Office, and
- (4) Comply with the inspection and other requirements of:
 - (a) Section 306 of the Clean Air Act, as amended, 42 U.S.C. § 7606, and other requirements of the Clean Air Act, as amended, 42 U.S.C. §§ 7401 – 7671q, and

- (b) Section 508 of the Clean Water Act, as amended, 33 U.S.C. § 1368, and other requirements of the Clean Water Act, as amended, 33 U.S.C. §§ 1251 – 1388.

FLY AMERICA

The Contractor agrees to comply with 49 USC 40118 (the Fly America Act) in accordance with the General Services Administration's regulations at 41 CFR Part 301-10, which provide that recipients and subrecipients of Federal funds and their contractors are required to use U.S. Flag air carriers for U.S. Government-financed international air travel and transportation of their personal effects or property, to the extent such service is available, unless travel by foreign air carrier is a matter of necessity, as defined by the Fly America Act.

RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT

If the federal award meets the definition of "funding agreement" under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 C.F.R. part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

SOLID WASTES

A Recipient that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

SOLID WASTES

The Consultant agrees that any new building or addition to an existing building will be designed and constructed in accordance with the standards for Seismic Safety required in Department of Transportation Seismic Safety Regulations, 49 C.F.R Part 41, and will certify to compliance to the extent required by the Regulation. The Consultant also agrees to ensure that all work performed under this Contract, including work performed by a subcontractor, is in compliance with the standards required by the Seismic Safety Regulations and the certification of compliance issued on the project.

SIMPLIFIED ACQUISITION THRESHOLD

Contracts for more than the simplified acquisition threshold, currently set at \$250,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. § 1908, or otherwise set by law, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. (Note that the simplified acquisition threshold determines the procurement procedures that must be employed pursuant to 2 C.F.R. §§ 200.317–200.326. The simplified acquisition threshold does not exempt a procurement from other eligibility or processes requirements that may apply. For example, Buy America's eligibility and process requirements apply to any procurement in excess of \$150,000. 49 U.S.C. § 5323(j)(13).)

FEDERAL TAX LIABILITY AND RECENT FELONY CONVICTIONS

The following transactions are prohibited and Third-Party Participant certifies that -

- (1) Does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (2) Was not convicted of the felony criminal violation under any Federal law within the preceding 24 months.

LOBBYING CERTIFICATION

The Proposer certifies, to the best its knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a federal department or agency, a member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a member of the U.S. Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification thereof.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to 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 undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instruction, as amended by "Government-wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96).
3. The undersigned 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 was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, USC § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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.

THE PROPOSER, _____, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF EACH STATEMENT OF ITS CERTIFICATION AND DISCLOSURE, IF ANY. IN ADDITION, THE PROPOSER UNDERSTANDS AND AGREES THAT THE PROVISIONS OF 31 USC §§ 3801 ET SEQ. APPLY TO THIS CERTIFICATION AND DISCLOSURE, IF ANY.

Name of the Proposer's authorized official: _____

Title: _____

Signature

Date

THIS FORM MUST ACCOMPANY PROPOSAL

ATTACHMENT A

PROTEST AND APPEAL POLICY

A. Purpose

To establish policies for vendor or service provider complaints and protests to ensure fair and open competition.

B. Complaint Policy

Who May Submit a Complaint

A potential bidder demonstrating a substantial economic interest in LAMTPO's competitive bid process.

Timing of Complaint

Complaints must be received five business days prior to bid response deadline.

Basis of Complaint

Complaints must be based on the following criteria:

1. The solicitation unnecessarily restricts competition
2. The solicitation evaluation process is unfair or flawed
3. The solicitation requirements are insufficient to prepare a response

Complaint Form and Content

1. Complaints must be in writing
2. Complaints must be addressed to the Purchasing Coordinator
3. Complaints must clearly articulate the basis for the complaint
4. Complaints must include proposed remedy

LAMTPO Response to Complaint

LAMTPO will respond to complaints in writing within three business days of receipt.

C. Protest and Appeal Policy

Who May Protest or Appeal

A potential bidder demonstrating a substantial economic interest in LAMTPO's competitive bid process.

Timing of Protest

A protest must be filed within five business days of the award of a contract or notice of apparent successful proposer/bidder, whichever is sooner.

Basis of Protest

Protests must be based on the following criteria:

1. A matter of bias, discrimination, or conflict of interest.
2. Non-compliance with procedures described in the procurement documents
3. Error in computing scores

Protest Form and Content

1. Protests must be in writing
2. Protests must be addressed to the LAMTPO Coordinator
3. Protests must clearly articulate specific grounds for the protest and include supporting documentation
4. Protests must include proposed remedy

Protest Procedure

A protest must be filed with LAMTPO's Coordinator within five business days of the award of a contract or notice of apparent successful proposer/bidder, whichever is sooner. Upon receipt of a timely written protest, the LAMTPO Coordinator will consider the protest in accordance with established procedures and issue a written decision within five business days stating the reasons for the action taken and informing the allegedly aggrieved vendor or service provider (Protesting Vendor) of his/her right to appeal the decision.

Appeal Procedure

An appeal must be filed within five business days of the LAMTPO Coordinator decision. The Finance Director and the procurements originating Department Director will consider the appeal and issue a written decision within five business days informing the Protesting Vendor of his/her right to further appeal the decision.

In the event the Protesting Vendor elects to continue the appeal process, a request for a second appeal must be filed within five business days of the decision of the first appeal. The Executive Director and general counsel will consider the appeal and issue a written decision within ten business days. The decision of the second appeal will be final and conclusive.

Failure to Comply with Requirements

Failure to comply with the protest and appeal requirements will render a protest or an appeal untimely or inadequate and may result in rejection thereof.

Exhausted Administrative Remedies

A Protesting Vendor may not commence litigation prior to exhausting all administrative remedies. Failure to exhaust all administrative remedies shall constitute an absolute waiver of the Protesting Vendor rights, if any, to commence litigation.

ATTACHMENT B

***SAMPLE
LAMTPO***

**CONSULTANT
AGREEMENT**

LAMTPO # XX-XXX

{Project Name}

LAMTPO

100 W 1st N St

PO Box 1499

Morristown, Tennessee 37816-1499

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LAMTPO

SAMPLE CONSULTANT AGREEMENT

THIS AGREEMENT, made and entered into in duplicate this ___ day of _____, 20___, by and between LAMTPO, a Tennessee metropolitan planning organization, hereinafter referred to as "TRANSIT", and _____, hereinafter referred to as "CONSULTANT."

WITNESSETH:

WHEREAS, TRANSIT desires to have certain services and/or tasks performed as hereinafter set forth requiring specialized skills and other supportive capabilities, hereinafter referred to as the "Project," and

WHEREAS, CONSULTANT represents that CONSULTANT is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, to perform the services and/or tasks set forth in this Agreement.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein, TRANSIT and CONSULTANT agree as follows:

ARTICLE 1 **OVERALL PROJECT**

1.1 RELATIONSHIP OF PARTIES

The CONSULTANT covenants with TRANSIT to furnish the CONSULTANT's reasonable skill and judgment in furthering the interests of TRANSIT. The CONSULTANT shall furnish memos, reports, spreadsheets or other appropriate documents, and use the consultant's best effort to perform the work in this Agreement in an expeditious and economical manner consistent with the interest of TRANSIT. The CONSULTANT shall endeavor to promote harmony and cooperation with the other governmental parties and agencies involved with the Project, TRANSIT, and other persons or entities essential to the Project.

1.2 GENERAL SCOPE OF SERVICES

CONSULTANT shall perform such services and accomplish such tasks, including the furnishing of all materials, documentation, and equipment necessary for full performance thereof, as are identified and designated as CONSULTANT responsibilities throughout this Agreement and as detailed in exhibits attached hereto and incorporated herein.

Exhibit X: Request for Qualification, Project LAMTPO #XX-XXX

Released: xx/xx/20xx

Exhibit X: Addenda X, Project LAMTPO #XX-XXX

Released: xx/xx/20xx

Exhibit X: Consultant's Response to RFQ

Issued: xx/xx/20xx

1.3 TERM OF THE AGREEMENT

CONSULTANT shall not begin work under the terms of this Agreement until authorized by the signing of this Agreement. The services under this Agreement are directly related to and shall be coordinated with the Project Schedule. The time for completion is _____.

The established completion time shall not be extended because of any delays attributable to CONSULTANT, but may be extended by TRANSIT in the event of a delay attributable to TRANSIT or because of unavoidable delays caused by an Act of God, governmental actions or other conditions beyond the control of CONSULTANT.

ARTICLE 2

GENERAL PROVISION

2.1 ASSIGNMENT/SUBCONTRACTING

- A. CONSULTANT shall not assign its performance under this Agreement or any portion of this Agreement without the written consent of TRANSIT, and it is further agreed that said consent must be sought in writing by CONSULTANT not less than seven days prior to the date of any proposed assignment. TRANSIT reserves the right to reject without cause any such assignment.
- B. TRANSIT permits subcontracts for those items of work as shown in EXHIBIT (X) attached hereto and made a part hereof. The parties understand that subconsultants may be added or deleted during the course of the Agreement. EXHIBIT (X) may be amended as the need arises, upon mutual agreement of the parties, without a formal amendment to this Agreement. All terms, conditions, covenants and performances contained herein by and between the CONSULTANT and TRANSIT shall be required of the subconsultant and made part of any subconsultant agreement.

2.2 ATTORNEYS FEES AND COSTS

If any legal proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default, or misrepresentation in connection with any of the covenants, terms, conditions, OR provisions of this Agreement, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and costs incurred in such action or proceeding.

2.3 CHANGES

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing, and signed by both parties. Such amendments shall be attached to and made a part of this Agreement.

CONSULTANT shall not incur additional cost which would modify the amount of the compensation established in EXHIBIT (X), except as TRANSIT may specifically authorize in writing.

CONSULTANT shall make all such changes and revisions in the completed work of this Agreement as are necessary to correct errors appearing therein, when required to do so by TRANSIT, without additional compensation therefore.

2.4 COMMUNICATIONS

Communications in connection with this Agreement shall be in writing and shall be delivered personally; or by facsimile, or by regular, registered, or certified mail addressed to the TRANSIT Representative designated to receive such communications. Communications shall be considered received at the time actually received by the addressee. Telephone calls may be used to expedite communications but shall not be official communication unless confirmed in writing. All telephone communication shall be directed to the Project Manager (designated representative) as appropriate.

2.5 DISPUTE RESOLUTION

TRANSIT's Protest and Appeal Procedures (ATTACHMENT C of the RFQ) are to be used for the resolution of disputes.

2.6 JURISDICTION

- A. This Agreement has been and shall be construed as having been made and delivered within the State of Tennessee, and it is agreed by each party hereto that this Agreement shall be governed by laws of the State of Tennessee, both as to interpretation and performance.
- B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Agreement or any provisions thereof shall be instituted and maintained only in any of the courts of competent jurisdiction in Hamblen County, Tennessee.

2.7 RESERVED

2.8 MEDIATION

As a condition precedent to the hearing of any trial or arbitration, the Parties shall submit any and all disputes between them to non-binding mediation with the assistance of an experienced mediator. The Parties shall each designate a representative with full settlement authority who will participate for at least four hours in mediation. The Parties shall share equally all expenses, exclusive of attorney's fees, associated with the mediation.

2.9 NOTICE

Notice provided for in this Agreement shall be sent by certified mail to the addresses designated for the parties on the last page of this Agreement.

2.10 REQUESTS FOR ARBITRATION

Requests for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A request for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the request for arbitration be made after the date when institution of legal or equitable proceedings based on such claims, dispute or other matter in question would be barred by the applicable statutes of limitations.

The award rendered by the arbitrator or arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

2.11 SEVERABILITY

- A. It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is held by the courts to be illegal, the validity of the remaining provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
- B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Tennessee, said provision, which may conflict therewith, shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform to such statutory provision.

2.12 TERMINATION

- A. **TERMINATION FOR CONVENIENCE:** The performance of work under this Agreement may be terminated by TRANSIT in accordance with this clause in whole, or from time-to-time in part, whenever TRANSIT shall determine that such termination is in its best interests. Any such termination shall be effected by delivery to the CONSULTANT of a Notice of Termination specifying the extent to which performance of service under the Agreement is terminated, and the date upon which such termination will become effective.

After receipt of a Notice of Termination, and except as otherwise directed by TRANSIT, the CONSULTANT shall stop work under the Agreement on the date and to the extent specified in the Notice of Termination.

Settlement of claims by the CONSULTANT under this Termination of Convenience clause shall be in accordance with the provisions set forth in the Federal Acquisition Regulations, except that wherever the word "Government" appears it shall be deleted and the words "LAMTPO" shall be substituted in lieu thereof.

- B. **TERMINATION FOR DEFAULT:** TRANSIT may, by written notice of default to the CONSULTANT, terminate the whole or any part of this Agreement if the CONSULTANT fails to perform the services within the time specified herein or any extension thereof; or if the CONSULTANT fails to perform any of the provisions of the contract, or so fails to make progress as to endanger performance of this Agreement in accordance with its terms, and in either of these two circumstances does not cause such failure to be corrected within a period of ten (10) business days (or such longer period as TRANSIT may authorize in writing) after receipt of notice from TRANSIT specifying such failure.

If the Agreement is terminated in whole or in part for default, TRANSIT may procure, upon such terms and in such manner, as TRANSIT may deem appropriate, supplies or services similar or those so terminated. The CONSULTANT may be liable to TRANSIT for excess costs for such similar services and shall continue the performance of this Agreement to the extent not terminated under the provisions of this clause.

Except with respect to defaults of sub-consultants, the CONSULTANT shall not be liable for any excess costs if the failure to perform the Agreement arises out of cause beyond the control and without the negligence of the CONSULTANT. If the failure to perform is caused by the default of a sub-consultant, and if such default arises out of causes beyond the control of both the CONSULTANT and the sub-consultant, and without the negligence of either of them, the CONSULTANT shall not be liable for any excess costs for failure to perform, unless the services to be furnished by the sub-consultant were obtainable from other sources to provide the services required.

Payment for services and accepted by TRANSIT shall be at the price specified in the Agreement. TRANSIT may withhold from amounts otherwise due the CONSULTANT for services provided such sum as TRANSIT determines to be necessary to protect TRANSIT against loss because of outstanding liens or claims of former lien holders.

If, after Notice of Termination of this Agreement under the provisions of this clause, it is determined for any reason that the CONSULTANT was not in default under the provisions of this clause, the rights and obligations of the parties shall be the same as if the Notice of Termination had been issued pursuant to Termination of Convenience of TRANSIT.

The rights and remedies of TRANSIT provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

2.13 TREATMENT OF ASSETS

Title to all property furnished by TRANSIT shall remain in the name of TRANSIT and TRANSIT shall become the owner of the work product and other documents, if any, prepared by CONSULTANT pursuant to this Agreement unless otherwise expressly provided herein.

ARTICLE 3

COMPENSATION, PAYMENTS AND RECORDS

3.1 ACCOUNTING RECORDS

The CONSULTANT shall keep full and detailed accounts and exercise such controls as may be necessary for proper financial management under this agreement; the accounting and control systems shall be satisfactory to TRANSIT. The CONSULTANT shall preserve records, books, correspondence, instructions, drawings, subcontracts, purchase orders, memoranda and other data relating to this Agreement for a period of three years after final payment, or for such longer period as may be required by law.

3.2 AUDIT AND INSPECTION OF RECORDS

TRANSIT, the State Auditor, the Comptroller General for the United States, or any of their duly authorized representatives, shall, until three (3) years after final payment under this Agreement or for any shorter period specified, have access to and the right to examine any of the CONSULTANT's directly pertinent books, documents, papers or other records involving transactions related to this Agreement, and may request copies of specific documents at no charge to TRANSIT. These same requirements apply for any subconsultant.

3.3 CHANGE ORDER PROCEDURE

- A. Oral change orders are not permitted. No change in this Agreement shall be made unless LAMTPO's Project Manager (designated representative) gives his/her prior written approval thereto. The CONSULTANT shall be liable for all costs resulting from, and/or for satisfactorily correcting, any specification change not properly ordered by written modification to the Agreement and signed by LAMTPO's Capital Development Director.
- B. Exhibit (X) includes a firm fixed fee price and the schedule for the work to be performed. This proposal is accepted and may be modified by negotiations between the CONSULTANT and LAMTPO's Project Manager. At that time, both parties shall execute a detailed modification in writing.

Disagreements that cannot be resolved within negotiations shall be resolved in accordance with the Agreements Dispute Resolution Clause (ATTACHMENT C of the RFQ).

- C. Any proposed change in this Agreement shall be submitted to LAMTPO, or designated members thereof, for prior written approval. Subject to this prior approval, LAMTPO's designated representative may at any time, by a written order, and without notice to the sureties, make changes, within the general scope of this agreement, and/or the drawings, designs or specifications.

If such change causes an increase or decrease in the cost of, or the time required for, the performance of any part of the work under this Agreement, whether changed or not changed by any such order, an equitable adjustment shall be made in the Agreement price or delivery schedule, or both, and the Agreement shall be modified in writing accordingly. Any claim by the CONSULTANT for adjustment under this clause must be asserted within thirty (30) days from the date of receipt by the CONSULTANT of the notification of change; provided, however, that LAMTPO's designated representative, if she or he decides that the facts justify such action, may receive and act upon any such claim asserted at any time prior to final payment under this Agreement.

3.4 COMPENSATION AND METHOD OF PAYMENT

- A. Payments for services provided hereunder shall be made following the performance of such service, unless otherwise permitted by law and approved in writing by TRANSIT. No payment shall be made for any service rendered by CONSULTANT except for services identified and set forth in this Agreement.
- B. TRANSIT shall pay CONSULTANT for work performed under this Agreement compensation on a fixed fee not-to-exceed basis as described in EXHIBIT (X) attached hereto and made a part hereof.
- C. Payments shall be made following presentation of CONSULTANT invoices and progress report. Invoices shall be prepared monthly on the basis of the work described in EXHIBIT A estimated to be completed that month and at a percentage of the total cost of services to be performed.

Payments are due and payable within thirty (30) days from the date the CONSULTANT's invoice is received by the TRANSIT.

3.5 OWNERSHIP OF DOCUMENTS

The original documentation and data furnished to CONSULTANT by TRANSIT shall be returned. All designs, drawings, specifications, documents, and other work products prepared by CONSULTANT are instruments of service for this Agreement, and are property of TRANSIT. Reuse by TRANSIT or by others acting through or on behalf of TRANSIT of any such instruments of service not occurring, as a part of this Agreement shall be without liability or legal exposure to CONSULTANT.

The drawings, specifications and any other design and planning documents produced by or provided to the CONSULTANT, and other key professionals employed by the CONSULTANT shall become the property of TRANSIT, but the use of these documents shall be approved in writing by the CONSULTANT and reasonable request for release from liability by the CONSULTANT shall be granted by TRANSIT.

All designs, drawings, specifications, technical data and other documents or information produced by CONSULTANT in the performance of this Agreement shall be the sole property of TRANSIT, and TRANSIT is vested with all rights therein of whatever kind and however created, provided however any design documents not stamped and signed by appropriate registered professional architects or engineers shall be deemed to be incomplete and requiring further review or design completion.

None of the funds, materials, property or services provided directly or indirectly under this Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.

TRANSIT shall not reuse any documents, reports, materials, or other subject matter provided by CONSULTANT hereunder for other than the project defined by the Agreement without prior written consent of CONSULTANT, which shall not be unreasonably withheld. TRANSIT shall, in any event, indemnify, defend and hold CONSULTANT harmless from and against any and all claims, suits, actions, judgments, demands, losses, costs, expenses, damages and liability caused by, resulting from, or arising out of such reuse. CONSULTANT is not liable for TRANSIT or third party misuse of any documents, reports, records, plans, or materials prepared, procured, or produced in the rendition of services under this Agreement.

3.6 PATENT RIGHTS

Any patentable result arising out of this Agreement, as well as all information, designs, specifications, know-how, data, and findings shall be made available to the Government for public use, unless TRANSIT shall, in a specific case where it is legally permissible, determine that it is in the public interest that it not be so made available.

3.7 INDEPENDENT CONSULTANT RELATIONSHIP

- A. The parties intend that an independent CONSULTANT/TRANSIT relationship will be created by this Agreement. TRANSIT is interested primarily in the results to be achieved; subject to the provisions herein, the implementation of services will lie solely with the discretion of CONSULTANT. No agent, employee, servant or representative of CONSULTANT shall be deemed to be an employee, agent, servant or representative of TRANSIT for any purpose, and the employees of CONSULTANT are not entitled to any of the benefits TRANSIT provides to its employees. CONSULTANT will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants, subconsultants or representatives during the performance of this Agreement.
- B. In the performance of the services herein contemplated, CONSULTANT is an independent consultant with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of TRANSIT and shall be subject to TRANSIT's general rights of inspection and review to secure the satisfactory completion thereof.

3.8 WARRANTY OF TITLE

CONSULTANT shall warranty to TRANSIT its successors and assigns, that the deliverables covered by the Agreement, when delivered to TRANSIT or to its successors or assigns, is free from all liens and encumbrances.

ARTICLE 4

TRANSIT PROVISIONS

4.1 PROCUREMENT OF, ARCHITECTURAL ENGINEERING, DESIGN, OR RELATED SERVICES

In acquiring architectural, engineering, design or related services, Transit agrees to comply with the requirements of 49 U.S.C. §5325(d), by contracting for architectural, engineering, design or related services in the same way as a contract for architectural and engineering services is negotiated under title IX of the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. §§ 541 et seq., or an equivalent qualifications-based requirement of the state. Provided a sufficient number of qualified firms are eligible to compete for the third party contract, geographic location may be a selection criterion. This section does not apply to the extent a state has adopted or adopts by law formal procedures for procuring those services.

4.2 INFORMATION

TRANSIT shall provide full information in a timely manner regarding the requirements of the Project, including any additional information about its program which sets forth TRANSIT's objectives, constraints and criteria, including preliminary space requirements and relationships, flexibility and expandability requirements, special equipment and systems, and site requirements.

4.3 STATEMENT OF FINANCIAL ASSISTANCE

This Agreement is subject to receipt of financial assistance by TRANSIT from the Federal Transit Administration. TRANSIT shall arrange such assistance or other funding prior to authorizing the work of this Agreement to start. In the event the work of this Agreement is started and such financial assistance or other funding is not available, TRANSIT may terminate this Agreement in accordance with Article 2.12 Termination for Convenience.

4.4 TRANSIT'S DESIGNATED REPRESENTATIVE

TRANSIT shall designate a Project Manager who shall have express authority to bind TRANSIT with respect to all matters requiring TRANSIT approval or authorization. This representative shall have the authority to make decisions on behalf of TRANSIT subject to TRANSIT board approvals as required, concerning scope of work, schedules, review of budgets, and changes in the work of this Agreement without further formal TRANSIT action, and shall render such decisions promptly and furnish information expeditiously, so as to avoid unreasonable delay of the CONSULTANT and the Project.

ARTICLE 5

Reserved

ARTICLE 6

SCHEDULE

6.1 SCHEDULE FOR THE WORK

The work of this Agreement shall be commenced on signing of this Agreement. The services under this Agreement are directly related to and shall be coordinated with the Project Manager.

6.2 NOTIFICATION OF DELAY

The CONSULTANT shall notify the TRANSIT designated representative as soon as the CONSULTANT has, or should have, knowledge that an event has occurred, which will delay deliveries. Within five (5) calendar days, the CONSULTANT shall confirm such notice in writing, furnishing as much detail as possible.

ARTICLE 7

LABOR PROVISIONS

7.1 SAFETY AND HEALTH STANDARDS

CONSULTANT shall be responsible for safety of CONSULTANT's employees and shall cause its Subconsultants to be responsible for the safety of its employees. CONSULTANT is not responsible for the safety of any other person working on this Project.

7.2 DISADVANTAGED BUSINESS ENTERPRISES

A. In connection with the performance of this contract, CONSULTANT will cooperate with TRANSIT in meeting its aspirational goal with regard to the maximum utilization of disadvantaged businesses and will use good faith efforts to ensure that disadvantaged businesses shall have the maximum practicable opportunity to compete for subcontract work under this contract. The agency's overall goal for DBE participation is 2.20% for 2023.

B. Further, TRANSIT and CONSULTANT agree to ensure that disadvantaged businesses as defined in 49 CFR, Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this Agreement. In this regard, TRANSIT and CONSULTANT shall take all necessary and reasonable steps in accordance with 49 CFR, Part 23, to ensure that disadvantaged businesses have the maximum opportunity to compete for and perform contracts. TRANSIT and CONSULTANT shall not discriminate on the basis of race, color, religion, national origin, sex, disability, or age, and in employment or business opportunity. CONSULTANT shall complete Contractor Good Faith Effort DBE Certification on the signing of this agreement **and again at its completion.**

C. The successful bidder/offeror will be required to report its DBE participation obtained through race-neutral means throughout the period of performance. The successful bidder/offeror will be required to complete a DBE participation report at the beginning of construction, completion of construction, and at times there is a change in DBE subcontractors.

D. **PROMPT PAYMENT:** The contractor is required to pay its Subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from the LAMTPO. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of the contract, the suspension of retainage of this contract or such other remedy as LAMTPQ deems appropriate.

E. The contractor must report when a DBE subcontractor previously reported to LAMTPO to be performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform the work.

F. LAMTPO reserves the right to monitor reported DBE participation or the contractors required performance with respect to DBE's as LAMTPO deems appropriate.

ARTICLE 8

CONSULTANT PROVISIONS

8.1 CONSULTANT RESPONSIBILITY FOR QUALITY

- A. The CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, and other services furnished by the CONSULTANT under this contract. The CONSULTANT shall, without additional compensation, correct or revise any errors or deficiencies in its designs, drawings, specifications, and other services which shall mean such services not meeting the standard of care as defined in Section 1.2 of this Agreement.
- B. Neither TRANSIT's review, approval or acceptance of, nor payment for, the services required under this contract shall be construed to operate as a waiver of any rights under this contract or of any cause of action arising out of the performance of this contract.

8.2 COMPLIANCE WITH LAWS

- A. CONSULTANT, in the performance of this Agreement, shall comply with all applicable federal, state or local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs, accreditation, and licensing of individuals. The CONSULTANT shall comply with any other standards or criteria as described in this Agreement to assure quality of services.
- B. CONSULTANT specifically agrees to pay any applicable business and occupation (B&O) taxes, which may be due on account of this Agreement.
- C. This Agreement shall be governed by the pertinent requirements included in Federal Transit Administration Circular 4220.1F as amended and the attached CERTIFICATIONS

8.3 DEBARRED BIDDERS

Neither CONSULTANT, nor any officer or controlling interest holder of CONSULTANT, is currently, or has been previously, on any debarred bidders list maintained by the United States Government.

8.4 HOLD HARMLESS AND INDEMNIFICATION

CONSULTANT shall defend, protect, indemnify and hold harmless TRANSIT and its agents, employees and/or officers from and against any and all claims, suits, actions, damages, and liability whatsoever, which TRANSIT may incur by reason of any negligent act, action, neglect, omission or default on the part of CONSULTANT provided, however, that if such liability is caused by or results from the concurrent negligence of TRANSIT, its agents, employees, and/or officers, and CONSULTANT or its agents and employees, this provision shall be valid and enforceable only to the extent of CONSULTANT's negligence.

If a lawsuit subject to this hold harmless provision ensues, the CONSULTANT shall appear and defend that lawsuit at its own cost and expense to the extent of its negligence.

8.5 PAROL AGREEMENT

All prior or contemporaneous communications, representations or agreements, whether oral or written, with respect to the subject matter thereof which are inconsistent with this Agreement are hereby superseded. No amendment hereafter made between the Parties shall be binding on either Party unless reduced to writing and

signed by an authorized representative of the Party sought to be bound thereby. No provision of this Agreement is intended or shall be construed to be for the benefit of any third party.

8.6 PROHIBITED INTEREST

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

8.7 SEVERABILITY

Should any part, term, or provision of this Agreement be decided by the Courts to be illegal or in conflict with any applicable statute or regulation, the validity of the remaining portions or provision shall not be affected thereby.

8.8 SUCCESSORS

TRANSIT and CONSULTANT respectively bind themselves, their partners, successors, assigns and legal representatives to the other party in respect to covenants, agreement and obligations contained in the Agreement. Neither party to the Agreement shall assign the Agreement as a whole without written consent of the other. If either party attempts to make such an assignment without such consent, that party shall nevertheless remain legally responsible for all obligations under the Agreement.

8.9 SURETIES

If at any time during the continuance of the Agreement, the sureties, or any of them, shall in the opinion of TRANSIT become untrustworthy, TRANSIT shall have the right to require additional and sufficient sureties, which the CONSULTANT shall furnish to the satisfaction of TRANSIT within ten (10) days after notice.

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both parties recognize time is of the essence in the performance of the provisions of this Agreement. It is also agreed by the parties that the exoneration of the nonperformance of any provision of this Agreement does not constitute a waiver of the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first herein above written.

LAMTPO

CONSULTANT

LAMTPO encourages women and minority owned firms to submit qualifications for the provision of the services described herein. LAMTPO does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

In order to comply with reporting requirements pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), responding firms are asked to please voluntarily provide the following information. The information should be provided as it applies to the authorized company representative who has submitted the bid and whose signature appears on the bid request form.

Race: _____ White _____ African American _____ Hispanic _____ Asian
 _____ American Indian _____ Other: _____

Gender: Male Female

This information is not required and if submitted, will not affect you as a bidder of services or supplies to LAMTPO. It is requested for compliance with government record keeping and reporting purposes.

2. Documentation - 23 USC 109(h); Executive Order 12898; 49 CFR Part 21; Title VI; FTA C4702.1B; FTA C4703.1. 1. Have there been any special studies of traditionally under-served or low income communities conducted in the past three years? What type studies? Purpose?

The SR343 Complete Streets and ITS Traffic Signal Coordination Corridor Study (2021). This study was to show how to improve traffic flow, reduce speeding, and improve safety throughout the corridor. SR343/ S Cumberland St from E Morris Blvd/ US Hwy 11E to SR160 lacks sidewalks, had several crashes, and even some fatalities. This study showed how to make it a complete street by reducing the number of lanes from 4 to 3 lanes, add a multiuse path on one side of the street, and sidewalks on the other. No ROW is needed, and it will help reduce crashes, especially with pedestrians and bicyclists. This area has a high Hispanic population, over 25%.

VI. Community Impact Assessment – 23 USC 109(h) lists the types of adverse social and economic impacts that must be investigated and documented.

1. Describe how community value, social, neighborhood issues; environmental justice and any discrimination issues are normally addressed by the MPO.

(EJ) Environmental Justice

Title VI of the Civil rights Act of 1964 protects persons from discrimination based on their race, color, or national origin in programs and activities that receive Federal financial assistance. LAMTPO is funded at the federal level, so all of our transportation planning processes must comply with this law.

Environmental Justice stems from Title VI, focusing on including low-income and minority populations in federally funded programs. Environmental justice has three general principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

By providing the opportunity for everyone to participate in the transportation planning process, we are ensuring that the needs of all people can be met and that their desires for how the whole community should function and develop will be considered. To accomplish this, LAMTPO staff will use Census data to determine where concentrations of the underserved or underrepresented reside. Using this data, staff will:

1. Hold public meetings that are convenient to these geographic concentrations in terms of walk-ability and available transit options, which tend to be used more by low-income individuals than other forms of transportation.
 2. Make all draft documents available for public review at local libraries
 3. Residents or organizations that express an interest by attending public meetings or notifying us by other means will be included in the direct mailing list to receive information about future events and plan development
 4. Continue to research creative methods of reaching these populations with information, documents, and invitations other than the techniques listed within this document;
 5. Seek out community leaders or representatives of these groups to participate in our planning processes as appropriate; and
- Meet and make presentation

Environmental Mitigation.

LAMTPO is following TDOT's lead for the environmental consultation process. When developing the Social Service Coordination Plan and the Public Participation Plan, LAMTPO had sent the various documents to numerous local, state and federal agencies to review and ask for comments, and no comments were received.

LAMTPO staff is in the process of developing GIS maps that shows where future projects are to occur that are in relationship to flood boundaries and/or topographic concerns (mountainsides, sinkholes, historical preservation, etc.). Additional modeling will be done using TRANSCAD to determine traffic congestion, and what the future road projects may do to help alleviate the traffic congestion. Additional corridor studies will be done to help determine what multimodal and intermodal improvements are needed, and to determine the effects on the surrounding environment.

SAFETEA-LU required LAMTPO to consult with federal, state and tribal land management, wildlife, and regulatory agencies to develop a general discussion on possible environmental mitigation activities that should be incorporated into transportation projects identified in this plan. Since the transportation planning activities of LAMTPO are regional in scope, this environmental mitigation discussion does not focus on each individual project within the LRTP but rather offers a summary of environmental sensitive areas to be aware of, the analyses conducted by LAMTPO staff to identify potential conflicts of planned projects and mitigation strategies that could be considered in an effort to minimize any negative affect that a project may have on an environmentally sensitive area.

There are numerous environmentally sensitive areas found throughout the LAMTPO study area. Some areas are yet to be identified and will only become known once a project level analysis is completed, such as caves, sinkholes, and wetlands. More detailed information will be needed during the NEPA process of each project to make sure that the natural, historical, environmental, or endangered wildlife habitat will not be negatively impacted.

In developing projects lists for the LRTP, LAMTPO conducts top level analysis to determine the potential need for future environmental mitigation. Specifically, LAMTPO looks at proposed project locations throughout the region to determine their proximity to the following natural or socio-cultural resources datasets. That analysis provides early guidance to project sponsors to develop mitigation strategies.

- Cemetery surveys
- Regional water resources
- Endangered species habitat areas
- TDEC Terrestrial Habitat areas
- TDEC aquatic Habitat areas
- State Division of Archaeology properties
- TDEC designated state natural areas
- TDEC Endangered and rare species
- Historic properties, and
- Historic National Register Districts

Environmental Mitigation Activities

LAMTPO is committed to protecting and preserving environmentally sensitive areas. LAMTPO shall avoid environmentally sensitive areas as much as possible. In special cases which it cannot avoid environmentally sensitive areas, then the governing entities of LAMTPO shall minimize the amount of negative impact a project may have, and finally to mitigate any affected areas. In doing so, LAMTPO recognizes that not every project will require the same type and/or level of mitigation. Some projects such as new roadways and/or roadway widening involve major construction with considerable earth disturbance. Others like intersection improvements, street lighting, and resurfacing projects involve minor construction and minimal, if any, earth disturbance. The mitigation efforts used for a project should be dependent upon how severe the impact on environmentally sensitive areas is expected to be. The following three step process should be used to determine the type of mitigation strategy to apply for any given project:

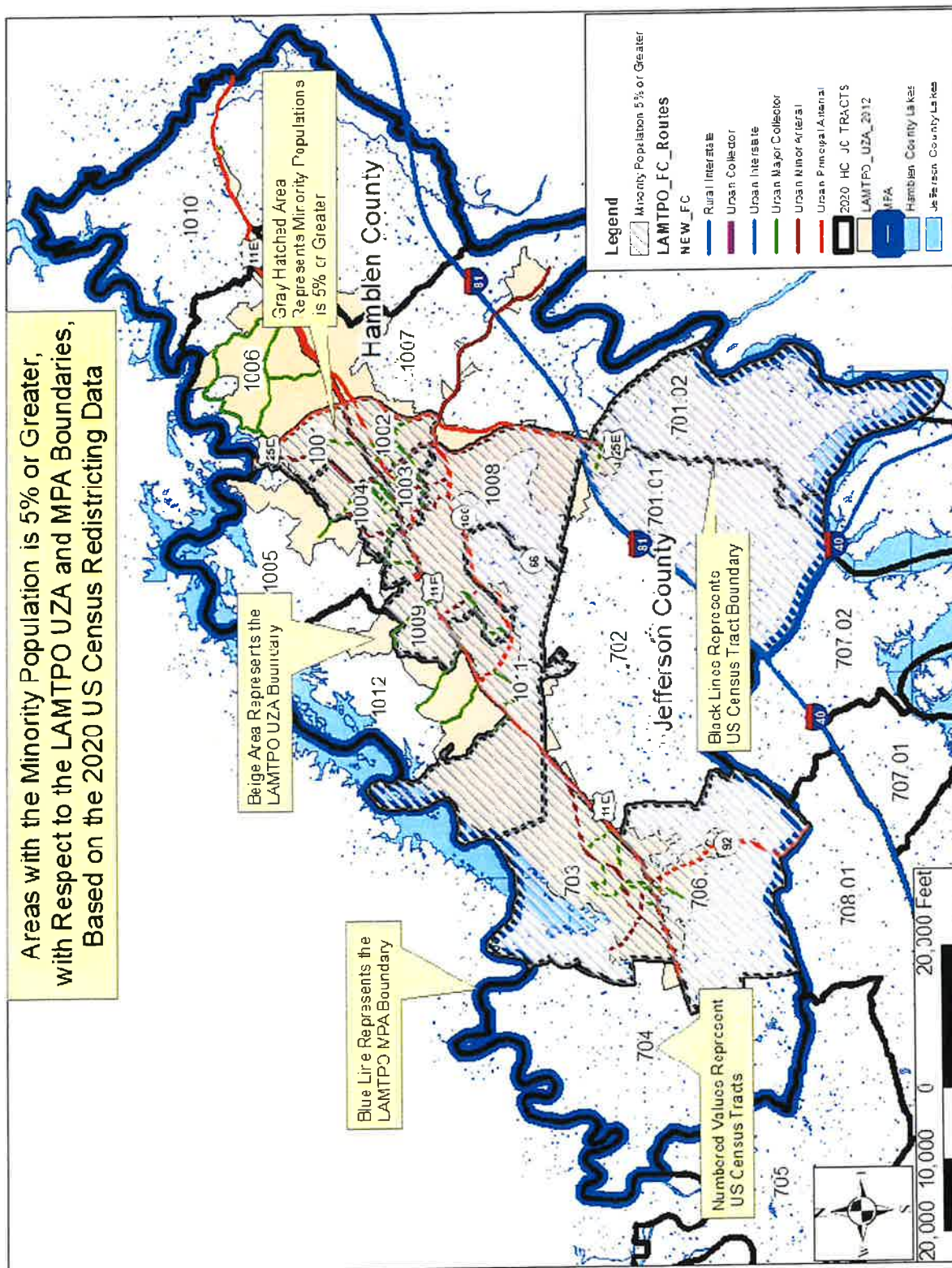
- i. Identify environmentally sensitive areas throughout the project study area
- ii. Determine how and to what extent the project will impact these environmentally sensitive areas; and
- iii. Develop appropriate mitigation strategies to lessen the impact these project(s) have on the environmentally sensitive areas.

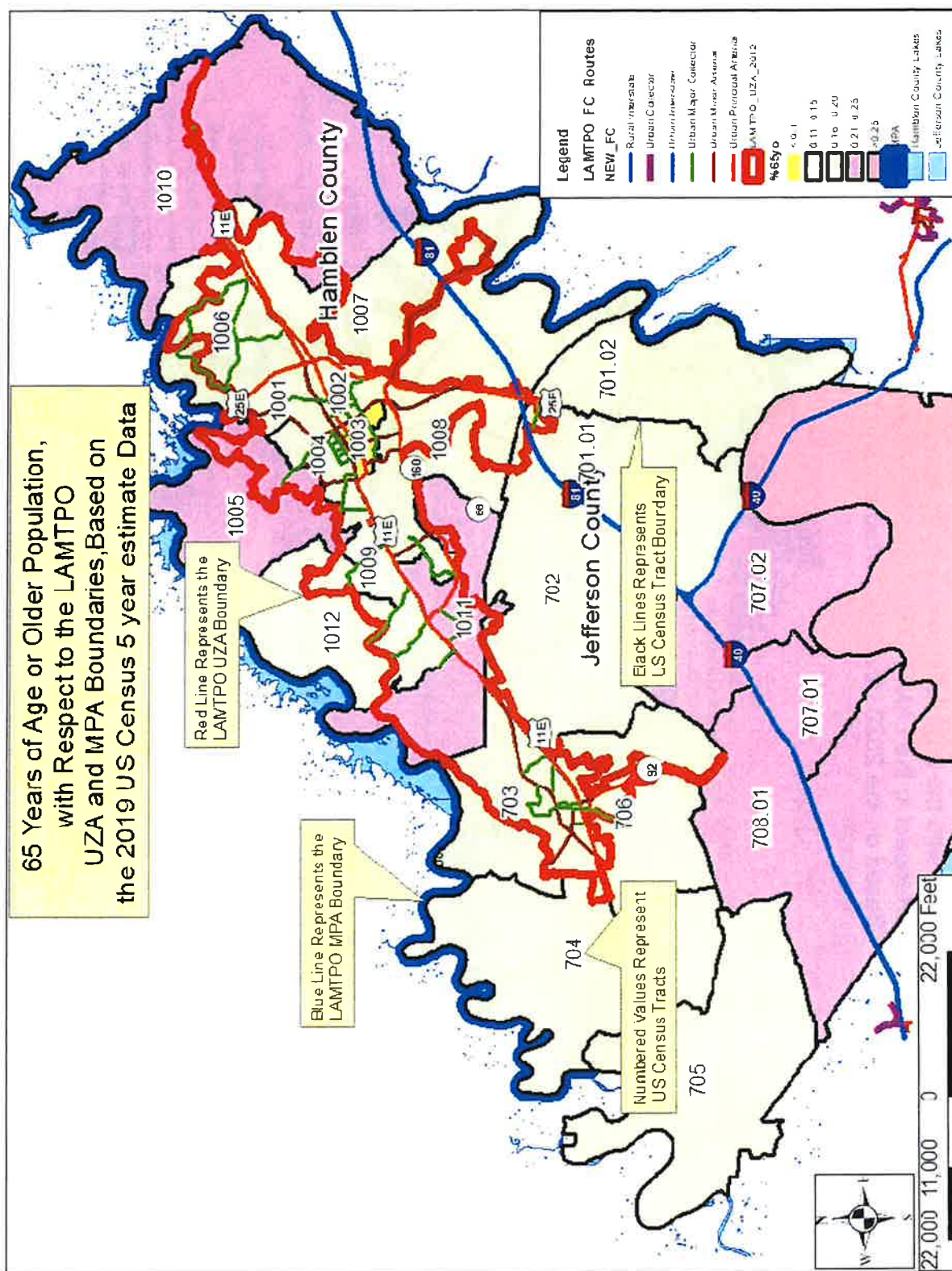
To the extent possible, transportation projects should minimize off-site disturbance in sensitive areas and develop strategies to preserve air and water quality, limit tree removal, minimize grading and other earth disturbance, provide erosion and sediment control, and limit noise and vibration. Where feasible, alternative designs or alignments should be developed that would lessen the project's impact on environmentally sensitive areas. The three (3) step mitigation planning process should solicit public input and offer alternative designs or alignments and mitigation strategies for comment by LAMTPO and local governments.

For major construction projects, such as new roadways, or for projects that may have a region wide environmental impact, a context sensitive solutions process should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of the project.

A context sensitive solutions process, for any project, should be considered in which considerable public participation and alternative design solutions are used to lessen the impact of a project. The table below details mitigation activities that could be considered to deal with the primary areas of concern.

Environmental Concern	Potential Mitigation Activities
Wetlands or Water Resources	Mitigation sequencing requirements involving avoidance, minimization, compensation (could include preservation, creation, restoration, in lieu of fees, riparian buffers); design exceptions and variances; environmental compliance monitoring
Forested and other Natural Resources	Avoidance, minimization; Replacement property for open space easements to be of equal fair market value and of equivalent usefulness; design exceptions and variances; environmental compliance monitoring
Agricultural Areas	Avoidance, minimization; design exceptions and variances; environmental compliance monitoring
Endangered and Threatened Species	Avoidance, minimization time of year restrictions, construction sequencing; design exceptions and variances; species research; species fact sheets; Memoranda of Agreements for species management; environmental compliance monitoring
Ambient Air Quality	Transportation control measures, transportation emission reduction measures
Neighborhoods, Communities, Homes and Businesses	Impact avoidance or minimization; context sensitive solutions for communities (appropriate functional and/or esthetic design features).
Cultural Resources	Avoidance or minimization; landscaping for historic properties; preservation in place or excavation for archeological sites; Memoranda of Agreement with the Department of Historic Resources; design exceptions and variances; environmental compliance monitoring
Parks and Recreational Areas	Avoidance, minimization, mitigation; design exceptions and variances; environmental compliance monitoring





In the table below is a summary of the FFY2020-2023 TIP projects that may affect Title VI areas.

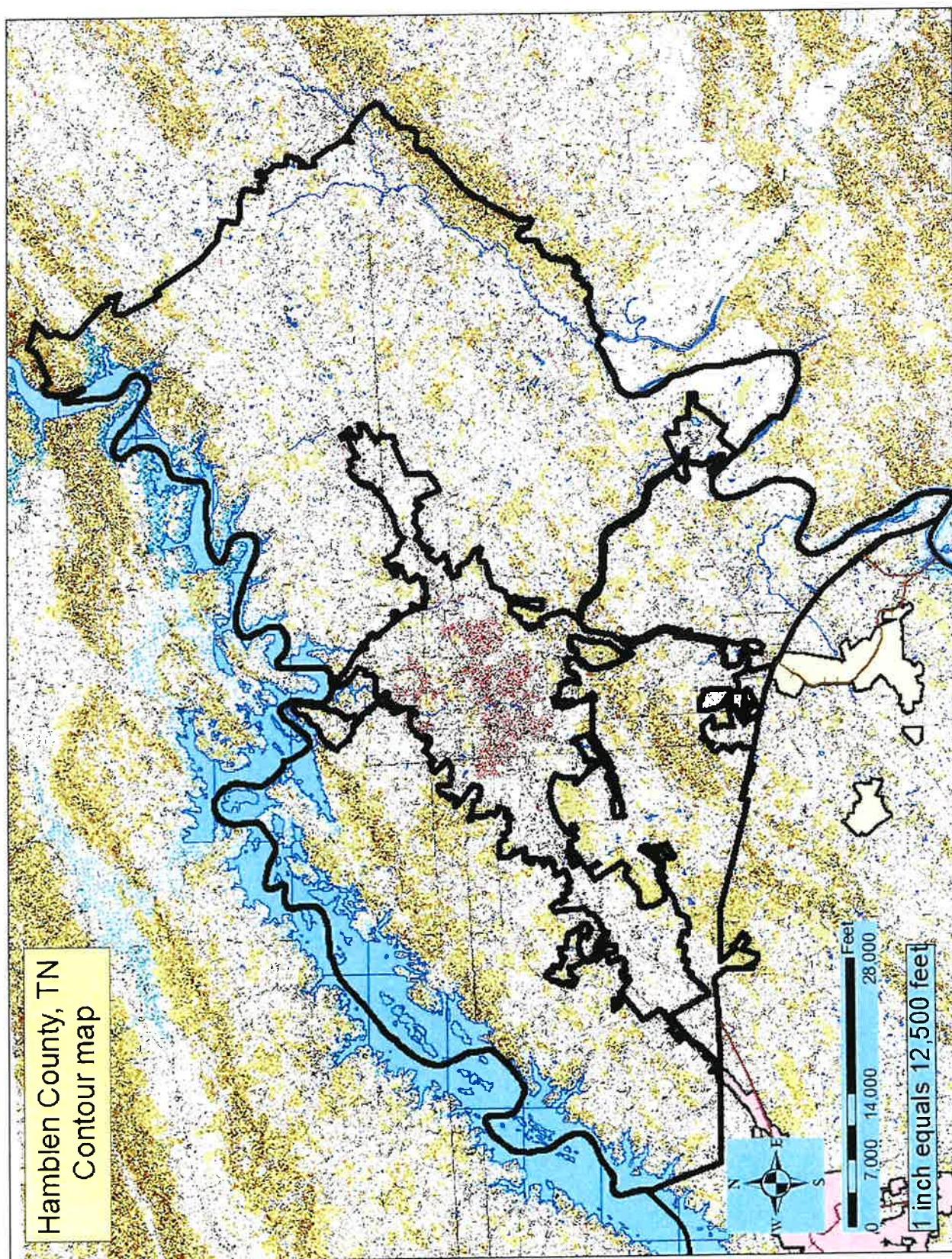
TIP ID	Project	Low to Moderate Income Populations Affected	High Minority Populations Affected	LEP Areas Affected	65 years old or older Populations Affected	High Hispanic Populations Affected
1003	E Morris Blvd resurfacing	Yes	Yes	No	Yes	No
1008	E Andrew Johnson Hwy resurfacing	Yes	Yes	Yes	Yes	Yes
1010	Central Church Rd Improvements	Yes	Yes	Yes	Yes	Yes
2010	Agricultural Park Blvd resurfacing	Yes	No	No	Yes	Yes
3016	Old AJ Hwy realignment/ Overlook Rd extension	Yes	Yes	No	Yes	Yes
3017	Russell Av resurfacing	Yes	Yes	No	Yes	Yes
3018	Branner Av resurfacing	Yes	Yes	No	Yes	Yes
3020	Municipal Dr resurfacing	Yes	Yes	No	Yes	Yes
3021	Fate Rankin Rd resurfacing	No	Yes	No	Yes	Yes
3022	Old AJ hwy resurfacing from SR92N to city limits	Yes	Yes	No	Yes	Yes
TDOT	US Hwy 11E Expansion	Yes	Yes	No	Yes	Yes

The maps on the following pages represent the various land use, cultural, historical aspects of Hamblen and Jefferson Counties, Tennessee. The maps were created using ESRI ArcGIS 10 ArcInfo, using a TN State Plane projection. All of the information for the maps, except the contour maps and the FEMA map, were from on the Tennessee State Base Map program for Hamblen and Jefferson counties. The contour map information was provided by the USGS, and these quadrangle maps are available from the Tennessee Data Spatial Server,

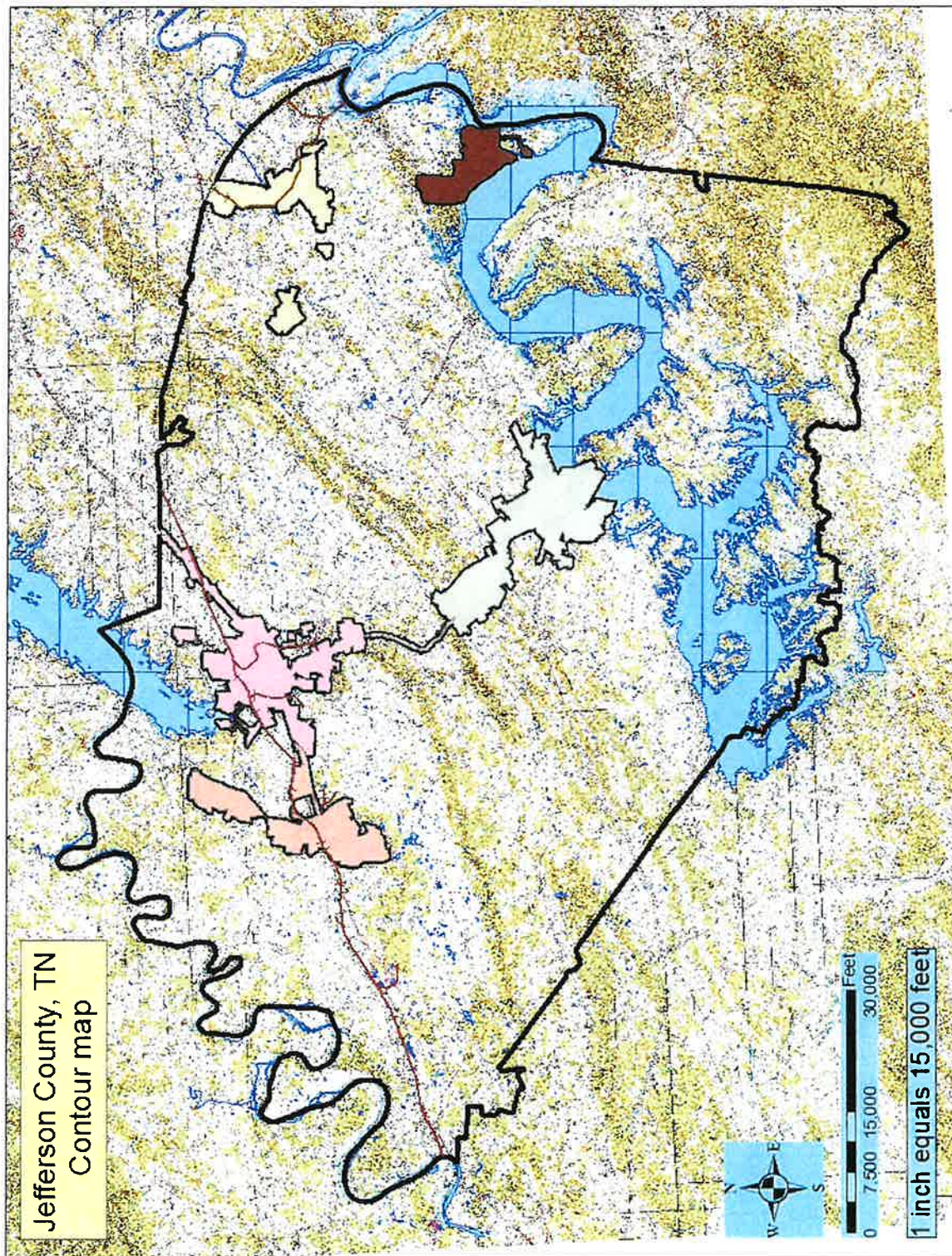
<http://www.tngis.org>. The 2010 Census map information was obtained from the U. S. Census Bureau, <http://www.census.gov>.

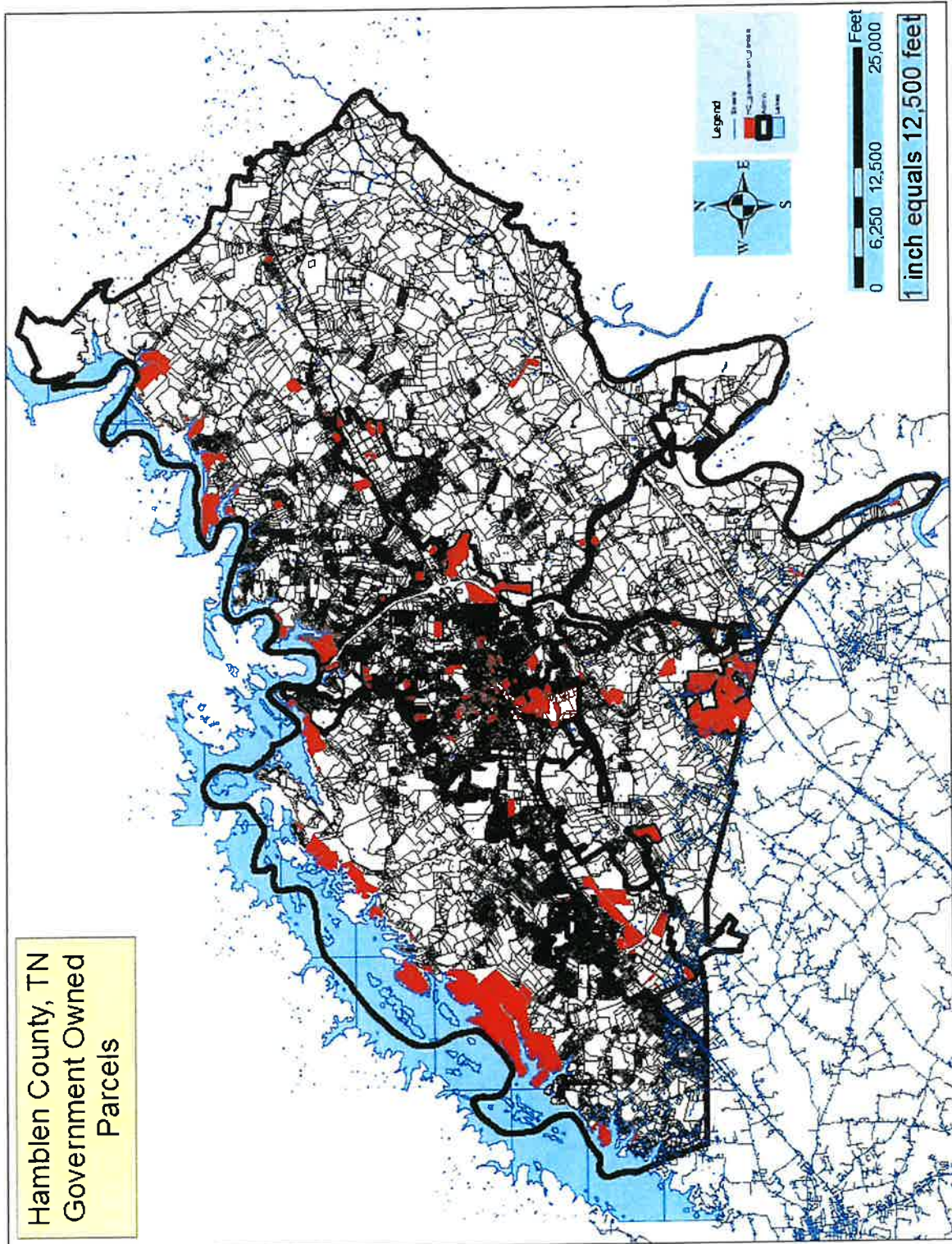
The FEMA Map information was obtained from the FEMA Map service center, <http://msc.fema.gov>. FEMA maps for Jefferson County Tennessee have not been completed yet. Each County in Tennessee will have digital FEMA maps, but they will be done in the same order as when the Tennessee State Base Mapping program originally flew and did their county parcel maps. Jefferson County was one of the last counties to be flown, thus they will be one of the last counties to get the FEMA maps digitized. It will be at least one more year, (if not longer) before the Jefferson County FEMA maps will be ready.

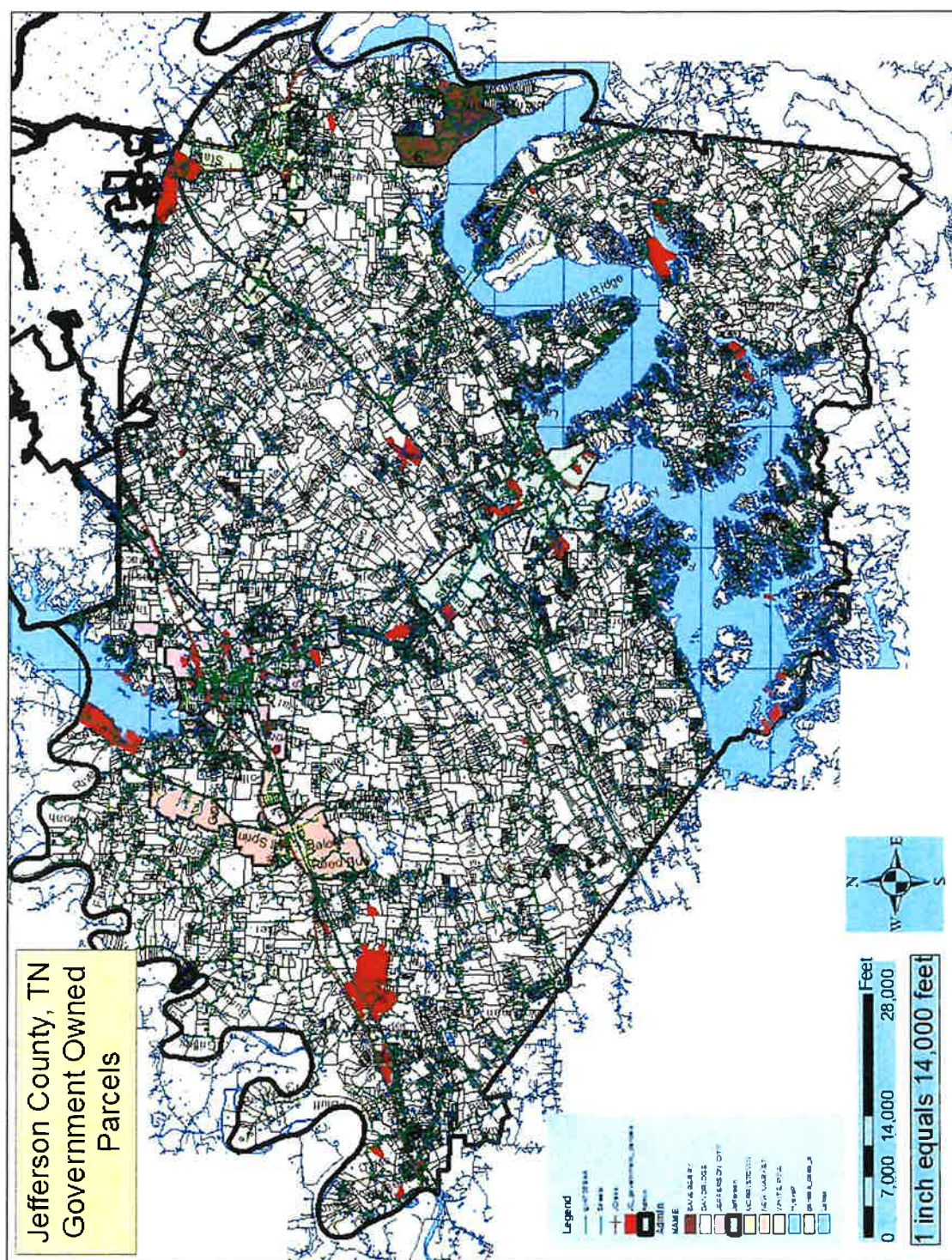
All projects within the LRTP were analyzed to see if there would be any negative impacts on the environment, ethnic, historical, or culturally sensitive areas. From a small-scale map perspective, there will not be any negative impacts. However, additional in depth studying for each project will need to be done to determine if there will be any potential impacts on the environment, ethnic, historical, or culturally sensitive areas.



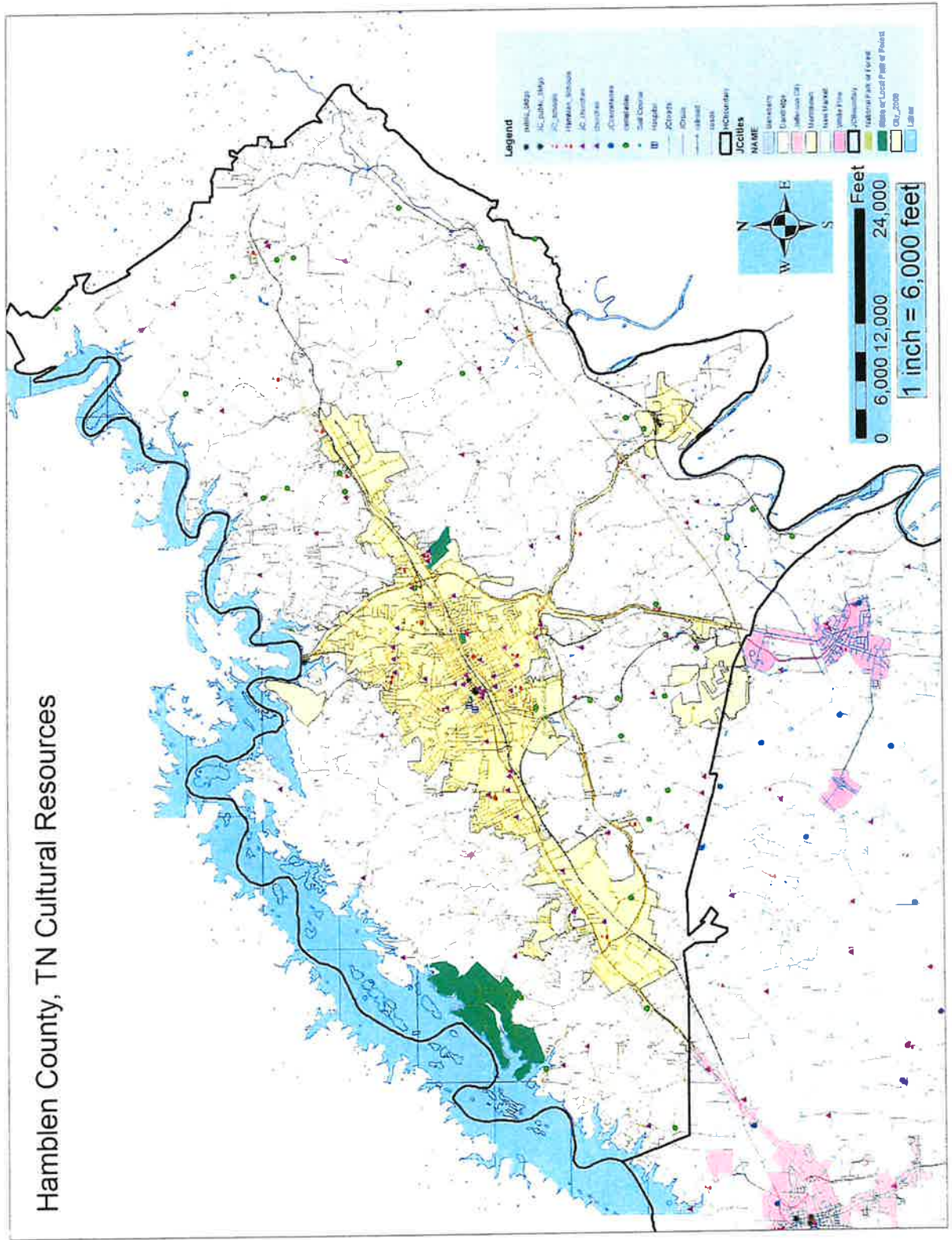
Hamblen County, TN
Contour map

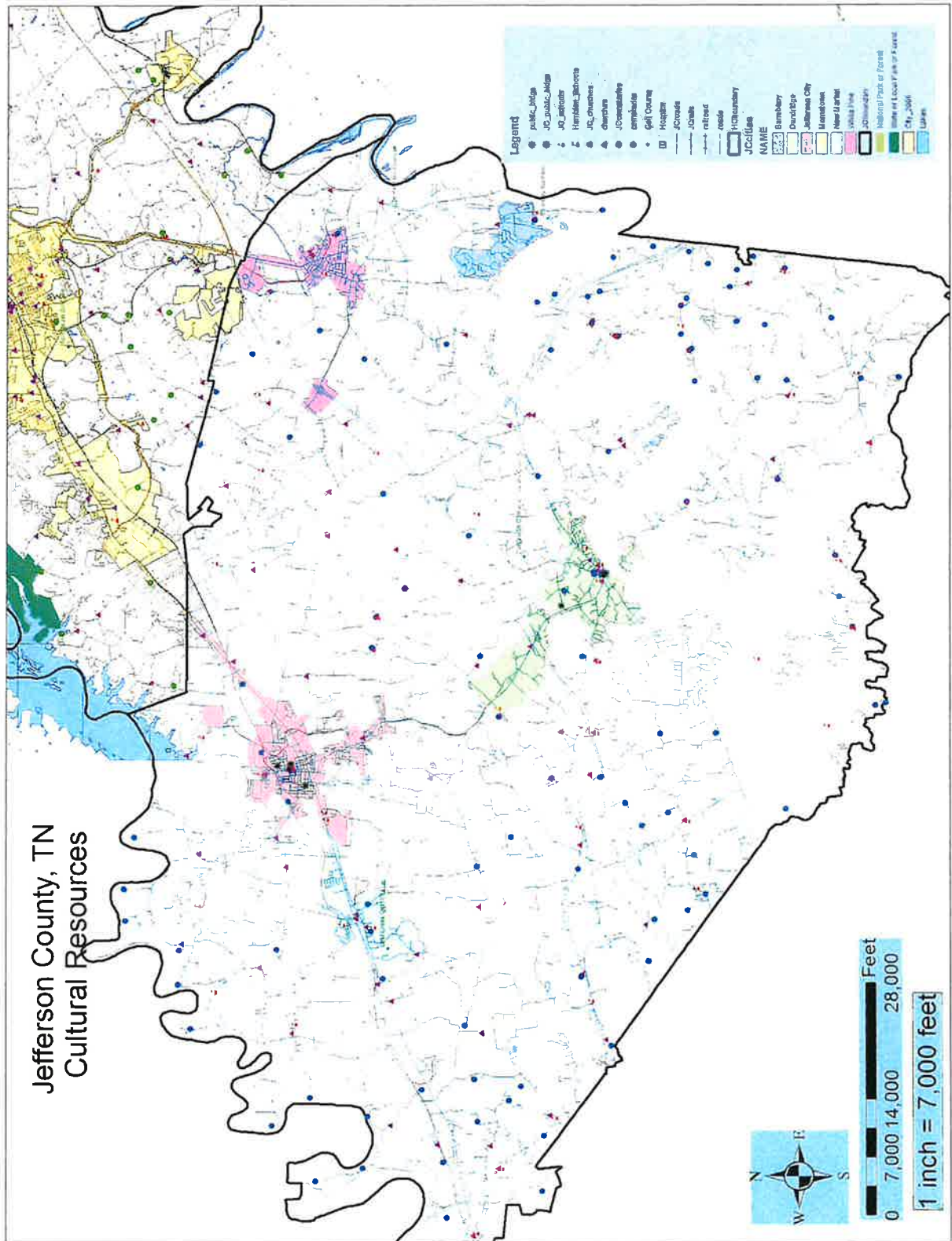


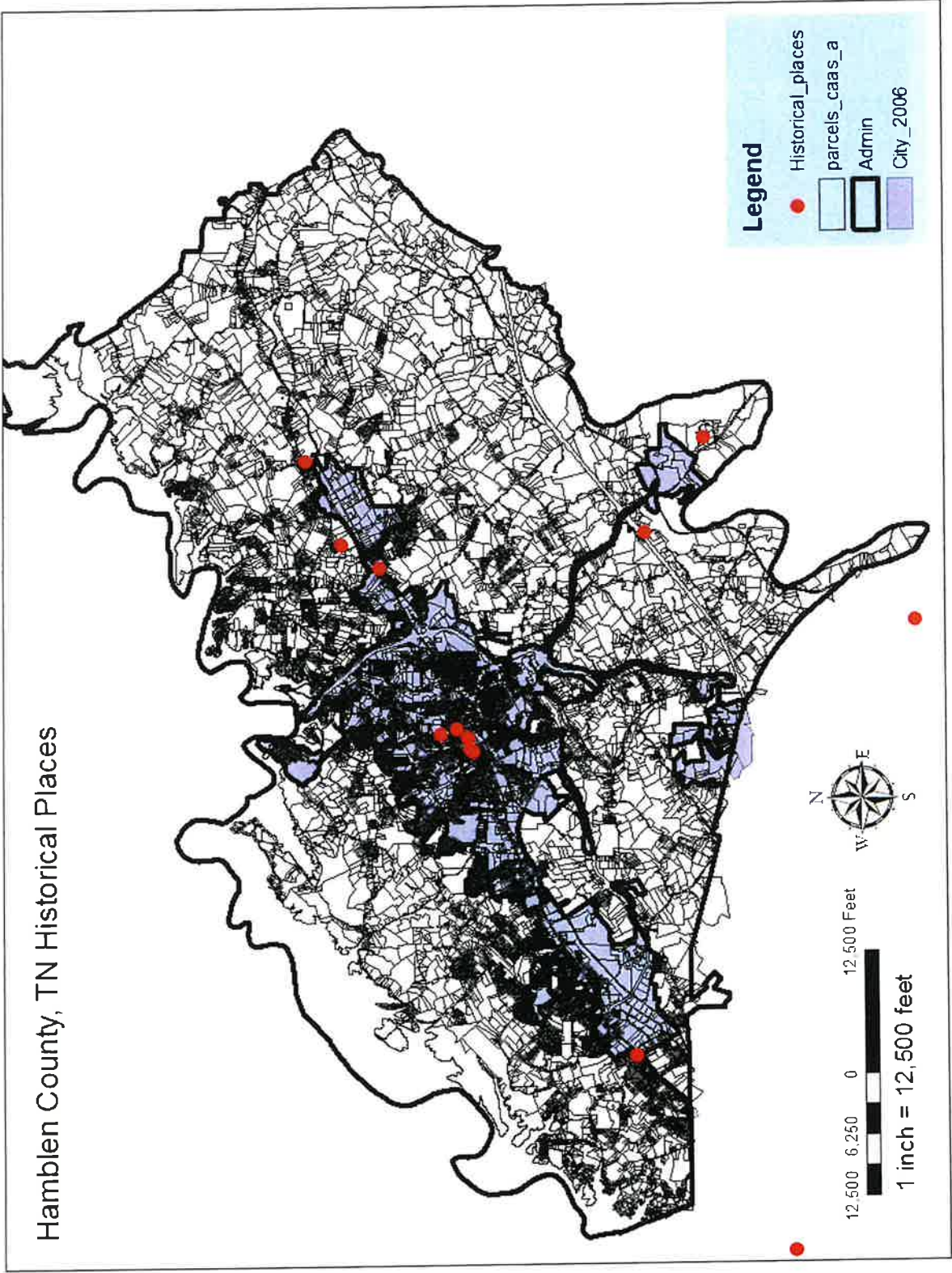


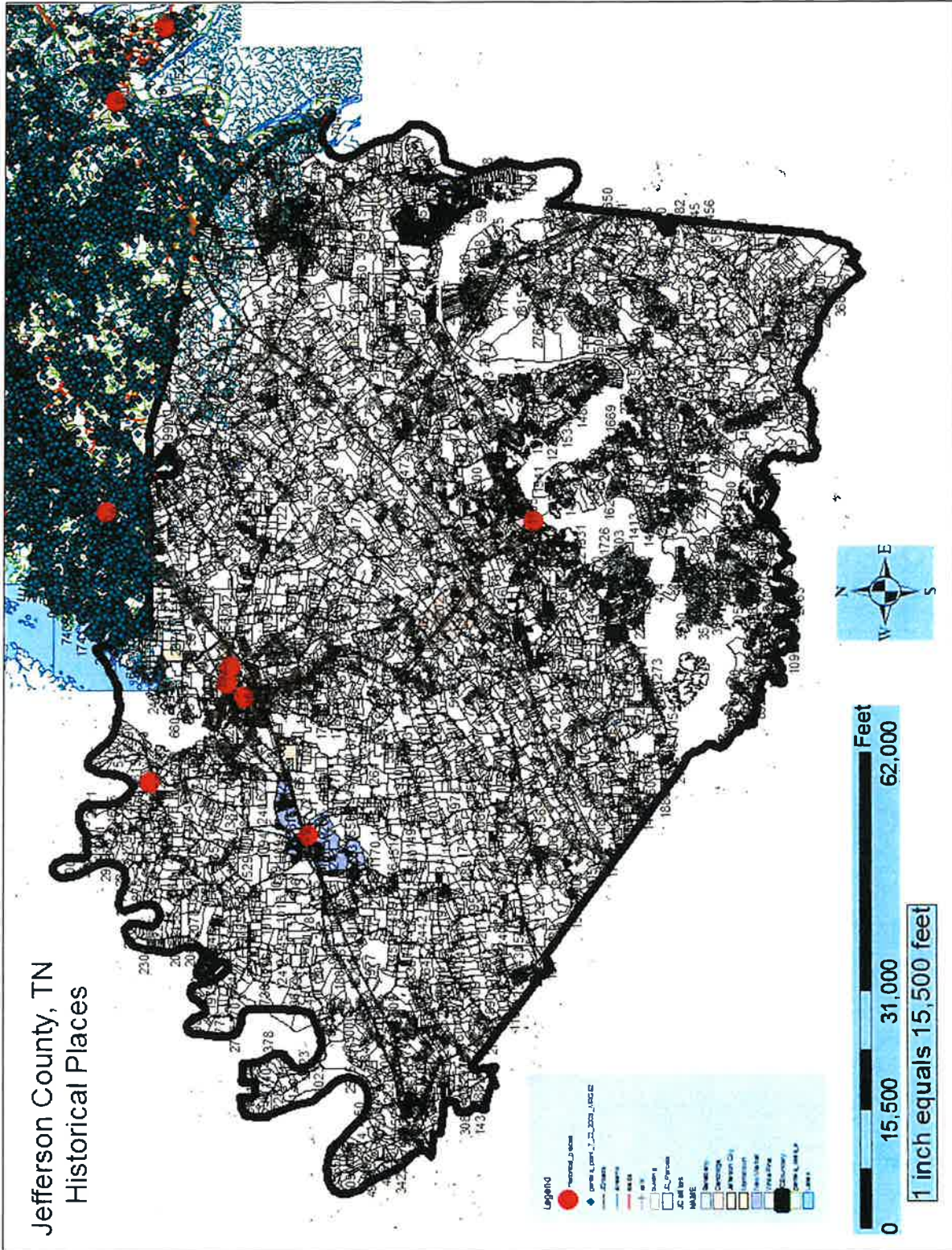


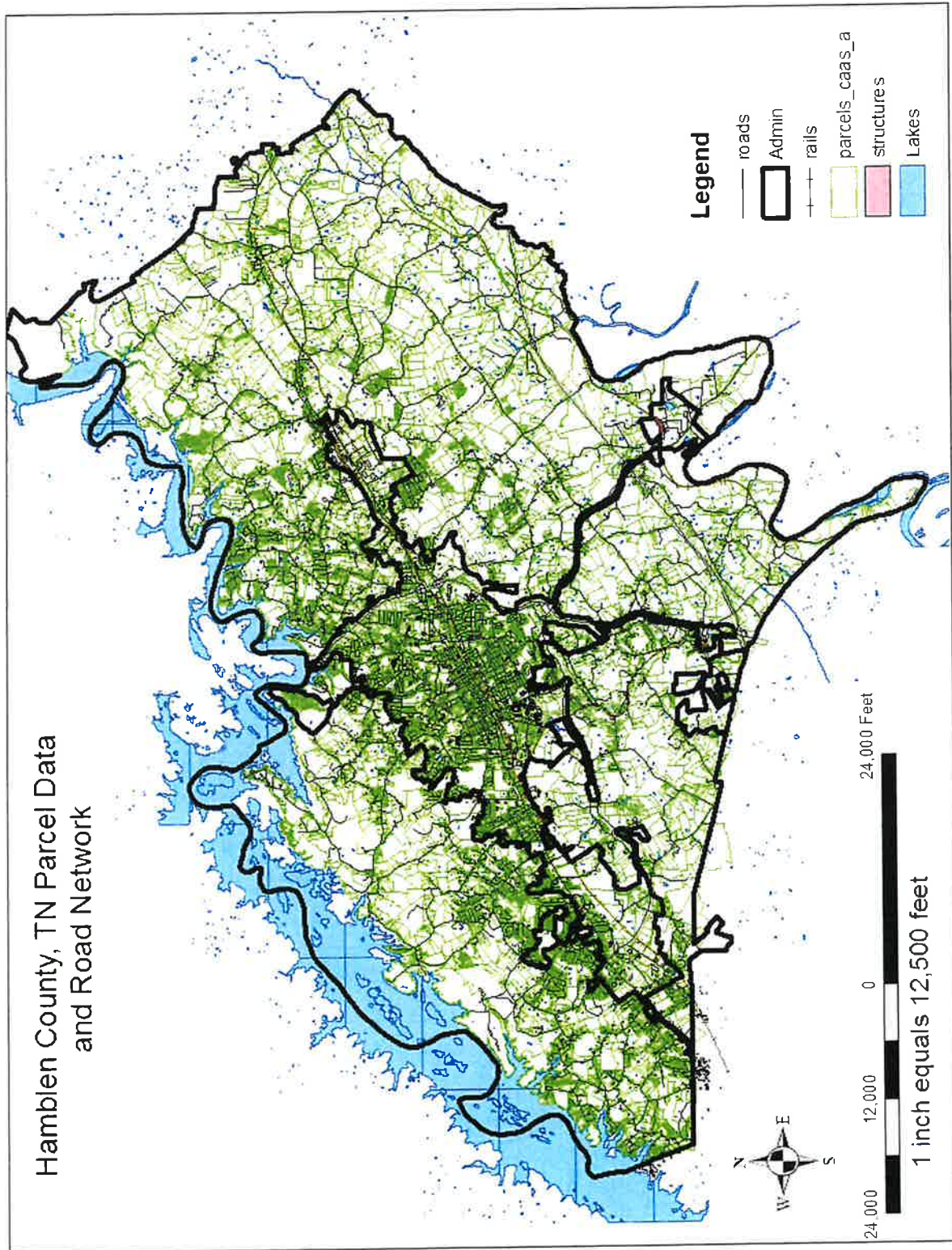
Hamblen County, TN Cultural Resources

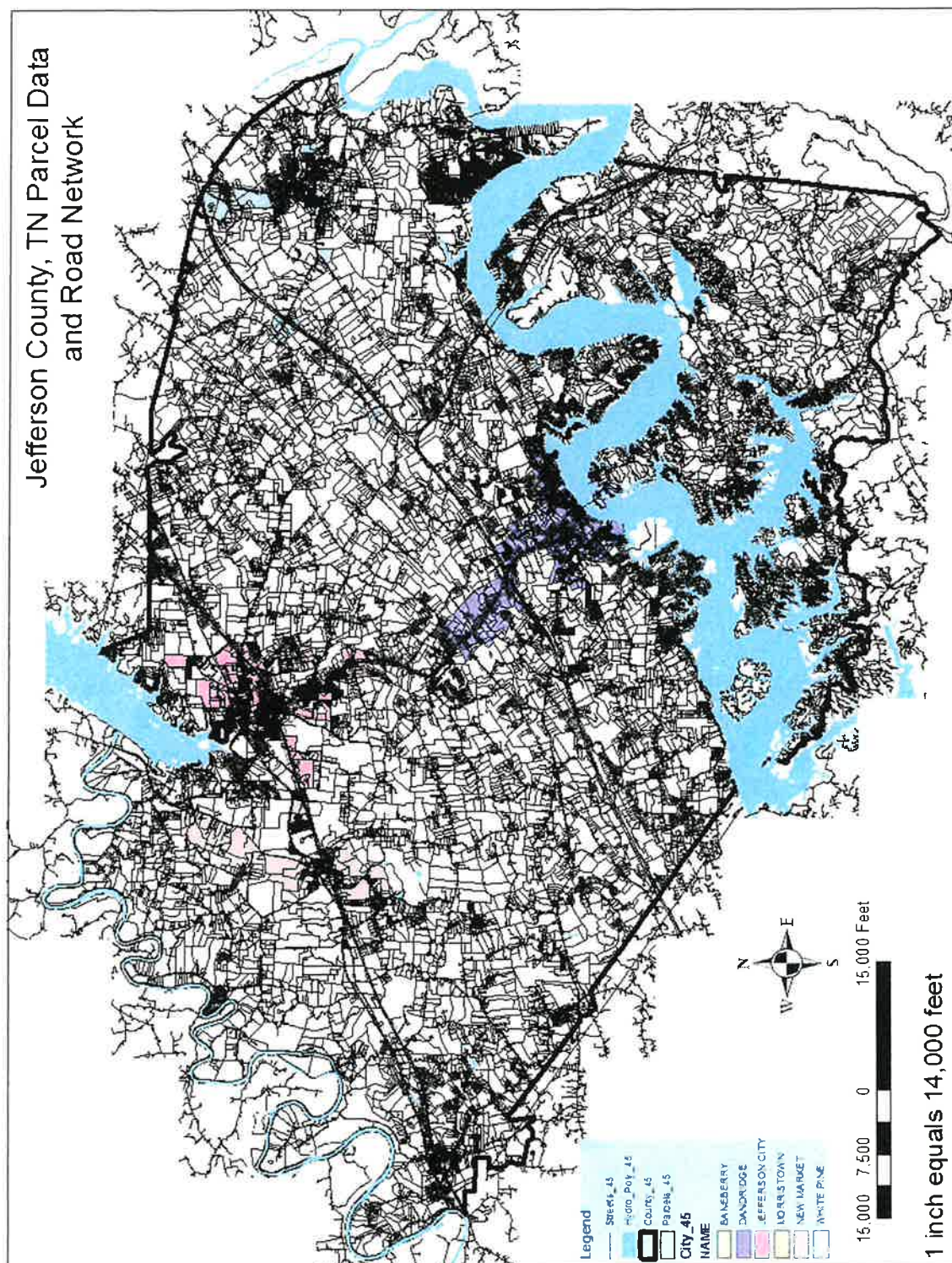




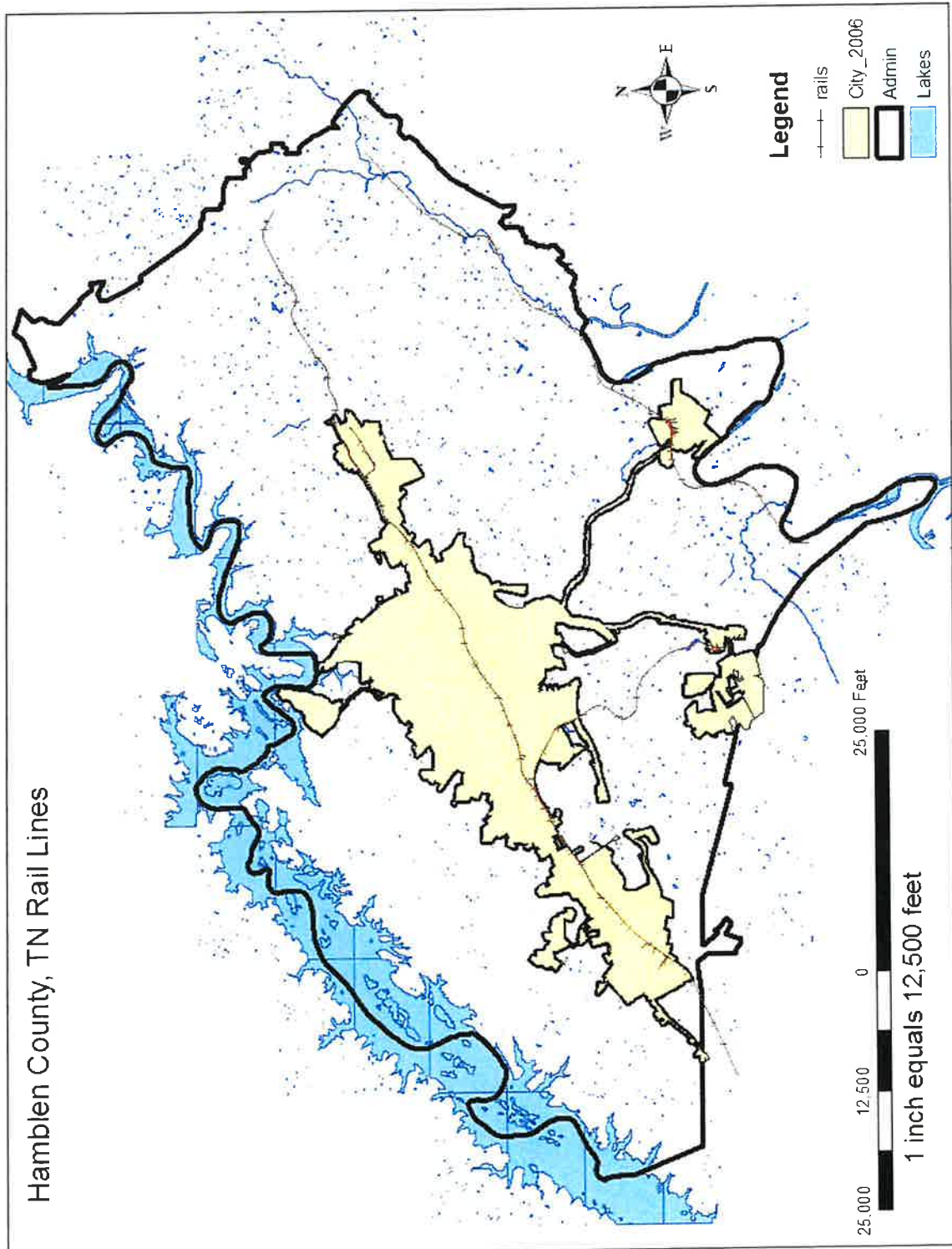




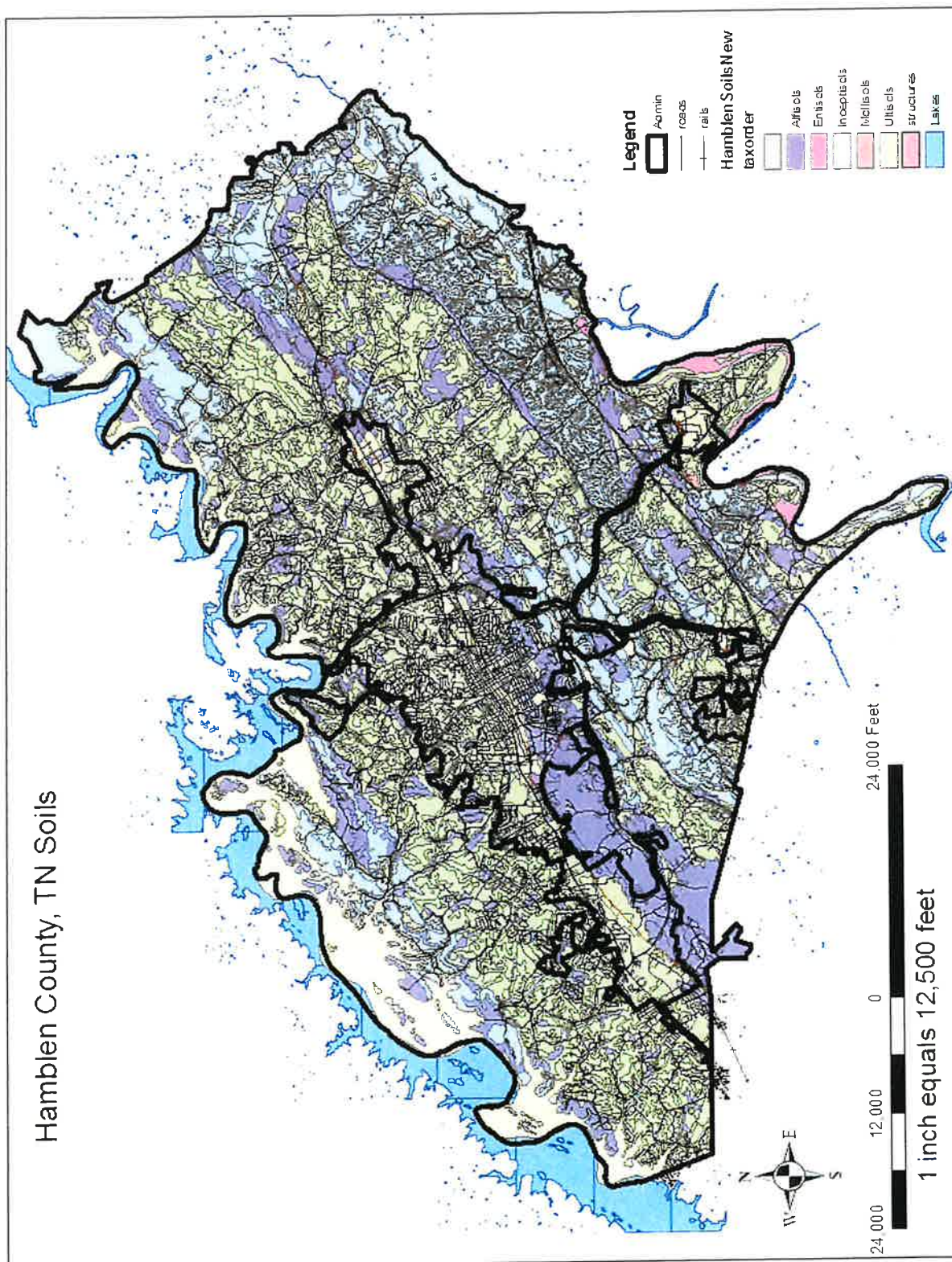




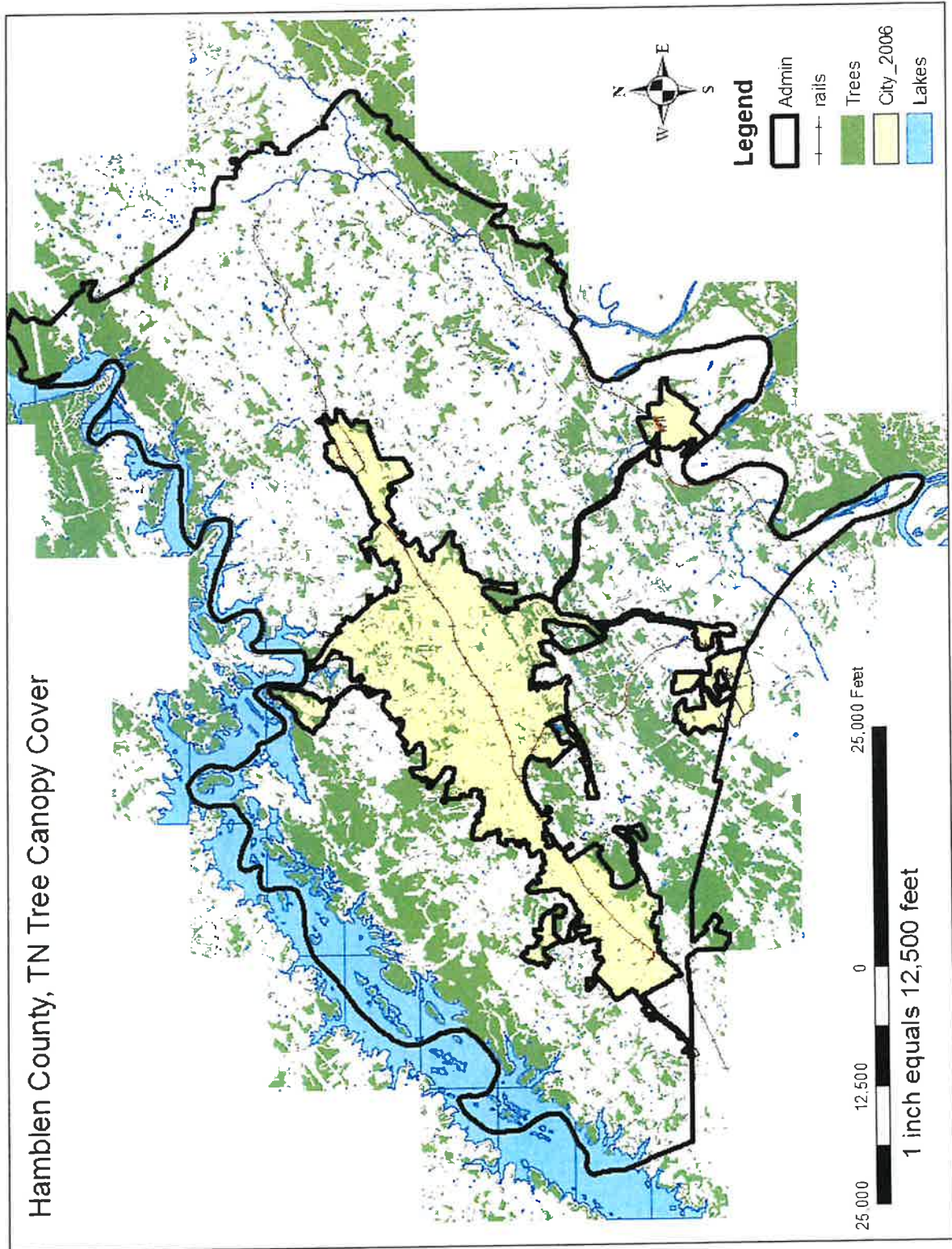
Hamblen County, TN Rail Lines

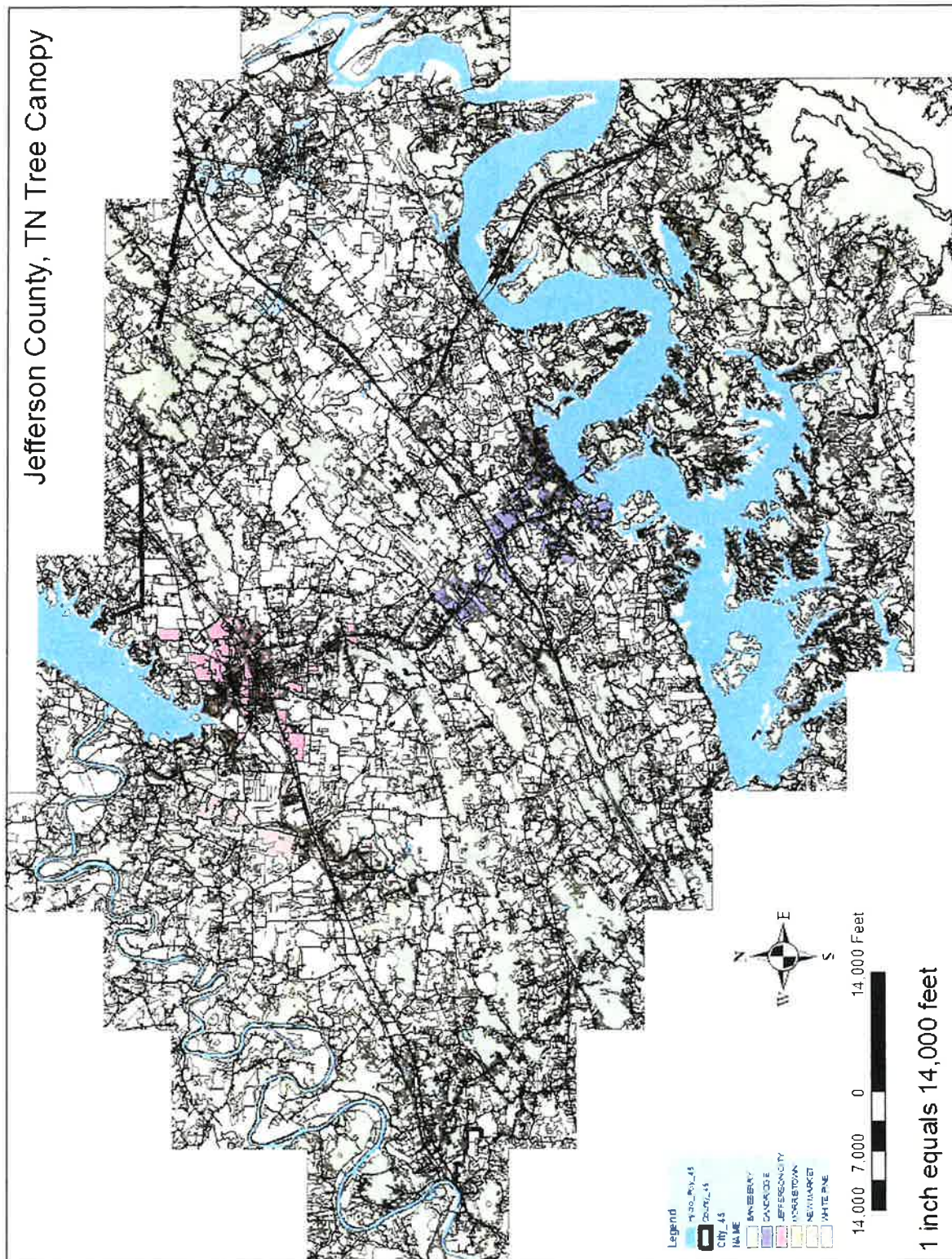


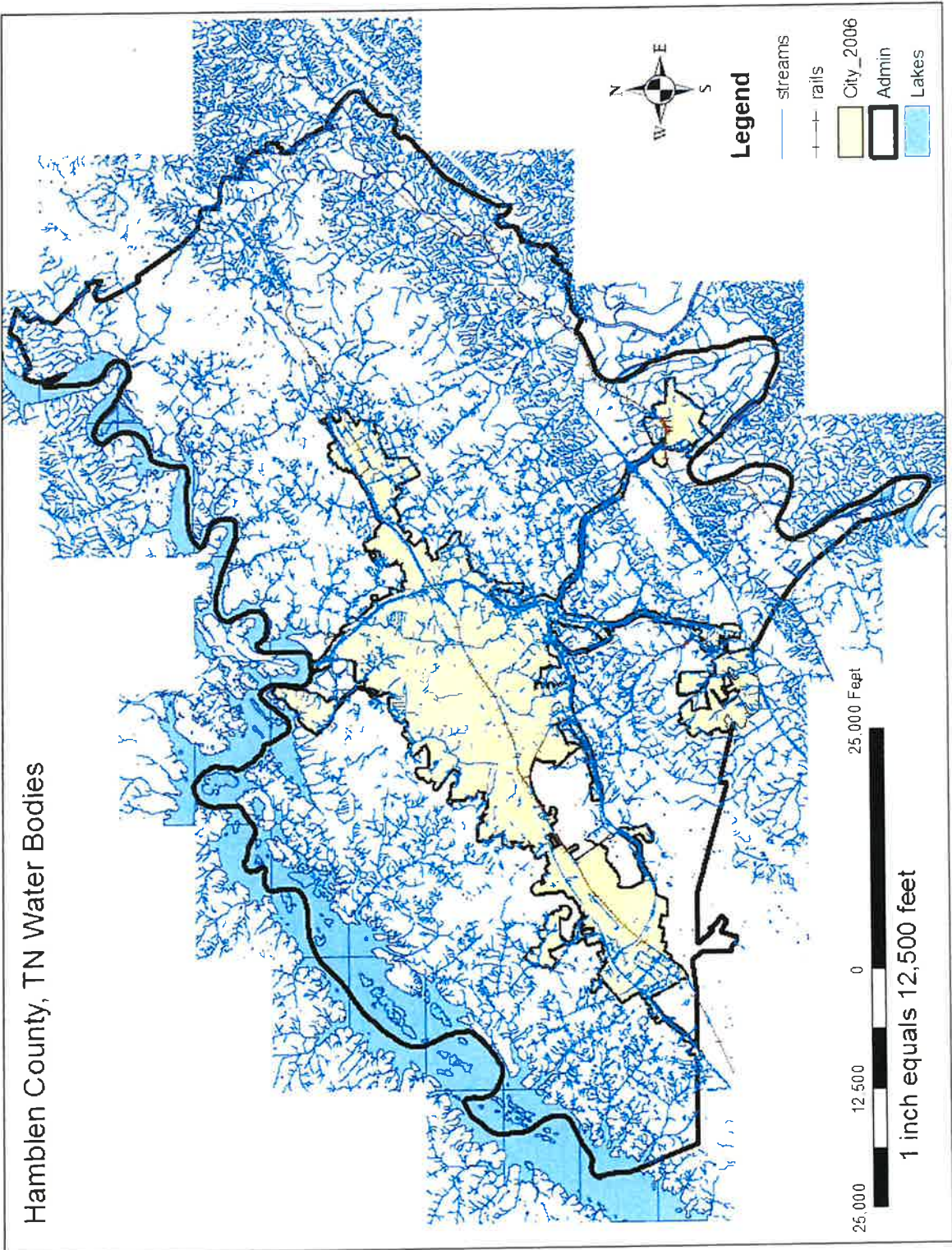
Hamblen County, TN Soils

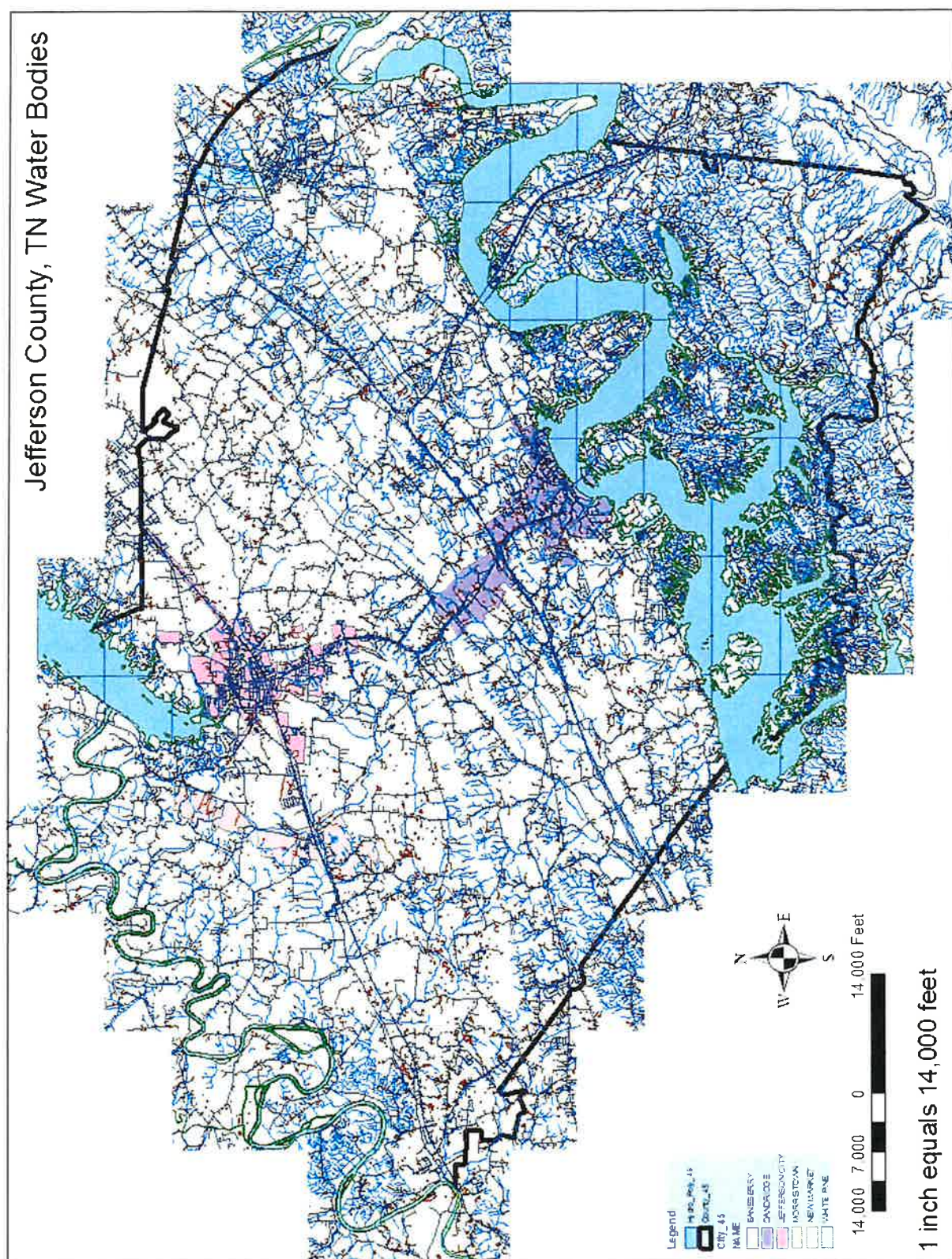


Hamblen County, TN Tree Canopy Cover

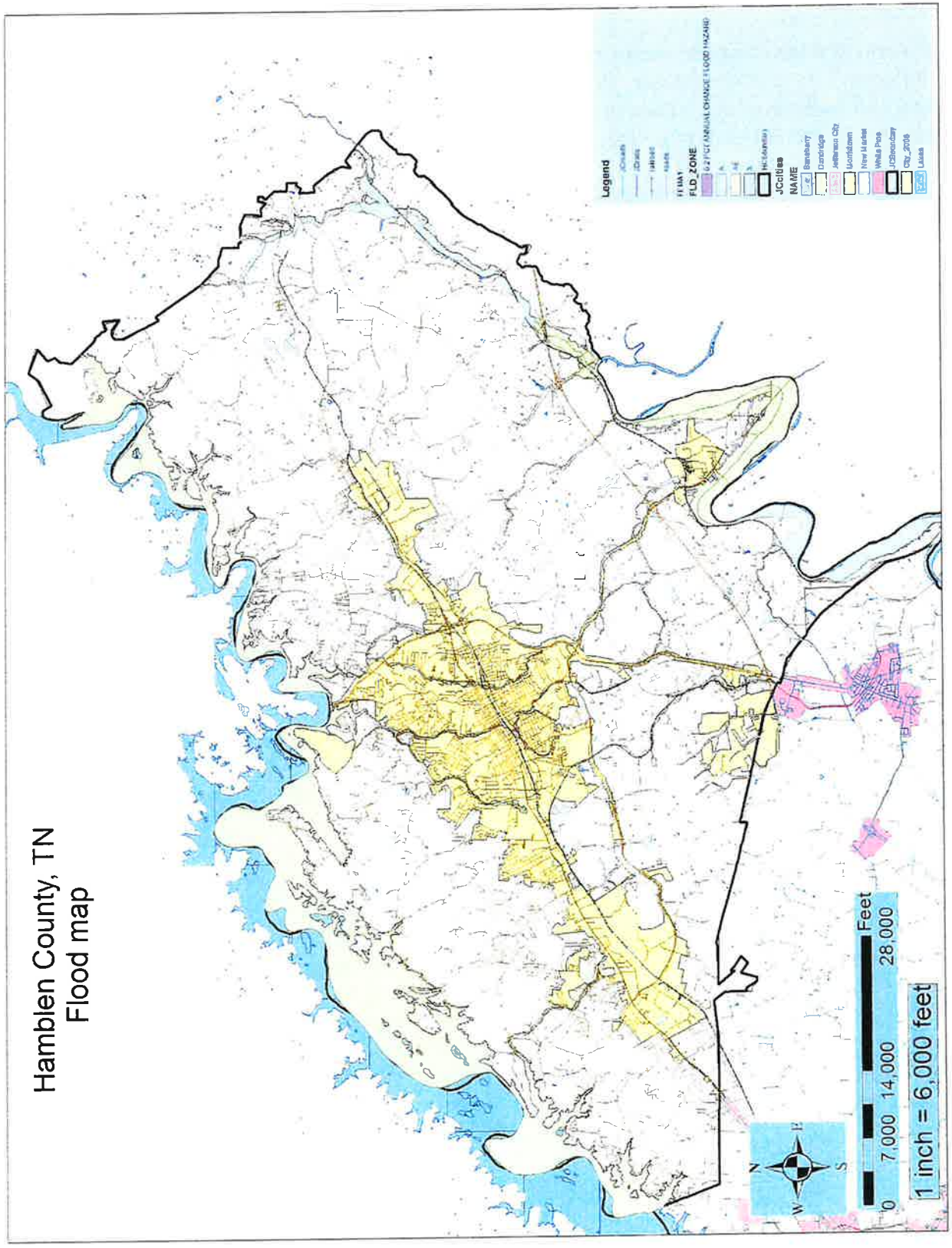








Hamblen County, TN
Flood map



LAND USE

Commercial development occurs primarily along the arterial corridors, such as Hwy 11E through Jefferson City and Morristown, Hwy 343 (Cumberland Rd/ Buffalo Trail) in Morristown, SR92 and Old Andrew Johnson Hwy in Jefferson City, Hwy 25E in Morristown and White Pine, and Hwys 113 and 341 in White Pine.

The maps on the III-141 and III-142 represent the existing land use and the future land use within the LAMTPO study area, respectively. The maps were created using a geographic information mapping system (GIS), ESRI's ArcView software. The existing land use map was determined by:

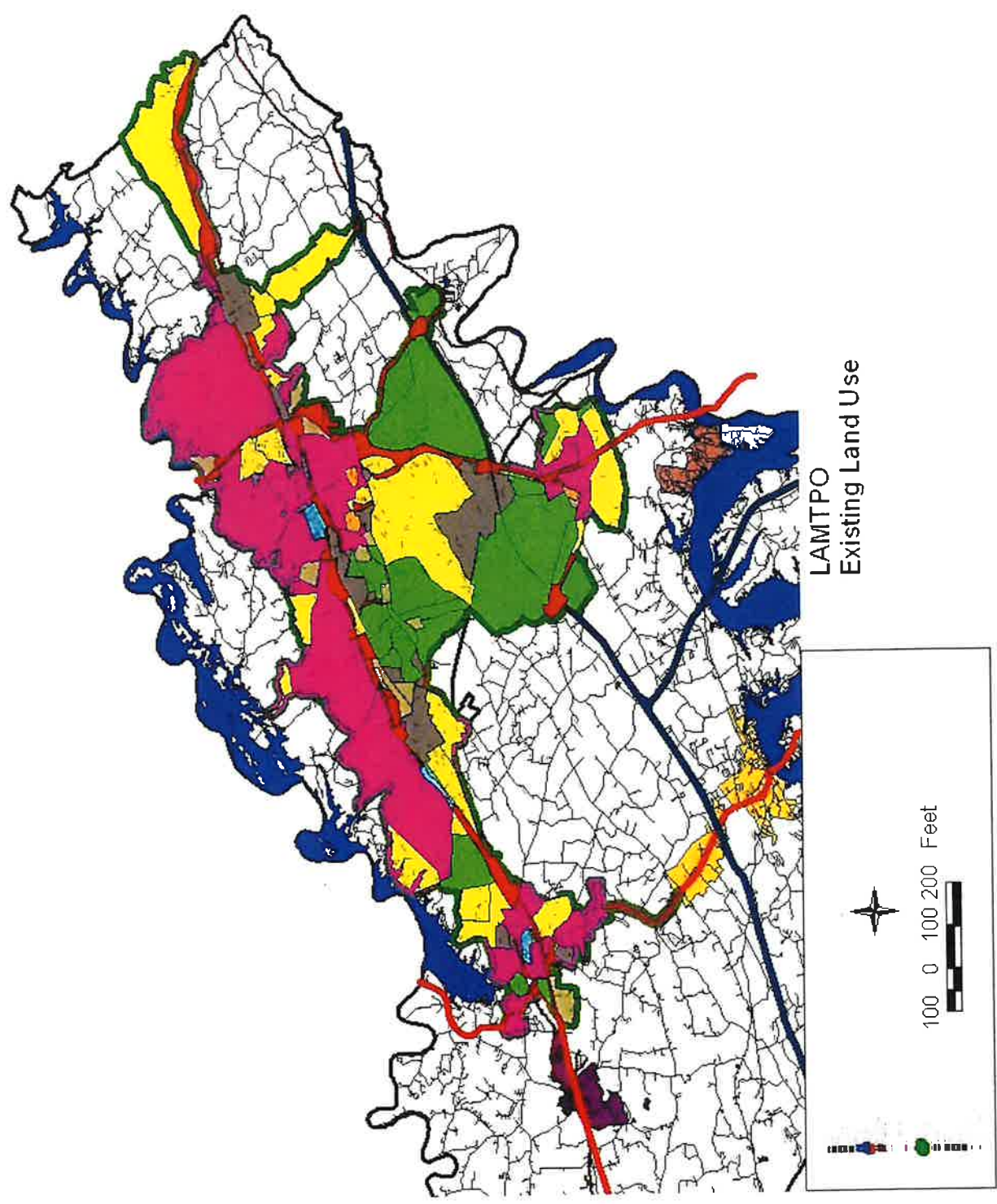
1. Existing zoning maps from the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County.
2. From information provided by the State of Tennessee Comptroller's Real Estate Assessment Data, website,
3. By Staff doing extensive field research, including driving/ mapping the entire study area, looking at parcel data, reviewing site plans, and reviewing and analyzing local plans that were done by the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County,;

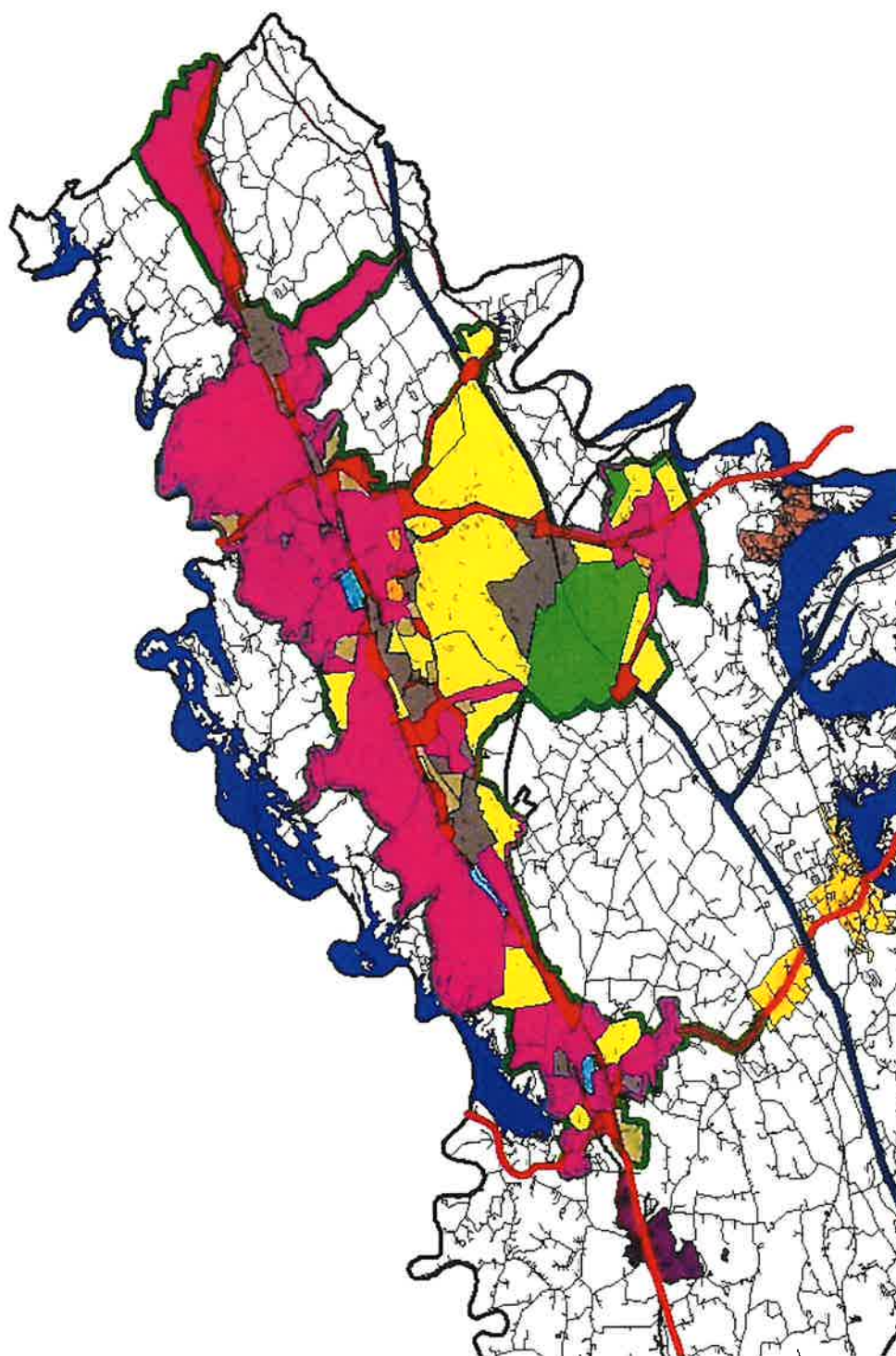
The Future land use map was created by the following:

1. Basing the information on existing land use/ zoning patterns
2. From staff field research, including driving/ mapping the entire study area, looking at parcel data, reviewing site plans, and reviewing and analyzing local plans that were done by the various entities: Morristown, Jefferson City, White Pine, Hamblen County, Jefferson County,;
3. Having the LAMTPO subcommittee review and make any necessary changes, if required.

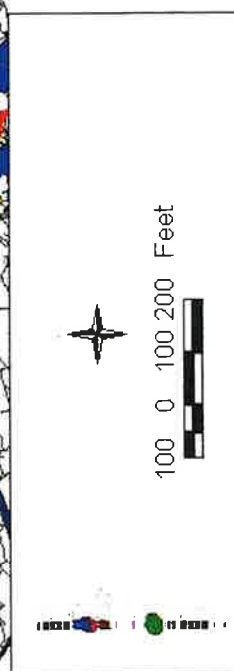
The future land map shown is what the subcommittee agreed what may be the future land use within the LAMTPO study area.

As anticipated, the travel demand model illustrates that the existing corridors that are heavily traveled (11E, 25E, I-81, and SR343), that they will continue to be heavily traveled in the future as well, whether there are any improvements or not. These routes are also the main thoroughfares for commercial and industrial businesses. The area with the most congestion will be W Andrew Johnson Highway/ Broadway St (11E/ SR34). By building a reliever/ access road that parallels this in Morristown, the existing roadway can be maintained, and congestion will be kept to a minimal. By implementing traffic signal coordination in Jefferson City as well as in Morristown, traffic will become more free-flowing on the main thoroughfare.





LAMTPO
Future Land Use



VII. Service Equity – Executive Order 12898 Cumulative Impacts; 42 USC 2000d et seq.; 49 CFR Part 21; 28 CFR Part 42, Subpart F; FTA C4702.1B. In the context of land use planning, cumulative impacts of the benefits and burdens (regional plan level), please address the following:

1. Describe to what extent the MPO coordinates with citizens and community-based agencies, groups and/or organizations in defining communities within the MPO's geographic area of responsibility in assessing potential benefits and impacts of transportation system investments, particularly related to traditionally under-served populations and other traditionally under-utilized populations.

LAMTPO, when doing a document, such as UPWP, TIP, or LRTP, always sends information out as shown in the Contact listing (attached), through either mail and/or email.

All LAMTPO meetings are open to the public.

LAMTPO participated in the Lakeway Transit Advisory Council meeting on August 7, 2023, and will continue to meet with them as scheduled.

LAMTPO staff is always open to meet with the general public or organizations to discuss transportation issues, concerns, etc. within the region.

Agency	Name	Address_1	Address_2	City_St_Zip
Carson Newman University	President	1646 S. Russell Ave		Jefferson City, TN 37760
Walters State Community College	President	500 S. Davy Crockett Pkwy		Morristown, TN 37813
Hamblen Co. Dept. of Education	Director	210 E. Morris Blvd		Morristown, TN 37813
Jefferson County Schools	Director	114 Gay St	PO Box 190	Dandridge, TN 37725
Social Security	Director	3112 Millers Point Dr		Morristown, TN 37813
Central Services	Director	2450 Old Hwy 25E		Morristown, TN 37813
Morristown-Hamblen Healthcare System	Director	908 W. 4th North St		Morristown, TN 37814
Jefferson County Chamber of Commerce	Director	532 Patriot Dr		Jefferson City, TN 37760
Jefferson County Chamber of Commerce	Director	PO Box 890		Dandridge, TN 37725
Morristown Area Chamber of Commerce	Director	825 W. 1st North St		Morristown, TN 37814
Jefferson City Library	Director	108 City Center DR		Jefferson City, TN 37760
Morristown-Hamblen Library	Director	417 W. Main St		Morristown, TN 37814
White Pine Library	Director	1708 Main St		White Pine, TN 37890
MATS	Director	733 W Main St		Morristown, TN 37814
Healthstar Physicians	Director	420 W. Morris Blvd		Morristown, TN 37813
Hamblen County EMS	Director	511 W. 2nd North St		Morristown, TN 37814
Hamblen County Health Dept.	Director	331 W. Main St.		Morristown, TN 37814
Veterans Service Center	Director	511 W. 2nd North St		Morristown, TN 37814
Hamblen County Human Services	Director	2416 W. Andrew Johnson Hwy		Morristown, TN 37814
TN Senior Benefits	Director	2351 E. Morris Blvd		Morristown, TN 37813
Childrens Services	Director	1077 E Morris Blvd		Morristown, TN 37813
Tennessee Technology Center	Director	821 W. Louise Ave		Morristown, TN 37813

Tennessee Community Assistance Corporation	Director	740 E. Main St		Morristown, Tn 37814
Jefferson County EMS	Director	581 W Old AJ Hwy		New Market, TN 37820
Jefferson County Health Dept.	Director	931 Industrial Park Rd		Dandridge, TN 37725
Jefferson City Senior Citizens Center	Director	807 W. Jefferson St		Jefferson City, TN 37760
Jefferson City Community Center	Director	1247 N Hwy 92		Jefferson City, TN 37760
Jefferson County Family Resource Center	Director	341 W. Broadway		Jefferson City, TN 37760
TENNOVA/ St. Mary's Hospital	Director	110 Hospital Dr		Jefferson City, TN 37760
Jefferson City Housing Authority	Director	942 E. Ellis St		Jefferson City, Tn 37760
Morristown Housing Authority	Director	600 Sulphur Springs Rd		Morristown, TN 37813
Morristown Senior Citizens Center	Director	841 Lincoln Ave		Morristown, TN 37813
Downtown Morristown	Director			
Douglas Cherokee Economic Authority	Director	534 E. 1st North St		Morristown, Tn 37814
ETHRA	Mike Patterson	9111 Cross Park Dr, Suite D-100		Knoxville, TN 37923
RPO N and S East Tennessee District	Don Brown		P. O. Box 249	Alcoa, TN 37701
ETDD	Director		P. O. Box 249	Alcoa, TN 37701
Darby House	Director	249 E. Broadway		Jefferson City, TN 37760
Regency Retirement Village	Director	739 E. 2nd North St		Morristown, TN 37814
TDOT - Title VI Program Regions I and II	Pamela Sharp	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT Civil Rights Division	Vince Malone, Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT Civil Rights Division	Cynthia Howard, Title VI Program Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243

TDOT Civil Rights Division	David Neese, Small Business Development Director	James K Polk Bldg, 18th Floor	505 Deaderick St,	Nashville, TN 37243
TDOT	Troy Ebbert	Region I	7345 Region Lane	Knoxville, TN 37914
TDOT	Mathew Cushing	James K Polk Bldg- Suite 1800	505 Deaderick St,	Nashville, TN 37243
TDOT, OCT	Michelle Christian	Region I	7345 Region Lane	Knoxville, TN 37914
City of Morristown	Tony Cox	100 W. 1st North St		Morristown, TN 37814
City of Jefferson City	James Gallup	P.O. Box 530		Jefferson City, TN 37760-0530
Town of White Pine	Public Works Director	1548 Main St,	PO Box 66	White Pine, TN 37890-0066
Knoxville TPO	Mike Conger	400 Main St, Suite 403		Knoxville, TN 37902
Knoxville TPO	Jeff Welch	400 Main St, Suite 403		Knoxville, TN 37902
Corps of Engineers, Memphis District	Commander	167 North Main Street		Memphis, TN 38002
US Fish and Wildlife Service	Field Supervisor	446 Neal Street		Cookeville, TN 38501
US EPA, Region 4	Regional Administrator		61 Forsyth Street	Atlanta, Georgia 30303
US EPA, Region 4	EPA Director		61 Forsyth Street	Atlanta, Georgia 30303
Regional NEPA Coordinator	NEPA Coordinator	Sam Nunn Atlanta Federal Center	61 Forsyth Street, SW	Atlanta, GA 30303-8960
Tennessee Valley Authority	Director	400 West Summit Hill Drive		Knoxville, TN 37902-1499
National Park Service	Ms. Pat Hooks, Regional Director	100 Alabama Street SW	1924 Building	Atlanta, GA 30303
National Park Service	Philip Campbell, Unit Manager	PO Box 429	208 N. Maiden Street	Wartburg, TN 37887
National Park Service	Superintendent	Big South Fork National Recreation Area	4564 Leatherwood Road	Oneida TN 37841
National Park Service	Superintendent	Stones River National Battlefield	3501 Old Nashville Hwy	Murfreesboro, TN 37129
National Park Service	Asst. Superintendent	Great Smoky Mountains National Park	107 Park Headquarters Road	Gallatinburg, TN 37738

National Park Service	Asst. Superintendent	Natchez Trace Parkway	2680 Natchez Trace Parkway	Tupelo, MS 38804
USDA Forest Service	Regional Forester	Region 8 (Southern Region)	1720 Peachtree Road NW	Atlanta, GA 30309
USDA Forest Service	Director	Cherokee National Forest	2800 N. Ocoee St	Cleveland, TN 37312
USDA Forest Service	Director	100 Van Morgan Drive		Golden Pond, KY 42211
US Coast Guard	Rear Admiral	Hale Boggs Federal Building	500 Poydras Street	New Orleans, LA 70130
US Coast Guard	Bridge Administrator	1222 Spruce Street		St. Louis, MO 63103-2398
Tennessee Department of Environment and Conservation	Manager	711 RS Gass Blvd		Nashville, TN 37243
Tennessee Department of Environment and Conservation	Deputy Commissioner	711 RS Gass Blvd		Nashville, TN 37243
USDA	Director	367 Dr MLK Jr Pkwy		Morristown, TN 37813
FHWA	Director/ Planner	404 BNA Dr, Bldg 200, Suite 508		Nashville, TN 37217
FTA	Andres Ramirez	230 Peachtree Street NW Suite 800		Atlanta, GA 30303
FTA, Civil Rights	Carlos Gonzales/ Dee Foster	230 Peachtree Street NW Suite 800		Atlanta, GA 30303
Norfolk-Southern Railroad	Susan Terpay	Three Commercial Place		Norfolk, VA 23510-9217
Norfolk-Southern Railroad	Director	249 E Manley Court Circle		Morristown, TN 37814
TDEC Environmental Field Offices	Senior Director	3711 Middlebrook Pike		Knoxville, TN 37921
TDEC Parks and Conservation Operations	Assistant Commissioner	711 RS Gass Blvd		Nashville, TN 37243
Tennessee Wildlife Resources Agency	Executive Director	5107 Edmondson Pike		Nashville, TN 37211
Tennessee Wildlife Resources Agency	Director	3030 Wildlife Way		Morristown, TN 37814

Tennessee State Historic Preservation Office	Executive Director	Clover Bottom Mansion	2941 Lebanon Road	Nashville, TN 37243-0442
TDEC Air Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TDEC Land Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TDEC Water Resources	Senior Director	711 RS Gass Blvd		Nashville, TN 37243
TN NAACP	President	PO Box 14096		Knoxville, TN 37914
TN NAACP	President	PO Box 1878		Johnson City, TN 37601
TN NAACP	President	3307 Grandeur Way, Suite 1		Morristown, TN 37814
FHWA DBE	Joi Hamilton-Jones	404 BNA Dr, Bldg 200, Suite 508		Nashville, TN 37217
Hamblen County Democratic Party	Director	910 W Main St		Morristown, TN 37814
Hamblen County Republican Party	Director	4327 W Andrew Johnson Hwy Suite 5		Morristown TN 37814
Panther Creek SP	Director	2010 Panther Creek Rd		Morristown TN 37814
Hola Lakeway	Director	2450 S Cumberland St		Morristown TN 37813
Hispanic Chamber of Commerce of East TN	Director	PO Box 31552		Knoxville TN 37930

2. What specific criteria are used to determine which projects will be included in the Transportation Improvement Program (TIP)?

See attached TIP Process

3. How is the distribution of impacts to socioeconomic and/or ethnic minorities identified and measured?

Staff uses GIS data to show where the projects to occur, and to see if it will have any impact to any groups of people. Generally the projects that are to be done occur within the existing right-of-ways, thus the amount of impact to anyone or anything is minimal.

Staff also uses GIS information to help determine where the best fixed route public transportation services will be, and how that can help give better mobility to low income or disabled people.

4. How does the MPO collect and utilize transit data?

Collect data every year, working with ETHRA and Lakeway Transit, try to determine the origin and destination trips.

Staff also uses GIS information to help determine where additional bus stops along the existing three (3) fixed bus route services will be, and how that can help give better mobility to low income or disabled people.

For MPOs that are providers of fixed route public transportation service (50 + peak vehicles): **Not applicable.**

SECTION 4. DEVELOPMENT OF THE TIP

TIP Process

At the LAMTPO annual meetings for the Technical Advisory Committee (TAC) and the Executive Board in October 2020 and in October 2021, staff requested for any projects to be submitted for the FFY2023-2026 TIP, as well as projects for the Metropolitan Transportation Plan (MTP) and the Unified Planning Work Program (UPWP). The request for projects was also posted on the www.lamtpo.com website, as well as advertised in local newspapers.

Projects were submitted by the five (5) governing entities of LAMTPO (Morristown, Jefferson City, White Pine, Hamblen and Jefferson Counties). It should be noted that the general public did not submit and proposed transportation projects, or give any feedback on the projects submitted by the local agencies. LAMTPO staff worked with the East Tennessee Human Resource Agency (ETHRA) in developing public transportation projects for the FFY2023-2026 TIP. Staff reviewed the projects submitted to make sure that they are consistent with the goals, policies and objectives as set by the Executive Board and the TAC, and that they are part of the current LRTP, and are consistent with ADA transition plans. Staff reviewed the project costs to make sure that the TIP will be financially constrained, that is, you cannot spend more money than what you have. Since all of the projects submitted can be financially supported, LAMTPO staff met with each local agency to determine when they expect the project to move towards the construction phase. From this information, staff developed an excel spreadsheet outlining the costs for the various projects to determine what years can be funded for PE-NEPA, PE-Design, ROW (if needed), and then construction phases. Generally it takes at least 2-years before a project can move into the construction phase. The project spreadsheet lists all projects submitted, which listed the funding type(s) used, the amount of funding for each phase of the project, as well as the amount of federal, state and local funds to be used for each project. Staff presented the project spreadsheet to the TAC and Executive Board, which they approved the listing as submitted.

From the approved project listing, staff developed the FFY2023-2026 TIP. It should be noted that all projects submitted will be financially constrained, using surface transportation block grant (STBG)-local funds. If the proposed expenditures for the projects did not meet the financial constraints, then the TAC and Executive Board would rank the projects using the scoresheets as shown in Appendix E.

In addition to the local governing agencies project submittals, TDOT submitted a list of projects separately to LAMTPO that will be funded by the various federal and state sources. The projects from this list were ranked by the LAMTPO TAC and the Executive Board, to be included in this TIP. These projects are consistent with the 2044 MTP, and the State Implementation Plan (SIP), as well as other state and federal requirements.

Staff informed the TAC subcommittee which projects would qualify for CMAQ (Congestion Mitigation and Air Quality) funding, or some other type of funding besides local and surface transportation block grant (STBG) funds. It shall be noted that the CMAQ funding is controlled

by TDOT. The Knoxville TPO (Transportation Planning Organization) will do the air quality conformity analysis and ranking (for counties in the East Tennessee Development District (ETDD)) to determine if a project qualifies for CMAQ funding. The Knoxville TPO and LAMTPO have a Memorandum of Agreement (MOA) to work closely together to improve the air quality in East Tennessee. It should be noted that after July 20, 2013, Jefferson County, and the cities within Jefferson County, **were not** listed as a non-attainment county by the EPA under the 2008 and 2015 ozone standards. They are still maintenance areas and will be eligible to apply for CMAQ funding.

The main goals for LAMTPO are to increase safety and improve traffic flow within the LAMTPO metropolitan planning area. Safety will be enhanced for motorists, as well as pedestrian traffic, by installing LED (light emitting diode) traffic signals which are brighter and more visible, as well as improving high traffic volume intersections by adding turn lanes, signalization, pedestrian crossings, etc. Repaving/ road rehabilitation of urban collector or higher functional classification of streets will improve traffic flow and safety within the LAMTPO region.

LAMTPO staff consulted with the local agencies planning staff and by using countywide GIS shapefiles to determine existing land use and projected land use. By mapping out the locations of the proposed projects with respect to existing and future land uses, staff can:

1. Provide maps for the LAMTPO TAC and Executive Board, as well as general public, for better visualization of where the federal and/or state funds are being spent;
2. Predict with more accuracy the transportation demand modeling (TDM) for the LAMTPO MPA, thus seeing where congestion may or may not occur within the LAMTPO region, and
3. Notify local agencies if any environmental mitigation may need to take place.

Once a draft has been completed, it is reviewed by TDOT for 30 business days, and then reviewed by FHWA/FTA for 20 business days. After comments have been addressed and the draft has been finalized, it is advertised for public comment review. The TIP development process and procedures for public participation are outlined in tables 4.1 and 4.2, respectively. This information is taken from the LAMTPO Public Participation Plan, adopted in September 2018.

Table 4.1. TIP Development Process.

Development of the TIP	Process
Advertisement	Advertise for the TAC and Executive Board meetings (in English and Spanish)
Start-up process	Staff will inform to the TAC and Executive Board, at their respective meetings, when staff will start the development of the TIP (usually at the annual meeting(s)). Staff will request for any projects to be included in the TIP (<i>proposed projects must be within the current 2045 MTP</i>).

	<p>LAMTPO staff will contact each local agency separately for their proposed project lists. TDOT will be contacted as well for their proposed projects within the LAMTPO region to be included in the TIP.</p> <p>Any individual or interested party can request for a project to be included in the TIP, however that information will be forwarded to the local agency for their decision if the proposed request is a top priority for them. The request must be submitted to:</p> <p style="padding-left: 40px;">MTPO Coordinator 100 W 1st N St Morristown, TN 37814 richd@mymorristown.com 423-581-6277</p> <p>Staff requests project submittals to be within 30 days.</p>
Completion of Project Listing	<p>Once staff has compiled the proposed projects (with cost estimates) from each of the entities, staff will determine if all projects are able to be in the TIP due to financial constraint. If a project or projects need to be taken out, then staff will inform the TAC and Executive Board that the projects will need to be ranked and voted on to determine the final project listing.</p> <p>If an individual or interested party had requested a project to be included in the TIP, they will be informed whether or not if the proposed request is within the draft TIP.</p>
Travel Demand Modeling and Air Quality	Once the project list is completed, it is forwarded to the Knoxville TPO and TDOT for Travel Demand Modeling (TDM) and Air Quality modeling (if needed)
1st Draft of TIP	Once the 1 st draft is completed, it is sent to the local agencies for their review, as well as sent to TDOT for their initial review and comments
2nd Draft of TIP	LAMTPO will analyze and revise TIP document based on comments received from local agencies and TDOT, if any, and will be sent back for TDOT's concurrence. If approved, TDOT will request a clean draft to send to FHWA and FTA for their review process.
3rd Draft of TIP	Staff will analyze and revise TIP document based on comments received from FHWA and FTA; and will send it back to TDOT for concurrence. If approved by TDOT, it is forwarded back to FHWA and FTA for their concurrence of approval.
Final Draft of TIP	Once approval and concurrence from TDOT, FHWA and FTA, the TIP is now available for the public comment/ public hearing/ approval process.

Once a draft document has been given approval and concurrence from TDOT, FHWA, and FTA, then it can go through the public comment period for final approval. The table below outlines the TIP Public Comment Guideline (from the LAMTPO Public Participation Plan).

Table 4.2. TIP Public Comment Guideline

Activity	Technique(s)
Draft Document for Public Comment	Available online at www.lamtpo.com , and at the LAMTPO staff office (100 W 1st N St, Morristown TN 37816-1499)
Comment Opportunities	Public Participation can occur by: <ol style="list-style-type: none"> 1. Public meetings 2. Phone (423-581-6277) 3. Fax (423-585-4679) 4. Email (richd@mymorristown.com) 5. In person 6. By mail to the LAMTPO staff office 7. During regular scheduled meetings of the TAC or Executive Board 8. During public meetings held specifically for the TIP(if any)
Public Comment Period	Minimum of 14 days , prior to adoption for updates and amendments. The public comment period begins with public notice. <i>If there are significant changes to the final draft LRTP (MTP) or TIP from the one made available for public comment, an additional opportunity will be provided for public comment on the revised changes. LAMTPO staff shall check with TDOT, FHWA, and/or FTA to determine if changes are significant and warrant additional opportunity for public comments.</i>
Public Meeting(s) Specifically for the TIP	Public meeting(s) to be held during the public comment period. At least one meeting will be held in each county (Hamblen and Jefferson).
Public Notice for the Executive Board's Adoption of the TIP	Published a minimum of ten (10) calendar days prior to the public meeting/hearing. This will be done by advertisements, emails, mailings, and posted on the www.lamtpo.com website.
Amendment Notice	Amendments to the TIP will follow the same public review process and procedures as that of TIP adoption.
Summary of Comments Received	A public comment summary will be made available to members of the Executive Board prior to the meeting for the TIP adoption/ amendment. Written and verbal comments are summarized and incorporated into the final document. If significant changes are made after addressing the comments, an additional opportunity for public comment will be provided.
Final Adopted Document	The final, adopted TIP document will be available on the www.lamtpo.com website and at the LAMTPO staff office.

TIP amendment/ modification process

A **TIP amendment** is a revision to the TIP that involves major changes to a project or the overall program and must meet the requirements of 23 CFR 450.216 and 450.326 regarding public review and comment, re-demonstration of fiscal constraint, and transportation conformity. An amendment is required when changes to the STIP/TIP include:

- A major change in the total project cost (see Table 4-3 on page 4-6); or
- Adding a new project or deleting a project from the TIP; or
- A major change of project scope; examples include, but are not limited to, changing the number of through-lanes, adding/deleting non-motorized facilities, changing mode (e.g., rolling stock or facility type for transit), changing capital category (i.e., transit funding), or changing termini; or
- Any change requiring a new regional air quality conformity finding, where applicable (including a grouping).

Amendment Documentation and Authorization

The TIP may be amended at any time, but amendments require federal approval and redetermination of TIP fiscal constraint and air quality conformity, where applicable. TDOT will review each amendment and submit the amendment to the appropriate Federal Agency. The federal agencies will review and respond to a formal written request for amendment approval from TDOT within 10 business days of receipt.

A **TIP administrative modifications** is a minor change from the approved TIP. Administrative modifications must be consistent with 23 CFR 450, but they do not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination in nonattainment or maintenance areas. TIP administrative modifications are defined as follows:

- A minor change in the total project cost (see Table 4-3 on page 4-6)
- A minor change in project description that does not change the air quality conformity finding in maintenance and/or non-attainment areas; or
- A minor change in project description/termini that is for clarification and does not change the project scope; or
- Shifting funds between projects within a TIP (i.e., funding sources and projects already identified in the TIP) if the change does not result in a cost increase greater than the amendment threshold (see Table 4-3 on page 4-6) for the total project cost of all phases shown within the approved TIP; or
- Adding an amount of funds already identified in the STIP/TIP for the current or previous year(s) if:
 - The funds are currently identified in the STIP/TIP either in an existing project or as available funds and

- The change does not result in a cost increase greater than the amendment threshold (see Table 4-3 on page 4-6) for the total project cost of all phases shown within the approved TIP; or
- Moving projects from year to year within an approved TIP, except those that cross air quality horizon years; or
- Adding a prior phase, such as environmental or location study, preliminary engineering or right-of-way, to a project in the TIP so long as such a change does not result in a cost increase greater than the amendment threshold (see Table 4-3 on page 4-6) for the total project cost of all phases shown within the approved TIP; or
- Changes required to follow FHWA or FTA instructions as to the withdrawal of funds or reestablishment of funds withdrawn at the request of FHWA or FTA; or
- Moving funds between similarly labeled groupings, regardless of percent of change; or
- Adjustments in revenue to match actual revenue receipts.

Administrative Modification Documentation and Authorization Procedures:

Administrative modifications do not require federal approval. Modifications made to TDOT-sponsored projects in the TIP will be made by TDOT with notification to the MPO upon submission of the modification to FHWA/FTA. The MPO will make the changes to funding tables, and project sheets as needed without the need for distribution.

Documentation:

TDOT will send the following documentation to the MPO:

- a. Electronic correspondence describing the action taken and
- b. A copy of the original and adjusted STIP pages.

Project Cost Change Thresholds:

For changes to the cost of projects (excluding groupings), a sliding scale is outlined to determine which category of revision is required. All measurements for these cost changes will be made from the last approved TIP or TIP amendment/administrative modifications to account for incremental changes.

Table 4-3. Project Cost Change Thresholds for TIP Amendments or Administrative Modifications

Total project cost of all phases shown within the approved TIP	Amendment	Administrative modifications
Up to \$2 million	≥5%	< 75%
\$2 million to \$15 million	≥50%	< 50%
\$15 million to \$75 million	≥40%	<40%
\$75 million and above	≥30%	<30%

Once staff receives a request for a TIP amendment/ modification either from a local jurisdiction or through TDOT, LAMTPO staff determines if the change is an amendment or modification. If an official amendment is warranted, LAMTPO will advertise the TIP change on its website and in the local newspapers for public comment at the TAC and Executive Board meetings. If the amendment is approved, staff will then forward the TIP to TDOT to have it included into the STIP. If there is an objection, either by the general public, or by the TAC or Executive Board, LAMTPO staff will respond to the objections in writing regarding the comments and send to the TAC, Executive Board, and/or to the person that made the objection before the amendment or modification is presented for approval. If the change is a modification, LAMTPO will provide TDOT with the appropriate documentation to make the modification and TDOT will forward it onto FHWA/FTA.

Requests concerning these changes must come from the Tennessee Department of Transportation (TDOT) in writing. The implementing jurisdiction or agency and the staff of the MTPO must concur in the need for the change and in its likely beneficial effect on the implementation of the project. The LAMTPO Executive Board at its February 15, 2019 meeting had approved a Memorandum of Agreement (MOA) with TDOT that included the TIP amendment/ modification process.

Project Groupings:

The use of project groupings is permitted under 23 CFR 450.324 (f) for projects in an MPO's TIP. Projects that are funded by such groupings are to be of a scale small enough not to warrant individual identification and may be grouped by function, work type, and/or geographic area using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. Project groupings may only include projects that meet the following conditions: non-regionally significant, environmentally neutral, and exempt from air quality conformity.

The TIP will include a description of all grouping categories, eligible activities, and sufficient financial information to demonstrate the projects that are to be implemented using current and/or reasonably available revenues. All projects located within an MPO area must be included in the MPO TIP, including those projects that are eligible for grouping. Therefore, projects eligible for groupings that are located within the MPO planning area may be grouped within the MPO TIP or listed individually in the MPO TIP. Individual projects or project groupings that are outside of the MPO planning area will be listed in the Tennessee Rural Planning Organization (RPO) STIP (state transportation improvement program). There are 3 east Tennessee RPOs, which are the First Tennessee RPO, the East Tennessee RPO-North, and the East Tennessee RPO-South. All projects whether included in a grouping or not that cross the MPO boundary and include an area outside of the MPO boundary will be listed in the TIP only.

Cost Overruns

The LAMTPO TAC and Executive Board unanimously approved that if a transportation project shall have any cost over-runs, then that project's sponsoring governing entity shall be responsible for any cost over-runs.

Consultation with Interested Parties

LAMTPO will provide notice of upcoming public review meetings or review periods being held on the draft and final documents of the UPWP, the MTP, and the TIP. Notice will be provided to known interested parties:

1. Public transportation employees
2. Local transit representatives
3. Freight shippers
4. Providers of freight transportation services
5. Private providers of transportation
6. Users of public transportation
7. Users of pedestrian walkways and bicycle facilities
8. Disabled
9. Elderly
10. Low-income
11. Limited English-speaking populations
12. Minorities or traditionally underserved communities
13. Providers of non-emergency transportation services receiving financial assistance from a source other than title 49, U.S.C., Chapter 53.

MTP and/or TIP Project Amendments that are:

- (1) regionally significant, and/or
- (2) an air quality non-exempt projects (within Jefferson County) will require consultation with interested parties and other appropriate public review activities. If a project within Jefferson County requires a LRTP and/or TIP amendment, then an air quality conformity determination analysis may be required as well, as determined by the interagency consultation process.

Consultation with Federal, State and Local Agencies

In developing the MTP and TIP, the LAMTPO staff shall consult, as appropriate, with local and regional agencies and officials responsible for other planning activities within the LAMTPO metropolitan planning area. This consultation shall include, as appropriate, contacts with regional, local and private agencies responsible for planned growth, economic development, environmental protection, airport operations, freight movements, land use management, natural resources, conservation and historic preservation.

An increased emphasis is placed on consultation with resource agencies responsible for natural resource management and historic preservation. The Tennessee Department of Transportation (TDOT) took the lead in establishing consultation procedures, and the LAMTPO staff will

contact federal and state agencies using the agreed upon process. Formal coordination with these agencies will help to identify effective mitigation strategies for potential impacts of projects included in the LAMTPO's Long Range Transportation Plan (LRTP).

TDOT's Consultation Procedure

Each state and federal agency on the attached list (*Appendix D*) was sent a letter asking them to supply TDOT with all available conservation plans, maps, and inventories of natural and historic resources, as well as a list of potential areas in which to carry out environmental mitigation activities, if available and appropriate. Appropriate mitigation strategies for these areas were also requested. Additionally, each agency was also asked to provide TDOT copies of any ongoing updates and additions to those materials.

The Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), and the Long Range Transportation Plan (LRTP) and shall be developed with due consideration of other related planning activities within the LAMTPO metropolitan planning area, including the design and delivery of transportation services within the area that are provided by:

- Recipients of assistance under title 49, U.S.C., Chapter 53;
- Governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation service; and
- Recipients of assistance under 23 U.S.C. 204.

Interagency agreements and/or coordination will be maintained between LAMTPO and other local and regional agencies such as the Knoxville TPO, East Tennessee North Rural Planning Organization (RPO), East Tennessee South RPO, First Tennessee RPO, and the East Tennessee Development District (ETDD). The agreements will describe LAMTPO's role and responsibility in relation to the other agencies' work.

The LAMTPO Public Participation Plan (PPP) was first developed by LAMTPO staff and the governing agencies of LAMTPO. It was then sent to the various agencies (*Appendix D*), via mail and/or email to review and make any suggestions, or comments. The various agencies have two weeks to send in any comments or suggestions for the PPP. The comments shall be taken into consideration to be included in the PPP. Once this process was done, and LAMTPO staff had responded back to the agencies comments and/or suggestions, then the PPP will have a 45-day public review period before it is actually adopted by the LAMTPO Executive Board.

Please note that the most current PPP was adopted by the LAMTPO Executive Board on September 26, 2018.