

**Memorandum of Understanding  
Between The Idaho Transportation Department and  
The Bonneville Metropolitan Planning Organization**

**PURPOSE:**

To establish an agreement whereas the Bonneville Metropolitan Planning Organization (BMPO) adopts the Idaho Transportation Department approved Title VI Plan as the official document for implementation of the requirements stated under Authority of this document.

**AUTHORITY:**

The ITD Title VI Plan has been developed pursuant to the following: Title VI of the Civil Rights Act of 1964, 42 USC 200d, FTA Circular 4702.1A, Federal Transit Laws as amended (49 USC Chapter 53 et seq.), 49 CFR 21, DOT Order 1050.2, 42 USC 4601 to 4655, Title VIII of the Civil Rights Act of 1968 (amended 1974), 23 USC 109(h), 23 USC 324, Federal-aid Highway Transportation Act, 23 CFR 200, E.O. 12250 Leadership and Coordination of Non-Discrimination Laws, E.O. 12898 Environmental Justice, and E.O. 13166 Limited English Proficiency.

**RESPONSIBILITIES AND PROCEDURES:**

1. ITD as a recipient of federal US DOT funding agrees to develop and maintain the Title VI Plan.
2. ITD agrees to update as needed the Title VI Plan.
3. ITD agrees to provide as needed information on the Title VI Plan.
4. BMPO as a sub-recipient of federal US DOT funding agrees to adopt the ITD Title VI Plan.
5. BMPO agrees to operate as required under the ITD Title VI Plan.
6. BMPO agrees to provide to ITD a Limited English Proficiency (LEP) Plan as an addendum to the ITD Title VI Plan.

**LIMITATIONS:**

Nothing in the Memorandum of Understanding between ITD and the BMPO shall be construed as limiting or expanding the statutory or regulatory responsibilities of any involved individual in performing functions granted to them by law. Each and every provision of this memorandum is subject to the laws and regulations of the state of Idaho and of the United States.

Nothing in this Memorandum of Understanding shall be construed as expanding the liability of either party. In the event of a liability claim, each party shall defend their own interests. Neither party shall be required to provide indemnification of the other party.

CONTINUED:

**EFFECTIVE DATE:**

This Memorandum of Understanding shall become effective upon signature of the Director of ITD and the signing authority of the BMPO.

**METHOD OF TERMINATION:**

This Memorandum of Understanding shall remain in force unless formally terminated by either party after thirty (30) days written notice to the other party.

**AMENDMENTS:**


Amendments to this memorandum shall become effective upon mutual agreement and written approval by the Director of ITD and the signing authority of the BMPO

**SIGNATURES:**

IDAHO TRANSPORTATION DEPARTMENT

By  Date 11/14/09  
Director

BONNEVILLE METROPOLITAN PLANNING ORGANIZATION

By  Date 11-4-09  
(Title) Board chair

Approved as to form:

By  Date 9/14/09  
ITD Legal Counsel