

RESOLUTION NO. 2-01

**A JOINT RESOLUTION OF THE COUNTY OF MESA AND THE CITY OF GRAND
JUNCTION CONCERNING THE SIGNING OF THE FISCAL YEAR 2001
CONSOLIDATED PLANNING GRANT CERTIFICATIONS AND ASSURANCES**

WHEREAS, The City and County have been designated by the Governor as the Metropolitan Planning Organization for the Grand Junction/Mesa County Urbanized Area; and

WHEREAS, Part 2 of Article 1 of Title 29, Colorado Revised Statutes authorizes the parties to contract with one another to make the most efficient and effective use of their powers and responsibilities; and

WHEREAS, The City and County realize the importance of both short and long range planning in the development of an efficient transportation system, and are both aware that it is the responsibility of the Metropolitan Planning Organization to perform those planning functions; and

WHEREAS, The City and County, in their performance of those planning functions for the Urbanized Area, wish to use Federal Highway Administration and Federal Transit Administration transportation planning funds in coordination with the Colorado Department of Transportation;

**NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY OF MESA, COLORADO AND THE CITY
COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:**

That the Fiscal Year 2001 Consolidated Planning Grant Certifications and Assurances, hereunto attached, was approved for signature by the Board of County Commissioners of the County of Mesa, Colorado on January 8, 2001 and by the City Council of the City of Grand Junction, Colorado on January 3, 2001.

CITY OF GRAND JUNCTION

COUNTY OF MESA

/s/ Gene Kinsey
Mayor
Grand Junction City Council

/s/ Doralyn B. Genova
Chair of the Board
Mesa County Board of Commissioners

3rd day of January, 2001

8th day of January, 2001

Attest:

Attest:

/s/ Stephanie Nye
City Clerk

/s/ Monika Todd
County Clerk

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Cliff Davidson, Administrator, hereby certify on behalf of the Grand Junction/Mesa County Metropolitan Planning Organization 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 any 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.
2. If any funds other than Federal 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 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 instructions.
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 is 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 Section 1352, Title 31, U.S. Code.

Executed this 9th day of January, 2001.

/s/ Cliff Davidson
Cliff Davidson, Administrator
Grand Junction/Mesa County Metropolitan Planning Organization

STATEMENT CERTIFYING
The Urban Transportation Planning Process
In the Grand Junction Urbanized Area
By the

Grand Junction/Mesa County Metropolitan Planning Organization
and the
State of Colorado

This statement establishes certification of the Urban Transportation Planning Process in the Grand Junction Urbanized Area by the Grand Junction/Mesa County Metropolitan Planning Organization, as the designated Metropolitan Planning Organization, and the State of Colorado as required under Title 23, Section 450.334 United States Code of Federal Regulations (US CFR). The planning process addresses the major issues facing the region, includes all federally required activities, and is being conducted in accordance with all applicable federal laws and regulations.

Section 134 of Title 23 and Section 5303 of Title 49, US CFR, address the continuing, cooperative, and comprehensive metropolitan transportation planning process. MPO responsibilities under the metropolitan transportation planning process include development of a long-range transportation plan, a transportation improvement program (TIP), a Unified Planning Work Program (UPWP), and a congestion management system (for TMAs) in cooperation with the State and in accordance with applicable requirements of:

- (1) Section 134 of 23 U.S.C., Sections 5303-5306 and 5323(k) of the Federal Transit Act (Title 49 U.S.C.) and Subpart C of 23 CFR 450, Metropolitan Transportation Planning and Programming;
- (2) Sections 174 and 176(c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506(c) and (d));
- (3) Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by the State of Colorado under 23 U.S.C. 324 and 29 U.S.C. 794;
- (4) Section 1101 of the Transportation Equity Act for the 21st Century (Public Law 105-178) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded planning projects (Sec. 105(f), Public Law 97-242, 96 Stat. 2100; 49 CFR Part 23);
- (5) Americans with Disabilities Act of 1990 (Public Law 101-336, 42 U.S.C. 12101 et. seq., as amended) and U.S. DOT regulations "Transportation for Individuals with Disabilities" (49 CFR parts 27, 37 and 38);
- (6) Older Americans Act, as amended (42 U.S.C. 6101); and
- (7) The provisions of 49 CFR part 20 regarding restrictions on influencing certain Federal activities.

The Grand Junction/Mesa County Metropolitan Planning Organization has been designated by the Governor of the State of Colorado to carry out urban transportation planning and programming responsibilities mandated by the U.S. Department of Transportation (USDOT). These responsibilities include preparation of a long-range (20 to 25 years) transportation plan and transportation improvement program (TIP) and accomplishing other planning activities as required of urban areas by Federal legislation. The organization formally designated to serve as the Metropolitan Planning Organization (MPO) is the Mesa County Regional Transportation Planning Office (RTPO) and the Transportation Policy Advisory Committee (TPAC) whose membership includes elected officials from Mesa County, the City of Grand Junction; and representatives of the Colorado Department of Transportation (CDOT), Federal Highway Administration, and the Colorado Department of Health and Environment. The geographic area addressed by the MPO's Urban Transportation Planning Program includes the City of Grand Junction and portions of Mesa County surrounding the City of Grand Junction's city boundaries.

The MPO provides citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties with reasonable notice and provides them an opportunity to comment on the proposed plans and programs. The GJ/MC MPO has prepared a Public Involvement Plan for the Regional Transportation Planning Process that addresses these requirements. The Public Involvement Plan explicitly considers the requirements of the Civil Rights Act of 1964 in addressing the involvement of minorities in the transportation planning and programming processes.

The Grand Junction/Mesa County Metropolitan Planning Organization (GJ/MC MPO) maintains a Memorandum of Agreement with the Mesa County and the City of Grand Junction. This agreement specifies planning tasks with regard to transportation planning activities and service provision to be carried out by the respective parties. This MOA, dated 1984, is in the process of being revised and is expected to be signed by the parties by the end of fiscal year 2001.

Mesa County, in cooperation with the Grand Junction/Mesa County Metropolitan Planning Organization, has prepared Americans with Disabilities Act (ADA) and Disadvantaged Business Enterprise (DBE) Plans. The City of Grand Junction, Mesa County, Fruita, and Palisade adopted a Transit Development Plan in 1998. These plans address the requirements of federal DBE regulations and the provision of fixed-route transit service, ADA paratransit, and transportation services by human service providers in the Grand Junction Urbanizing area.

Ongoing GJ/MC MPO activities consistent with Title VI of the Civil Rights Act, citizen involvement, and coordination of transportation services for elderly persons and persons with disabilities are:

1. Periodic meetings of the Paratransit Coordination Committee (PCC), a citizens group consisting of persons representing a variety of disabled citizens' interests;

2. Weekly meetings of the RTPO staff and Grand Valley Transit (GVT) personnel;
3. Monthly Transportation Policy Advisory Committee (TPAC) and Transportation Technical Advisory Committee (TTAC) meetings open to the public; and
4. Annual review and update of the Public Involvement Plan for transportation planning activities.

The Grand Junction Urbanizing Area has not been designated a maintenance area for carbon monoxide. As such, the RTPO, the Federal Highway Administration, the Federal Transit Administration and the U.S. Environmental Protection Agency have determined the region's long-range transportation plans and transportation improvement programs are in conformity with the Clean Air Act Amendments of 1990 and does not require a Carbon Monoxide Maintenance Plan for the Grand Junction Urbanizing Area.

The GJ/MC MPO adopted its fiscally constrained, conforming 2020 Regional Transportation Plan (RTP) in November, 1999, and approved the latest fiscally constrained, conforming Transportation Improvement Program on May 10, 2000. Amendments to the TIP are considered on a regular basis and are reviewed by GJ/MC MPO, Colorado Department of Transportation (CDOT), Federal Highway Administration (FhWA), and Federal Transit Administration (FTA) staffs. Both the 2020 RTP and the TIP address the provision of multi-modal transportation facilities and services. The 2020 RTP contains a Congestion Management System Plan. Plans and programs prepared by GJ/MC MPO are developed through an extensive, interactive public review process.

The GJ/MC MPO as the Metropolitan Planning Organization for the Grand Junction Urbanizing Area, and the State of Colorado certify that the urban transportation planning process is conducted in accordance with the metropolitan transportation planning process set forth in Section 134, Title 23 and Section 5303, Title 49, U.S.C. The GJ/MC MPO and the State of Colorado certify that the metropolitan transportation planning process complies with Title VI of the Civil Rights Act, is consistent with applicable provisions of the Americans With Disabilities Act, and meets conformity with the requirements of the Clean Air Act Amendments of 1990.

/s/ Cliff Davidson
Cliff Davidson, Administrator
Grand Junction/Mesa County
Metropolitan Planning Organization

1/9/2001
Date

Thomas E. Norton, Executive Director
Colorado Department of Transportation

Date

GRAND JUNCTION/MESA COUNTY
METROPOLITAN PLANNING ORGANIZATION
ANNUAL TITLE VI ASSURANCES

1. There have been no lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the Grand Junction/Mesa County Metropolitan Planning Organization (GJ/MC MPO) within the last year, July 1, 1999, through June 30, 2000.
2. There are no pending applications to any federal agency by the GJ/MC MPO other than to the FTA.
3. There were no civil rights compliance reviews performed on the GJ/MC MPO by any local, state, or federal agency during the period July 1, 1999, through June 30, 2000.
4. Title VI will be enforced by the GJ/MC MPO for all contractors. All contracts with the GJ/MC MPO include compliance measures that, in effect, state that failure to comply with Title VI requirements will result in termination of the contract. A copy of the standard contract language regarding Title VI is attached.

Dated: 1/9/2001

/s/ Cliff Davidson_____

Cliff Davidson, Administrator

Grand Junction/Mesa County Metropolitan Planning Organization

COMPLIANCE WITH TITLE VI REQUIREMENT LAWS

Contractor shall comply with all applicable laws, rules, regulations, and ordinances of federal, state and local government authorities having jurisdiction over Contractor or any of the contract work, or activities carried out in the name of or on behalf of the Mesa County Metropolitan Planning Organization (GJ/MC MPO). Contractor shall obtain, at its own expense, all permits, licenses and equipment required of it by such authorities to enable Contractor to engage in the contract work. Without limiting the foregoing, Contractor, for itself, its permitted assignees and successors, agrees as follows:

- a. Compliance with Regulations - Contract will comply with the Regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations Part 21, hereinafter referred to as the Regulation, which are herein incorporated by reference and made a part of this Agreement.)
- b. Nondiscrimination – contractor, with regard to the work and services performed by it after award and prior to completion of the contract work, will not discriminate on the grounds of race, color, national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. Contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.
- c. Solicitations of Subcontractors Including Procurement of Materials and Equipment – in all solicitations, either by competitive bidding or negotiation, made by Contractor for work or services to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this Contract and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.
- d. Information and Reports – Contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities to the authorized representative of GJ/MC MPO as may be determined by GJ/MC MPO to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the same, Contractor shall so certify to GJ/MC MPO and shall set forth what efforts it has made to obtain the information.

- e. Incorporation of Provisions – Contractor will include the provisions this Section 19a through 19f in every permitted subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations order, or instructions issued pursuant thereto. Contractor will take such action with respect to any subcontract procurement as GJ/MC MPO may direct as a means of enforcing such provisions including sanctions for noncompliance provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, Contractor may request the GJ/MC MPO to enter into such litigation to protect the interests of the GJ/MC MPO, and in addition, Contractor may request the United States to enter into such litigation to protect the interests of the United States. Sanctions for Noncompliance – in the event of the Contractor’s noncompliance with the nondiscrimination provisions of the Contract, the GJ/MC MPO shall use such Contract sanctions as it may determine to be appropriate, including but not limited to:
1. withholding of payments to the Contractor under the Contract, until the Contractor complies, and/or
 2. Cancellation, termination, or suspension of the Contract, in whole or part.
- f. Contractor agrees to indemnify and save harmless the GJ/MC MPO, its officers, directors, employees, agents and representatives from and against any and all liability, penalties, costs and expenses due to Contractor’s failure to comply with any of the requirements of this Section 19, and to defend, at its expense, against all lawsuits and actions or proceedings resulting from any such failure to which the above agreement to indemnify pertains.