



North Front Range
**Metropolitan
Planning
Organization**

Title VI Plan

Adopted: May 1, 2025



North Front Range
**Metropolitan
Planning
Organization**

TITLE VI PLAN

Prepared by:

NFRMPO

419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

with assistance from

Colorado Department of Transportation

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Adopted May 2025

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Placeholder for Council Resolution



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Background

General Organization

The North Front Range Transportation and Air Quality Planning Council (NFRT&AQPC), doing business as the North Front Range Metropolitan Planning Organization (NFRMPO), was established in 1988 with responsibility for transportation planning within the region. The NFRMPO is comprised of 15 member governments (Berthoud, Eaton, Evans, Fort Collins, Garden City, Greeley, LaSalle, Loveland, Johnstown, Milliken, Severance, Timnath, Windsor, Larimer County, and Weld County) covering 675 square miles and working on behalf of the region's approximately 540,000 residents as of 2023.

Federal regulations require a metropolitan planning organization (MPO) be designated to carry out a comprehensive, continuous, and coordinated transportation planning process for urbanized areas with a population of 50,000 or more. The NFRMPO is a federally designated transportation planning organization and state-designated air quality planning agency. The NFRMPO does not own any facilities.

The NFRMPO's objective is to provide the information, tools, and to receive public input needed for improving the regional transportation system's performance. The NFRMPO engages in cooperative decision-making through working relationship and financial partnerships with and among the member governments, the Colorado Transportation Commission, Colorado Department of Transportation (CDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the Colorado Department of Public Health and the Environment (CDPHE).

The NFRMPO has three primary program areas: Transportation Planning, Mobility, and VanGo™. Transportation Planning is mostly funded with FHWA funding and is involved with the allocation of FHWA funds, Mobility receives FTA funds, while VanGo™ does not directly receive any federal funds. The Transportation Planning Team develops and maintains the Regional Transportation Plan (RTP), Transportation Improvement Program (TIP), and Public Involvement Plan (PIP). The Transportation Planning Team also facilitates the NFRMPO Planning Council's selection of projects to receive FHWA funds through CDOT from the Congestion Mitigation and Air Quality Improvement (CMAQ) Program, Surface Transportation Block Grant (STBG) Program, and the Transportation Alternatives (TA) Program. Non-discrimination in Transportation Planning is ensured through the following strategies:

- Include low-income and minority populations in the planning process by providing a mix of public comment opportunities including public meetings, online tools, and face-to-face interaction at a variety of community events throughout the region.
- Ensure transportation investments do not disproportionately deny benefits or burden lower socio-economic populations by reviewing impacts of each project proposed for funding.
- Train staff on non-discrimination and civil rights via the following online courses offered by the Colorado Intergovernmental Risk Sharing Agency (CIRSA):
 - Preventing Discrimination
 - Uncovering Implicit Bias
 - Civil Rights Training Webinar

Potential discrimination in the selection of projects to receive FHWA funding is identified through a Demographic and Environmental analysis, which examines adverse impacts (burdens) and benefits for

project beneficiaries and ensures disproportionately high and adverse human health or environmental impacts on minority populations and/or low-income populations are addressed. Potential discrimination is also identified through the complaint process.

As part of the transportation planning process, the NFRMPO collects and analyzes demographic maps including HUD-defined low-income areas, Hispanic/Latino Minority Populations, and Minority Populations at the Census Tract level. As part of the *2022 Public Involvement Plan*, demographic maps were created at the Census Block Group level.

Mobility receives FTA funds and develops and maintains the Coordinated Public Transit/Human Service Transportation Plan (Coordinated Plan). The Mobility Team also coordinates mobility throughout the region through RideNoCo.

The VanGo™ program does not currently directly receive any federal funds, though it has in the past and may again in the future. Non-discrimination is ensured through annual staff training on non-discrimination and civil rights via online CIRSA courses including Preventing Discrimination, Uncovering Implicit Bias, and Civil Rights Training Webinar.

VanGo™ Vanpool Services

The VanGo™ program, created by the City of Fort Collins in 1994, provides alternative commuter transportation to address the rapid population growth and the resulting burden on the region's transportation systems. The goal of the VanGo™ program is to serve the North Front Range area through the provision of quality and competitively priced vanpool services as an alternative to single occupant vehicle commuting for the purpose of reducing traffic congestion and air pollution, while supporting the growth of new transit and enhancing labor force access for businesses.

The VanGo™ program currently operates 47 routes with over 300 participants. The primary commuter-shed is the I-25 corridor between Fort Collins and Denver, with additional routes traveling the US85 and US287 corridors, respectively. The VanGo™ program commuter service is open to the public; however, participants must be 18 or older per CIRSA insurance requirements for commuter vans. In addition, participants must be 25 years or older, with a clean driving record, to become an approved driver.

Coordinated Public Transit/Human Services Transportation Plan

Federal transportation legislation in 2005 mandated that *"a plan be developed through a process that includes public and private sector representation along with nonprofit transportation and human services providers"* to improve coordination of transportation services. The NFRMPO developed a plan for both Larimer and Weld counties to ensure a consistent and integrated approach across the region. The planning process included setting goals, identifying outcomes, developing strategies and building a family of transportation services. The two plans, which outline the goals and strategies of the mobility coordination program, are combined in one document. The NFRMPO Coordinated Transit /Human Services Transportation Plan can be found by following the link to mobility coordination at <http://nfrmpo.org/mobility/>.

Mobility Coordination in Northern Colorado: RideNoCo

Culminating years of planning efforts by members of the Larimer County and Weld County Mobility Committees and other stakeholders, the NFRMPO Planning Council voted in early 2020 to establish a One Call/One Click Center within the NFRMPO to improve access and mobility for older adults, individuals with disabilities, and the broader community throughout Larimer and Weld counties. This Center, now known as RideNoCo, is the centerpiece of the NFRMPO's mobility coordination efforts.

RideNoCo facilitates greater coordination among transportation providers in the region through various activities and resources such as convening the Larimer County and Weld County Mobility Committees, operating a Call Center and website (www.ridenoco.org), producing and distributing Rider's Guides highlighting available transportation options, and implementing additional tools to serve riders and transportation providers through the recently launched trip planning tool and trip scheduling platform.

NFRMPO Title VI Coordination and Administration

Title VI compliance is ongoing and falls under the duties of NFRMPO staff, which includes, but is not limited to, activities such as reporting, data collection, and providing technical assistance to sub-recipients by supplying information (posters, guidelines, and compliance requirements) and direct access to the NFRMPO's Title VI Coordinator.

Strategies to engage and include underserved populations (including individuals with limited English proficiency) in the transportation planning and grant awards processes are outlined in the NFRMPO's *2022 Public Involvement Plan*, which is included as **Appendix D**. Outreach to underserved groups is also addressed in the NFRMPO Regional Transportation Plan (RTP); the most current RTP is available online at <http://nfrmpo.org/rtp/>.

The NFRMPO will consider these populations planning activities according to the Federal legislation noted above. Furthermore, to involve and assist under-represented and underserved populations, the NFRMPO will adhere to the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and subsequent guidance from Moving Ahead for Progress in the 21st Century Act (MAP-21), Fixing America's Surface Transit Act (FAST Act), and the Infrastructure Investment and Jobs Act (IIJA), as it is developed within the transportation planning process. The *2022 Public Involvement Plan* (PIP) was adopted by the NFRMPO Planning Council on December 1, 2022, and is included in **Appendix D**.

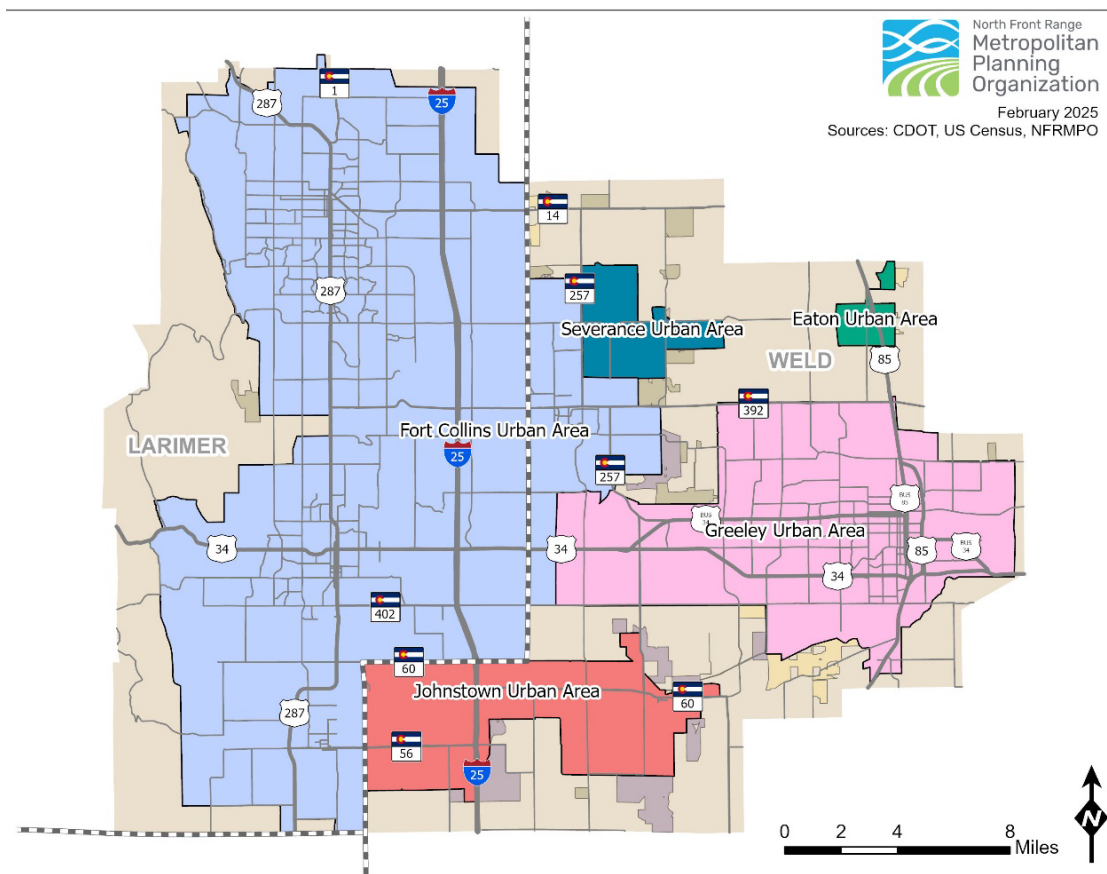
The NFRMPO will make every effort to hold public meetings in facilities that are Americans with Disabilities Act (ADA) compliant and arrange for reasonable accessibility and accommodation for persons with disabilities. Further, to provide equally effective communication, upon request (at least 72-hours in advance), the NFRMPO will make accommodations, when appropriate, for a person or persons requiring assistance, such as the hearing or visually impaired.

The NFRMPO will assist persons with limited English proficiency (LEP) to participate in the transportation planning process. Upon request, Staff will make every effort to provide translators and document translation where feasible. Elderly persons or zero-car households who are unable to attend meetings may request information from the NFRMPO and have the requested materials delivered to their residence. NFRMPO staff is willing to speak with groups to eliminate barriers to participation and to involve the region's residents in the transportation planning process.

Demographic Profile

The NFRMPO region is comprised of one Transportation Management Area (TMA) and four Urbanized Areas (UZA). The Fort Collins TMA includes the majority of Berthoud, Fort Collins, Loveland, and Windsor. The Greeley UZA includes the majority of Evans, Garden City, and Greeley. There are three more small UZAs for the areas around Eaton, Johnstown and Severance. These are shown in **Figure 1**.

Figure 1: NFRMPO Region



Legend

Boundaries

County Boundary

NFRMPO Planning Area

Census Urban Areas

Eaton Urban Area

Fort Collins Urban Area

Greeley Urban Area

Johnstown Urban Area

Severance Urban Area

The region's demographic make-up is shown in **Table 1**, while characteristics of the region's population are shown in **Table 2**.

Table 1: NFRMPO Demographic Information

	Larimer County		Weld County	
	Estimate	Percent	Estimate	Percent
Total	363,561	100%	340,711	100%
White	305,591	84.1%	258,936	76.0%
Black or African American	3,680	1.0%	4,937	1.4%
American Indian/Alaska Native	2,210	0.6%	3,344	1.0%
Asian	7,675	2.1%	5,672	1.7%
Native Hawaiian and Other Pacific Islander	329	0.1%	347	0.1%
Some other race	9,403	2.6%	25,321	7.4%
Two or more races	34,673	9.5%	42,154	12.4%

Source: 2019-2023 American Community Survey 5-Year Estimates

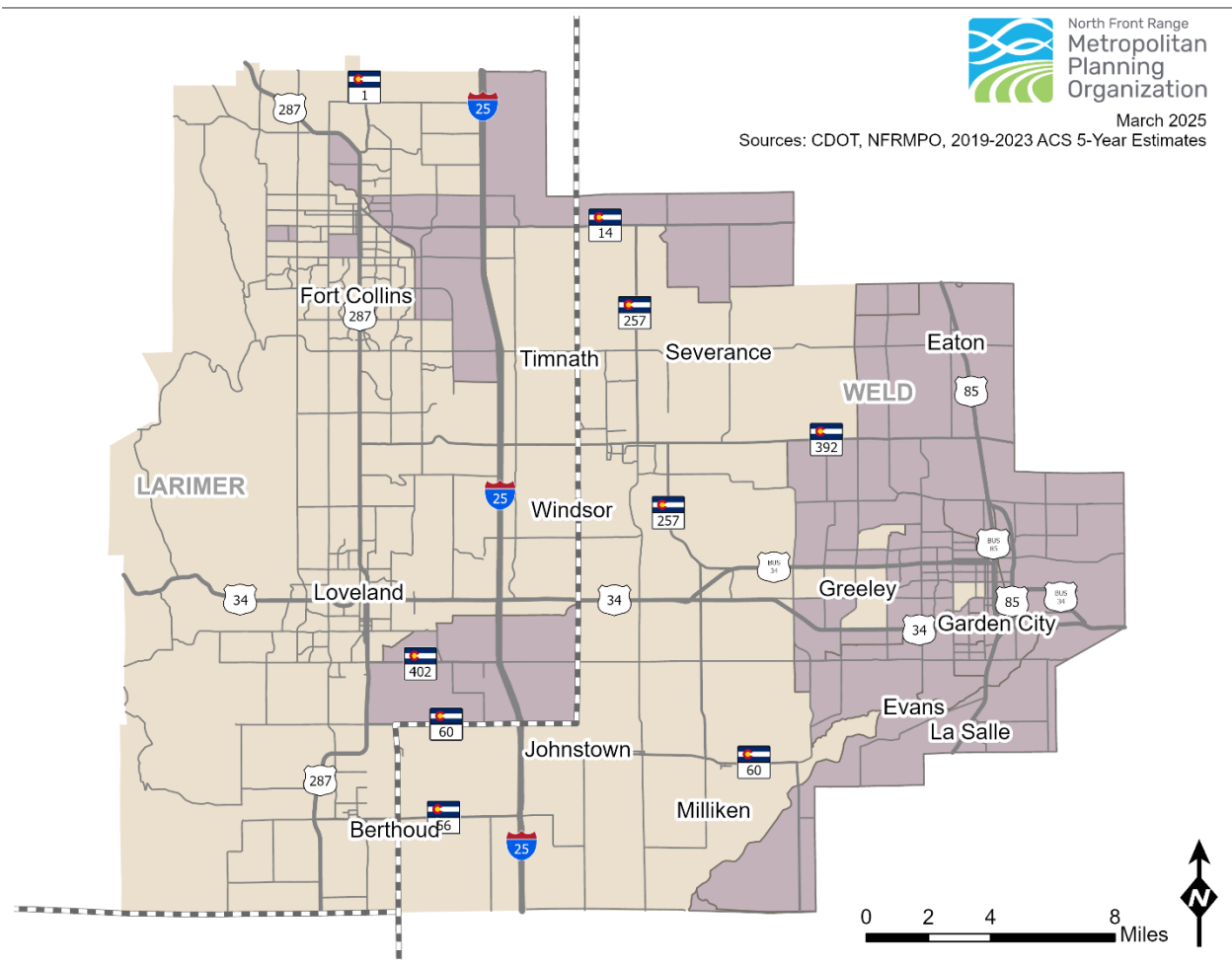
Table 2: NFRMPO Regional Demographic Characteristics

	Older Adult (60+)	LEP Persons*	Low-Income Persons	Minority Population	Persons with a Disability*	Zero-Vehicle Households*
Larimer	22.6%	2.3%	19.6%	20.1%	10.3%	3.7%
Weld	18.2%	7.1%	16.9%	36.9%	11.3%	3.5%
NFRMPO Region	20.5%	4.4%	19.8%	27.7%	10.9%	3.9%

Source: 2019-2023 American Community Survey 5-Year Estimates

*The data for LEP Persons, Persons with a Disability, and Zero-Vehicle Households are percentages of households, not percentage of the population.

Figure 2: NFRMPO Minority Populations



Legend

Boundaries

-  County Boundary
-  NFRMPO Planning Area
-  Minority Census Tracts Above Regional Average

Census tracts north of Old Town Fort Collins, around CSU, along the US287 corridor in north Fort Collins, and along the N I-25 corridor in Fort Collins and Timnath and the southeast portion of Loveland/northwest portion of Johnstown are the predominant areas within Larimer County in the NFRMPO region with higher minority populations. In Weld County, the area northeast of SH257 and SH14, and areas surrounding Eaton, Greeley, Garden City, Evans, and LaSalle have higher minority populations.

The NFRMPO has a variety of procedures by which the mobility needs of minority populations are identified and considered within the transportation planning process. These include:

- **Coordinated Public Transit/Human Services Transportation Plan (Coordinated Plan)**

Preparation for the NFRMPO's *Coordinated Plan* included outreach to partner agencies and organizations which work closely with low-income and minority populations. Surveys were prepared in English and in Spanish, the predominant language other than English in the region.

- **Demographic & Environmental Impact Analysis (TIP)**

A Demographic & Environmental Impact analysis is completed with each new Transportation Improvement Program (TIP) and with TIP Amendments. In the *2022 Public Involvement Plan*, the NFRMPO updated this analysis to be at the Census Block Group level instead of the Census Tract level. By analyzing transportation projects at a smaller geographic level, the NFRMPO can ensure a more nuanced examination of need and impact. This process was updated for the TIP's analysis with adoption of the FY2024-2027 TIP.

- **Public Involvement Plan (PIP)**

As part of the 2022 PIP, the Equity Focus section and outreach to LEP and minority populations were expanded. Geographies were updated to be at the Census Block Group level, a smaller geography than Census Tracts. The NFRMPO has built partnerships with public and private organizations which work with minority and low-income populations. By working with these agencies and organizations, the NFRMPO can build on the trust that already exists between the organizations and the public. This allows for more conversational interactions, allowing the NFRMPO to get better feedback and input.

- **Community Advisory Committee (CAC)**

In 2021, the NFRMPO created a community advisory committee, made up of residents of a range of communities in the region, especially those that have typically been left out of the planning process, to get feedback throughout the transportation planning process. The CAC meets quarterly with the meetings held virtually.

- **General Outreach**

The NFRMPO attends events in as many local communities as possible to have conversations with all members of the public. By going to local events, the NFRMPO can have face-to-face interactions, ask questions, obtain feedback, and generally build a rapport with members of the public that cannot be done in an office setting. The input is then incorporated into the appropriate plans and programs.

General Assurance

The North Front Range Transportation and Air Quality Planning Council (NFRT&AQPC), doing business as the North Front Range Metropolitan Planning Organization (NFRMPO) HEREBY AGREES THAT, as a condition to receiving Federal financial assistance it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252 42 U.S.C. 2000d-42 U.S.C. 200d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1954 (hereinafter referred to as the Regulations) and other pertinent directives, that no person in the United States shall, on the grounds of race, color, national origin, gender, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by the subsection 21.7 (a) (1) of the Regulations, a copy of which is included as **Appendix A**.

Specific Assurances

Federal-aid Highway Program Assurance

More specifically and without limiting the above general assurance, the NFRMPO hereby gives the following specific assurances with its Federal-aid Highway Program.

1. The NFRMPO agrees that each “program” and each “facility” as defined in subsection 21.23(e) and 21.23(b) of the Regulations will be (with regard to a “program”) conducted or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. The NFRMPO requires that all contractors sign and agree to a professional services contract (see **Appendix F**) which explicitly outlines Title VI requirements and regulations.
3. That where the NFRMPO receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection within.
4. That where the NFRMPO receives Federal financial assistance in form or for the acquisition of real property or an interest in real property, the assurance shall extend to right to space on, over, or under such property.
5. That this assurance obligates the NFRMPO for the period during which Federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the NFRMPO or any transferee for the longer of the following periods:

- a) The period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b) The period during which the NFRMPO retains ownership or possession of the property.
- 6. The NFRMPO shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom they delegate specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.
- 7. NFRMPO agrees that the United States has right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

Federal Transit Administration Assurance

The North Front Range Transportation and Air Quality Planning Council (NFRT&AQPC), doing business as the North Front Range Metropolitan Planning Organization (NFRMPO) HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

- 1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
- 2. The NFRMPO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation (USDOT) Title VI regulation, 49 CFR Part 21.9.
- 3. The NFRMPO will make it known to the public that those person or person alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration (FTA) and/or the USDOT.

Certification

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the NFRMPO by the USDOT under the Federal-aid Highway Program/Federal Transit grant Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in the interest and other participants in these same Federal-aid programs. The person whose signature appears below is authorized to sign this assurance on behalf of NFRMPO.

DATED _____

North Front Range Metropolitan Planning Organization

By

Paul Sizemore
NFRMPO Executive Director

Anti-Harassment

The NFRMPO will not tolerate discriminatory harassment, including sexual harassment. This applies to harassment occurring in the workplace, whether on premises controlled by the NFRMPO or in any other related employment setting.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is either explicitly or implicitly made a term or condition of an employee's employment;
- submission to or rejection of such conduct is used as the basis for employment decisions affecting the employee;
- such conduct has the purpose or effect of substantially interfering with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Other unlawful harassment includes but is not limited to verbal or physical conduct that:

- criticizes, shows hostility or aversion toward an employee because of their race, color, gender, age, religion, national origin, sexual orientation, genetic information, disability, military status, or any other characteristic protected by law and which
- creates an intimidating, hostile, or offensive work environment, or
- has the purpose or effect of substantially interfering with an employee's work performance.

Anti-Violence Policy

The goal of the NFRMPO is to maintain a work environment free from intimidation, threats, bullying, or violent acts. This includes without limitation intimidating, threatening or hostile behaviors, physical abuse,

vandalism, arson, sabotage, use of weapons, or any other similar act, which, in management's opinion, is inappropriate to the workplace. In addition, threatening comments or behavior are not tolerated.

Anti-Retaliation

The NFRMPO prohibits retaliation against any employee for filing a complaint under this policy or for participating in a complaint investigation. If you believe there has been a violation of the Equal Employment Opportunity (EEO) or retaliation standard, follow the complaint procedure outlined below.

Conduct in violation of this policy is subject to disciplinary action, up to, and including termination of employment.

Complaint Procedure

If an employee believes there has been a violation of the EEO policy or harassment based on the protected classes as outlined above, they should use the following complaint procedure. The NFRMPO expects employees to make a timely complaint to enable the NFRMPO to investigate and correct any behavior that may be in violation of this policy.

The employee shall inform the NFRMPO of the violation by notifying the NFRMPO HR Consultant, their immediate supervisor, or the Executive Director, as the employee chooses. The notification may be in the form chosen by the employee; however, the employee is strongly encouraged to put the notification in writing.

No employee shall be subjected to reprisal or retaliation for making a notification of policy violation. The employee should report immediately any incidents of reprisal, retaliation, or harassment which occurs as a result of making such a notification in accordance with the complaint procedure outline above.

Upon notification, an investigation will be undertaken promptly following the notification, and corrective action will be taken. The employee filing the complaint will be notified of the results of the investigation.

To the extent practicable consistent with applicable law, complaints and investigations will be handled in a confidential manner.

- A.** As part of this Policy Statement, the NFRMPO adheres to the following objectives, which shall not be interpreted in any way to limit the general policy stated previously:

- (1) ADA Accommodation** - The NFRMPO will make reasonable accommodation under the Americans with Disabilities Act (ADA) for qualified individuals with disabilities, unless doing so would result in an undue hardship to the NFRMPO. This applies to all aspects of employment, including selection, job assignment, compensation, discipline, separation, and access to benefits and training.
- (2) Access for Persons with Limited English Proficiency**- Individuals who have a limited ability to read, write, speak, or understand English are considered limited English proficient (LEP). Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the NFRMPO. Ignoring LEP populations

may constitute discrimination on the basis of national origin. The NFRMPO shall seek to communicate with LEP populations and provide LEP individuals with meaningful access to NFRMPO programs and activities.

(3) Principles of Outreach - NFRMPO will meaningfully engage all sectors of the public, including low-income and minority populations, potentially affected by NFRMPO policies and programs. To help ensure the fair distribution of the benefits and burdens associated with NFRMPO programs and activities, NFRMPO will be guided by the following principles:

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

(4) Fair Competition for Federally-Funded Contracts - A Disadvantaged Business Enterprise ("DBE") is a business that is owned and controlled by a socially and/or economically disadvantaged individual or individuals. The NFRMPO is covered under the Colorado Department of Transportation (CDOT) DBE program. In accordance with CDOT's DBE program, it is the NFRMPO's policy:

- a. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
- b. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- c. To ensure that the DBE program is narrowly tailored in accordance with applicable law;
- d. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- e. To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
- f. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

DATED _____

North Front Range Metropolitan Planning Organization

By

Paul Sizemore

NFRMPO Executive Director

Notice to the Public

Notice To Beneficiaries of Protection Under Title VI

This notice is provided in compliance with 49 CFR Section 21.9 (d).

Non-Discrimination Notice

The North Front Range Metropolitan Planning Organization (NFRMPO) provides services and operates programs without regard to race, color, and national origin in compliance with Title VI. Members of the public may request additional information regarding the NFRMPO's non-discrimination obligations by requesting a copy of the NFRMPO's Title VI program.

Complaint Process

Any person who believes that they have been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with the NFRMPO within 180 days from the date of the alleged discrimination. Complaints may be filed in writing and should be addressed to:

North Front Range Metropolitan Planning Organization
Becky Karasko, Title VI Program Coordinator
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

The complaint should include the following information:

- Your name and address, and a telephone number where you may be reached during business hours;
- A general description of the person(s) or class of persons injured by the alleged discriminatory act(s);
- A description of the alleged discriminatory act(s) in sufficient detail to enable the Human Resources consultant to understand what occurred, when it occurred, and the basis of the alleged discrimination complaint (race, color, or national origin);
- The letter must be signed and dated by the person filing the complaint or by someone authorized to do so on his or her behalf.

The NFRMPO will use its best efforts to respond to a Title VI complaint within 90 calendar days of its receipt, provided all the relevant information is received at the time of the complaint. In instances where additional information is needed, the Title VI Program Coordinator will contact the complainant in writing. Failure of the complainant to provide the requested information by a certain date may result in a delay in resolution or closure of the complaint.

***For additional information on the MPO's nondiscrimination obligations,
please call the Title VI Coordinator at 970-289-8281.***

The Title VI Notice to Beneficiaries poster (Appendix F) is in the NFRMPO's front lobby and kitchen and is also posted at nfrmpo.org and www.VanGoVanpools.org. The posters are highly visible, and the front lobby and kitchen are fully accessible by the public.

Aviso A Beneficiarios De La Protección Bajo El Título Vi

Este aviso se provee en cumplimiento con el 49 CFR Sección 21.9 (d).

Aviso Antidiscriminatorio

El North Front Range Metropolitan Planning Organization (NFRMPO) provee servicios y opera programas sin considerar raza, color y nacionalidad de origen en cumplimiento con el Título VI. Los miembros del público pueden obtener información adicional sobre las obligaciones antidiscriminatorias del NFRMPO solicitando una copia del programa del Título VI del NFRMPO.

Proceso para Presentar Quejas

Cualquier persona que sienta que ha sido sujeto de discriminación bajo el Título VI en base a su raza, color o nacionalidad de origen puede presentar una queja bajo el Título VI con el NFRMPO dentro de ciento ochenta (180) días calendario a partir de la fecha de la presunta discriminación. Las quejas pueden presentarse por escrito y deberán ser enviadas a:

North Front Range Metropolitan Planning Organization
Title VI Program Coordinator
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

La queja deberá incluir la siguiente información:

- Su nombre y dirección y un número telefónico donde usted puede ser localizado durante horas laborales;
- Una descripción general de la(s) persona(s) o clase de personas perjudicadas por el presunto acto o actos discriminatorios;
- Una descripción del presunto acto o actos discriminatorios en suficiente detalle para permitir que el personal de Recursos Humanos entienda lo que ocurrió, cuando ocurrió y la base de la presunta queja de discriminación (raza, color o nacionalidad de origen);
- La carta deberá presentar firma y fecha en puño y letra de la persona que presenta la queja o de alguien con autorización para hacerlo en su nombre.

El North Front Range Metropolitan Planning Organization hará el mayor esfuerzo para responder a una queja de Título VI dentro de noventa (90) días calendario de haberla recibido, siempre y cuando toda la información relevante haya sido recibida en el momento en que se presentó la queja. En casos donde se requiere información adicional, el Coordinador del Programa del Título VI notificará por escrito a la persona que presentó la queja. Si la persona que presenta la queja no provee la información requerida antes de la fecha límite, esto podrá ocasionar la demora de la resolución de la queja.

***Para más información sobre las obligaciones antidiscriminatorias del NFRMPO,
por favor llame al Coordinador del Título VI al tel. 970-289-8289 ó envíe su correo electrónico a
bkarasko@nfrmpo.org.***

Complaint Instructions and Form

If an individual believes they have received discriminatory treatment by the NFRMPO on the basis of race, color or national origin, they have the right to file a complaint with the NFRMPO Title VI Coordinator. The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident.

The preferred method is for an individual to file the complaint in writing using the Title VI Complaint Form (**Appendix G**) and by mail or drop off in person to the address below. Complaints can also be filed via email to Becky Karasko, Title VI Coordinator, at bkarasko@nfrmpo.org.

Title VI Coordinator
North Front Range Metropolitan Planning Organization
419 Canyon Avenue, Suite 300
Fort Collins, Co 80521

Verbal complaints are accepted and transcribed by the Title VI Coordinator. To make a verbal complaint, an individual may call (970) 289-8289 and ask for the Title VI Coordinator.

Individuals also have the right to file a complaint with an external entity such as the Colorado Department of Transportation (CDOT), a federal or state agency, or a federal or state court.

Should a complaint be filed with the NFRMPO and an external entity simultaneously, the external complaint shall supersede the NFRMPO complaint and the NFRMPO's complaint procedures will be suspended pending the external entity's findings.

Investigations

Within 10 calendar days of receipt of the formal complaint, the Title VI Coordinator will notify the complainant and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigation will address complaints against any NFRMPO department(s) and/or persons.

The investigation may include discussion(s) of the complaint with all affected parties to determine the issue. The complainant may be represented by an attorney or other representative of his/her own choosing and may bring witnesses and present testimony and/or evidence in the course of the investigation.

The investigation will be conducted and completed within 60 calendar days of the receipt of the formal complaint.

Based upon all the information received, an investigation report will be written by the Title VI Coordinator for submittal to the Executive Director.

The complainant will receive a letter stating the final decision of the Executive Director by the end of the 60-day time limit.

The complainant shall be notified of his/her right to appeal the decision. Appeals may be made to the Department of Transportation, the Justice Department or to the agency responsible for Title VI and ADA complaints.

Record Keeping

Records of all Title VI-related complaints and investigations will be kept for 48 months. Records will include the date the complaint or investigation was filed, a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the NFRMPO or sub-recipient in response to the investigation, lawsuit, or complaint.

Si usted siente que ha recibido trato discriminatorio del NFRMPO en base a su raza, color o nacionalidad de origen, tiene el derecho de presentar una queja con el Coordinador del Título VI del NFRMPO. La queja deberá ser presentada a no más de 180 días calendario del presunto incidente discriminatorio.

El método preferido es que la queja se presente por escrito usando la Forma para Presentar Quejas de Título VI (**Apéndice G**) y ésta sea enviada por correo o entregada en persona en la dirección que se provee a continuación. También pueden presentarse quejas por correo electrónico enviándolas a Becky Karasko, Coordinador del Título VI, bkarasko@nfrmpo.org.

Title VI Coordinator
North Front Range Metropolitan Planning Organization
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

También tiene derecho a presentar una queja ante una entidad externa como el Departamento de Transporte de Colorado (CDOT), una agencia federal o estatal, o una corte federal o estatal.

Si se presenta una queja simultáneamente ante el NFRMPO y una entidad externa, la queja externa tendrá prioridad sobre la queja del NFRMPO y se suspenderá el proceso de quejas del NFRMPO en espera de los resultados de la investigación de la entidad externa.

Investigaciones

Dentro de diez (10) días calendario de haber recibido la queja oficial, el Coordinador del Título VI notificará al demandante e iniciará una investigación (a menos que la queja haya sido presentada ante una entidad externa de manera simultánea). La investigación atenderá las quejas contra cualquier departamento y/o persona(s) del NFRMPO.

La investigación puede incluir discusiones de la queja con todas las partes afectadas para determinar el problema. El demandante puede ser representado por un abogado o cualquier otro representante que éste elija y puede traer testigos y presentar testimonio y evidencia durante el transcurso de la investigación.

La investigación se llevará acabo y será completada dentro de sesenta (60) días calendario desde que fue recibida la queja oficial.

Basándose en toda la información recibida, el Coordinador del Título VI escribirá un reporte de la investigación y éste será entregado al Director Ejecutivo.

El demandante recibirá una carta anunciando la decisión final del Director Ejecutivo al fin del límite de los sesenta (60) días.

Se notificará al demandante de su derecho de apelar la decisión. Las apelaciones pueden presentarse ante el Departamento de Transporte de Colorado (CDOT), el Departamento de Justicia o la agencia responsable de las quejas de Título VI y ADA.

Archivos

Los archivos de todas las quejas e investigaciones relacionadas al Título VI se mantendrán durante cuarenta y ocho (48) meses. Estos archivos incluirán la fecha en que se presentó la queja o la investigación, un resumen de las alegaciones; el estatus de la investigación, demanda, o queja; y las acciones tomadas por el NFRMPO o el sub-beneficiario en respuesta a la investigación, demanda o queja.

Title VI Complaints, Investigations and Lawsuits

As of March 31, 2025, no lawsuits or complaints have been filed with the NFRMPO, and there are no Title VI investigations being conducted by the FTA or any other entities.

Planning and Advisory Boards

The NFRMPO reports to a policy board known as the Planning Council. The NFRMPO Planning Council is the forum for cooperative decision-making on transportation related matters. This 17-member Council is comprised of elected officials from local member governments and representatives from the Colorado Department of Public Health and the Environment's (CDPHE) Air Pollution Control Division (APCD) as well as the Colorado Department of Transportation (CDOT) – Transportation Commission. As of March 2025, the NFRMPO Planning Council is comprised of six females (35 percent) and 11 males (65 percent).

NFRMPO Planning Council Representation

- | | |
|-------------------------|--|
| 1. Town of Berthoud | 10. City of Loveland |
| 2. Town of Eaton | 11. Town of Milliken |
| 3. City of Evans | 12. Town of Severance |
| 4. City of Fort Collins | 13. Town of Timnath |
| 5. City of Greeley | 14. Weld County |
| 6. Town of Garden City | 15. Town of Windsor |
| 7. Town of Johnstown | 16. Colorado Department of Public Health and the Environment - Air
Pollution Control Division |
| 8. Larimer County | 17. Colorado Department of Transportation –
Transportation Commission |
| 9. Town of LaSalle | |

The NFRMPO Planning Council provides policy guidance and direction for the metropolitan transportation planning process.

Planning Council: The Planning Council is made up of elected officials from each member community as well as a representative from both the Colorado TC and the Colorado Department of Public Health & Environment (CDPHE) Air Pollution Control Division (APCD). Each member community selects one representative and an alternate to represent them on the Planning Council.

Regular Planning Council meetings are held in a hybrid format the first Thursday of the month from 6:00 - 8:30 p.m., preceded by dinner for the in-person portion of the meeting at 5:30 p.m. The meeting location rotates among communities in the region and is posted on the NFRMPO [website calendar](#), with the virtual portion is accessible through the NFRMPO's GoToMeeting account. Meetings and agenda items are generally noticed the Saturday prior to the meeting in three regional newspapers: the *Coloradoan*, the *Greeley Tribune*, and the *Loveland Reporter-Herald*. Council [meeting packets](#) and agendas are posted on the [NFRMPO website](#) and distributed through a listserv, 10 business days prior to each regular meeting. The public is welcome to join the listserv by emailing staff@nfrmpo.org. Meeting materials are printed and available at each meeting location with the date and location of the next meeting printed on the agenda. [Meeting minutes](#) are posted on the website immediately following their approval at the subsequent Council meeting. Opportunity for public comment is provided at the beginning of every NFRMPO Council meeting and audio recordings are available to the public by completing the NFRMPO Request to Inspect Public Records form located in [Resources](#) on the NFRMPO website.

In the event of a Special or Emergency meeting, notices will be made public as soon as practicable and follow the Colorado Open Meetings law, as defined for a State Body. Although all Council meetings are open to the public, the Council may vote to go into an Executive Session for the purpose of discussing personnel matters and meeting with attorneys representing the Council in an advisory situation, and for any other purpose authorized by and consistent with the Colorado Open Meetings Law. Executive Sessions are closed to the public. The public will be able to speak at a designated time during the open portion of these meetings; however, recordings of Executive Sessions are not available to the public.

There are three committees of the Planning Council: Executive Committee, Finance Committee, and Human Resources (HR) Committee. NFRMPO staff and representatives of the Planning Council meet to discuss issues related to these topics and make recommendations to the full Planning Council. Meetings are posted on the NFRMPO website along with agendas and meeting minutes.

In addition to the Planning Council meetings every month, NFRMPO staff reports to three committees: the Technical Advisory Committee (TAC), Larimer County Mobility Committee (LCMC), Weld County Mobility Committee (WCMC), and the Northern Colorado Mobility Committee (NCMC). Public comment periods are provided at each meeting.

TAC: TAC consists of technical staff from member communities, CDOT, transit agencies, NoCo Bike & Ped Collaborative, RAQC, CDPHE-APCD, FHWA, FTA, and a representative of the mobility community. Meetings are held in a hybrid format, with the in-person portion held at the Larimer County Loveland Campus facility on the third Wednesday of every month. The virtual portion is accessible through the NFRMPO's GoToMeeting account. Meeting packets are uploaded to the NFRMPO website each month one week prior to the meeting, as are handouts and minutes. The meeting packet is distributed through a listserv one week prior to each meeting. Opportunity for public comment is provided at the beginning of every meeting.

LCMC: The LCMC is the Local Coordinating Council (LCC) for Larimer County, including areas both outside and within the portion of the NFRMPO within Larimer County, which includes the communities of Berthoud, Fort Collins, Loveland, Timnath, and portions of Windsor. Representatives from transit agencies, human service agencies, and private transportation companies provide input on mobility needs for older adults and individuals with disabilities. Meetings are held on the fourth Thursday of the first month of every quarter from 1:30-3:00 and are held virtually via Microsoft Teams. Meeting packets are uploaded one week prior to the meeting and are distributed via email through a listserv. Opportunity for public comment is provided at the beginning of every meeting.

WCMC: The WCMC is the LCC for Weld County, including areas both within and outside the portion of the NFRMPO within Weld County, which includes the communities of Eaton, Evans, Garden City, Greeley, Johnstown, LaSalle, Milliken, Severance, and Windsor. Representatives from transit agencies, human service agencies, and private transportation companies provide input on mobility needs for older adults and individuals with disabilities. Meetings are held on the fourth Tuesday of the last month of every quarter from 1:30-3:00 and are held virtually via Microsoft Teams. Meeting packets are uploaded one week prior to the meeting and are distributed via email through a listserv. Opportunity for public comment is provided at the beginning of every meeting.

NCMC: The NCMC is the combined gathering of the LCMC and WCMC. Meetings are held in-person on the fourth Tuesday of the second month of every quarter from 1:30-3:00 and at the Windsor Recreation Center. Meeting packets are uploaded one week prior to the meeting and are distributed via email through a listserv. Opportunity for public comment is provided at the beginning of every meeting. The NCMC discusses topics and issues of regional significance to strengthen bonds of communication and collaboration in the region related to transportation and mobility needs.

The NFRMPO also provides staff time to the following non-NFRMPO committees in the region. Though not officially an NFRMPO committee, the following meetings are important to address transportation issues on a regional level.

NoCo Bike & Ped Collaborative (NoCo): NoCo consists of planners, engineers, advocates, and other members of the public working to improve bicycle and pedestrian facilities in Northern Colorado communities. The group hosts trainings and promotes regional efforts. Meetings are held in a hybrid format, with the in-person portion held at the Windsor Recreation Center on the second Wednesday of every month. The virtual portion is accessible through the NFRMPO's GoToMeeting account. Meeting packets are uploaded each month one week prior to the meeting and are distributed via email through a listserv. Members of the public are welcome to attend and participate in each meeting.

Transit service is available to the NFRMPO Office through Transfort. Transit is available to the meeting location for the Technical Advisory Committee (TAC) in Loveland on the COLT service, Route 5. The Planning Council meetings rotate between the member communities each month, and transit service is only available in Fort Collins, Greeley, and Loveland; however, COLT service ends at 6:48 p.m. and GET service ends at 9:00 p.m. LCMC and WCMC meetings are held virtually and NCMC meetings are held in Windsor. The NFRMPO does provide a virtual attendance option to all public meetings. The NFRMPO does not provide transportation to/from meetings.

Annually, NFRMPO member communities pay their portion of the local match funding amounts for the federal and state funding the NFRMPO receives from CDOT and FHWA. As members of the MPO, contributions are required and a part of each entity's annual budget.

Partnerships

The planning process involves more than just the NFRMPO and community members and requires the NFRMPO to work with other public agencies to tackle major regional issues. The NFRMPO expects to maintain and expand these relationships for future opportunities.

The NFRMPO continues working with local governments and other organizations when a member agency is doing outreach. This provides the NFRMPO with an understanding of what is happening at the local level and provides the public additional opportunities to understand what the NFRMPO is doing. The NFRMPO can provide the local agency with supplementary outreach tools and can spread awareness of such events.

Further, local communities consistently provide input to the NFRMPO. Elected officials and municipal staff participate in their own public involvement processes and bring the results to the attention of the NFRMPO. One tool the NFRMPO uses are the region's local Transportation Boards, which provide

transportation input to the various City Councils and Town Boards. Receiving this input from municipal staff and elected officials allows staff to incorporate it into plans, ensuring the local municipalities provide valuable insight, and guarantee a continued conversation.

Involving Disproportionately Impacted and LEP Populations

The NFRMPO takes its interactions with Disproportionately Impacted and LEP populations seriously, ensuring low-income and minority residents have opportunities to participate in the transportation planning process. NFRMPO staff aims to expand community outreach, identify new strategies, and build relationships within the region. The NFRMPO maps Disproportionately Impacted populations using up-to-date American Community Survey (ACS) data, available from the US Census Bureau. This is done by working with community organizations and leaders, advertising and notifying using community-sensitive methods, and by being willing to pivot to new strategies if past or current efforts are not successful.

The NFRMPO has identified the following methods for addressing barriers to participation:

- Working with partner agencies has been the most fruitful approach to reaching out to vulnerable populations. By working with agencies that already have relationships and trust, the NFRMPO can enter situations as more of a trusted organization.
- The NFRMPO will ensure all reasonable requests for accommodation are met. This may mean translating documents, hiring a translator, and hosting events in community locations like churches, community centers, or other community meeting spaces and at times that fit into different work schedules. Instructions for how to request these services are available in **Appendix D** of the **2022 PIP**.
- NFRMPO staff will attend trainings as they are available and relevant, helping staff be more culturally sensitive and aware. A more aware and sensitive staff will be able to interpret the source material into more understandable and accessible material.
- All materials will be clear, concise, and use a variety of visual materials, including text, charts, graphs, and maps. This will make it easier to understand, provide context, and be helpful for LEP populations. These materials will also be translatable into languages other than English.
- NFRMPO staff will attend community events.

The NFRMPO understands the importance of involving Disproportionately Impacted populations in the planning process. The *Title VI Plan* and *LEP Plan* build on analysis done as part of the PIP and ensure all populations are involved in the transportation planning process.

APPENDICES

Appendix A: Copy of Signed Assurances

CIVIL RIGHTS REQUIREMENTS

29 u.s.c. § 623, 42 u.s.c. § 2000

42 u.s.c. § 6102, 42 u.s.c. § 12112

42 u.s.c. § 12132, 49 u.s.c. § 5332

29 CFR Part 1630, 41 CFR Parts 60 et seq.

Civil Rights

The following requirements apply to the underlying contract:

- (1) Nondiscrimination - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. §2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. §6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. §12132, and 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, creed, national origin, sex, age or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.
- (2) Equal Employment Opportunity - The following equal employment opportunity requirements apply to underlying contract:

 - (a) Race, Color, Creed, National Origin, Sex - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. §2000e, 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. Parts 60 et seq. (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. §2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. 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, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, 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.
 - (b) Age - In accordance with section 4 of the Age Discrimination in Employment
 - (c) 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.

(d) Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. §121112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(3) The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary, to identify the affected parties.

Executed this 1st day of May 2025.

By

Paul Sizemore, Executive Director
NFRT & AQPC

ATTEST:

Rebekah Karasko, Transportation Planning Director
NFRT & AQPC

**NORTH FRONT RANGE TRANSPORTATION
& AIR QUALITY PLANNING COUNCIL
(NFRT & AQPC)
ANNUAL TITLE VI ASSURANCES
FISCAL YEAR 2024**

1. There have been no lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the North Front Range Transportation & Air Quality Planning Council within the last fiscal year, October 1, 2023 through September 30, 2024.
2. There are no pending applications to any federal agency by the North Front Range Transportation & Air Quality Planning Council.
3. There were no civil rights compliance reviews performed on the North Front Range Transportation & Air Quality Planning Council by any local, state or federal agency during the period October 1, 2023 through September 30, 2024.
4. Title VI will be enforced by the North Front Range Transportation & Air Quality Planning Council for all contractors. All contracts with the North Front Range Transportation & Air Quality Planning Council 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 on file at the MPO's office.

Date: May 1, 2025

North Front Range Transportation & Air Quality Planning Council

Paul Sizemore, Executive Director
NFRT & AQPC

ATTEST:

Rebekah Karasko, Transportation Planning Director
NFRT & AQPC

CERTIFICATION OF RESTRICTIONS ON LOBBYING

I, Paul Sizemore, Executive Director, hereby certify, on behalf of the North Front Range Transportation & Air Quality Planning Council, that:

1. 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 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, and 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 sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients 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 1st day of May 2025,

By

Paul Sizemore, Executive Director
NFRT & AQPC

ATTEST:

Rebekah Karasko, Transportation Planning Director
NFRT & AQPC

Appendix B: Notice to the Public (English and Spanish Versions)



NOTICE TO BENEFICIARIES OF PROTECTION UNDER TITLE VI

Non-Discrimination Notice

The North Front Range Metropolitan Planning Organization (MPO) provides services and operates programs without regard to race, color, and national origin in compliance with Title VI. Members of the public may obtain additional information regarding the MPO's non-discrimination obligations by requesting a copy of the MPO's Title VI program.

**North Front Range Metropolitan Planning Organization
Title VI Program Coordinator
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521**

For additional information on the MPO's nondiscrimination obligations or to file a complaint, please call 970-800-9560 or 800-332-0950.



This notice is provided in compliance with 49 CFR Section 21.9 (d) and is posted in a conspicuous and accessible location.



AVISO A BENEFICIARIOS DE LA PROTECCIÓN DEL TÍTULO VI

Aviso Antidiscriminatorio

El North Front Range Metropolitan Planning Organization (NFRMPO) provee servicios y opera programas sin considerar raza, color y nacionalidad de origen, en cumplimiento con el Título VI. Los miembros del público pueden obtener información adicional sobre las obligaciones antidiscriminatorias del NFRMPO solicitando una copia del programa del Título VI del NFRMPO.

**North Front Range Metropolitan Planning Organization
Title VI Program Coordinator
419 Canyon Avenue, Suite 300
Fort Collins, CO 80521**

Para más información sobre las obligaciones antidiscriminatorias del NFRMPO o para presentar una queja, por favor llame a los tels. 970-800-9560 ó 800-332-0950.



Este aviso se provee en cumplimiento con el 49 CFR Sección 21.9 (d) y? está publicado en un lugar visible y accesible.

Appendix C: Title VI Complaint Form (English and Spanish)



North Front Range
Metropolitan
Planning
Organization

TITLE VI COMPLAINT FORM

This form may be used to file a complaint with the North Front Range Metropolitan Planning Organization (NFRMPO) for alleged violations of Title VI of the Civil Rights Act of 1964. **If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (970) 800-9560 or via FAX (970) 797-9132.** Upon request this document will be made available in alternative formats.

Only the complainant or the complainant's designated representative should complete this form.

NAME		
STREET ADDRESS		
CITY	STATE	ZIP CODE
HOME TELEPHONE	WORK TELEPHONE	FAX

Individual(s) discriminated against, if different from above (use additional page(s) if necessary):

NAME		
STREET ADDRESS		
CITY	STATE	ZIP CODE
HOME TELEPHONE	WORK TELEPHONE	FAX
PLEASE EXPLAIN YOUR RELATIONSHIP TO THE INDIVIDUAL(S) INDICATED ABOVE.		

Name of Agency and department or program that discriminated:

NAME		
STREET ADDRESS		
CITY	STATE	ZIP CODE
WORK TELEPHONE	FAX	

Date(s) of alleged discrimination:

DATE DISCRIMINATION BEGAN	LAST OR MOST RECENT DATE OF DISCRIMINATION
---------------------------	--

Alleged discrimination:

Complaints should be filed within 180 calendar days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within the 180 calendar day period, you have 60 calendar days after you became aware to file your complaint.

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you or others by the agency or department indicated above, please indicate below the bases on which you believe these discriminatory actions were taken.

Example: If you believe that you were discriminated against because you are African American, you would mark the box labeled *race/color* and write *African American* in the space provided.

- ☐ Race _____
☐ Color _____
☐ National origin _____

[illegible]

DATE

North Front Range Metropolitan Planning Organization
419 Canyon Avenue, Ste 300
Fort Collins, CO 80521
Telephone: (970) 800-9560
Fax number: (970) 797-9132
E-mail: staff@nfrmpo.org



North Front Range
Metropolitan
Planning
Organization

TITULO VI – FORMULARIO DE QUEJA

Página 1 de 3

Este formulario puede ser utilizado para presentar una queja ante el North Front Range Metropolitan Planning Organization (NFRMPO) para violaciones presunta del Título VI de la Ley de Derechos Civiles de 1964. También pueden presentarse quejas por correo electrónico enviándolas a staff@nfrmpo.org. Usted puede solicitar este documento, a petición de ésta, en un formato alternativo.

Sólo el querellante o el representante designado por el demandante debe completar este formulario.

NOMBRE		
DIRECCIÓN		
CIUDAD	ESTADO	CÓDIGO POSTAL
TELÉFONO DE LA CASA	TELÉFONO DE TRABAJO	FAX

Persona(s) que la discriminación que sufren, si es diferente del anterior (usa página(s) adicionales si es necesario):

NOMBRE		
DIRECCIÓN		
CIUDAD	ESTADO	CÓDIGO POSTAL
TELÉFONO DE LA CASA	TELÉFONO DE TRABAJO	FAX
POR FAVOR EXPLIQUE SU RELACIÓN CON EL INDIVIDUO(S) INDICADOS ANTERIORMENTE		

Página 2 de 3

Nombre de la agencia y departamento o programa que discrimina:

NOMBRE

DIRECCIÓN		
CIUDAD	ESTADO	CÓDIGO POSTAL
TELÉFONO DE LA CASA	FAX	

Fecha(s) de la supuesta discriminación:

DISCRIMINACIÓN FECHA DE INICIO	ÚLTIMA FECHA O LA MÁS RECIENTE DISCRIMINACIÓN
--------------------------------	---

Supuesta discriminación:

Las quejas deben ser presentadas dentro de un plazo de 180 días naturales a partir de la supuesta discriminación. Si no es razonable esperar que para conocer el acto discriminatorio en el plazo de 180 días calendario, usted tiene 60 naturales días después de que usted dé cuenta de su denuncia.

Si su queja es entre la que respecta a la discriminación en la prestación de servicios o la discriminación que implicaba el tratamiento de usted o de otros por la agencia o departamento se ha indicado anteriormente, indique a continuación las bases sobre las que usted cree que estas acciones discriminatorias fueron tomadas.

Ejemplo: Si usted cree que fueron víctima de discriminación porque son afroamericanos, que el cheque de raza o color y escritura afroamericanos en el espacio.

- ☐ Raza _____
- ☐ Color _____
- ☐ País de origen _____

Explica:

Por favor explique lo más claramente posible lo que pasó. Proporcionar el nombre (s) de los testigos y otras personas involucradas en la supuesta discriminación. (Adjunte hojas adicionales si es necesario y proporcionar una copia de los materiales escritos relacionados con su caso.)

SIGNATURE	DATE

Nota: Las leyes puestas por este departamento prohíben las represalias o intimidación en contra de nadie, porque esa persona ha actuado bien o participado en acciones para garantizar los derechos protegidos por estas leyes. Si usted experimenta represalia o intimidación aparte de la discriminación alegada en la queja, o si tiene alguna pregunta acerca de la finalización de esta forma, por favor póngase en contacto con:

North Front Range Metropolitan Planning Organization
 419 Canyon Avenue, Ste 300
 Fort Collins, CO 80521
 Número de teléfono (970) 800-9560
 Número de fax: (970) 797-9132
 E-mail: staff@nfrmpo.org

Appendix D: 2022 *Public Involvement Plan*



2022 PIP

Public Involvement Plan

Adopted December 1, 2022



North Front Range
Metropolitan
Planning
Organization

North Front Range MPO Public Involvement Plan



North Front Range
**Metropolitan
Planning
Organization**

Anticipated Adoption:

December 1, 2022

Effective date:

December 1, 2022 – November 30, 2026

How to make a public comment:

Mail to: North Front Range Metropolitan Planning Organization
419 Canyon Ave, Suite 300
Fort Collins, CO 80521

Phone: (970) 800-9560

Email: staff@nfrmpo.org

Website: <https://nfrmpo.org>

Preparation of this document has been financed in part through grants from the Federal Highway Administration, Federal Transit Administration, the Colorado Department of Transportation, and the local member communities of the NFRMPO.

Acknowledgements

<u>Community</u>	<u>Planning Council Representative</u> (2022)	<u>TAC Representative</u> (2022)
Berthoud	Mayor William Karspeck - Chair	Adam Olinger
Eaton	Mayor Pro-Tem Liz Heid	Wesley LaVanchy
Evans	Mayor Mark Clark	Mark Oberschmidt
Fort Collins	Mayor Jeni Arndt	Nicole Hahn
Garden City	Mayor Fil Archuleta	
Greeley	Councilmember Johnny Olson	Bhooshan Karnik
Johnstown	Councilmember Troy Mellon	Troy White, Vice-Chair
Larimer County	Commissioner Kristin Stephens	Eric Tracy, Chair
LaSalle	Trustee Paula Cochran	Vacant
Loveland	Councilmember Jon Mallo	Alex Donaldson
Milliken	Mayor Elizabeth Austin	Pepper McClenahan
Severance	Councilmember Frank Baszler	Abdul Barzak
Timnath	Councilmember Lisa Laake	Eric Fuhrman
Weld County	Commissioner Scott James, Vice Chair	Elizabeth Relford
Windsor	Mayor Paul Rennemeyer	Omar Herrera
Transportation Commission/ CDOT	Commissioner Kathleen Bracke	Josie Hadley
CDPHE – Air Pollution Control Division	Jessica Ferko	Rick Coffin
Non-Voting Members		Aaron Bustow, FHWA Ranae Tunison, FTA NoCo Bike & Ped Collaborative Wayne Chuang, RAQC Mobility Transit Agencies***
* Bolded representatives are Planning Council or TAC officers. ** Johnny Olson is the Planning Council representative for transit. ***Transit agencies can vote if they are the alternate identified for their community.		

NFRMPO Staff

Executive Leadership

Suzette Mallette, Executive Director

Administration

Rachel Stillwell, Accountant

Barbara Bills, Office Administrator

Transportation Planning

Becky Karasko, Transportation Planning Director

Alex Gordon, Transportation Planner III

Medora Bornhoft, Transportation and Air Quality Planner III

AnnaRose Cunningham, Transportation Planner II

Jerome Rouser, Transportation Planner I

Mobility

Cory Schmitt, Mobility Manager

Hanna Johnson, Mobility Coordinator

Sheereen Ibtesam, AmeriCorps VISTA Outreach Specialist

VanGo™

Shane Armstrong, Operations Services/Fleet Management



RESOLUTION NO. 2022-34
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
ADOPTING THE 2022 NFRMPO PUBLIC INVOLVEMENT PLAN (PIP)

WHEREAS, the North Front Range Transportation & Air Quality Planning Council is designated as the Metropolitan Planning Organization (MPO) in cooperation with local elected officials and is authorized to carry out the continuing, cooperative, and comprehensive ("3C") multimodal transportation planning process as mandated by Congress in Titles 23 and 49 U.S.C.; and

WHEREAS, the Fixing America's Surface Transportation (FAST) Act and 23 CFR 450.316 require MPOs to engage in a metropolitan planning process that creates opportunities for public involvement, participation, and consultation; and

WHEREAS, the NFRMPO opened the PIP for a 45-day public comment period commencing September 21, 2022 and closing November 5, 2022, and received five comments which were incorporated into the Plan; and

WHEREAS, public input is critical to the NFRMPO transportation planning process including the Long Range Transportation Plan, the Transportation Improvement Program and the Unified Planning Work Program and is required by federal regulations and state guidelines; and

WHEREAS, the PIP was first adopted in 2003, and was updated in 2005, 2008, 2011, 2015, and 2019; and

WHEREAS, the PIP defines NFRMPO's public involvement policies, tools, and evaluation measures for determining the effectiveness of the program; and

WHEREAS, the Planning Council approves the 2022 PIP and submits copies for informational purposes to the Colorado Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration; and

NOW THEREFORE, BE IT RESOLVED, the North Front Range Transportation & Air Quality Planning Council hereby agrees to adopt the 2022 PIP to guide public outreach efforts at the NFRMPO.

Passed and adopted at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 1st day of December 2022.


William Karspeck (Dec 2, 2022 11:55 MST)
William Karspeck, Chair

ATTEST:


Suzette Mallette (Dec 2, 2022 12:48 MST)
Suzette Mallette, Executive Director

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The NFRMPO

Purpose

Since its establishment in 1988, the North Front Range Transportation & Air Quality Planning Council (NFRT & AQPC), also known as the North Front Range Metropolitan Planning Organization (NFRMPO) has led the federal transportation planning process for Northern Colorado. In its bylaws, the NFRT & AQPC maintains the following focus areas.

1

Provide a forum to identify, study and recommend solutions to regional transportation and transportation-related air quality problems.

2

Develop and formalize policies involving regional transportation and transportation-related air quality planning and coordination of federal and state funding assistance.

3

Provide the organizational framework to ensure effective communication coordination among governmental bodies and between public and private agencies

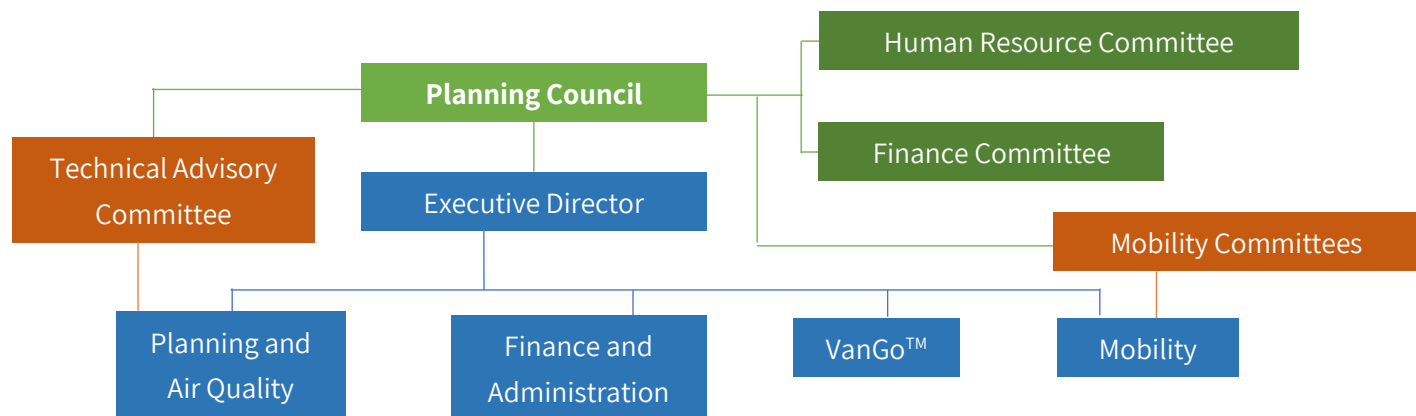
4

Develop and approve regional transportation and transportation-related air quality plans

Structure

The NFRMPO structure includes the Planning Council, Planning Council subcommittees, Executive Director, NFRMPO staff, and committees. **Figure 1** identifies the structure. Additional descriptions about the committees are included in the **Opportunities for Involvement** section.

Figure 1: NFRMPO Organizational Structure

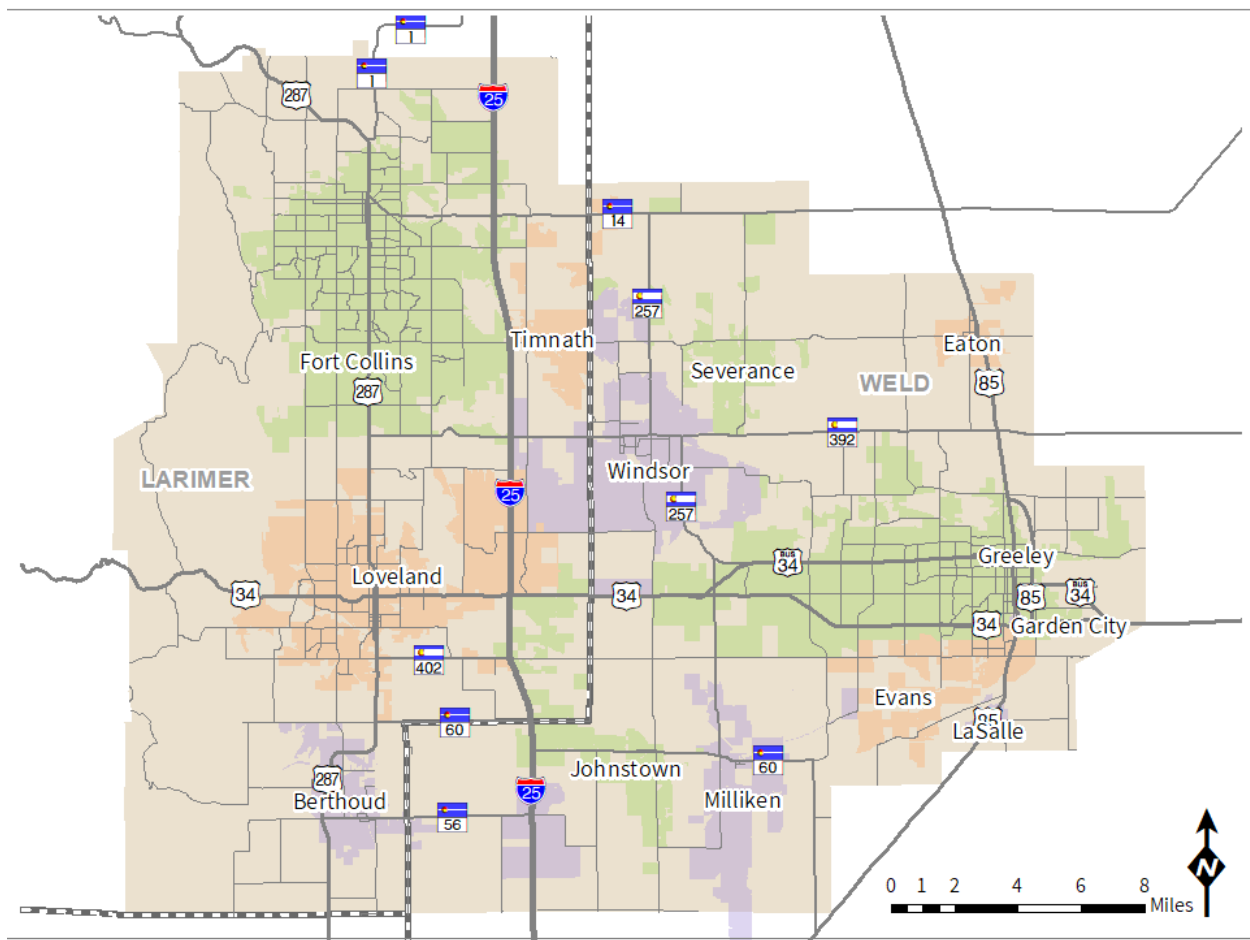


Area

The NFRMPO region consists of thirteen communities and portions of two counties. The area is based on the Fort Collins Transportation Management Area (TMA), the Greeley Urbanized Area (UZA), and the surrounding area expected to urbanize in the next twenty years.

- Berthoud
- Fort Collins
- Eaton
- Evans
- Garden City
- Greeley
- Johnstown
- LaSalle
- Loveland
- Milliken
- Severance
- Timnath
- Larimer County
- Weld County
- Windsor

Figure 2: Map of the NFRMPO Region



Legend

-  County Boundary
-  NFRMPO Planning Area

September 2022
Sources: CDOT, NFRMPO



Objective

Community members know the inner workings of their communities better than any staff at the NFRMPO, and the NFRMPO wants to work with community members to ensure this expertise and local knowledge is reflected in regional plans. Communities are made up of people with different thoughts, ideas, and opinions based on real-world experience, not federal regulations or technical analysis. Community members are an integral part of the transportation planning process and should therefore have opportunities to comment on and guide the major plans and products of the NFRMPO. The NFRMPO region is becoming increasingly diverse and NFRMPO staff wants to ensure all populations are included. Underserved populations like older adults, college students, low-income, minority, individuals with disabilities, and zero-car households should feel part of the public outreach process and that their input was considered and implemented.

The Public Involvement Plan (PIP) includes details on how the public can be engaged in the NFRMPO's planning process. This document provides schedules, comment opportunities, and information on how members of the public can be actively engaged in the transportation planning process. Utilizing the various strategies identified within this document, the public will be engaged early and often, with an understanding of how their feedback will be incorporated into the planning process. Active participation by a range of stakeholders improves the understanding of different viewpoints, different needs and concerns, and helps to identify common goals.

Legislation

Public involvement has been a noted expectation in federal transportation legislation dating as far back as the *Intermodal Surface Transportation Efficiency Act* (ISTEA) in 1991. The *Fixing America's Surface Transportation (FAST) Act*, passed in 2015, has reiterated the need for a robust public involvement program at the MPO and state levels. Most recently, the Infrastructure Investment and Jobs Act (IIJA) included guidance for the metropolitan planning program to encourage the use of social media and web-based tools to foster public participation and to solicit public feedback during the transportation planning process.

In addition to overarching public outreach requirements, various Executive Orders and laws have further shaped the public outreach process.

1. The *Civil Rights Act of 1964* states “no person in the United States...can be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
2. *Executive Order 12898* (Environmental Justice) directed federal agencies to provide minority and low-income communities' access to public information and public participation in addition to identifying and addressing the disproportionately high and adverse human health or environmental effects of federal programs, policies, and activities on those populations.

3. Limited English Proficiency (LEP) is addressed in *Executive Order 13166*, which requires Federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.
4. The *Americans with Disabilities Act* (ADA) requires public entity's facilities to be accessible to or usable by individuals with disabilities, ensuring participation in the public process.
5. The *Freedom of Information Act* (FOIA) requires federal agencies to disclose any information required under FOIA unless it falls under one of nine exemptions which protect interests.
6. *Colorado Sunshine Laws* state all meetings of a quorum of three or more members of a body at which any public business is discussed or at which any formal action may be taken must be open to the public unless an exception applies.
7. *Colorado Open Records Act* (CORA) requires all public records to be open for inspection by any person at reasonable times with some exceptions.
8. The [*Justice40 Initiative*](#) passed by Executive Order 14008 by President Biden, states 40 percent of the benefits from Federal investments must be within disadvantaged communities "that are marginalized, underserved, and overburdened by pollution."

Title VI and ADA Coordination

Title VI compliance is ongoing and falls under the duties of NFRMPO staff, which includes, but is not limited to, activities such as reporting, data collection, and providing technical assistance to sub-recipients by supplying information (posters, guidelines, and compliance requirements) and direct access to the NFRMPO's Title VI Coordinator.

Title VI forms and requests for reasonable accommodations are available on the NFRMPO website at <https://nfrmpo.org/title-vi/>.

The NFRMPO ADA policy addresses the needs of people with disabilities living within the NFRMPO region. The ADA states "except as otherwise provided in §35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." The NFRMPO policy addresses all aspects of the NFRMPO, including programs run by the agency. The NFRMPO does not discriminate on the basis of disability in the admission to, or operations of programs, services, or activities. Employment is also covered by the policy.

Further information about ADA coordination as well as contact information for the NFRMPO ADA coordinator and the ADA Complaint Form can be found on the NFRMPO website at <https://nfrmpo.org/title-vi/>

Guiding Engagement Principles

The NFRMPO should hold four principles in mind as staff plans outreach strategies and identifies opportunities to include the public in the decision-making process. Each plan and program require its own strategy, but the overarching principles which guide NFRMPO engagement with the public are:

1

Meet people where they are.

2

Provide options for involvement, and be adaptable.

3

Be a good community partner.

4

Consistently evaluate what works and what doesn't.

NFRMPO Plans and Programs

The NFRMPO has three major deliverables: the *Unified Planning Work Program* (UPWP); the *Transportation Improvement Program* (TIP); and the *Regional Transportation Plan* (RTP). The UPWP sets out the activities of the NFRMPO over two fiscal years; the TIP documents transportation funding and investments over a four-year period; and the RTP guides transportation investments over the next two decades based on established visions and goals. In addition, the NFRMPO also produces other documents and plans, which have different expectations and processes. These are explained further in this chapter.

All Plans are taken to the Technical Advisory Committee (TAC) or Mobility Committees for discussion and recommended for Planning Council adoption or approval. Comments from the public, TAC, and Mobility Committees are taken into consideration before the Plans are adopted by the Planning Council. Members of the Planning Council are made aware of all public comment, which is included as an appendix in each Plan.

Regional Transportation Plan (RTP)

Every four years, the NFRMPO updates its long-range transportation plan, which analyzes land use and multimodal transportation scenarios based on anticipated funding. Ultimately, the RTP includes a fiscally constrained list of prioritized projects on regionally identified corridors.

Unified Planning Work Program (UPWP)

Every year, the NFRMPO budgets the federal and state transportation funds for planning and programming and acknowledges planning projects undertaken by agency partners that use federal or state funds.

Transportation Improvement Program (TIP)

Every two years, the NFRMPO holds a Call for Projects for transportation funding. Annually, the NFRMPO works with its partner agencies to identify regionally significant projects funded through federal and state transportation funds.

Active Transportation Plan (ATP)

Every four years, the NFRMPO evaluates its Regional Active Transportation Corridors and prioritizes strategies to improve active transportation modes in the North Front Range.

Coordinated Public Transit/Human Services Transportation Plan (Coordinated Plan)

Every four years, the NFRMPO works with its transit and human service transportation partners to evaluate improvements to the transportation system for older adults, individuals with disabilities, and low-income individuals.

Freight Plan/Freight Northern Colorado

In conjunction with CDOT's Statewide Freight Plan, the NFRMPO develops a strategy and framework to improve freight movement in and through Northern Colorado.

VanGo™ Vanpools

VanGo™ Vanpools provides a transportation demand management (TDM) tool to reduce congestion. People who start and end their commutes in similar locations can pay a monthly fee for maintenance, gas, and insurance, and share driving responsibilities.

RideNoCo

RideNoCo is a one-call/one-click center focused on mobility assistance for older adults and individuals with disabilities. Mobility specialists provide personalized support finding the best mobility options to meet your needs.

Air Quality

The NFRMPO is part of the Denver-North Front Range 8-Hour Ozone Nonattainment Area and contains two Maintenance Areas for CO (Fort Collins and Greeley). The NFRMPO is the designated lead planning agency for Carbon Monoxide (CO) and works with the Regional Air Quality Council (RAQC), which is the designated lead planning agency for ozone. In addition, the NFRMPO works with the Air Pollution Control Division (APCD) and the Environmental Protection Agency (EPA) to develop plans to address air quality issues and ensure the NFRMPO's regional Transportation Plans meet or exceed air emission requirements.

Opportunities for Involvement

Get involved with the NFRMPO by attending one of the NFRMPO's monthly meetings, **Figure 3**.

Figure 3: Monthly NFRMPO Meetings

Week of Month	Day of Week						
	SUN	MON	TUES	WED	THU	FRI	SAT
	1				Planning Council 6:00 p.m.		
	2			NoCo Bike & Ped 10:00 a.m.	CAC 6:00 p.m.		
	3			TAC 1:00 p.m.	LCMC 1:30 p.m. (Odd months)		
	4		WCMC 1:30 p.m. (Even months)				

Planning Council

Made up of elected officials from the thirteen communities and two counties, the Transportation Commissioner, and a representative from the Colorado department of Public Health & Environment Air Pollution Control Division (CDPHE-APCD), the Planning Council sets transportation policy for the region.

Technical Advisory Committee (TAC)

Made up of planning, engineering, and transit staff from each of the communities, Colorado Department of Transportation (CDOT), APCD, Federal Transit Administration (FTA), Federal Highways Administration (FHWA), and the Regional Air Quality Council (RAQC), the TAC provides technical guidance on transportation policy in the region.

Community Advisory Committee (CAC)

Members of the public provide learn about the transportation planning process and provide direct input on the NFRMPO's plans, programs, and projects.

NoCo Bike & Ped Collaborative

Staff from parks, planning, and transportation agencies, and advocates discuss the implementation of the *Active Transportation Plan* and the Regional Active Transportation Corridors.

Larimer County Mobility Committee (LCMC) & Weld County Mobility Committee (WCMC)

Made up of staff from transit agencies, human service agencies, and advocates, the LCMC and WCMC focuses on improving transportation for older adults, individuals with disabilities, and low-income individuals and implementing the *Coordinated Public Transit/Human Services Transportation Plan*.

Joint Mobility Committee

The Joint Mobility Committee is the name of the combined gathering of the LCMC and WCMC. Meetings are typically held twice a year on a LCMC and WCMC meeting date at a central location, such as Windsor, along with a virtual option via Microsoft Teams. The Joint Mobility Committee discusses topics and issues of regional significance to strengthen bonds of communication and collaboration in the region related to transportation and mobility needs.

Engagement Strategies

The NFRMPO utilizes a variety of strategies, techniques, and tools to engage with and solicit feedback from individuals who use the transportation system in the region. There are several strategies the NFRMPO has deployed in the past which are explained in the **Existing Strategies** section, including ways these strategies have been utilized in the past, and ways the strategies may be expanded upon in the future. Additionally, there are several new strategies the NFRMPO staff should consider implementing which are detailed in the **Developing Opportunities** section. The NFRMPO should implement an assortment of strategies during plan and program development to ensure greater proportion of the regional population has opportunities to be engaged.

COVID-19

Providing opportunities for public engagement was complicated due to the COVID-19 pandemic and restrictions on in person gatherings. Engagement efforts were shifted online for the majority of 2020 and 2021 with limited in person engagement over the two years. The NFRMPO worked to increase online public engagement during the time where in-person activities were restricted including:

- Implementation of Virtual and Hybrid meetings using the GoToMeeting platform
- Community Remarks mapping for the Active Transportation Plan
- Virtual outside partner presentations
- Distribution of digital surveys (2020 Active Transportation Challenge and EJ Plan)
- Increased social media presence
- Convening of a virtual Community Advisory Committee (CAC)
- Online transportation related activities for kids including coloring pages, scavenger hunts and puzzles

The NFRMPO will continue to utilize the strategies implemented during COVID-19 along with the strategies identified in this section.

August 2022

month week

All Event Categories

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Events:

- 12PM Lunch (Friday, August 10)
- GPM Planning Council Meeting (Thursday, August 3)
- 12PM Lunch (Friday, August 17)
- GPM Council Agenda Review (Friday, August 17)
- GPM Council Meeting (Friday, August 24)
- Labor Day Holiday Office Closed (Friday, August 31)
- 12PM Lunch (Friday, August 10)
- GPM Council Meeting (Friday, August 17)
- GPM Council Agenda Review (Friday, August 17)
- GPM Council Meeting (Friday, August 24)
- Labor Day Holiday Office Closed (Friday, August 31)



- **Event promotion** – The NFRMPO utilizes social media outlets to promote events hosted by or attended by MPO staff. Staff promotes summer outreach events to inform community members what events Staff will be attending and encourage the public to seek out the NFRMPO booth.
- **Education** – The NFRMPO social media pages are a venue to help educate the public on various transportation related topics. This is completed by promoting national events including Air Quality Awareness Week and Rural Road Safety Awareness Week. The NFRMPO will continue to seek out relevant educational opportunities to share on social media.
- **Promoted posts** – A promoted post is a social media post that the NFRMPO pays the platform to make more visible to a wider audience. Promoted posts allow for messaging to be pushed to social media users who may not already follow the NFRMPO social media pages. The NFRMPO

NFRMPO hosted



**Northern Front Range
Metropolitan Planning
Organization**

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 [Transportation](#) |
 [Air Quality](#) |
 [Public Comment](#) |
 [Contact Us](#)

Comment on the 2045 RTP 2022 Update and GHG Transportation Report through September 17 by clicking our Public Comment page.



The NFRMPO is the transportation and air quality planning agency for portions of Larimer and Weld counties in Northern Colorado

PUBLIC COMMENT

The NFRMPO currently has four opportunities for Public Comment including:

- [Mid-Cycle Activities of Association](#)
- [August 2022 TIP Amendment](#)
- [2045 RTP Update](#)
- [GHG Transportation Report](#)

2045 REGIONAL TRANSPORTATION PLAN (RTP)

The NFRMPO is undertaking an Updated 2045 Regional Transportation Plan as part of the GHG Transportation Report. The comment period is open through September 17, 2022.

GHG Transportation Report

The public is invited to comment on the Northern Front Range Metropolitan Planning Organization's GHG Transportation Report through September 17, 2022. This report meets the requirements of the GHG Transportation Rule.

Screenshot of nfrmpo.org homepage.

can use promoted posts for major plan milestones, public comment periods, and surveys. In 2022 the NFRMPO promoted posts for the Shift Your Ride campaign and the LinkNoCo Self-Guided meeting.

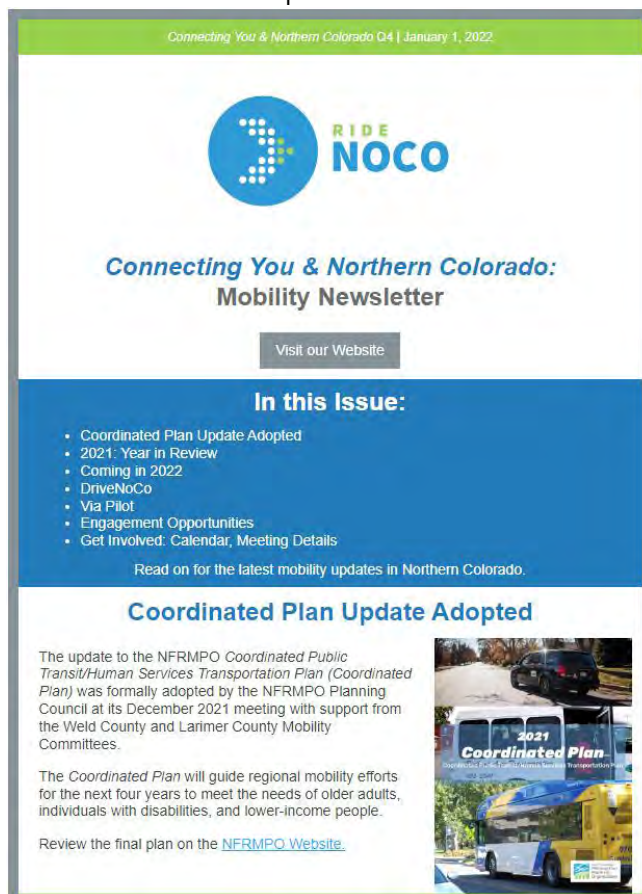
- **Media Packets** – The NFRMPO should work with local agencies to build a contact list for distribution of social media materials. Providing materials for partner agencies to create original posts on their social media pages allows for NFRMPO messaging to be distributed to a greater percentage of the population via an organization the public is more familiar with.



Newsletters

The NFRMPO produces three newsletters:

- *On the Move* is published via email and made available on the NFRMPO's website. Information



Screenshot of RideNoCo newsletter

on how to sign up for the newsletter is available on social media. Each quarterly newsletter contains articles about recently completed or upcoming projects, NFRMPO and partner agency events, and other transportation-related information, while also providing updates about construction projects and important meeting dates.

- *Connecting You & Northern Colorado: Mobility Newsletter* is a quarterly newsletter produced by RideNoCo and includes updates about the program as well as information on mobility coordination within the region.
- VanGo™ publishes a yearly *Safety Meeting Newsletter*. Available through the VanGo™ website and via email, the newsletter provides updates about safety, upcoming events, driving tips, and other useful information for current and potential users of VanGo™.



Outreach Events

NFRMPO staff attend events around the region to engage with the public face to face. Through these events, the NFRMPO can gauge interest and approval as well as receive input on the NFRMPO's plans and processes. A variety of tactics are used during outreach events to engage with event attendees:

- **Transportation Trivia** – a fun, no-stress way to teach community members about various transportation topics including transit, trails, air quality, and mobility. The transportation trivia is a family- and kid-friendly tool to help educate and open the door for more in depth conversations. Example trivia questions include asking people to show the proper hand motions for turning right, left, and stopping while riding a bicycle, the Planning Council representative, and questions about transit and active transportation corridors.
- **Retractable banners and posters** – eye catching posters like maps and banners can start conversations and have been successful for VanGo™, Simple Steps, Better Air (the ozone education program from RAQC), and RideNoCo.
- **Informational items** - brochures, Rider's Guides, VanGo™ fare cards, and other informational items produced by the NFRMPO or partner agencies (such as the RAQC and local transit agencies) are displayed on the table at events. Informational materials are intended to help visualize and explain plans or studies being promoted. In addition to brochures and flyers, the NFRMPO utilizes maps, charts, graphs, and illustrations which are easy of the public to understand and enhance key points of the topics being presented. Contact information is



NFRMPO, Ripley Design, and VFLA Staff at 2021 Bike to Work Day booth in Fort Collins



NFRMPO booth set-up at 2022 Greeley Stampede

readily available for individuals who have further questions or concerns.

- **Promotional items** – RideNoCo, VanGo™, Simple Steps, Better Air, and the NFRMPO all have promotional items that can be given away. Examples of these promotional items are magnets, stress balls, activity books and crayons, tote bags, pens, lollipops, and bike lights. The NFRMPO strives to provide promotional materials that are relevant and useful to the public.

In addition to attending community events, NFRMPO staff also attend public meetings and working groups throughout the region. NFRMPO staff also attend various transportation board meetings to present specific projects or plans under development.



Public Comment Periods

During each Planning Council and TAC meeting, members of the public are given the opportunity to comment on the items for action before the respective body. Dates, agendas, and packets for these events are posted on the [NFRMPO website](#) prior to each meeting. Additionally, public comments are requested on a variety of NFRMPO activities. The NFRMPO will provide a reasonable number of calendar days for public input, typically 30 days. Federal and state requirements may influence the length of the public comment period. The TIP, RTP, and this PIP will also be provided for an appropriate public comment period. Required public comment periods lengths are listed in **Figure 4**. Additional plans produced by the NFRMPO generally have 30-day public comment periods which are announced at TAC and Planning Council meetings and are also generally released for 30-day public comment periods. All opportunities for public comment are posted on the home page of the NFRMPO's website and on the public comment page: nfrmpo.org/public-comment.

Figure 4: NFRMPO Public Comment Periods

Plan or Program	Public Comment Period Length
Air Quality Conformity	30 Days + Public hearing
Articles of Association	21 Days
PIP	45 Days
RTP	30 Days
TIP and TIP Amendments	30 Days
UPWP	Plan: 30 Days Amendments: 14 days
VanGo™	30 Days (fare increases)



Meetings

During the COVID-19 pandemic, many public agencies including the NFRMPO, moved in-person meetings to a virtual format. Following the resumption of in person activities, the NFRMPO has continued to host meetings in a hybrid format, allowing for participants to be either in person or online. In addition to meeting participants having a virtual option, this allows community members to participate remotely as opposed to having to travel across the region to provide public comment.

Partnerships



The planning process involves more than just the NFRMPO and community members and requires the NFRMPO to work with other public agencies to tackle major regional issues.

The NFRMPO will continue working with local governments and other organizations when member agencies are doing outreach. This provides the NFRMPO with an understanding of what is happening at the local level and provides the public additional opportunities to understand what the NFRMPO is doing. The NFRMPO can provide the local agency with supplementary outreach tools and can spread awareness of such events. For example, the NFRMPO has shared booth spaces with 60+ Ride, a volunteer transportation service provider for older adults in Weld County, at several outreach events. This partnership allows for more in depth discussion on mobility programs from RideNoCo as well as helping promote transportation services to those who need them.

Further, local communities consistently provide input to the NFRMPO. Elected officials and municipal staff participate in their own public involvement processes and bring the results to the attention of the NFRMPO. One tool the NFRMPO uses are the region's local Transportation Boards, which provide transportation input to the various City Councils. Receiving this input from municipal staff and elected officials allows staff to incorporate it into plans, ensuring the local municipalities provide valuable insight, and guarantee a continued conversation.

Surveys



Surveys can be a helpful tool to engage with community members who are less inclined to talk or give feedback face to face. A variety of survey options are available for NFRMPO staff to use including printed or online options. Surveys should be displayed prominently, available in English and Spanish, and be a no pressure next step for the public to engage in.

Developing Opportunities



Technology

Technology and changing demographics mean the NFRMPO must be open to new techniques for engaging the public. Interactive tools allow agencies to use the Internet to reach out to a wider group and to provide more in-depth responses at a time and location convenient for them.

Interactive Mapping

Interactive online mapping offers a way for the public to visualize and engage with data and projects NFRMPO staff produce in a more meaningful way. In the past, the NFRMPO has used CommunityRemarks® in this capacity, but the NFRMPO has been utilizing the suite of online options offered by Esri ArcGIS Online to build maps and products customized to the needs of each project or plan. Staff will continue to increase the use of interactive mapping to help educate and inform as well as be a forum for the public to provide feedback.

Example: Walk Audit Story Maps

Following the 2022 Foothills Mall & Midtown Fort Collins Walk Audit, the RideNoCo team created an [ArcGIS StoryMap](#) to share findings and recommendations of the event.

Foothills Mall & Midtown Fort Collins Walk Audit



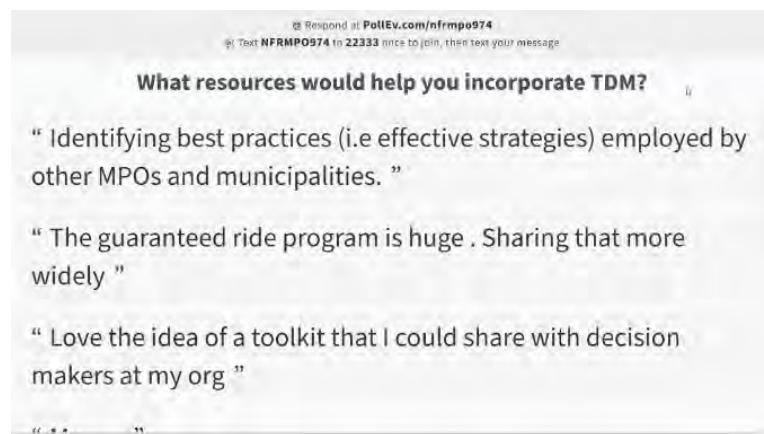
Screenshot of Foothills Mall & Midtown Fort Collins Walk Audit ArcGIS Story Map

Poll Everywhere

Poll Everywhere (Poll EV) is a tool the NFRMPO can use to conduct live polling during meetings and events. Poll EV allows users to submit responses to questions either online or via text and stores responses to allow for export or analysis. The NFRMPO staff should continue to explore options on how to use the various functionalities of Poll EV during outreach events and meeting.

Example: TDM Webinars

Pollev has been used for various NFRMPO meetings including the TDM Webinars hosted in 2022.



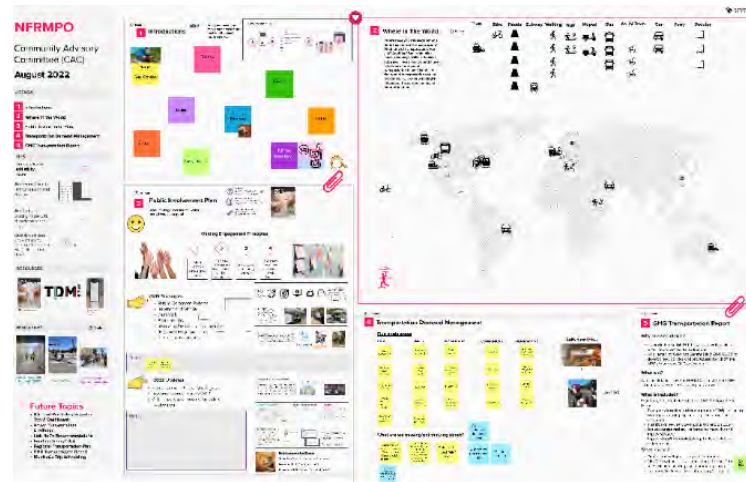
Screenshot of PollEV question

Mural

Mural is an online collaboration forum which allows for interactive online activities replicating how meetings may have been conducted using whiteboarding activities. Mural allows for online meetings to be more interactive and collaborative with features such as sticky notes, diagramming, and voting.

Example: CAC Mural Board

The NFRMPO has used Mural to help facilitate discussions during CAC meetings.



Screenshot of MURAL board

Virtual Engagement Events



The NFRMPO should explore implementing various forms of online engagement events including online open houses, virtual self-guided public meetings, and webinars. Virtual events remove the barrier for participants of traveling across the region to attend an NFRMPO led event. Online meeting such as a virtual Self-Guided meeting allow for participants to be educated and provide feedback at the time and place of their choosing. Virtual Engagement events can take many forms based on the needs and desired outcomes of the topic. The flexibility and customization of each event ensures the

Example: Link NoCo Self-Guided Meetings

HDR, the project consultant, developed a self-guided meeting for the LinkNoCo project, developing maps, graphics, and descriptions to explain the proposed corridor recommendations. Participants were asked to read through the background, process, and recommendations, and answer guided questions about the corridors or leave comments throughout. The self-guided meeting was open for two weeks and promoted via social media, on the project website, at meetings, the MPOs mailing lists, and through discussions with the public. More than 400 people participated.



Screenshot of Link NoCo Self Guided Meeting

Plan Specific Outreach Strategies



The NFRMPO should develop an outreach strategy document prior to embarking on major planning activities. The outreach strategy will allow for the NFRMPO to understand the desired outcomes and assist in choosing the appropriate strategies to achieve those outcomes. The Outreach Strategy document should outline the following:

- Definition of goals and desired outcomes
- Timeline
- Intended Audiences
- Specific outreach strategies, and
- Evaluation metrics

The Outreach Strategy should be included as an appendix of the plan and include a summary of activities completed, an evaluation of success, and recommendations for future plans.

The outreach summary should include the answers to the following questions:

1. Were enough activities held to attract the highest number of participants? Were they the right type of activities? Were they held where the underrepresented populations live or gather? Were there unforeseen circumstances staff can avoid in the future?
2. Did online activities engage more than in-person activities?
3. What changes can be made for the next iteration of the Plan.

Example: At the outset of the 2050 RTP development, NFRMPO staff created an outreach strategy including discrete phases of outreach which aligned with the phases of plan development. The outreach strategy can be found at [the link](#) and will be included as an appendix to the 2050 RTP.

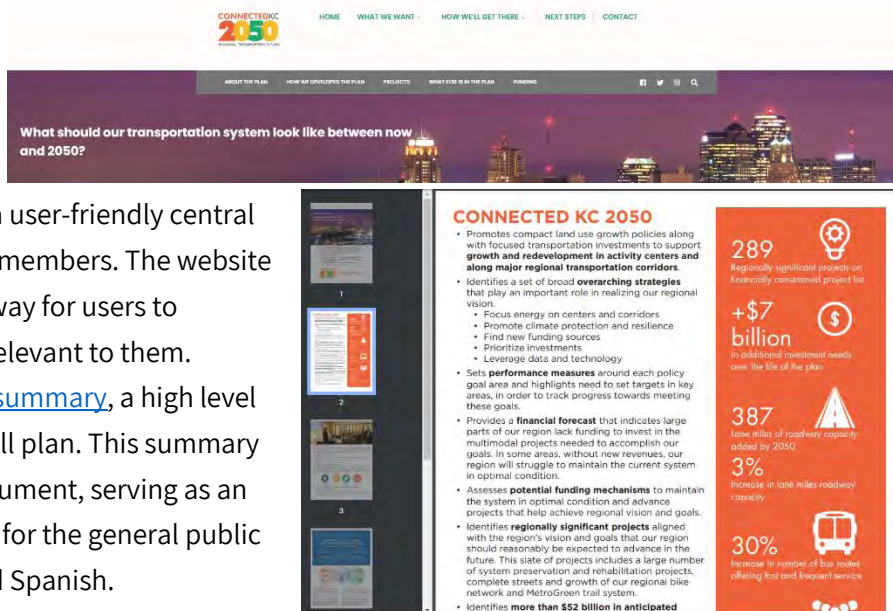
Micro Plans



Many NFRMPO plans and documents are lengthy and technical. This information is useful to NFRMPO and local agencies but may not be the most accessible to the general public. The NFRMPO should create condensed versions of planning documents which communicate complex concepts using plain language, infographics, and visualizations to illustrate data and information. The goal of Micro Plans is to be easily accessible may be published in a variety of formats including print, digital, or online interactive. Micro Plans should be available for review during public comment periods to allow for the public to review. Additionally, the NFRMPO should consider opportunities for translating Micro Plans when appropriate or upon request.

Example: [Connected KC 2050](#)

With the development of their long-range plan, the Mid-America Regional Council (MARC) created a project website which served as a user-friendly central hub of information for community members. The website breaks down elements of the plan as a way for users to navigate to the information most relevant to them. Additionally, MARC created a [plan summary](#), a high level view of what was included in the full plan. This summary is a concise but visual six-page document, serving as an accessible introduction of the plan for the general public and is available in both English and Spanish.



Screenshots from Connected KC website and plan summary



In addition to the partnerships the NFRMPO has with its member agencies, the NFRMPO should explore additional opportunities for partnerships to engage with populations not being reached through current channels. The 2021 *EJ Plan* included a list of possible partnerships included in the Community Resource Inventory appendix. The NFRMPO will utilize this inventory to expand the outreach network. The NFRMPO should look for further opportunities to expand on partnership including colleges and universities as well as libraries and community organizations.

The NFRMPO should seek opportunities to partner with other local agencies when setting up event booths. By partnering with more widely recognized partners or organizations who have existing relationships with the public, the NFRMPO may have the opportunity to engage with community members who may not ordinarily approach an NFRMPO booth.



Photo of NFRMPO and Safe Kids Larimer County staff at Everybody Bike Day booth

Example: Safe Kids Larimer County @ Everybody Bike Day booth

For 2022 Everybody Bike Day (Bike to Work Day) the NFRMPO partnered with Safe Kids Larimer County at a booth in Loveland. This partnership allowed for NFRMPO Staff to talk to participants about safety while Safe Kids Larimer County assisted participants with bicycle helmet fittings.

Equity Planning Tool



Included as a recommendation from the 2021 EJ Plan, a digital equity planning tool allow the NFRMPO and its local member agencies to decide on the most effective strategies for reaching various target populations based on factors such as the intent of the outreach (to educate, solicit feedback, promote a program, etc.), the intended audience (general, youth, older adults, communities of concern, etc.), and more. The tool would serve as a starting point, allowing filtration of options to focus on a menu of strategies appropriate for their project. This tool could be expanded to include location-based EJ analysis and suggested stakeholders.

Example: [Miami-Dade TPO Public Outreach Strategy page](#)



Screenshot of Miami-Dade Public Outreach Strategy Page

Equity Focus

The NFRMPO strives to ensure all members of the community have equal access to the resources and information provided by the NFRMPO. The NFRMPO takes its interactions with underserved communities seriously, ensuring low-income and minority community members have opportunities to participate in the transportation planning process. NFRMPO staff aims to expand community outreach, identify new strategies, and build relationships within the region. To better ensure equitable outreach, the NFRMPO adopted the Environmental Justice (EJ) Plan in 2021 and the Limited English Proficiency (LEP) Plan in 2022. Additionally, in 2021, the RideNoCo program began developing outreach strategies based on access to mobility options. Each of these efforts are described in this section.

Environmental Justice (EJ) Plan

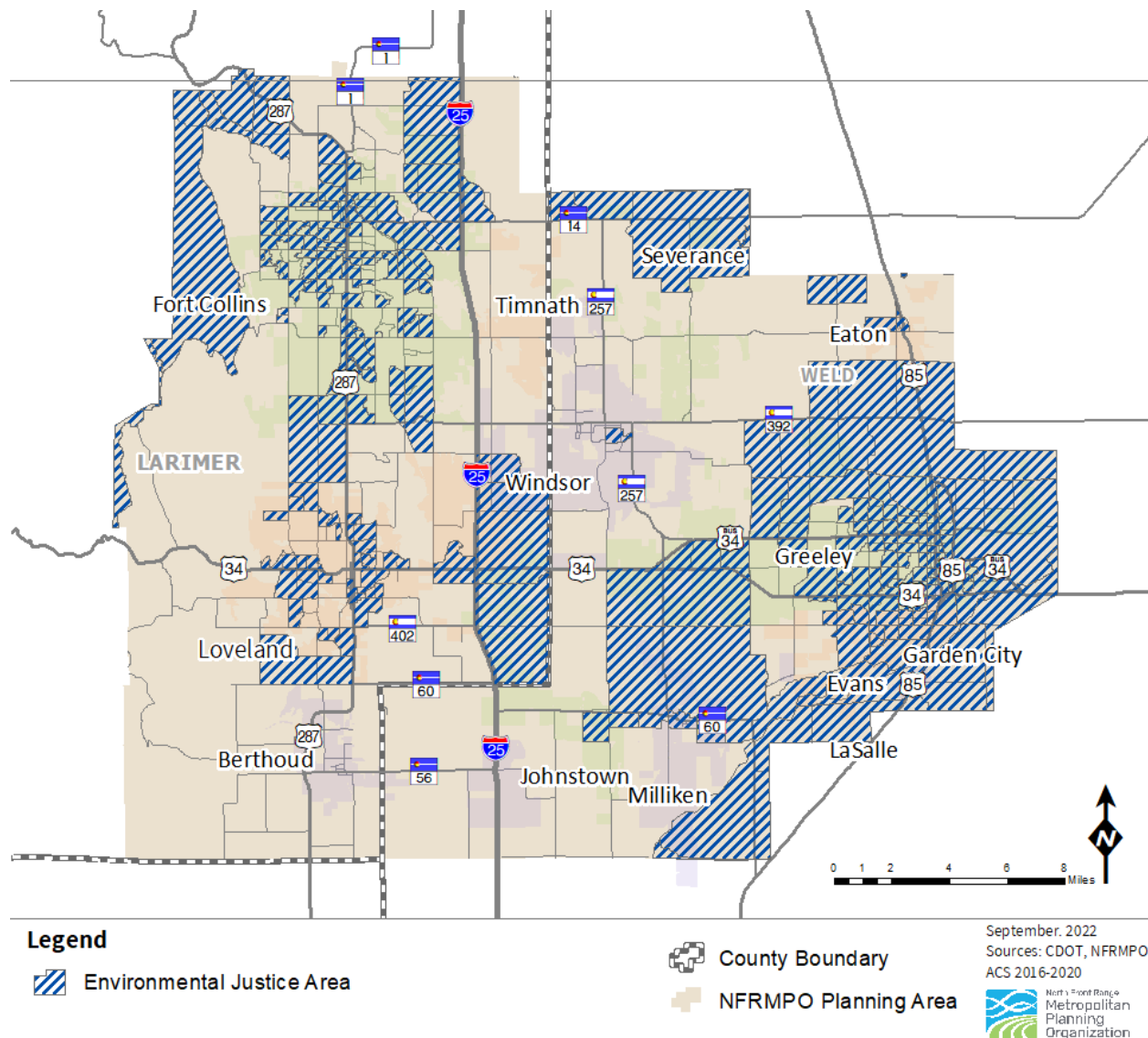
The NFRMPO [Environmental Justice \(EJ\) Plan](#) was adopted in April 2021 and created a framework for better integrating EJ and equity throughout the NFRMPO's work. The [EJ Plan](#) included:

- Analysis of access to the decision-making process across the region
- Identification of partnerships and engagement strategies
- Clearly defined benefits and burdens that fit our local and regional context

- Consideration of additional EJ populations, or Communities of Concern (COC), including those with above average rates of limited English proficiency (LEP), older adults and youths, individuals with disabilities (ambulatory, self-care, independent living, hearing, vision, or cognitive difficulties), female headed households, homeless and unhoused, and zero-car households
- Recommended actions to improve EJ and equity considerations in transportation planning

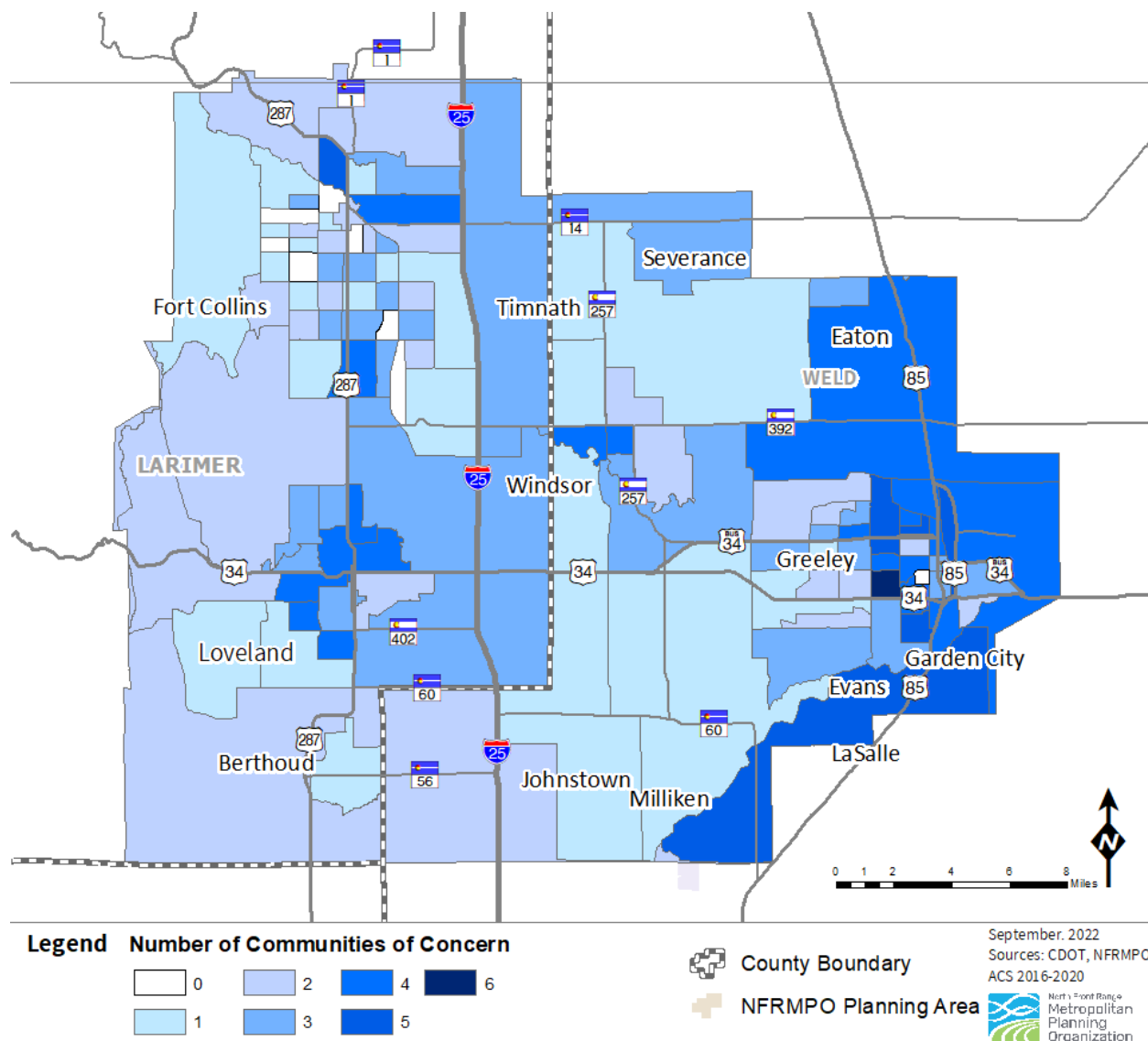
EJ areas, as outlined in the [EJ Plan](#), are census block groups which have a higher percentage than the regional average of low-income households or minority persons. The EJ areas map is updated annually with the most recent American Community Survey (ACS) data. **Figure 5** shows the EJ areas as of the 2016-2020 ACS.

Figure 5: NFRMPO EJ Areas Map



The COC area map, shown in **Figure 6**, illustrates the census tracts in the region and the number of COCs in comparison to the regional average.

Figure 6: NFRMPO COC Areas Map

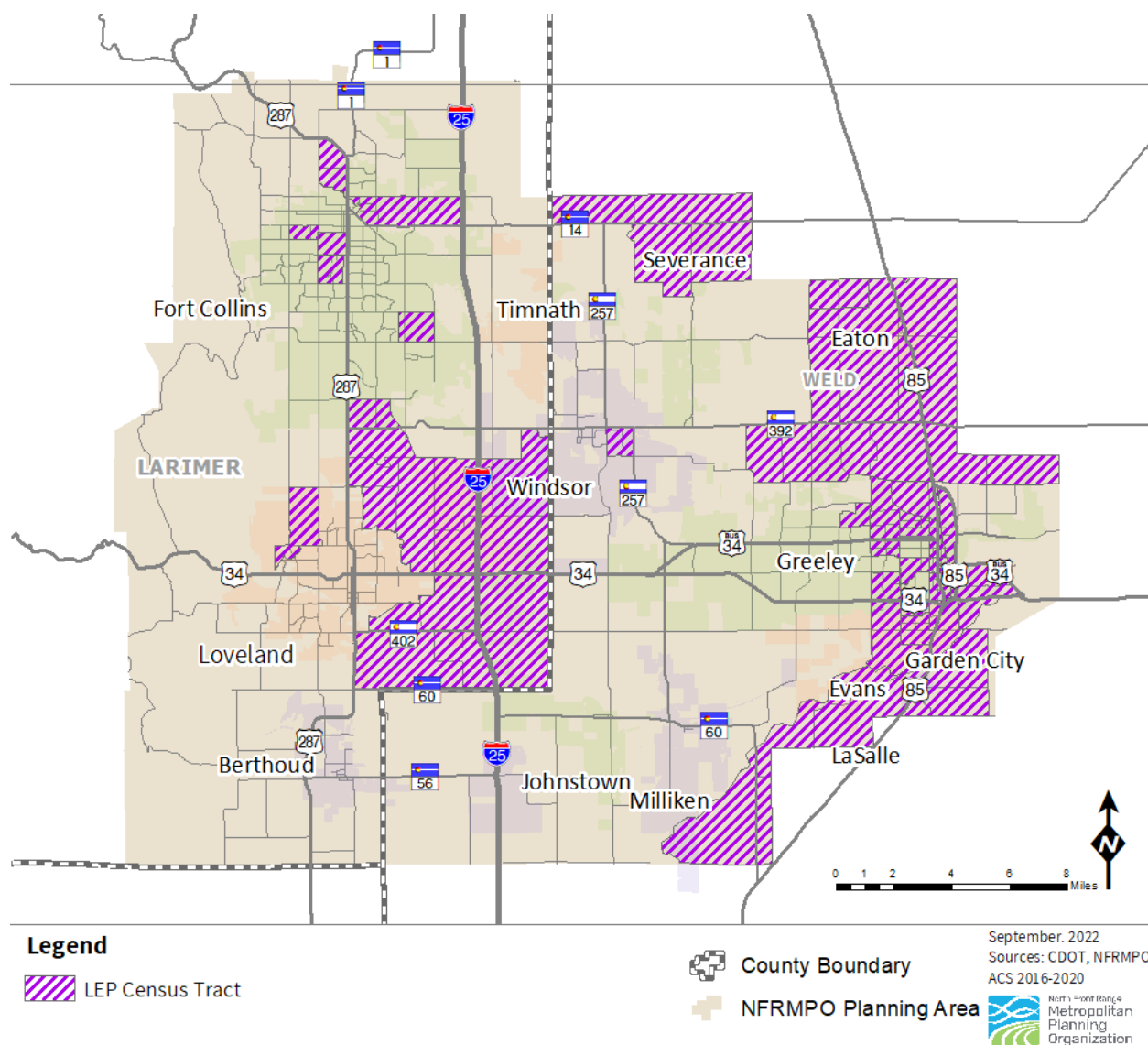


The full [EJ Plan](https://nfrmpo.org/wp-content/uploads/2021-environmental-justice-plan.pdf) can be found at: <https://nfrmpo.org/wp-content/uploads/2021-environmental-justice-plan.pdf>.

Limited English Proficiency (LEP) Plan

The [NFRMPO LEP Plan](#), adopted in May 2022 outlines the LEP populations in the NFRMPO region and includes a language assistance plan to help guide the NFRMPO in working with individuals with LEP.

Figure 7: LEP Map



The LEP Plan can be found in *Appendix E* of the 2022 Title IV Plan: <https://nfrmpo.org/wp-content/uploads/2022-title-vi-plan.pdf>.

Additionally, in 2022 the NFRMPO contracted with LanguageLink, an over-the-phone translation service with the ability to translate into over 200 languages. NFRMPO staff can utilize this service to engage with a broader range of community members.

The NFRMPO staff will work with partner agencies to identify opportunities for translating information and documents upon request and when appropriate. To help facilitate communication with non-English speakers, the NFRMPO will consider developing a Spanish language webpage as a resource for information on the NFRMPO.

RideNoCo – Mobility Access Sensitive Messaging

As the RideNoCo program has developed, the need for context sensitive messaging based on access to mobility options became evident. RideNoCo has begun developing messaging strategies based on the following tiers:

- Areas with reliable and varied mobility options
- Areas with limited mobility options
- Areas with no (known/institutional/organizational) mobility options

Defining these contexts will help RideNoCo tailor outreach based on the unique needs within each community and provide different assets to communities with many mobility options compared to communities with limited or no mobility options.

Potential Obstacles to Participation

The strategies outlined within the 2022 PIP are intended to encourage a diversity of engagement within the NFRMPO region. The NFRMPO acknowledges there continues to be obstacles which prevent the public from engaging in the NFRMPO planning process including:

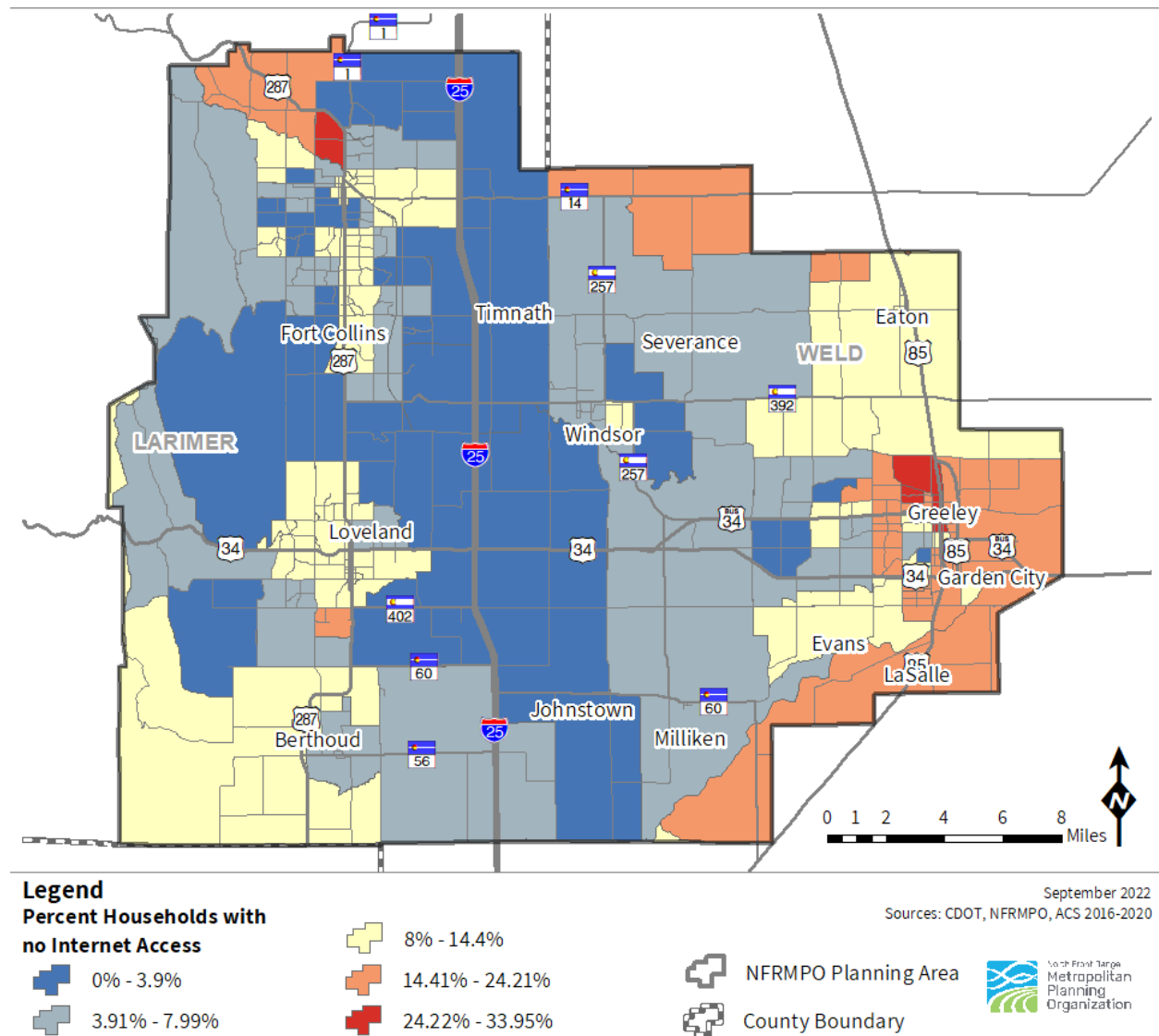
- Lack of physical access to a location, including lack of transportation to a physical location
- Lack of time to participate in events or meetings
- Limited access to internet, ability or knowledge required to participate in virtual events
- Dearth of understanding of the NFRMPO and the regional transportation planning process
- Pre-existing levels of distrust between community members and decision makers
- Consideration of the costs versus the benefit of participation, particularly regarding underserved communities' participation on the CAC

With an increased focus on technology strategies at all levels of government, it is important to take into consideration the communities which have little to no access to internet. **Figure 8** shows the areas within the NFRMPO region which have limited access to internet.

Acknowledging the time and effort commitment which is required of participating on a committee outside of working hours, the NFRMPO should investigate ways in which compensation can be provided to traditionally underserved populations to encourage a diversity of participation on the CAC.

The NFRMPO will continue to research and evaluate strategies to overcome the identified obstacles to ensure all members of the community have access to the resources and information provided by the NFRMPO. During evaluation of outreach activities, the NFRMPO should continuously consider ways in which these obstacles may be addressed and overcome.

Figure 8: NFRMPO Access to Internet Map



Success and Effectiveness

Defining Success for the Agency

The success of the NFRMPO's PIP and strategies can be measured both qualitatively and quantitatively. As illustrated in **Figure 9** there are several ways the NFRMPO can evaluate the effectiveness of an individual strategy. In addition to these numerical measures, the NFRMPO can analyze the depth of engagement by ensuring the strategies aligned with the four guiding engagement principles.

- Plans, studies, and other NFRMPO actions will reflect the concerns, needs, and vision of the public.
- A cross-section of the region's population is represented, including protected and underserved populations.
- To maintain an open dialogue with community members and commuters throughout the public participation process.
- To work with key stakeholders, members of the public, and member jurisdictions to coordinate participation during the planning process.
- Each strategy will be evaluated on a timely basis.

Defining Success for the Public

As a resident or visitor to the NFRMPO region, members of the public can expect the following:

- Easy access to current and upcoming plans and documents
- Convenient opportunities to provide input on NFRMPO activities
- Consideration of all community members regardless of race, color, national origin, or income status, sex, age, and disability
- Full and fair participation by all potentially affected communities in the transportation decision-making process
- A demonstration of explicit consideration and thoughtful response to public input received during the development of NFRMPO plans and programs.
- Reasonable accommodations regarding meeting locations, technology, and translation services to ensure all populations feel welcome and engaged in the planning process.
- Strategies which are tailored for specific populations and are evaluated on a timely basis to ensure success.

Measures of Effectiveness

The effectiveness of NFRMPO outreach strategies can be measured in a variety of ways. **Figure 9** outlines the strategies listed within this plan, and the metrics the NFRMPO will use to analyze effectiveness of each strategy.

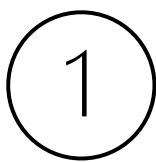
Figure 9: NFRMPO Engagement Strategy Measures of Effectiveness

<u>Strategy</u>	<u>Metrics</u>
 Website	• Visits • Common searches • Number of document downloads • Most visited pages
 Social media	• Number of annual site visits • Number of new followers • Comments received by users • Analytics, including Facebook likes and shares, retweets, success of Facebook promotion, blog comments, Instagram likes
 Newsletters	• Number of subscribers • Number of new subscribers • Number of subscribers opening newsletter • Number of link clicks
 Outreach Events	• Total number of interactions • Major themes and discussion topics • Quantity of promotional giveaways • Quantity of informational giveaways • Attendance of events in at least 80 percent of NFRMPO member communities
 Partnerships	• Annual number of partnered events
 Public comment periods	• Number of comments received • Substance of comments received
 Meetings	• Attendance • Comments made at and after meetings • Staff discussions after meetings
 Surveys	• Number of responses filled out in each language • Number of requests to forward survey • Total number received
 Title VI, EJ, and ADA	• Number of requests for alternate formats • Number of participants in meetings • Number of requests for translations

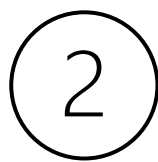
Evaluation Process

The NFRMPO should perform extensive evaluation of the public outreach process every two years, or at the midpoint of the Plan cycle. Evaluating the public involvement process on a consistent basis will ensure community engagement is working to the best of its ability and will better position the NFRMPO to plan outreach based on current events and trends. The evaluation will be both an internal and external effort including feedback from Staff, TAC, Planning Council, and the public. If significant changes are warranted following the evaluation the NFRMPO may consider amending the *PIP*.

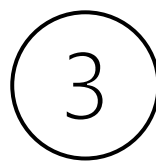
To ensure effectiveness of engagement strategies, evaluation of public outreach should always be assessed based on the four Guiding Engagement Principles as outlined earlier in the document.



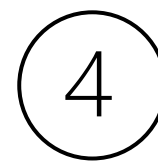
Meet people where they are.



Provide options for involvement, and be adaptable.



Be a good community partner.



Consistently evaluate what works and what doesn't.

Internal Evaluation

The NFRMPO produces an Annual Report each year, distributed to stakeholders and at public outreach events. This Annual Report includes an evaluation of public outreach throughout the year. In this section of the Annual Report, the NFRMPO can report out on relevant metrics listed in the Measures of Effectiveness table including social media and outreach event statistics, and major recurring themes during the past year of outreach.

In addition, the NFRMPO should analyze year over year trends within each outreach strategy to note which strategies may be underperforming and how these strategies may need to be adapted for better outcomes. NFRMPO staff will also review the Outreach Strategy and Summary following each plan.

External Evaluation

To complete the external evaluation, the NFRMPO may utilize surveys, whether verbally or written in person, or online, to evaluate interactions with the public. The survey may ask the following questions:

- Have you heard of the NFRMPO before?
- If so, how did you hear about the NFRMPO?
- How do you prefer to receive information?
- In what community do you live?
- In what community do you work?
- How do you usually get to work?
- Demographic data (optional)

NFRMPO Staff should, whenever possible, follow up with individuals who provide public comment or during the planning process to close the feedback loop and allow the community know how their comments and recommendations have been addressed.

Staff will also work with the CAC to gather feedback on the effectiveness of strategies implemented following the adoption of the *PIP* and solicit advice on how to better improve engagement processes.

Internal evaluations cannot be considered useful if they are not shared with the public. NFRMPO staff will share evaluations of the public involvement process in the following ways:

- Inclusion in the NFRMPO's Annual Report;
- Annual discussion with TAC and Planning Council and a formal analytical discussion every two years;
- In each plan as an introductory section and appendix;
- Posting to the NFRMPO website; and,
- By request.

Appendix A: List of Acronyms

- ACS** – American Community Survey (<https://www.census.gov/programs-surveys/acs/>)
- ADA** – Americans with Disabilities Act of 1990 (<https://www.ada.gov/>)
- APCD** – Air Pollution Control Division (<https://www.colorado.gov/pacific/cdphe/apcd>)
- ATP** – Active Transportation Plan (<https://nfrmpo.org/bike-ped/>)
- BIL** – Bipartisan Infrastructure Law (<https://www.fhwa.dot.gov/bipartisan-infrastructure-law>)
- CAC** – Community Advisory Committee (<https://nfrmpo.org/public-involvement/committee/>)
- CDOT** – Colorado Department of Transportation (<https://www.codot.gov/>)
- CDPHE** – Colorado Department of Public Health and Environment (<https://www.colorado.gov/cdphe>)
- CORA** – Colorado Open Records Act (https://www.sos.state.co.us/pubs/info_center/cora.html)
- CO** – Carbon Monoxide
- DTD** – CDOT Division of Transportation Development (<https://www.codot.gov/programs/planning>)
- EJ** – Environmental Justice (<https://www.epa.gov/environmentaljustice>)
- FAST Act** – Fixing America’s Surface Transportation Act (<https://www.fhwa.dot.gov/fastact/>)
- FOIA** – Freedom of Information Act (<https://www.foia.gov/>)
- GHG** – Greenhouse Gas
- GIS** – Geographic Information Systems
- IJA** – Infrastructure Investment and Jobs Act (See **BIL**)
- ISTEA** – Intermodal Surface Transportation Efficiency Act of 1991
(https://www.fhwa.dot.gov/planning/public_involvement/archive/legislation/istea.cfm)
- LCC** – Local Coordinating Council
- LCMC** – Larimer County Mobility Committee (<https://nfrmpo.org/mobility/committees/>)
- LEP** – Limited English Proficiency (<https://www.lep.gov/>)
- MAPG** – Mobility and Access Priority Group (formerly STC – Senior Transportation Coalition)
- MPO** – Metropolitan planning organization (<https://www.planning.dot.gov/mpo.asp>)
- NFRMPO** – North Front Range Metropolitan Planning Organization (<https://nfrmpo.org/>)

NFRT&AQPC – North Front Range Transportation & Air Quality Planning Council, also known as the Planning Council (<https://nfrmpo.org/planning-council/>)

NoCo – Northern Colorado Bicycle & Pedestrian Collaborative (<https://nfrmpo.org/bike-ped/noco/>)

PIP – Public Involvement Plan (<https://nfrmpo.org/public-involvement/>)

RAQC – Regional Air Quality Council (<https://raqc.org/>)

RTP – Regional Transportation Plan (<https://nfrmpo.org/rtp/>)

STAC – Statewide Transportation Advisory Committee
(<https://www.codot.gov/programs/planning/planning-partners/stac.html>)

STIP – Statewide Transportation Improvement Program
(<https://www.codot.gov/business/budget/statewide-transportation-improvement-program-stip-reports-information>)

SWMPO – Statewide Metropolitan Planning Organization Committee
(<https://www.codot.gov/programs/planning/documents/planning-partners/swmpo>)

TAC – Technical Advisory Committee (<https://nfrmpo.org/tac/>)

TC – Transportation Commission (<https://www.codot.gov/about/transportation-commission>)

TDM – Transportation Demand Management (<https://nfrmpo.org/tdm/>)

TIP – Transportation Improvement Program (<https://nfrmpo.org/tip/>)

TPR – Transportation Planning Region
(https://www.codot.gov/programs/planning/documents/planning-partners/TPR_Small.jpg/view)

UPWP – Unified Planning Work Program (<https://nfrmpo.org/upwp/>)

UZA – Urbanized Area

WCMC – Weld County Mobility Committee (<https://nfrmpo.org/mobility/committees/>)

Appendix B: Accommodations

The NFRMPO works to accommodate any and all requests. NFRMPO staff requests all inquiries for accommodations be made at least 72 hours in advance of the meeting. Forms for Title VI complaints and records requests are included at the following links:

Title VI/ADA Complaint Form: <https://nfrmpo.org/wp-content/uploads/TITLE-VI-ADA-COMPLAINT-FORM-2022-Updated.pdf>

To request a translator, make a Title VI complaint, or inquire about a public outreach event, please contact:

NFRMPO – Title VI Coordinator

419 Canyon Ave, Suite 300

Fort Collins, CO 80521

Phone: (970) 800-9560

Email: staff@nfrmpo.org



Request to Inspect Public Records

Pursuant to the Colorado Open Records act, the MPO will respond to this request within three (3) working days. This completed form may be sent to the Office Administrator at the NFRMPO via mail or email. The original of this form will be retained by the Office Administrator.		Return form to:		
		Via mail:	North Front Range MPO Attn: Office Administrator 419 Canyon Ave, Suite 300 Fort Collins, CO 80521	
		Via email:	staff@nfrmpo.org	
	Date of Request:	Time of Request:		
Contact Information	Name			
	Address			
	City	State	Zip	Telephone Number
	Email address			
Description of Record Desired				
Signature				
For NFRMPO Use Only	Response Date	Method of Delivery		
	Request denied?	Basis for denial		
	Comments:			

Appendix C: Social Media Policy

NFRMPO Social Media Policy

September 21, 2022

The NFRMPO maintains a presence on social media to engage with, inform, and cultivate connections with members of the community. Various uses in which the NFRMPO engages on social media are outlined in the NFRMPO's Public Involvement Plan (PIP). Social media is to be used by NFRMPO staff in a responsible, efficient, ethical, and legal manner in accordance with the mission of the NFRMPO.

The NFRMPO maintains the following social media channels:

- NFRMPO
 - o Facebook: <https://www.facebook.com/nfrmpo/>
 - o Instagram: <https://www.instagram.com/nfrmpo>
 - o LinkedIn: <https://www.linkedin.com/company/nfrmpo/>
 - o YouTube: <https://www.youtube.com/@nfrmpo>
- VanGo™
 - o Facebook: <https://www.facebook.com/VanGoVanpools/>
 - o Twitter: <https://twitter.com/VanGoVanpools/>
 - o Instagram: https://www.instagram.com/vango_vanpools/
- RideNoCo
 - o Facebook: <https://www.facebook.com/RideNoCoCO/>
 - o Instagram: <https://www.instagram.com/rideno.co/>
 - o Twitter: <https://twitter.com/ridenoco>

Comments Policy

Comments and opinions expressed by the public on any NFRMPO social media channel, including but not limited to Facebook, Instagram, Twitter, LinkedIn, or YouTube, are not the opinion of the NFRMPO, its employees, or the NFRMPO Planning Council. Visitors to the NFRMPO's social media are advised these sites serve as limited public forums, and all content is subject to monitoring. The NFRMPO reserves the right to remove comments which:

- Are outside the scope of the topic of the site or page;
- Contain graphic, obscene, explicit, or discriminatory language;
- Include sexual/pornographic content or links to such content;
- Encourage illegal or unlawful activity, including threats of harassment or violence, or violations of federal, state, or local laws;
- Include solicitations or advertisements including any promotion or endorsement of any financial, commercial, or non-governmental agency;
- Disclose personal, confidential, proprietary, or privileged information, including personally identifying information that could be used to commit identification fraud;

- Include content in support of or opposition to any person campaigning for election to a political office or promoting or opposing any ballot proposition; and/or
- Include any links suspected of containing a virus.

All comments made to a website maintained by the NFRMPO may be subject to the Colorado Open Records Act (CORA).

Official Public Comment

Members of the public are encouraged to engage and interact with content published on the NFRMPO's social media channels. Members of the public are also strongly encouraged to follow the public comment procedures outlined in the PIP for official public comment purposes including comments or suggestions on specific NFRMPO plans or work tasks, requests for accommodations, or public records requests.

The NFRMPO will respond to direct and relevant questions posted on its social media pages to the greatest extent feasible to help educate and inform the public on NFRMPO and transportation-related topics.

Records Retention

Social media sites are not the property of the NFRMPO, but the content posted remains the responsibility of the NFRMPO. The NFRMPO acknowledges social media tools are subject to public records law and will retain and dispose of social media records in accordance with CORA and the NFRMPO Records Retention policy. To the maximum extent practicable, the NFRMPO social media archive will include messages, posts (including images, videos, and text), profile information, connections, and comments. Social media records will be retained for up to four (4) years or what is consistent with the most current NFRMPO Record Retention Policy.

As social media is an evolving means of public interaction, the NFRMPO social media policy is subject to amendment or modification at any time to ensure its continued use is consistent with its intended purpose as a limited forum. Questions or concerns regarding the NFRMPO presence in various social media channels should be directed to staff@nfrmpo.org.

Appendix D: Public Comment

The NFRMPO released the 2022 Public Involvement Plan for a 45-day public comment period from September 21, 2022 to November 5, 2022. In that time, the NFRMPO received feedback from four individuals and agencies. Comments received are grouped by topic below.

Strategies

- Thank you for the idea of micro-plans, that would be really helpful for many people. Do you think people will be able to provide comments using the micro-plan during a commenting period or will it just be a summary produced after adoption?
- Sounded like CAC will be continuing past the pilot period, congrats!
- Remove the update cycles of the documents unless that is the only cycle this document will be used for. If the NFRMPO foresees the PIP being used beyond those, either list every applicable cycle or remove the dates. You can include language elsewhere that dates and schedules will be reported in a different location.

Evaluation

- Has there ever been any evaluation done? This data, or pointing to that evaluation, should be included here. I suggest break it down by plan. How many people provided input or how many comments on the last RTP, for example. If this is something you've been monitoring over time, you could show for example a graph of survey responses which is hopefully increasing over time but probably not steadily (some surveys attract more attention than others).
- As a former MPO staff (in Virginia), the web metrics weren't very useful. It mostly showed us how many robots had attacked us. I tried tracking it monthly and after a few months decided it was a waste of my time.
- This is a lot of metrics to keep track of. What do you do with this data? How is it used?
- One of the most effective practices I did (in my former life as an MPO staff) was ask for a zip code in surveys. I produced a map with every survey that was color-coded for # responses received from each zip code. I had a table that compared the % of responses received from that zip code to the % of the population of the region from that zip code. Then I could purchase Facebook ads to target the under-responding zip codes next time I was promoting a survey.
- Will there be an effort to allow those who participate in opportunities to know what was done with the feedback they provided? How will you close the feedback loop?
- I wonder about the "quantity of promotional giveaways" as a metric; I've heard from other partners who feel like a "swag vending machine" at events. If it is tedious to collect or monitor, perhaps it is worth considering excluding it from the metrics.

Equity

- Will opportunities be available in languages other than English for non-English speakers to be involved? Including translating documents.

- I'm glad to see youth mentioned specifically. Will any engagement opportunities be tailored to the population?
- How do you define communities of concern?
- If you deem appropriate, please consider adding "youth" as an underserved population.
- The access to the internet map was surprising, that's a valuable piece of data to include, good job!

General

- I enjoyed the mix of text, pictures, and icons and found the draft easy to follow.
- This document describes HOW public engagement happens, but not WHY. Some specific examples of how and when public input is considered in decision making would help. The one mentioned I found was that public input is included as an appendix of documents that the Council makes decisions on.
- The biggest obstacle to participation is not knowing about the opportunity. Next biggest is not understanding it (which you include). How do you promote public participation opportunities? What resources do you have to spend on public participation? It's amazing how far a few dollars go on Facebook ads. (I tried out a few other platforms, but Facebook had the best return on investment.) The tool that made the biggest difference for equity was an email list of interested stakeholders. Every time I did a survey, I asked for email addresses. Most people don't fill that in, but some do, and next time I did a survey, I'd email that list. Since this is people who not only cared enough to take the survey but trusted you enough to give you their email address, I got the BEST response rate from that list. So I made sure to get out & meet people that would probably check certain boxes in the demographic section, and invite them to my email list. It took a couple years and then it was really making a difference in our #'s. We went from one survey where just 1 person identified as Black out of 500, to a survey two years later where 8% identified as Black (the region was 14% Black).

Appendix E: NFRMPO *LEP Plan*



North Front Range
**Metropolitan
Planning
Organization**

Limited English Proficiency (LEP) Plan

Adopted: May 1, 2025



North Front Range
**Metropolitan
Planning
Organization**

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Prepared by:

NFRMPO

419 Canyon Avenue, Suite 300
Fort Collins, CO 80521

with assistance from

Colorado Department of Transportation

Preparation of this document has been financed in part through grants from the Federal Highway Administration, the Federal Transit Administration, and the local member communities of the NFRMPO.

Adopted May 2025

If you need any accommodations to access this document's content, please email staff@nfrmpo.org or call (970) 800-9560. You can expect a response within 3 business days.

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Introduction

A. Preamble

This Limited English Proficiency (LEP) Plan, for the North Front Range Metropolitan Planning Organization (NFRMPO) has been developed in response to federal requirements included under **Section 601 of Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d), which provides that no person 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.”

Federal Executive Order No. 13166: Improving Access to Services for Persons with Limited English Proficiency was issued in August 2000 by President Clinton to "... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..." President Bush affirmed his commitment to **Executive Order 13166** through a memorandum issued on October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr., Loretta King, Acting Assistant Attorney General, further strengthened the enforcement of Title VI in a memorandum dated July 10, 2009.

As a sub-recipient of funds from the Federal Transit Administration (FTA), through the Colorado Department of Transportation (CDOT), the NFRMPO has developed this LEP Plan to ensure compliance with Federal LEP regulations including the FTA LEP handbook “**Implementing the Department of Transportation’s Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient Persons.**” This Plan includes an assessment of the limited English proficiency needs of the NFRMPO region, an explanation of the steps the NFRMPO is currently taking to address these needs, and the steps the NFRMPO plans to take in the future to ensure meaningful access to the region’s transit and planning programs for persons with limited English proficiency.

B. Policy

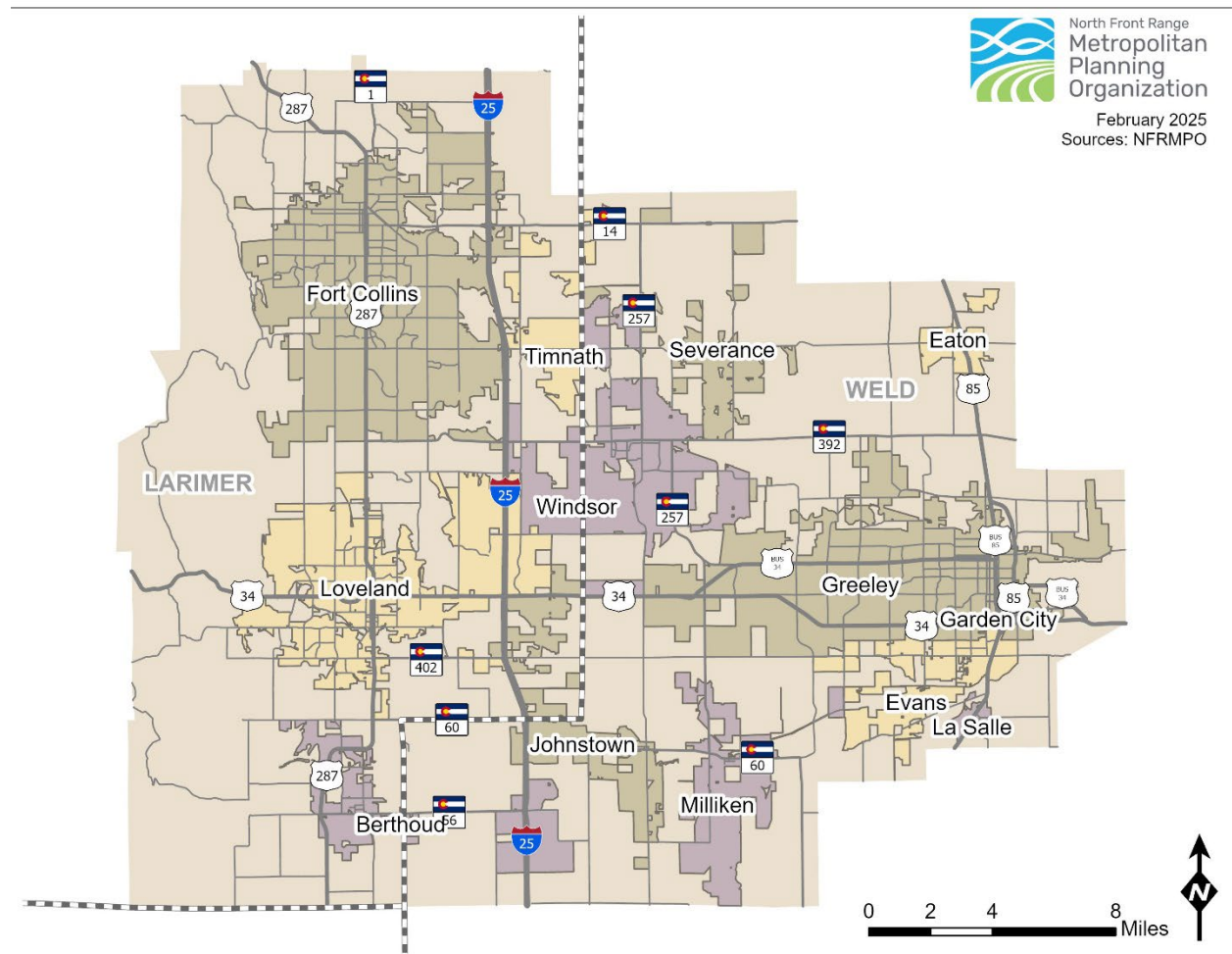
It is the policy of the NFRMPO to ensure that the NFRMPO’s programs and activities, normally provided in English, are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964. The NFRMPO will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats to ensure LEP persons have access to information and services.

C. The NFRMPO

The NFRMPO is a regional transportation planning agency focused on the urbanized portions of Larimer and Weld counties in Northern Colorado as designated by the federal government and the Governor of Colorado in 1988. The mission of the NFRMPO is to promote and encourage regional coordination and cooperation in matters relating to transportation and transportation-related air quality planning. To achieve this mission, the NFRMPO provides a forum to identify, study and recommend solutions to regional transportation and transportation-related air quality problems.

The NFRMPO region consists of 15 member communities, specifically 13 municipalities and portions of two counties: Berthoud, Eaton, Evans, Fort Collins, Garden City, Greeley, Johnstown, LaSalle, Loveland, Milliken, Severance, Timnath, Windsor, and portions of both Larimer and Weld counties. The NFRMPO covers 675 square miles and has more than 540,000 residents. A map of the NFRMPO region is shown in **Figure 1**.

Figure 1: Map of the NFRMPO Region

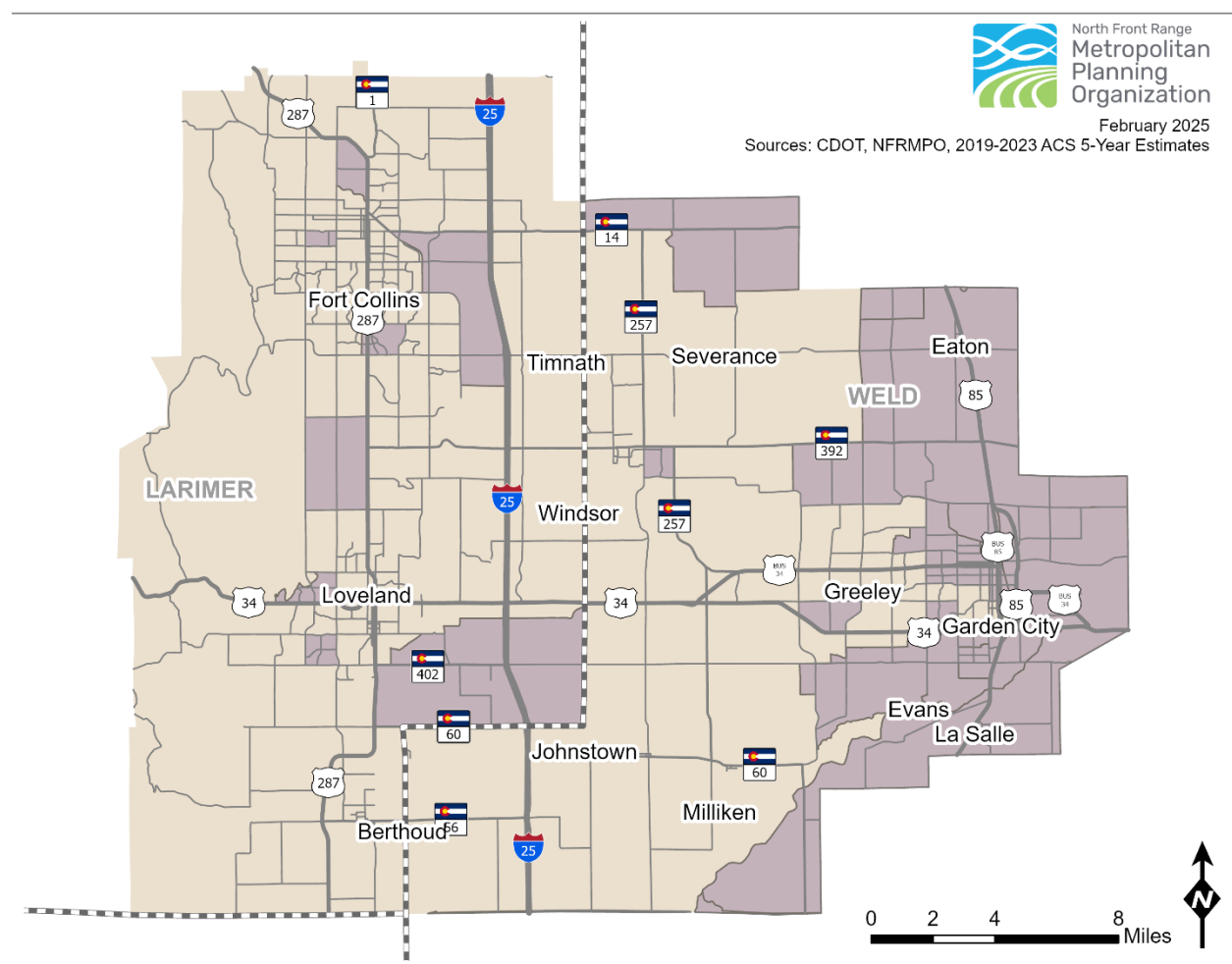


Limited English Proficiency Self-Assessment

A. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee

The NFRMPO uses American Community Survey (ACS)-level data, specifically the 5-Year 2019-2023 data, for LEP analysis. According to the ACS, 4.4 percent of residents within the NFRMPO boundary indicated they spoke English less than very well. This equates to approximately 24,000 residents. Overall, approximately 12.9 percent of residents can speak a language other than English. The most common language in the region other than English is Spanish. In total, 95.6 percent of residents speak English very well. **Figure 2** maps LEP Census Tracts in the region with a higher percentage than the regional average.

Figure 2: LEP by Census Tract



Legend

Boundaries

County Boundary

NFRMPO Planning Area

LEP Census Tracts Above Regional Average

Table 1 and **Table 2** provide a breakdown of LEP populations by County and at the regional level. The NFRMPO consists of a large amount of unincorporated area, which for some data may be less easy to separate from the larger County data. Spanish has the most speakers after English, with 10.3 percent of residents in the NFRMPO incorporated communities speaking the language. Weld County has a larger proportion of LEP residents than Larimer County.

Table 1: LEP in the NFRMPO Region for Population Age 5 and Over (2023)

Geography	Total Population 5 Years Old and Over	English Speakers Only	Population Speaking Language Other than English	LEP Population	% LEP Population
Larimer County	347,382	318,687	28,695	7,891	2.3%
Weld County	317,439	257,532	59,907	22,634	7.1%
NFRMPO Region*	543,785	473,433	70,352	24,034	4.4%

Source: 2019-2023 American Community Survey 5-Year Estimates

*The data for the NFRMPO region is based on the Census Tracts which align with the NFRMPO boundary, not the full counties.

Table 2: Language Breakdown at County and Regional Level

Language	Total Larimer and Weld Counties	Incorporated NFRMPO Communities
Only English	86.7%	86.8%
Spanish	10.7%	10.3%
Other Asian and Pacific Island Languages	0.4%	0.4%
Other Indo-European Languages	0.6%	0.7%
German	0.4%	0.4%
Chinese	0.3%	0.4%
Other Languages	0.3%	0.3%
French	0.2%	0.2%
Arabic	0.1%	0.1%
Vietnamese	0.2%	0.1%
Russian	0.2%	0.2%
Tagalog	0.1%	0.1%
Korean	0.1%	0.1%

Source: 2019-2023 American Community Survey 5-Year Estimates

Larimer and Weld County data includes all of the NFRMPO region and areas outside of the NFRMPO boundary. Incorporated NFRMPO data is based on the 13 incorporated municipalities within the NFRMPO boundary.

B. Frequency with which LEP individuals come in contact with the NFRMPO programs

The NFRMPO collaborates with various stakeholders, including community members and staff from local communities and counties, transit agencies, CDOT, and other transportation providers to conduct the federally-required transportation planning process. Other than the VanGo™ Vanpool program, the NFRMPO does not operate any specific services like bus or rail transit.

Outreach undertaken by the NFRMPO is guided by the [2022 Public Involvement Plan \(PIP\)](#), which was adopted in December 2022. An updated PIP is expected in 2026. The [PIP](#) outlines strategies to reach as much of the public living within the NFRMPO region as possible, including historically underrepresented and LEP populations.

Between 2014 and 2024, the NFRMPO did not receive any requests for translation services at meetings or for brochures. The NFRMPO's Rider's Guide was translated into Spanish and distributed at outreach events in local communities. The NFRMPO has also assisted collaborating agencies in personalizing their outreach efforts by taking advantage of existing partnerships, such as Regional Air Quality Commission (RAQC) creating Spanish-language materials with the guidance of the Community Champions and the Larimer County Department of Health and Environment.

C. Nature and importance of the program, activity, or service

NFRMPO staff analyzed the agency programs and services provided to determine their value and importance to the LEP population. To carry out its mission, the NFRMPO has a range of programs meant to address transportation funding, transportation planning, and transportation demand management (TDM). These programs include:

- **VanGo™ Vanpool Program**

The City of Fort Collins and Transfort initiated the VanGo™ program in 1994. As a component of a regional Transportation Demand Management (TDM) program, VanGo™ Vanpool Services was incorporated into the North Front Range Transportation & Air Quality Planning Council (NFR&AQPC) in 1996. In 2024, the VanGo™ program 21 vanpool routes in operation. The majority of VanGo™ participants travel from within the North Front Range to the Denver Metro Area.

- **Transportation Improvement Program (TIP)**

The NFRMPO works with member communities and other agencies, like the Colorado Department of Transportation (CDOT) to fund regionally significant transportation projects. These projects are described in the TIP alongside funding amounts and sources over a four-year period. A Demographic and Environmental Analysis is done each time the TIP is updated both annually and with the bimonthly Amendment cycle, ensuring there is no disparate impacts.

- **Mobility Coordination**

The Mobility Coordination program works with human service agencies, transit providers, advocates, and other stakeholders to improve transit and mobility for older adults and individuals with disabilities. Two Local Coordinating Councils (LCCs), one per County, provide a forum for discussion. Educational tools are also distributed to assist with transit access.

- **Bicycle and Pedestrian Program**

The Bicycle and Pedestrian Program consists of regional trail planning, counter program, and technical assistance. The NoCo Bike & Ped Collaborative, although not an NFRMPO committee, is an important regional tool for bicycle and pedestrian planning in the region.

- **Transportation Planning**

In addition to specific programs, NFRMPO staff undertake a wide range of transportation plans, including the long-range Regional Transportation Plan, Active Transportation Plan, Freight Northern Colorado, and the Transportation Profile. Much of the planning is complemented by the Regional Travel Demand Model (RTDM) and Land Use Allocation Model (LUAM).

- **Air Quality**

The NFRMPO partners with the RAQC in Denver to do air quality outreach during the summer ozone season. This entails going to community events and providing information and outreach items – some available in Spanish – to educate residents in Larimer and Weld counties about ozone, how ozone and bad air quality impacts vulnerable populations, and what the region can do to improve its air quality.

The NFRMPO encounters LEP populations specifically at community events during the summer, when the NFRMPO staff attends member entities' festivals. Some materials are provided in Spanish, the most common language other than English. The NFRMPO seeks opportunities to garner input and feedback from LEP populations during plan updates as well.

The NFRMPO views all public outreach as important and analyzes each event for the possibility of interacting with residents who speak English less than very well. The NFRMPO believes investments should be equitable and benefit all residents regardless of language.

D. Resources available to the recipient and costs

The NFRMPO has the following materials available in Spanish:

- Rider's Guides
- Air Quality brochures
- Major plan surveys
- Colorado Bicycling Manual

The following materials may be translated if a request is made:

- Non-Motorized Brochure
- Public Involvement Brochure

Translation services are included in the NFRMPO's Unified Planning Work Program (UPWP) each year to ensure funding is set aside for translating documents if requests are made or documents are updated. In addition, the NFRMPO partners with outside agencies to analyze the likelihood of needing translated documents at outreach and community events.

Requests for translation of documents or translators at outreach events can be made to the Title VI Coordinator at (970) 289-8281 or bkarasko@nfrmpo.org. Accommodation requests must be made within 72 hours of an event.

Language Assistance Plan

The following sections provide additional information on how the NFRMPO assists LEP populations, based on the Four Factor Analysis.

Language Assistance Measures

- Post the LEP Plan on the NFRMPO website at <https://nfrmpo.org/> and make it available to others upon request. Copies of the Plan will also be available to the NFRMPO Planning Council and other jurisdictional and community partners upon request. LEP persons may obtain copies/translations of the Plan upon request.
- Build further partnerships with governmental and non-profit organizations which work with LEP populations.
 - Use these networks to find translators from the community when possible.
- Ensure the NFRMPO website is accessible or translatable to Spanish and other languages where there are more than five percent of the population who speak the language.
- Provide important documents in English and Spanish, including the Title VI Complaint Forms.

Staff Training

- Work with administrative staff and Title VI Coordinator to ensure phone calls are handled appropriately if information is needed in a language other than English.
- Provide staff training to ensure the LEP and Title VI policy is carried out in the NFRMPO's daily policies and programs, as well as at outreach and community events.

Monitoring and Updating the LEP Plan

- The NFRMPO will continually update its LEP populations to ensure up-to-date data is used. The LEP Plan will be updated on the same schedule as the *Title VI Plan*. Data to be collected includes:
 - The most recent American Community Survey (ACS) data for populations which speak languages other than English;
 - Number of requests for translation received per year; and
 - Number of existing translated documents distributed at outreach and community events.

Providing Notice to LEP Persons

- Post signs and other informational items at events where NFRMPO staff expects community members who do not speak English.
- Provide handouts and other documents in English and Spanish (or other language) if in an LEP community.
- Work with partner agencies to hold outreach events in LEP communities.

Appendix F: Professional Services Contract

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into this ____ day of _____, 20__, by and between THE NORTH FRONT RANGE TRANSPORTATION AND AIR QUALITY PLANNING COUNCIL (the "MPO"), and _____ an independent consultant with a principal place of business at _____ ("Consultant") (collectively the "Parties").

WHEREAS, the MPO requires professional services; and

WHEREAS, Consultant has held itself out to the MPO as having the requisite expertise and experience to perform the required professional services.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

I. SCOPE OF SERVICES

A. Consultant shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in the attached **Exhibit A**.

B. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement. If Consultant proceeds without such written authorization, Consultant shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the MPO is authorized to modify any term of this Agreement, either directly or implied by a course of action.

II. COMMENCEMENT AND COMPLETION OF WORK

Consultant shall commence work as set forth in the Scope of Service. Except as may be changed in writing by the MPO, the Scope of Services shall be complete and Consultant shall furnish the MPO the specified deliverables and project timeline as provided in **Exhibit A**.

III. COMPENSATION

A. In consideration for the completion of the Scope of Services by Consultant, the MPO shall pay Consultant an amount not to exceed _____. This maximum amount shall include all fees, costs and expenses incurred by Consultant, and no additional amounts shall be paid by the MPO for such fees, costs and expenses. The compensation paid under this Agreement is based on the Cost Proposal attached hereto as **Exhibit B**.

B. Notwithstanding the maximum amount specified in Paragraph A hereof, Consultant shall be paid only for work performed. If Consultant completes the Scope of Services for a lesser amount than the maximum amount, Consultant shall be paid the lesser amount, not the maximum amount.

C. Consultant shall submit invoices to the MPO on a monthly basis for all services rendered during the month represented on the invoice. Such invoices shall detail, with appropriate documentation, the task performed, the individuals working on such task, and expenses incurred with supporting documentation. Each invoice will contain all hours and expenses from the Consultant for the month. Upon receipt of an invoice, the MPO shall pay all undisputed amounts within thirty (30) days.

IV. PROFESSIONAL RESPONSIBILITY

A. Consultant hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law.

B. The work performed by Consultant shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by Consultant hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

C. The MPO's review, approval or acceptance of, or payment for any services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

D. Because the MPO has hired Consultant for its professional expertise, Consultant agrees not to employ subcontractors to perform any of the work required under the Scope of Services without the prior written consent of the MPO.

E. Commencing at the end of the calendar month following the date of execution of this Agreement and every calendar month end thereafter, Consultant shall provide the MPO with a written report of the status of the work. Failure to provide any required monthly report may, at the option of the MPO, suspend the processing of any partial payment request.

V. OWNERSHIP

The materials, items, and work specified in the Scope of Services, together with any and all related documentation and materials provided or developed by Consultant shall be exclusively owned by the MPO. Consultant expressly acknowledges and agrees that all work performed under the Scope of Services constitutes a "work made for hire." To the extent, if at all, it shall not constitute a "work made for hire," Consultant hereby transfers, sells, and assigns to the MPO all of its right, title, and interest in such work. Other entities that may reproduce, publish, or otherwise use the designs, plans, reports, specifications, drawings, and other services rendered by the Consultant include but are not limited to the Colorado Department of Transportation ("CDOT"), the Federal Transportation Administration ("FTA"), and the Federal Highway Administration ("FHWA").

VI INDEPENDENT CONTRACTOR

Consultant is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Consultant to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Consultant for all purposes. Consultant shall make no representation that it is an MPO employee for any purposes.

VII. INSURANCE

A. Consultant agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Consultant pursuant to this Agreement. Such insurance shall be in addition to any other insurance requirements imposed by law.

B. Consultant shall procure and maintain, and shall cause any subcontractor of Consultant to procure and maintain, the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to the MPO. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

1. Worker's compensation insurance to cover obligations imposed by applicable law for any employee engaged in the performance of work under this Agreement, and Employer's Liability insurance with minimum limits of five hundred thousand dollars (\$500,000) each accident, one million dollars (\$1,000,000) disease – policy limit, and one million dollars (\$1,000,000) disease – each employee. Evidence of qualified self-insured status may be substituted for the worker's compensation requirements of this Paragraph.

2. Commercial general liability insurance with minimum combined single limits of two million dollars (\$2,000,000) each occurrence and two million dollars (\$2,000,000) general aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision and shall be endorsed to include the MPO and the MPO's officers, employees, and contractors as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.

3. Professional liability insurance with minimum limits of two million dollars (\$2,000,000) each claim and two million dollars (\$2,000,000) general aggregate.

C. Any insurance carried by the MPO, its officers, its employees, or its contractors shall be excess and not contributory insurance to that provided by Consultant. Consultant shall be solely responsible for any deductible losses under any policy.

D. Consultant shall provide to the MPO a certificate of insurance, completed by Consultant's insurance agent, as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect. The certificate shall identify this Agreement and shall provide that the coverages afforded under the policies shall not be cancelled, terminated or

materially changed until at least thirty (30) days prior written notice has been given to the MPO. The MPO reserves the right to request and receive a non-certified copy of any policy and any endorsement thereto with sensitive information redacted by Consultant..

E. Failure on the part of Consultant to procure or maintain the insurance required herein shall constitute a material breach of this Agreement upon which the MPO may immediately terminate this Agreement, or at its discretion, the MPO may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the MPO shall be repaid by Consultant to the MPO upon demand, or the MPO may offset the cost of the premiums against any monies due to Consultant from the MPO.

VIII. INDEMNIFICATION

Consultant agrees to indemnify and hold harmless the MPO and its officers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including reasonable attorney fees, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, to the extent which arise out of or are in any manner resulted from this Agreement if such injury, loss, or damage is caused in whole or in part by, the negligent act, omission, or error of Consultant, any subcontractor of Consultant, or any officer, employee, representative, or agent of Consultant, or which arise out of a worker's compensation claim of any employee of Consultant or of any employee of any subcontractor of Consultant. Consultant's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Consultant, any subcontractor of Consultant, or any officer, employee, representative, or agent of Consultant or of any subcontractor of Consultant. If Consultant is providing architectural, engineering, surveying or other design services under this Agreement, the extent of Consultant's obligation to indemnify and hold harmless the MPO may be determined only after Consultant's liability or fault has been determined by adjudication, alternative dispute resolution or otherwise resolved by mutual agreement between the Parties, as provided by C.R.S. § 13-50.5-102(8)(c).

IX. TERMINATION

A. This Agreement shall terminate when all the work described in the Scope of Services is completed to the MPO's satisfaction, or upon the MPO's providing Consultant with seven (7) days advance written notice, whichever occurs first. Upon receipt of the notice, Consultant shall immediately discontinue all work, except as permitted by the MPO in writing and deliver to MPO all data, drawings, specifications, reports, estimates, summaries, and other information and materials accumulated in performing this contract, whether completed or in process. If the Agreement is terminated by the MPO's issuance of written notice, the MPO shall pay Consultant for all work authorized and completed prior to the date of termination.

B. If Consultant defaults or fails or neglects to carry out the Agreement, or any part thereof, or fails to perform any provision of this Agreement after notice of default and an opportunity to cure, the MPO, after seven (7) days written notice to Consultant and without prejudice to any other remedy the MPO may have, may make good such deficiencies and may

deduct the cost thereof, including compensation for any additional services made necessary thereby, from the payment then or thereafter due the Consultant. Or, at the MPO's option after said notice, the MPO may terminate this Agreement and may finish the project by whatever method the MPO deems expedient, and if the unpaid balance of the compensation exceeds the expense of finishing the project, such excess shall be paid to the Consultant, but if such expense exceeds such unpaid balance, the Consultant shall upon demand pay the difference to the MPO.

X. WORKERS WITHOUT AUTHORIZATION

A. Certification. By entering into this Agreement, Consultant hereby certifies that, at the time of this certification, it does not knowingly employ or contract with a worker without authorization who will perform work under the Agreement and that Consultant will participate in either the E-Verify Program administered by the United States Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement

B. Prohibited Acts. Consultant shall not:

(1) Knowingly employ or contract with a worker without authorization to perform work under this Contract; or

(2) Enter into a contract with a subcontractor that fails to certify to Consultant that the subcontractor shall not knowingly employ or contract with a worker without authorization to perform work under this Contract.

C. Verification.

(1) If Consultant has employees, Consultant has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement through participation in either the E-Verify Program or the Department Program.

(2) Consultant shall not use the E-Verify Program or Department Program procedures to undertake pre-employment screening of job applicants while this Contract is being performed.

(3) If Consultant obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with a worker without authorization who is performing work under the Agreement, Consultant shall:

1. Notify the subcontractor and the MPO within three (3) days that Consultant has actual knowledge that the subcontractor is employing or contracting with a worker without authorization who is performing work under the Agreement; and

2. Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to subsection (1) hereof, the subcontractor does not stop employing or contracting with the worker without

authorization who is performing work under the Agreement; except that Consultant shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a worker without authorization who is performing work under the Agreement.

D. Duty to Comply with Investigations. Consultant shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Consultant is complying with the terms of this Contract.

E. If Consultant does not have employees, Consultant shall sign the “No Employee Affidavit” attached hereto.

F. If Consultant wishes to verify the lawful presence of newly hired employees who perform work under the Agreement via the Department Program, Consultant shall sign the “Department Program Affidavit” attached hereto.

XI. FEDERAL PROVISIONS

A. Equal Employment Opportunity compliance.

1. Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Consultant shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action includes but is not limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultant shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

2. Consultant shall, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

3. Consultant shall send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the Consultant's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

4. Consultant shall comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

5. Consultant shall furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

6. In the event of the Consultant's non-compliance with the nondiscrimination clauses of this Agreement or with any of such rules, regulations, or orders, this Agreement may be canceled, terminated or suspended in whole or in part, and the Consultant may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

7. Consultant shall include the provisions of this Section XI(A) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, in order that each of the foregoing provisions shall be binding upon each subcontractor or vendor. Consultant shall take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Consultant may request the United States to enter into such litigation to protect the interests of the United States.

B. **Clean Air Act and Clean Water Act compliance.** Consultant shall 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 the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

C. **Energy Efficiency Standards compliance.** If applicable, Consultant shall comply with mandatory standards and policies relating to energy efficiency contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act, 42 U.S.C. 6201.

D. **Debarment / Suspension compliance.** By execution of this Agreement, Consultant represents that it is not a party listed on the government-wide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235). Consultant further represents it is not otherwise excluded or declared ineligible for award of federal funds under any other statutory or regulatory authority.

E. **Byrd Anti-Lobbying Amendment compliance.** If this Agreement includes

compensation of \$100,000 or more, Consultant shall file the certification required for compliance with the Byrd Anti-Lobbying Amendment, certifying 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. Consultant shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

F. **Procurement of recovered materials.** Consultant 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 CFR 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.

G. **Right to inventions made under the Agreement.** If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and involves Consultant's performance of experimental, developmental, or research work, the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations apply.

H. **Breaches and Disputes**

(1) *Disputes* – Disputes arising in the performance of this Contract which are not resolved by agreement of the parties shall be decided in writing by the NFRMPO’s Executive Director. This decision shall be final and conclusive unless within then (10) days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the Transportation Planning Director. In connection with any such appeal, the Contractor shall be afforded and opportunity to be heard and to offer evidence in support of its position. The decision of the Executive Director shall be binding upon the Contractor and the Contractor shall abide by the decision

(2) *Performance During Dispute* – Unless otherwise directed by the NFRMPO, Contractor shall continue performance under this Contract while matters in dispute are being resolved.

(3) *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 his employees, agents or others for whose acts he is legally liable, a claim for damages therefore shall be made in writing to such other party within a reasonable time after the first observance of such injury or damage.

(4) *Remedies* – Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the NFRMPO and the Contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or if a court of competent jurisdiction with the State in which the NFRMPO is located.

(5) *Right 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 and duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the NFRMPO or Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, no 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.

I. **FTA Compliance**. Special provisions or conditions relating to federal patent law and rights in data that are applicable to this Agreement are set forth in **Exhibit C**, attached hereto and incorporated herein by this reference. (ONLY REQUIRED FOR RESEARCH PROJECTS WITH FTA FUNDING)

X. MISCELLANEOUS

A. **Governing Law and Venue**. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in either Weld or Larimer Counties, Colorado.

B. **No Waiver**. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the MPO shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. **Integration**. This Agreement and any attached exhibits constitute the entire Agreement between Consultant and the MPO, superseding all prior oral or written communications.

D. **Third Parties**. There are no intended third-party beneficiaries to this Agreement.

E. **Notice**. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class United States Mail to the party at the address set forth on the first page of this Agreement.

F. **Severability**. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. **Modification**. This Agreement may only be modified upon written agreement of the Parties.

H. **Assignment**. Neither this Agreement nor any of the rights or obligations of the Parties hereto, shall be assigned by either party without the written consent of the other.

I. **Governmental Immunity**. The MPO, its officers, and its employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the MPO and its officers or employees.

J. No Obligation by the Federal Government. The MPO and the Consultant 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 purchaser, Consultant, to any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

K. Subject to Annual Appropriations. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligations of the MPO not performed during the current fiscal year are subject to annual appropriation, and thus any obligations of the MPO hereunder shall extend only to monies currently appropriated and shall not constitute a mandatory charge, requirement or liability beyond the current fiscal year.

[Remainder of blank intentionally left blank – signatures on following page]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first set forth above.

**NORTH FRONT RANGE TRANSPORTATION PLANNING
COUNCIL**

Executive Director

CONSULTANT

By: _____

NO EMPLOYEE AFFIDAVIT

[To be completed only if Consultant does not have any employees]

1. Check and complete one:

☐ I, _____, am a sole proprietor doing business as _____. I do not currently employ any individuals. Should I employ any employees during the term of my Agreement with the MPO, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

OR

☐ I, _____, am the sole owner/member/shareholder of _____, a _____ [specify type of entity – i.e., corporation, limited liability company], that does not currently employ any individuals. Should I employ any individuals during the term of my Agreement with the MPO, I certify that I will comply with the lawful presence verification requirements outlined in that Agreement.

2. Check one.

☐ I am a United States citizen or legal permanent resident.

The MPO must verify this statement by reviewing one of the following items:

- *A valid Colorado driver's license or a Colorado identification card;*
- *A United States military card or a military dependent's identification card;*
- *A United States Coast Guard Merchant Mariner card;*
- *A Native American tribal document;*
- *In the case of a resident of another state, the driver's license or state-issued identification card from the state of residence, if that state requires the applicant to prove lawful presence prior to the issuance of the identification card; or*
- *Any other documents or combination of documents listed in the MPO's "Acceptable Documents for Lawful Presence Verification" chart that prove both the contractor's citizenship/lawful presence and identity.*

OR

☐ I am otherwise lawfully present in the United States pursuant to federal law.

Contractor must verify this statement through the Federal Systematic Alien Verification of Entitlement ("SAVE") program, and provide such verification to the MPO.

Consultant Signature

Date

DEPARTMENT PROGRAM AFFIDAVIT

***[To be completed if Consultant participates in the
Department of Labor Lawful Presence Verification Program]***

I, _____, as a public contractor under contract with The North Front Range Transportation and Air Quality Planning Council (the "MPO"), hereby affirm that:

1. I have examined or will examine the legal work status of all employees who are newly hired for employment to perform work under this public contract for services ("Contract") with the MPO within twenty (20) days after such hiring date;

2. I have retained or will retain file copies of all documents required by 8 U.S.C. § 1324a, which verify the employment eligibility and identity of newly hired employees who perform work under this Contract; and

3. I have not and will not alter or falsify the identification documents for my newly hired employees who perform work under this Agreement.

Consultant Signature

Date

EXHIBIT A

SCOPE OF SERVICES

EXHIBIT B
COST PROPOSAL

EXHIBIT C
FTA PATENT CLAUSES

CONTRACTS INVOLVING EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK.

A. Rights in Data.

1. The term "subject data" means recorded information, whether or not copyrighted, that is delivered or specified to be delivered under this Agreement. The term includes graphic or pictorial delineation in media such as drawings or photographs; text in specifications or related performance or design-type documents; machine forms such as punched cards, magnetic tape, or computer memory printouts; and information retained in computer memory. Examples include, but are not limited to: computer software, engineering drawings and associated lists, specifications, standards, process sheets, manuals, technical reports, catalog item identifications, and related information. The term "subject data" does not include financial reports, cost analyses, and similar information incidental to contract administration.

2. The following restrictions apply to all subject data first produced in the performance of the contract to which this Exhibit has been added:

a. Except for its own internal use, the Consultant may not publish or reproduce subject data in whole or in part, or in any manner or form, nor may the Consultant authorize others to do so, without the written consent of the Federal Government, until such time as the Federal Government 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.

b. In accordance with 49 C.F.R. 18.34 and 49 C.F.R. 19.36, 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 in subsections (2)(b)(1) and (2)(b)(2) below. As used in the previous sentence, "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.

1. Any subject data developed under this Agreement, whether or not a copyright has been obtained; and

2. Any rights of copyright purchased by the Consultant using Federal assistance in whole or in part provided by FTA.

c. When FTA awards Federal assistance for experimental, developmental, or research work, it is FTA's general intention to increase transportation knowledge available

to the public, rather than to restrict the benefits resulting from the work to participants in that work. Therefore, unless FTA determines otherwise, the Consultant performing experimental, developmental, or research work required by this Agreement 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 that 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 the underlying contract, is not completed for any reason whatsoever, all data developed under that contract shall become subject data as defined in subsection (a) of this clause and shall be delivered as the Federal Government may direct. This subsection (c), however, does not apply to adaptations of automatic data processing equipment or programs for the Consultant's use whose costs are financed in whole or in part with Federal assistance provided by FTA for transportation capital projects.

d. Unless prohibited by state law, upon request by the Federal Government, the Consultant 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 Consultant 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 Consultant shall not 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.

e. Nothing contained herein 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.

f. Data developed by the Consultant and financed entirely without using Federal assistance provided by the Federal Government that has been incorporated into work required by the underlying contract to which this Exhibit has been added is exempt from the requirements of subsections (b), (c), and (d) of this clause, provided that the Consultant identifies that data in writing at the time of delivery of the contract work.

g. Unless FTA determines otherwise, the Consultant agrees to include these requirements in each subcontract for experimental, developmental, or research work financed in whole or in part with Federal assistance provided by FTA.

3. Unless the Federal Government later makes a contrary determination in writing, irrespective of the Consultant's status (*i.e.*, a large business, small business, state government or state instrumentality, local government, nonprofit organization, institution of higher education, individual, etc.), the MPO and Consultant agree to take the necessary actions to provide, through FTA, those rights in that invention due the Federal Government as described in U.S. Department of Commerce regulations, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," 37 C.F.R. Part 401.

4. The Consultant agrees to include these requirements in each subcontract for experimental, developmental, or research work financed in whole or in part with Federal assistance provided by FTA.

B. Patent Rights.

1. If any invention, improvement, or discovery is conceived or first actually reduced to practice in the course of or under this Agreement, and that invention, improvement, or discovery is patentable under the laws of the United States of America or any foreign country, the Consultant agrees to take actions necessary to provide immediate notice and a detailed report to the party at a higher tier until FTA is ultimately notified.

2. Unless the Federal Government later makes a contrary determination in writing, irrespective of the Consultant's status (a large business, small business, state government or state instrumentality, local government, nonprofit organization, institution of higher education, individual), the Consultant agrees to take the necessary actions to provide, through FTA, those rights in that invention due the Federal Government as described in U.S. Department of Commerce regulations, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," 37 C.F.R. Part 401.

3. The Consultant agrees to include the requirements of this clause in each subcontract for experimental, developmental, or research work financed in whole or in part with Federal assistance provided by FTA.