

Transportation Planning Certification Review – 2014 Recommendations

RI Division of Planning responses are underlined

Every four years, the Federal Highway Administration and the Federal Transit Administration conduct a formal certification review of all transportation management areas (an urbanized area with a population over 200,000). The purpose of this review is to formalize the continuing oversight and day-to-day evaluation of the planning process and ensure that all applicable federal regulations are satisfactorily implemented. It is also a valuable opportunity to exchange ideas for enhancing the planning process and improving the quality of transportation investment decisions.

The most recent certification of the Providence Transportation Management Area took place in 2014. This certification resulted in no corrective actions and several recommendations and commendations. The commendations included:

1. **MPO Organizational Structure:** The MPO includes a wide variety of stakeholders and interest groups as full voting members on its board.
2. **Intermodal Transportation Coordination:** Transit signal prioritization efforts have allowed RIPTA to improve service along the R-Line rapid bus route while reducing the number of vehicles needed on the route. This effort represents a best practice for cost-effectively improving transit service, and it is worth investigating whether this model is viable along other transit corridors as well.
3. **Livability & Sustainability:** As a coastal region facing the impacts of climate change, the MPO is commended for their ongoing climate change resiliency transportation planning activities.

The recommendations, which are all addressed in this work program, included:

1. **MPO Organizational Structure:** The MPO should maximize transparency by documenting the process by which MPO board committee members are selected, and by making this document available on their website. This process is outlined in the State Planning Council Rules and Standards.
2. **Agreements and Contracts:** The MPO should update their MOU to provide more detail and to make it MAP-21 compliant in 2015. The MOU should reflect the new cooperative efforts that have been established through staff efforts. The DOP, RIDOT, and RIPTA are seeking completion of the Tri-Party Agreement per Project 5.1 – Metropolitan Planning Process Tri-Party Agreement of the 2018 UPWP.
3. **Agreements and Contracts:** The MPO should develop a single, detailed MOU detailing the respective roles of RISPP, RIPTA, and RIDOT in the planning process. In particular, this MOU should include a description of the various partners' responsibilities in developing the UPWP. The DOP, RIDOT, and RIPTA are seeking completion of the Tri-Party Agreement per Project 5.1 – Metropolitan Planning Process Tri-Party Agreement of the 2018 UPWP.
4. **Unified Planning Work Program:** Going forward, the MPO should continue to work with FHWA and FTA to ensure that the UPWP contains sufficient detail and information to allow those agencies to confidently make a determination of project eligibility for planning funding, and to demonstrate that each work item has a clear transportation nexus. In the case of interdisciplinary planning activities with both transportation and non-transportation elements, the UPWP should break down the tasks and expenses to the

level of detail necessary to separate eligible activities from ineligible activities. Starting in FY 15, DOP completely reformatted the UPWP in response to this concern and specific guidance provided by FHWA and FTA. The new format now provides an overview of Rhode Island's interconnected planning process and detailed descriptions that attempt to further highlight pertinent transportation nexuses. DOP continues to coordinate with FHWA and FTA on an ongoing basis to ensure that the UPWP contains sufficient detail to determine project eligibility.

5. Metropolitan Transportation Plan (MTP): The MPO should perform a full update of the metropolitan transportation plan during its next update cycle, to ensure that the plan reflects any changing demographics and transportation priorities in the region. The DOP recently completed an Interim LRTP 2037 and is awaiting approval from FHWA and FTA. In addition, DOP is in the process of completing a full update to the LRTP 2040 pursuant to Project 10.1 – Long Range Transportation Plan of the 2018 UPWP.
6. Financial Planning: The MPO should work with RIDOT to improve planning level cost estimates, especially for large projects, concentrating on keeping them up to date in the MTP and TIP. The DOP coordinated with RIDOT and RIPTA to complete the FFY 2018-2027 Transportation Improvement Program in December 2017 which includes detailed level cost estimates. DOP is currently awaiting approval from FHWA and FTA.
7. Air Quality Conformity: The MPO should continue preparing for possible revised non-attainment status by maintaining and improving air quality analysis and modeling efforts. The TMA remains in attainment; however the MPO continues to plan for the future such as tracking the federally required performance measures, having LRTP2040 address air quality, developing the Bicycle Master Plan which will positively impact air quality..
8. TIP Development & Project Selection: The MPO should continue its development of an interactive GIS based STIP tool and to incorporate these efforts to the greatest extent possible with efforts to develop an STIP system. The DOP completed an interactive TIP web viewer for the FFY2017-2025 TIP (<http://ridoa.maps.arcgis.com/home/item.html?id=303a595023804d52832717e1f393444>) A revised STIP Map Viewer for FFY 2018-2027 STIP is currently being completed to include all projects. The viewer includes project information including TIP ID number, TIP Program, status, and funding details.
9. Public Outreach and Public Involvement: The MPO should review and revise the Public Participation Guide, where appropriate, to reflect the most current information and analysis. It should also reflect practices to facilitate compliance with 23 Code of Federal Regulations (CFR) 450.316 and the SPC's Standards and Rules. The Public Participation Plan was updated on March 9, 2017 and was approved by FHWA and FTA.
10. Public Outreach and Public Involvement: As the MPO relies heavily on external resources for handling requests for auxiliary aids and services to allow the deaf/ hard-of-hearing, and visually impaired to participate in public forums, the MPO should interview Mr. James Pitassi, the Rhode Island Department of Administration's Point of Contact for ADA Accommodations, to ensure that sufficient services can be made available within three (3) business days. The protocols for procuring those services should also be reviewed. We also recommend that the MPO's Title VI Coordinator speak with the appropriate person managing the State's Master Price Agreement for Language Interpretation/Translation services to validate the three-day lead time for procuring on-site interpreters for public meetings/hearings. Based on this review, the public notices for

the State Planning Council, Technical Committee, Transportation Advisory Committee and RIGIS – Executive Committee have all been updated to uniform language. See Project 17.4 Translations Services from UPWP 2016. Thomas Mannock, Ph.D is now the contact for accommodations.

11. Title VI Civil Rights & Non-Discrimination - Notification to Beneficiaries and Complaint Procedures: Given the broad applicability of Title VI and the related statutes to transportation planning, the MPO should provide a direct link for “Civil Rights” from the MPO’s home page (Statewide Planning). The Translation Services contact person information should be moved to the Statewide Planning page. The Policy should be revised to fully comply with 49 CFR 21.9(d), Appendix C to Part 21, and FTA Circular 4702.1B. Specifically, the MPO should give examples of the type of discrimination prohibited by Title VI, as it relates to planning. A statement about how to request additional information should also be provided. Having only a summary of the policy on the MPO’s website is acceptable; however, in this case, a link to a more comprehensive policy (or notice to beneficiaries) would be appropriate. Where the protections under the Title VI (race, color, national origin (Including LEP) are stated, the MPO should also recognize the related statutes that prohibit discrimination on the bases of sex, age, and disability. (These additional protections should be distinguished from those afforded under Title VI.). These changes have been incorporated into the Division of Planning website.
12. Title VI Civil Rights & Non-Discrimination - Notification to Beneficiaries and Complaint Procedures: With regard to providing documents in languages other than English, the existing language should be revised for clarity. To ensure compliance with Section 508 of the Rehabilitation Act of 1973, the MPO should make its program documents available in plain text or HTML. These changes have been incorporated into the Division of Planning website.
13. Title VI Civil Rights & Non-Discrimination - Notification to Beneficiaries and Complaint Procedures: The MPO should recognize within its complaint procedures that complaints in languages other than English may be submitted and reasonable accommodations will be provided for impaired individuals. We offer the following sample language: “Complaints may be accepted in languages other than English. Individuals with physically or sensory impairments requiring assistance in filing a complaint should contact”. These changes have been incorporated into the Division of Planning website.
14. Title VI Civil Rights & Non-Discrimination - Notification to Beneficiaries and Complaint Procedures: The MPO should remove “Religion” and “Familial status” from its form and process, unless covered by a State equivalent statute that prohibits discrimination in public programs. Reference to “retaliation” should also be removed. We also note that the internal version of the Title VI/Nondiscrimination complaint process should be revised to cover complaints on the basis of sex (gender) and age to be consistent with the relevant nondiscrimination statutes. Currently, the language in this procedure states, “A written statement of the complaint, including the following details: (b) Basis of complaint (i.e., race, color, national origin or language, disability, familial status, or retaliation). These changes have been incorporated.
15. Title VI Civil Rights & Non-Discrimination - Data Collection and Analysis: The MPO’s data collection and analyses should be more consistent in its consideration of all groups

protected under Title VI and the related statutes. We encourage the MPO to continue its monitoring of program equity, while using a metric that examines program benefits received by Title VI populations as compared to non-Title VI Populations. The DOP incorporated this into an Equity Benefit Analysis in conjunction with the FFY 2017-2025 and FFY 2018-2027 STIP.

16. Title VI Civil Rights & Non-Discrimination - Data Collection and Analysis: Consistent with the recommendations above and to expand the protections afforded under the related nondiscrimination statutes, we note that data collection and analysis should not be limited to “minority and low-income.” As indicated above, the related statutes prohibiting discrimination in federally assisted programs provide protections on the basis of disability, age, and sex (gender). The DOP incorporated this into an Equity Benefit Analysis in conjunction with the FFY 2017-2025 and FFY 2018-2027 STIP.
17. Title VI Civil Rights & Non-Discrimination - Disadvantaged Business Enterprises (DBE): The MPO should review its procedures relative to DBE participation on consultant contracts. Specifically, the MPO should coordinate with Vanessa Crum, RIDOT DBE Liaison Officer, to identify the pertinent Federal-aid civil rights provisions and to establish procedures for determining how and when contract goals will be established. The MPO should also report to RI DOT the total value of its United States Department of Transportation (USDOT)-assisted contracts, as well as the value of work assigned to and performed by DBEs as part of these contracts. RIDOT requires these figures in its semi-annual reports submitted to FHWA and FTA, where applicable. A formal contracting document has been created to guide all staff members in complying with the Title VI and DBE requirements. See also Project Sheet 17.3 – Disadvantaged Business Enterprise Reporting from the UPWP 2016. Kelly Caesar and Richard Sparks are now the DBE Liaison Office contacts.
18. Integrating Freight in the Transportation Planning Process: The MPO should formalize the current freight working group as a standing State Freight Advisory Committee, and expand its membership beyond the public sector to incorporate private sector, academia, and appropriate intermodal stakeholders. The Freight and Goods Movement Plan was approved by FHWA on July 21, 2017. The Freight Advisory Committee has been formed and includes members from the private sector, academia, government and a variety of other stakeholders related to freight movement.
19. Integrating Freight in the Transportation Planning Process: The MPO should update its Public Participation Plan to officially incorporate intermodal private sector freight perspectives. The current Public Participation Plan identifies freight focus groups as well as identifies freight shippers and transportation services as being regularly involved in transportation planning including membership on the Transportation Advisory Committee.
20. Intermodal Transportation Coordination: RIPTA should work with MBTA to pursue fare integration, so that customers traveling to, from, and within Rhode Island can experience a more seamless multimodal transportation system. RIPTA has awarded the fare upgrade and are currently working on implementation per Project Sheet 6.3 – Fare Payment Planning from the 2016 UPWP. The new fare collection system will integrate with MBTA which will be available in Summer 2019.
21. Environmental Justice and LEP: The analysis and plan should be revised to reflect the above observations. Specifically, the MPO should: 1) Provide more cost analysis and

information to justify why key or vital document translations should only be in Spanish, whereas the populations of other LEP language groups exceed 1,000; 2) Identify the specific resources and how those resources will be procured, including any budget identified in the UPWP; and 3) Develop a timeline for completing the steps identified in its four-factor analysis and implementation plan. See Project Sheet 17.2 - Title VI and Limited English Proficiency Plan Implementation and Project Sheet 17.4 – Translation Services of the 2016 UPWP. The DOP has funding available to translate documents into any language upon request as well as for interpreter requests. The DOP has an account with interpreter service with an MPA listed vendor. DOP developed an annual report summarizing translation and interpretation requests. In addition, the website uses Google Translate to translate our website to many languages.

22. Visualization Techniques: The MPO should continually review and implement improvements to its website to improve transparency and accessibility for members of the public. Transportation documents should be visually engaging, and grouped together in a prominent location. The MPO should look for opportunities to link to websites that may be of interest to its visitors, such as those of the transit operators and jurisdictions. In addition, the MPO should request that transportation providers and decision makers link to its website to increase awareness of the MPO and its role in regional transportation decisions. Finally, the MPO should consider new ways to communicate its committee structures, and processes and how the committee operates. This could include maps illustrating the representatives for various areas and a chart depicting the organizational structure. DOP worked with the Office of Digital Excellence to update the website to make it compliant with ADA standards including for the visually impaired. For instance, the website is compatible with screen readers. The website links to transportation providers such as RIPTA and RIDOT, legislators as well as municipalities. The website also has links to the State Planning Council and its committees and describes their role, members, and links to the SPC Rules and Standards. The website also includes staff listings including phone numbers and email addresses.