

RESOLUTION #22-5

RESOLUTION OF CAPITAL DISTRICT TRANSPORTATION COMMITTEE CERTIFYING THE METROPOLITAN TRANSPORTATION PLANNING PROCESS IN THE CAPITAL DISTRICT IS IN CONFORMANCE WITH FEDERAL REQUIREMENTS

WHEREAS, the Capital District Transportation Committee has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible for the comprehensive, continuing, and cooperative transportation planning process for the four-county metropolitan planning area of Albany, Rensselaer, Saratoga, and Schenectady counties, except the Town of Moreau and the Village of South Glens Falls, as required by Title 23, U.S.C. Section 134, Title 49 U.S.C. Section 5303 and 23 CFR Section 450; and,

WHEREAS, it is the responsibility of the Capital District Transportation Committee to ensure that the policy, planning, and programming process for the metropolitan planning area is consistent with applicable Federal (Title 23, U.S.C. Section 134, Title 49 U.S.C. Section 5303 and 23 CFR Section 450) and State Law, and is also consistent with local area objectives; and,

WHEREAS, the State and the MPO must now certify prior to Transportation Improvement Program submission, that the MPO planning process is being carried out in conformance with all applicable requirements of specific Federal Law; and,

WHEREAS, this Self-Certification is separate from the MPO Certification completed by the Federal Highway Administration and Federal Transit Administration, which was last conducted at CDTC in 2020; and,

NOW THEREFORE BE IT RESOLVED, that the Capital District Transportation Committee (CDTC) does hereby affirm that:

1. the CDTC's metropolitan transportation planning process includes activities to support the development and implementation of a transportation plan and TIP and subsequent project development activities including the environmental impact assessment process; and,
2. the CDTC's planning process is consistent with Federal Laws, Acts, and Regulations pertaining to involvement of any affected public transportation operator; and,
3. any problem identified through this certification review or FHWA's Program Management Review will be addressed by the appropriate CDTC member agencies; and,

BE IT FURTHER RESOLVED, that the CDTC does hereby certify that the CDTC planning process is being carried out in conformance with all applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart; and,
2. In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93; and,
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21; and,
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity; and,
5. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects; and,
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts; and,
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38; and,
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance; and,
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and,
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities; and,
11. Super Circular Reference - 2 CFR Part 200; and,
12. All other applicable provision of Federal law.

BE IT FURTHER RESOLVED, that the CDTC does hereby request that New York State join this affirmation and certification and forward this joint State and MPO finding to both the Federal Highway Administration and the Federal Transit Administration.

Kathy M. Sheehan for

Kathy M. Sheehan
Mayor, City of Albany
Chair, Capital District Transportation Committee

September 1, 2022