



Title VI Program Manual

Lawrence – Douglas County Metropolitan Planning Organization

Approved by the L-DC MPO on July 30, 2009

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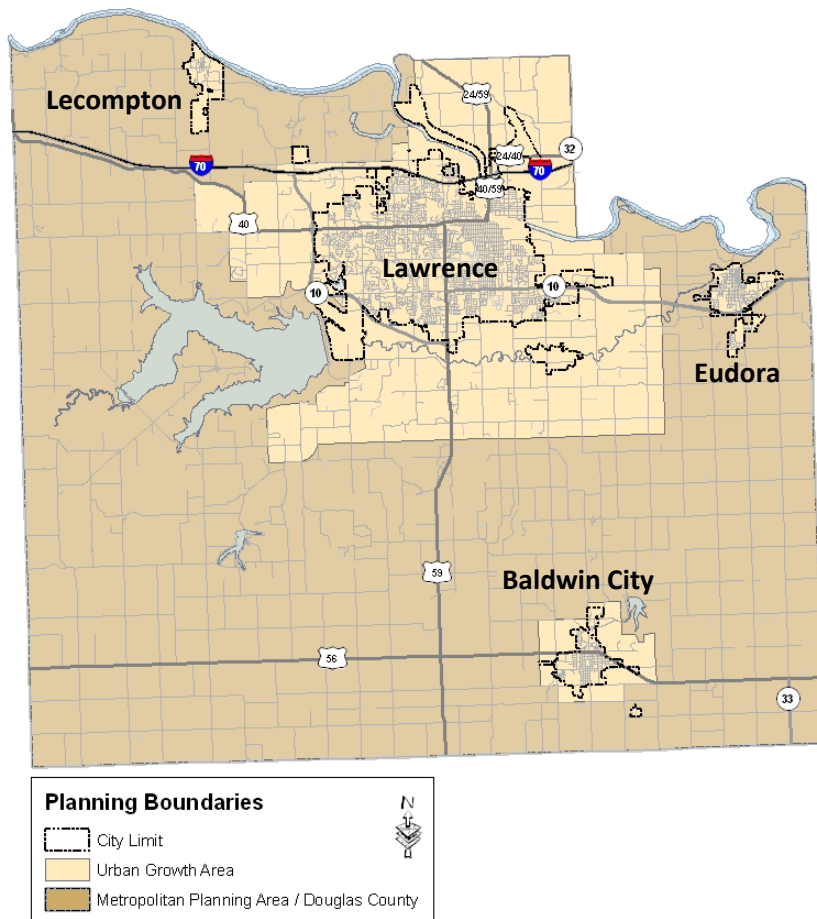
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Introduction

Transportation affects the everyday lives of the people within the United States. The ability to get to home, work, school, stores and services relies on access to transportation of some kind or another, from sidewalks to roadways. As a Federally funded organization charged with developing the Metropolitan Transportation Plan (MTP), the Transportation Improvement Plan (TIP) and the Unified Planning Work Program (UPWP), the Lawrence-Douglas County Metropolitan Planning Organization (L-DC MPO) has an inherent responsibility to ensure that all people, regardless of Race, Color, National Origin, Sex, Age, Religion or Disability share in the benefits of transportation programs. All program and activities of Federal-aid recipients, subrecipients and contractors whether those programs and activities are Federally funded or not must comply with Title VI of the 1964 Civil Rights Act and the Civil Rights Restoration Act of 1987.

The Role of the Lawrence-Douglas County Metropolitan Planning Organization

To carry out the regional transportation planning process, each urbanized area with a population of 50,000 people or more has a MPO which acts as a liaison between local communities, their citizens, and the state departments of transportation. The metropolitan planning area for the L-DC MPO includes all of Douglas County and the cities of Baldwin City, Eudora, Lawrence and Lecompton.



As defined by federal and state transportation regulations, the primary interrelated functions of the L-DC MPO are to:

- Establish the goals, objectives and policies governing transportation planning in the region.
- Approve an annual Unified Planning Work Program and budget.
- Direct the preparation of, and adopt, the long-range and short-range strategies of the Transportation Plan.
- Recommend projects for implementation through the adoption of the Transportation Improvement Program.

The L-DC MPO is comprised of a Policy Board, Technical Advisory Committee, and several smaller advisory boards and committees.

The MPO Policy Board is charged with maintaining a regional transportation planning process that is continuing, cooperative, and comprehensive. The Policy Board is the final decision maker in the MPO process. It has the authority to approve the regional transportation vision (included in the Metropolitan Transportation Plan) and then prioritizes and chooses projects (included in the Transportation Improvement Program and Unified Planning Work Program) to implement that vision. The seven voting members of the L-DC MPO Policy Board include:

- 2 Lawrence City Commissioners;
- 1 Douglas County Commissioner ;
- 2 Lawrence-Douglas County Metropolitan Planning Commission members (one that was appointed by the Lawrence City Commission and one that was appointed by the Douglas County Board of County Commissioners);
- 1 elected official of one of the small cities in Douglas County (Baldwin City, Eudora, Lecompton); and
- 1 representative from KDOT.

The MPO Policy Board also includes five non-voting members listed below:

- 1 representative from the Federal Highways Administration (FHWA) Kansas Division Office
- 1 representative from the Federal Transit Administration (FTA) Region 7 Office
- 1 representative from the University of Kansas
- 1 elected official from the governing body of each of the small cities in Douglas County not presently represented on the L-DC MPO by a voting member.

The Technical Advisory Committee is the main advisory committee for the L-DC MPO Policy Board and is made up of expert personnel from the Board members' constituent agencies. These committee members advocate for their own community's interests, provide expert advice to board members, oversee studies, and assist MPO staff.

In addition to the MPO Policy Board and Technical Advisory Committee, there are several other City of Lawrence and Douglas County boards and committees that deal with transportation-related issues and which on occasion are involved in the MPO process. For instance, the Lawrence-Douglas County Bicycle Advisory Committee provides a communication linkage

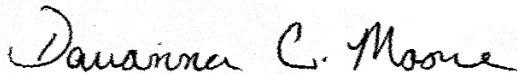
between the L-DC MPO and the community on bicycling related issues and helps coordinate activities with the L-DC MPO, City, County, school district, universities, and the local bicycle clubs. With these committees acting in an advisory capacity, there is a greater level of assurance that the transportation decisions being made are technically viable, in line with public opinion, financially feasible, and consider all modes of transportation. The number of advisory committees and their composition is determined by the MPO Policy Board and specified in the MPO Bylaws and bylaws for each advisory committee.

In addition to the above geographic jurisdictions, L-DC MPO also works closely with the following:

- The Lawrence Transit System (The T)
- Kansas Department of Transportation (KDOT)
- Federal Transit Administration (FTA)
- Federal Highway Administration (FHWA)

Title VI Policy Statement

The Lawrence-Douglas MPO (L-DC-MPO) assures that no person shall, on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. L-DC MPO further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event L-DC MPO distributes federal aid funds to another governmental entity, L-DC MPO will include Title VI language in all written agreements and will monitor for compliance. L-DC MPO's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other L-DC MPO responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



7/30/09

Davonna Moore, L-DC MPO Chairperson

Date

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid Recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include: Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000-4; 42 USC 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; 28 CFR 50.

L-DC MPO Responsibilities

The following are general Title VI responsibilities of the agency to ensure compliance with all Title VI laws. The Title VI Coordinator, with involvement and assistance from other members of staff, is responsible for ensuring these elements of the plan are appropriately implemented and maintained.

1. Data Collection

Statistical data on race, color, national origin, income level, language spoken, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained. The L-DC MPO will prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. This information will be made available to the public and member agencies on L-DC MPO's website or in hard copy format, if requested. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.

2. Annual Report and Update

An Annual Report and Update is to be submitted by September 1st of each year, to the Title VI Coordinator in the Division of Planning and Development, KDOT's Office of Civil Rights, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document is to include:

- A report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes.
- An update on Title VI-related goals and objectives for the upcoming year.
- A report on the training L-DC MPO staff provided or received on Title VI, Environmental Justice (EJ) or Limited English Proficiency (LEP).
- A list of Title VI complaints received and how they were addressed.
- An inventory of public meetings held, community outreach efforts, and data collected at each.

3. Annual Review of Title VI Program.

Each year, in preparing for the Annual Report and Update and in conjunction with an annual review preformed by KDOT, the Title VI Coordinator will review the agency's Title VI program to assure compliance with Title VI. In addition, he or she will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of Information Related to the Title VI Program.

Information on L-DC MPO's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public.

5. Resolution of Complaints.

Any individual may exercise his or her right to file a complaint with L-DC MPO, if that person believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, sex, or disability. L-DC MPO will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure, found in Appendix 2.

6. Procedures Manual.

This document serves as the Title VI Procedures Manual for the agency's Title VI program, incorporating the day-to-day procedures necessary to maintain the program. This manual will be updated regularly to incorporate changes and additional responsibilities.

Title VI Coordinator and Responsibilities

The Director of the Planning and Development Services Department for the Lawrence-Douglas County Planning Office is responsible for ensuring implementation of the agency's Title VI program and assumes the role of Title VI Coordinator. The Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Procedures Manual, plan, and assurances (See Appendix 1).

The Title VI Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and procedures set forth in federal guidance and according to L-DC MPO's Title VI Procedures Manual. In support of this, the Title VI Coordinator will:

- Ensure that all aspects of the planning and programming process operation comply with Title VI.
- Ensure Title VI environmental justice compliance.
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to L-DC MPO's Title VI program.
- Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of L-DC MPO's Title VI program, as well as related documents (such as the Title VI Discriminatory Complaint Form).
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.
- Ensure inclusion of Title VI language in contracts and Requests for Proposals (RFP).
- Review consultants for Title VI compliance as described below:

- Ensure that all consultants verify their compliance with Title VI procedures and requirements.
- If a recipient or subrecipient is found to not be in compliance with Title VI, the Title VI Coordinator and relevant staff will work with the recipient or subrecipient to resolve the deficiency status and will write a remedial action if necessary.
- Identify, investigate, and work to eliminate discrimination when found to exist.
- Process Title VI complaints received by L-DC MPO, as described in Appendix 2.
- Review important Title VI-related issues with the L-DC MPO Policy Board’s Chairperson, as needed.

Responsibilities of Other Staff Members

Other staff members, under supervision of the Title VI Coordinator, will at times be asked to accept or share responsibility for day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within an applicable program area. In addition, some staff members may be asked to accept responsibility for drafting text for an assigned section of the Annual Title VI Report and Update, and maintaining the data and documentation necessary for that report. These responsibilities may include reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI-related language and provisions into agency documents, as appropriate.

Ensuring Compliance of Title VI Requirements

Public Participation

It is the goal of the L-DC MPO to establish a public participation process that is effective and meaningful for citizens in order to engage them in regional transportation planning activities. The L-DC MPO will ensure that all members of the public are informed and involved early; that their issues and concerns are heard; and that their concerns are considered prior to any final decision. The Public Participation Plan ensures that all communications and public involvement efforts comply with Title VI. The goals and objectives of the L-DC MPO’s public engagement are outlined in the Public Participation Plan. See Appendix 4 for the most recently adopted Public Participation Plan.

The L-DC MPO is committed to:

- **Educate and effectively disseminate information to the public**
 - Technical jargon should be avoided and information should be displayed using visualization techniques.
 - The use interpreters and translated materials should be used where appropriate.
 - A Contact List is maintained by L-DC MPO staff and any individual, organization, agency or other interested party can request to be added to this list by contacting L-DC MPO or joining via the Web site.

- On-line services provide communication 24 hours a day. The L-DC MPO Web site provides comprehensive information on L-DC MPO activities and regional transportation planning issues. Also housed on the L-DC MPO Web site are necessary reports, core documents and agendas and meeting minutes for all committees and advisory boards.
 - When major transportation plans, maps or programs are proposed to be changed, copies of the existing document and the proposed changes are made available during the public comment period at the following locations:
 - Baldwin City Public Library, 800 7th Street;
 - Lawrence City Hall, 6 E. Sixth St., 1st Floor, Information Window;
 - Lawrence Public Library, 707 Vermont Street;
 - Eudora Public Library, 14 E. 9th Street; and
 - Lecompton City Hall, 333 Elmore, City Clerk.
 - <http://www.lawrenceks.org/pds/transportation-planning>.
 - Information on Title VI and agency programs is available online and should be developed in hard copy to distribute to the general public.
 - Information should be disseminated to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
 - The L-DC MPO should disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public participation procedures.
- **Encourage effective communication among a diverse group of stakeholders**
 - The L-DC MPO should utilize local residents who know the people and their culture to interview members of their own community.
 - Local officials and community insiders must be involved.
 - Partnering with existing organizations is beneficial in engaging a wide variety of community members.
 - Encourage the L-DC MPO's committee structure to include representation from Title VI relevant populations.
 - **Provide ample opportunity and promote continued participation**
 - Public meetings should be held in locations accessible by transit and in buildings compliant with the Americans with Disabilities Act.
 - Meetings should be held in "neutral" locations, like schools or community centers.
 - Opportunities should be provided to comment on major plans at special events.
 - Neighborhood meetings will be held in areas where significant transportation-planning recommendations are being made to upgrade or change existing public infrastructure.
 - Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents.

- Include the use of interpreters when requested, or when a strong need for their use has been identified.
- **Incorporate public comments and recommendations into the decision making process**
 - Utilize the existing L-DC MPO committee structure to solicit comments and discuss transportation planning activities
 - Include public comments within the documents and show how they are responded to.
 - Make public comments available to members of the public to increase transparency.
- **Evaluate the effectiveness of the public participation strategies**
 - Collect statistical information on attendees of public meetings to track how well different segments of the population are represented.
 - Identify areas where additional outreach may be needed to increase participation

Limited English Proficiency (LEP)

According to the 2007 American Community Survey conducted by the U.S. Census Bureau, approximately 8% of the persons in Douglas County speak a language other than English at home, with Spanish, Other Asian or Pacific Island, and Other or unspecified languages being the most used non-English languages.

Language Spoken at Home		
	2007 Estimate	
English	98,482	91.78%
Spanish or Spanish Creole	1,637	1.53%
French (including Patois, Creole, Cajun)	768	0.72%
German or other West Germanic languages	1,121	1.04%
Slavic languages	83	0.08%
Other Indo-European languages	1,013	0.94%
Korean	153	0.14%
Chinese	1,299	1.21%
Vietnamese	65	0.06%
Tagalog	0	0.00%
Other Asian or Pacific Island languages	1,308	1.22%
Other and unspecified languages	1,372	1.28%

Source: U.S. Census Bureau, 2007 American Community Survey

To provide meaningful access to L-DC MPO's programs and services, special attention will be needed to ensure equal participation with persons with LEP. The L-DC MPO will make every

effort to the maximum extent possible to provide language assistance when requested and utilize a variety of outreach techniques identified in the Public Participation Plan to encourage participation.

MPO Work Products

As the designated MPO for the Douglas County region, the L-DC MPO receives Federal funds to develop regional transportation plans and programs and to coordinate technical and policy studies on a wide range of transportation and other programs. When the L-DC MPO develops its work products a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents will take place. The L-DC MPO will continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process. The primary products of the transportation planning process include:

- **Metropolitan Transportation Plan (MTP)**

The development of L-DC MPO's Metropolitan Transportation Plan includes a Title VI and environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. L-DC MPO staff reviewed the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit.

- **Transportation Improvement Program (TIP)**

The region's five-year TIP includes an analysis of effects of planned transportation investments on disadvantaged residents similar to that of Transportation 2030.

- **Public Participation Plan (PPP)**

The L-DC MPO's Public Participation Plan outlines specific techniques to help encourage participation among the traditionally underserved population. It is encouraged in this plan to incorporate as many techniques as possible and tailor the message of the L-DC MPO to help reach a more specific audience that may be traditionally underserved during the transportation planning process.

- **Unified Planning Work Program (UPWP)**

The UPWP outlines the work of the MPO staff and consultants and guides the development cycle of major work products through the metropolitan transportation planning process. This document allows for the planning of staff training regarding Title VI and ensures all areas of the work program are funded.

The MPO will collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of the plans and programs developed by the MPO. The L-DC MPO will analyze and make findings regarding the population affected by the action, the impacts of planned projects on protected Title VI groups, and determine if there will be a

disproportionately high and adverse impact on these groups.

Title VI Training

All L-DC MPO employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI). The Title VI Coordinator will:

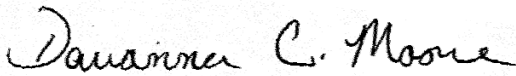
- Assist in the distribution of information to L-DC MPO staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified L-DC MPO employees.
- Track staff participation in Title VI, NHI and NTI courses.

Appendix 1: L-DC MPO Title VI Assurances

The Lawrence-Douglas County Metropolitan Planning Organization 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 L-DC MPO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The L-DC MPO will make it known to the public that those person or persons 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 and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.



Davonna Moore, L-DC MPO Policy Board Chair

Date: 7/30/09



(SIGNATURE OF AUTHORIZED OFFICER)

Part A: Department of Transportation Title VI Assurance

The L-DC MPO (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation 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. 2000d-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 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its FTA Programs 5307 and 5309:

1. That Recipient agrees that "program" and each "facility" as defined in subsections 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. That the Recipient shall insert the following (or the most current approved clause approved by the FTA) notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all FTA Programs 5307 and 5309 and, in adapted form in all proposals for negotiated agreements:

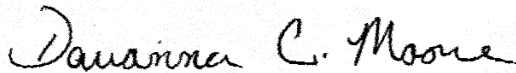
The Lawrence-Douglas County Metropolitan Planning Organization, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the most current and approved contractual clauses relative to this subject in every contract subject to this Act and the Regulations.
4. That this assurance obligates the obligates the Recipient 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 Recipient 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 Recipient retains ownership or possession of the property.

5. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, 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.
6. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

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 Recipient by the Department of Transportation under the subcontractors, transferees, successors in interest and other participants in the FTA Programs 5307 and 5309. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Davonna Moore, L-DC MPO Policy Board Chair

Dated: 7/30/09

Part B: Contract Assurances

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.
4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the L-DC MPO or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the L-DC MPO, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with nondiscrimination provisions of this contract, the L-DC MPO shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - (a.) Withholding of payments to the contractor under the contract until the contractor complies; and/or
 - (b.) Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the L-DC MPO or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the L-DC MPO to enter into such litigation to protect the interests of the L-DC MPO, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Appendix 2: Contract Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the programs of the L-DC MPO. For Title VI complaints against other Lawrence and Douglas County region agencies, or if you believe you have suffered housing or employment discrimination, please contact the appropriate agency.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that:

No person in the United States shall, on the ground of race, color, sex, 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.

The L-DC MPO has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1, dated May 26, 1988. If you believe that the L-DC MPO's federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined below:

TITLE VI COMPLAINT PROCEDURE

1. Submission of Complaint.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, sex, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the L-DC MPO may file a written complaint with the L-DC MPO's Title VI Coordinator. A sample complaint form is available for download at <http://www.lawrenceks.org/pds/MPO> and is available in hard copy at the offices of the L-DC MPO. Upon request, the L-DC MPO will mail the complaint form. Such complaints must be filed within 180 calendar days after the date the discrimination occurred.

Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons as requested.

Complaints should be mailed to:

Lawrence-Douglas County Metropolitan Planning Organization

Title VI Coordinator
6 E. 6th Street
Lawrence KS 66044

2. Referral to Review Officer.

Upon receipt of the complaint, L-DC MPO's Chairperson shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint, in

consultation with an approved L-DC MPO Attorney. The Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the L-DC MPO received the complaint. If more time is required, the L-DC MPO's Chairperson shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the L-DC MPO's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the L-DC MPO's Chairperson for concurrence. If the L-DC MPO's Chairperson concurs, he or she shall issue the L-DC MPO's written response to the Complainant.

Note: Upon receipt of a complaint, the L-DC MPO shall forward a copy of this complaint and the resulting written response to the appropriate KDOT, FHWA, and FTA-Region 7 contacts.

3. Request for Reconsideration.

If the Complainant disagrees with the L-DC MPO's Chairperson's response, he or she may request reconsideration by submitting the request, in writing, to the L-DC MPO's Chairperson within 10 calendar days after receipt of the L-DC MPO's Chairperson's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the L-DC MPO's Secretary. The L-DC MPO's Chairperson will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the L-DC MPO's Chairperson agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2 above.

4. Appeal.

If the request for reconsideration is denied, the Complainant may appeal The L-DC MPO's Chairperson's response by submitting a written appeal to the L-DC MPO Policy Board no later than 10 calendar days after receipt of the L-DC MPO's Chairperson's written decision rejecting reconsideration.

5. Submission of Complaint to the State of Kansas Department of Transportation.

If the Complainant is dissatisfied with the L-DC MPO's resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation for investigation.

KDOT Office of Civil Rights
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

Appendix 3: L-DC MPO Title VI Discriminatory Complaint Form

The purpose of this form is to assist you in filing a complaint with the L-DC MPO. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1.* State your name and address

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

2.* Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

Please explain your relationship to this person(s):

3.* Agency, department, or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: (_____)_____

4A.* Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the L-DC MPO in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female).

____ Race/Color: _____

____ National Origin: _____

____ Sex: _____

____ Religion: _____

____ Age: _____

____ Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the L-DC MPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

____ Race/Color: _____

____ National Origin: _____

5. What is the most convenient time and place for use to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (_____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (_____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the KDOT Office of Civil rights, etc.?

Yes _____

No _____

If so, do you remember the complaint number?

Against what agency and department or program was it filed?

Address: _____

Telephone Number: (____) _____

Date of filing: _____ Agency: _____

Briefly, what was the complaint about?

What was the result?

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

_____ U.S. Equal Employment Opportunity Commission

_____ Federal or State Court

_____ Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments:

17. How did you learn that you could file this complaint?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

(Signature)

(Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Title VI Discrimination Complaint Form (please make one copy for your records) to:

Lawrence-Douglas County Metropolitan Planning Organization
Attn: Title VI Coordinator
6 E. 6th Street
Lawrence KS 66044
Phone: (785) 832-3165

Appendix 4: Public Participation Plan

The L-DC MPO's approved Public Participation Plan may be accessed at on the L-DC MPO website at <http://www.lawrenceks.org/pds/tr-public>, or you may contact the L-DC MPO office to request a hard copy.

Appendix 5: Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long Range Transportation Plan. The text will be placed permanently on the agency's website. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The L-DC MPO hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the L-DC MPO receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the L-DC MPO. Any such complaint must be in writing and filed with the L-DC MPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at <http://www.lawrenceks.org/pds/MPO>.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

The L-DC MPO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Discriminatory Complaint Form, see <http://www.lawrenceks.org/pds/MPO>, or call 785-832-3165.