

The Hernando County Metropolitan Planning Organization

Title VI Plan Related to Transportation Planning Activities (Updated May 15, 2009)



www.hernandocounty.us/mpo

**Prepared by:
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Table of Contents

Introduction.....	1
Title VI Program.....	1
Public Notification Process.....	1
Inclusive Public Participation.....	2
Record of Title VI Activities and General Reporting Requirements.....	3
Record of Title VI Investigations, Complaints or Lawsuits.....	4
Signed Title VI Nondiscrimination Policy Statement.....	5
Title VI Nondiscrimination Policy Statement – Appendix A.....	6
Sub Recipient Title VI Assistance and Guidance	7
Title VI Complaint Process and Procedures	8
Title VI and Related Statutes – Discrimination Complaint Form	10
Title VI and Related Statutes – Discrimination Complaint Form (Spanish)	11
Access for LEP Persons	12
Sub Recipient LEP Assistance and Guidance	12
Record of Language Assistance	12
Environmental Justice	12
Qualitative and Quantitative Data Gathering.....	13
Required Consultant and Subgrantee Title VI Contract Clauses.....	14

Recipient Information

Recipient:

The Hernando County Metropolitan Planning Organization

FTA ID 2854

Designated Recipient for FTA Sections 5303, 5307, 5309, and 5311

FHWA Planning Grant

The Commission for the Transportation Disadvantaged Planning and Trip Equipment Grants

Medicaid Non Emergency Transportation Grant

Submittal Date:

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Introduction

As a direct recipient of Federal Transit Administration (FTA) funds, the Hernando County Metropolitan Planning Organization (MPO) is required to submit a Title VI compliance report to the FTA Region 4 office every four years. This document highlights the MPO's efforts with regards to Title VI compliance.

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. To address these federal requirements, the MPO has developed a Title VI Plan, a Limited English Proficiency Plan (LEP) and an Environmental Justice Plan. The following sections provide a summary of the MPO activities relating to those requirements.

Title VI Program

The Hernando County MPO, acting as the countywide transportation planning agency and FTA designated recipient, has a goal not to discriminate against any person with respect to an MPO program, activity or service. To meet this goal, the MPO developed a Title VI Program pursuant to Title VI of the Civil Rights Act of 1964 as amended. The MPO's Title VI program defines what Title VI is, includes a written process on how to file a Title VI complaint should one arise, and describes the complaint investigation process.

This program is consistent with FTA Circular 4702.1A, dated May 13, 2007, as well as the principles of Environmental Justice (as set out in Executive Order 12898), and providing access to services for person with limited English proficiency (as set out in Executive Order 13166).

Public Notification Process

The MPO's goal is not to discriminate against any person with respect to an MPO program or service. This commitment is incorporated into all public outreach efforts to engage all segments of the population in the transportation planning process. The MPO actively provides information regarding its Title VI obligations to the public using a variety of methods. Information, such as reference to the FTA circulars and the MPO Title VI and LEP programs and complaint procedure, is available, upon request at the MPO office, on the MPO website and is provided to staff, citizens, consultants, subgrantees and contracted transportation providers. Notice of non-discrimination policy is included in all MPO contracts, public meeting and bid advertisements. The MPO requires of itself and each subgrantee and transportation provider to certify each year that there have been no Title VI complaints or lawsuits.

As a policy, MPO staff is educated on the Title VI requirements including how to assist a person who is limited English proficient. The entire FTA non-discrimination clauses (See Appendix A) are included in all consultant contracts and subgrantee agreements. The following statement is posted in the MPO office:

“The Hernando County Metropolitan Planning Organization does not discriminate on the basis of race, color or national origin in administration of its programs, activities or services.”

To find out more, visit:

www.hernandocounty.us/mpo

or Contact: Steve Diez, MPO Title VI Specialist
Hernando County MPO
20 North Main Street, Room 262
Brooksville, FL 34601
Phone: (352) 754-4057
Email: stevend@hernandocounty.us

Inclusive Public Participation

The MPO seeks out and considers viewpoints of low-income, minority, elderly, disabled, LEP, ethnic and religious groups in the course of conducting public outreach and involvement activities in regards to transportation planning activities. The MPO's has in place a Public Participation Plan that includes an objective to involve the traditionally underserved in transportation planning issues.

Public Outreach Activities:

- **MPO Website and Publications:** The MPO includes information on its website regarding MPO planning activities and the Title VI and LEP programs. The Title VI complaint procedure and complaint forms are accessible on the website. MPO board meetings are broadcast live and are video archived on the website also. The MPO can supply most documents, upon request, in a variety of alternative formats. Documents that have a wide distribution such as the MPO brochure and Transportation Disadvantaged (TD) Program brochure have been translated to Spanish. When conducting public meetings and workshops, staff tries to anticipate the targeted audience and have translators and suitable materials in alternative formats available.
- **Public Meetings:** MPO staff hosts and participates in many public meetings and workshops to share information about the MPO programs, activities and services and to collect information from users of these programs. The primary means of public outreach to low-income, minority, elderly, disabled, ethnic and religious groups and their concerns are exercised by the TD Program. In 2007 and 2008, for example, the MPO participated in events such as the Week of the Young Child at the Jerome Brown Community Center in Brooksville, and several TD Program Service Plan workshops in Tampa. The MPO also participated in the local transit agency's Transit Development Plan update workshops. At many of these events, MPO staff received input from disadvantaged citizens, including senior citizens, minorities, low-income and persons with physical or mental disabilities regarding transportation issues and concerns. All MPO sponsored meetings or workshops are conducted in ADA accessible locations and have readily available access to transit. Availability of

language assistance stated in English and Spanish is included in each meeting and workshop notice.

- **Public Hearings:** The MPO conducts formal public hearings and provides opportunities for citizen input on MPO programs and transportation planning activities. Public hearings are conducted annually for the TD Program review, adoption of the Transportation Improvement Program, adoption of the Unified Planning Work Program and the FTA Annual Program of Projects. Public hearings are also conducted for the Long Range Transportation Plan Updates and the Transportation Disadvantaged Program Service Plan Update. Public hearing notices are placed in the local general and minority newspapers, are mailed and emailed to the MPO's mailing list, posted in the MPO office and on the website. Availability of language assistance in English and Spanish is included in each notice.
- **Surveys:** MPO staff utilizes survey instruments on its website, distributed through email and direct mail and at various workshops to collect public input. Direct mail surveys have been used to collect information from disadvantaged citizens receiving transportation service from the TD Program. Surveys are also used for the Long Range Transportation Plan updates. They are often tailored to garner information from targeted populations such as transit riders, the elderly or minority persons. Staff considers the needs of those who cannot read or write and will verbally read the survey and record the respondent's comments. Surveys have also been made available in alternative formats such as large type and Spanish.

Record of Title VI Activities and General Reporting Requirements

- a. A list of all-active lawsuits or complaints alleging discrimination on the basis of race, color, or national origin with respect to service or other transit benefits.

Hernando County MPO's legal counsel and its Human Resource Department state that the MPO has no active lawsuits on the basis of race, color or national origin at this time. Neither is aware of any complaints.

- b. A description of all pending applications for financial assistance currently provided by other Federal agencies to the grantee.

The MPO has no pending grant applications.

- c. A summary of all civil rights compliance reviews conducted by other local, state or federal agencies in the last 3 years.

Civil rights compliance review was included in quadrennial MPO certification in March 2009. Reviewing agencies included the Florida Department of Transportation, FHWA and FTA. The MPO was found to be in compliance.

- d. The most recent date of the grantees signed Annual Certifications and Assurances.

The federal fiscal year 2009 FTA Certifications and Assurances for the Hernando County MPO were approved on April 28, 2009, and electronically pinned in TEAM on May 7, 2009 by Nancy Branas, MPO Transportation Grants Controller.

Record of Title VI Investigations, Complaints or Lawsuits

The MPO maintains a file for Title VI complaints, investigations and lawsuits. To date, no complaints have been received.

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Title VI Nondiscrimination Policy Statement – Appendix A

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 U.S. Department of Transportation (hereinafter, “USDOT”) 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 Agreement.
- (2.) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status 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 Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation 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 basis of race, color, national origin, sex, age, disability, religion or family status.
- (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 *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety 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 *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Sub Recipient Title VI Assistance and Guidance

The MPO does not currently have any agreements in place with subrecipients and/or subgrantees. If such agreements are entered into with either party, it will actively assist its each subrecipients/subgrantees in complying with the general Title VI reporting requirements in the following manner:

Education:

- Each subrecipient/subgrantee would be provided with plan documents and/or Internet links to the MPO's Title VI plan. The plan would include information on informing their beneficiaries of their rights under Title VI and procedures on how to file a complaint.

Enforcement:

- Each MPO subrecipient/subgrantee contract or agreement would include the Civil Rights clauses (see Appendix A) and the Internet link to the MPO's Title VI plan.
- Each subgrantee would be required to certify annually that their organization has not had any Title VI complaints or active lawsuits with respect to service or other transit benefits.
- The MPO Title VI Specialist would monitor the flow down of Title VI requirements associated with the subrecipient/subgrantee's third party contracts.

Title VI Complaint Process and Procedures

Hernando County MPO Discrimination Complaint Procedure

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of race, color and national origin for programs and activities receiving federal financial assistance. As a recipient of federal financial assistance, the Hernando County Metropolitan Planning Organization (MPO) has in place a Title VI complaint procedure.

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, from the Hernando County Metropolitan Planning Organization's (MPO) administration of federally funded programs, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint. (Note: If the person filing a complaint believes they have been discriminated against by another branch of the Hernando County Government, they are directed to contact the Hernando County Office of Health and Human Services at (352) 540-4338. All written complaints received by the MPO are referred immediately by the MPO's Title VI Specialist, Steve Diez, to the FDOT's District Seven Title VI Coordinator for processing in accordance with approved State procedures.

Written complaints may be sent to:

Steve Diez, MPO Title VI Specialist
Hernando County MPO
20 North Main Street, Room 262
Brooksville, FL 34601
Phone: (352) 754-4057
Email: stevend@hernandocounty.us

2. The MPO's Title VI Specialist shall resolve verbal and non-written complaints received by the MPO informally. If the issue has not been satisfactorily resolved through informal means, or if at any time the complainant requests to file a formal written complaint, the Complainant shall be referred to the FDOT's District Seven Title VI Coordinator for processing in accordance with approved State procedures.
3. The MPO's Title VI Specialist will advise the FDOT's District Seven Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's District Seven Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant;
 - (b) Name and address of the MPO;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
 - (d) Date of alleged discriminatory act(s);
 - (e) Date complaint received by the MPO;
 - (f) A statement of the complaint;
 - (g) Other agencies (state, local or Federal) where the complaint has been filed; and

- (h) An explanation of the actions the MPO has taken or proposed to resolve the allegation(s) raised in the complaint.
- 4. Within ten (10) calendar days, the MPO's Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EOO).
- 5. Within sixty (60) calendar days, the recipient's MPO Title VI Specialist will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the MPO Executive Director.
- 6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the MPO Executive Director will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FDOT's EOO if they are dissatisfied with the final decision rendered by the MPO. The MPO's Title VI Specialist will also provide the FDOT's District Seven Title VI Coordinator with a copy of this decision and summary of findings.
- 7. The MPO's Title VI Specialist will maintain a log of all verbal and non-written complaints received by the recipient. The log will include the following information:
 - (a) Name of Complainant;
 - (b) Name of Respondent;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
 - (d) Date verbal or non-written complaint was received by the recipient;
 - (e) Date recipient notified the FDOT's District Seven Title VI Coordinator of the verbal or non-written complaint; and
 - (f) Explanation of the actions the MPO has taken or proposed to resolve the issue raised in the complaint.

**TITLE VI PROGRAM AND RELATED STATUTES
DISCRIMINATION COMPLAINT AGAINST THE HERNANDO COUNTY MPO**

Name:	Telephone (home):	Telephone (work):
Address:	City, State, Zip Code:	
Name of MPO Staff Person that You Believe Discriminated Against You:		
Address:	City, State, Zip Code:	
Date of Alleged Incident:		
You were discriminated because of:		
<input type="checkbox"/> Race	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Sex
<input type="checkbox"/> Color	<input type="checkbox"/> National Origin (Language)	<input type="checkbox"/> Age
<input type="checkbox"/> Familial Status		<input type="checkbox"/> Religion
<input type="checkbox"/> Disability		<input type="checkbox"/> Other
<p>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case.</p>		
Signature:	Date:	

**FORMULARIO DE QUEJA
CONDADO DE HERNANDO**

Nombre de la persona discriminada:	Número de Teléfono (residencia):	Número de Teléfono (trabajo):
Dirección de Residencia (Número y calle, número de departamento):	Ciudad, Estado y Código Postal de Residencia:	
Nombre de la persona que discriminó contra usted, y nombre de la dependencia (si lo sabes):		
Dirección de la persona o dependencia que discriminó contra usted:	Ciudad, Estado y Código Postal de la persona o dependencia que discriminó contra usted:	
Fecha del incidente discriminatorio:		
Causa de la discriminación:		
<input type="checkbox"/> Raza <input type="checkbox"/> Retaliación <input type="checkbox"/> Sexo <input type="checkbox"/> Estado Civil <input type="checkbox"/> Religión <input type="checkbox"/> Color de Piel <input type="checkbox"/> Nacionalidad <input type="checkbox"/> Edad <input type="checkbox"/> Impedimento Fisico <input type="checkbox"/> Otro o Mental		
<p>Explique claramente como sucedió la discriminación y quienes participaron en ella. Incluya en su explicación cualquier conocimiento que tenga de tratamiento diferente a otras personas. Adjunte cualquier otro escrito relacionado con su caso.</p>		
Firma:	Fecha:	

Access for LEP Persons

To provide meaningful access to MPO programs and services to persons who are limited English proficient, the MPO developed an LEP Plan in 2008. The LEP Plan serves as a training tool and guide for MPO staff on how to recognize a person who may need language assistance and how to provide that assistance. Using the 2005 Census Bureau's American Community Survey data, the MPO identified that there was potentially a need to provide language assistance especially in the Hispanic/Latino community.

Sub Recipient LEP Assistance and Guidance

The MPO actively assists its subrecipients/subgrantees in complying with the general LEP requirements through:

Education:

- Each subrecipient/subgrantee is provided with the plan and/or the Internet link to the MPO's LEP plan. The LEP plan also includes information on informing their beneficiaries of their rights under Title VI and procedures on how to file a complaint.
- The MPO posts a sign in the lobby area or at the reception desk indicating the availability of language assistance to agencies where in-person contact with beneficiaries is likely.

Enforcement:

- Each MPO subrecipient/subgrantee contract or agreement includes the Civil Rights clauses (see Appendix A) and Internet link to the MPO's LEP plan.
- The MPO Title VI Officer monitors the flow down of LEP requirements associated with the subrecipient/subgrantee's third party contracts.

Record of Language Assistance

The MPO maintains a file for language assistance requests. To date, no requests have been received.

Environmental Justice

Principles

The MPO seeks to achieve environmental justice by addressing three principles:

1. To avoid, minimize or mitigate the disproportionately high and adverse health, social and economic effects on minority and low-income populations;
2. To ensure full and fair participation by all potentially affected communities in the transportation decision-making process; and
3. To collect and analyze data relating to environmental justice.

Goals

The MPO conducted a countywide EJ demographic analysis in 2003 and 2008 to identify the locations of minority and low-income populations. This analysis has been a useful tool in examining the distribution of transportation planning impacts on the traditionally underserved populations. Using this tool the MPO has developed strategies to address environmental justice that are integrated throughout its numerous planning processes, programs and activities. The following plans contain significant elements that support environmental justice goals:

- The *Long Range Transportation Plan (LRTP)* – Elements of the plan address the MPO's commitments to a safe and efficient multi-modal system and to keeping communities intact and to provide information and opportunities for input from the traditionally underserved.
- The *Public Involvement Plan (PIP)* complies with the public participation requirements of SAFETEA-LU. It addresses how the MPO will provide information and opportunity for input to the traditionally underserved. The plan also includes considerations such as the use of visualization techniques and simple language.
- The *Title VI Complaint Process* provides a procedure for individuals who believe they were subjected to discrimination or retaliation through the MPO's programs or activities. The MPO recognizes that the Spanish-speaking population of this county has increased since the 2000 census was completed. As a result, a Spanish language complaint form is provided.
- The *Limited English Proficiency (LEP) Plan* describes the MPO's commitment to provide language assistance for LEP persons seeking meaningful access to MPO programs, as required by *Executive Order 13166*.

Qualitative and Quantitative Data Gathering

The MPO engages in periodic EJ studies. Information drawn from the results of these studies is useful in developing subsequent MPO plans.

- The *Demographic Analysis for Environmental Justice* performed in 2003 and 2008 used 2000 census data to determine the broad geographic location, total number and percentage of population groups addressed by the *U.S. Department of Transportation Order on Environmental Justice and Executive Order 12898*.
- Studies consisting of interviews of representatives of health and social service organizations in the community have been performed to obtain a clearer picture of where minority groups and low-income persons can be found and what types of barriers they face in gaining access to transportation services. Effective methods for distributing information and obtaining input were addressed in the 2008 study. This study involved both service providers and their clients. Another study involving service providers will be performed in 2009 to obtain input for the Long Range Transportation Plan (LRTP).

Required Consultant and Subgrantee Title VI Contract Clauses

As a policy, the following civil rights clauses regarding non-discrimination are included in all MPO contracts and subgrantee agreements:

CIVIL RIGHTS – The following requirements apply to this AGREEMENT:

- a. Nondiscrimination - In accordance with Title VI of the Civil Rights Act of 1964, 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 CONSULTANT or SUBGRANTEE shall not discriminate on the basis of race, age, creed, disability, marital status, color, national origin, or sex in the performance of this contract. The CONSULTANT or SUBGRANTEE shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the CONSULTANT or SUBGRANTEE to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination of this AGREEMENT or such other remedy, as the MPO deems appropriate.”

Each subcontract the CONSULTANT or SUBGRANTEE signs in regards to this federal aid PROJECT must include the assurance in this paragraph (see 49 CFR 26.13(b)). The CONSULTANT or SUBGRANTEE agrees to comply with applicable federal implementing regulations and other implementing requirements FTA may issue.

- b. Equal Employment Opportunity – The following equal employment opportunity requirements apply to this AGREEMENT:
 - (1) Race, Color, Creed, National Origin, Sex – In accordance with Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the CONSULTANT or SUBGRANTEE 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 CONSULTANT or SUBGRANTEE 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 CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements FTA may issue.

- (2) Age – In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621 through 634 and Federal transit law at 49 U.S.C. § 5332, the CONSULTANT or SUBGRANTEE agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements FTA may issue.
- (3) Disabilities – In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the CONSULTANT or SUBGRANTEE 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 CONSULTANT or SUBGRANTEE agrees to comply with any implementing requirements FTA may issue.
- (4) Access to Services for Persons with Limited English Proficiency – To the extent applicable and except to the extent that FTA determines otherwise in writing, the CONSULTANT or SUBGRANTEE agrees to comply with the policies of Executive Order No. 13166, "Improving Access to Services for Persons with Limited English Proficiency," 42 U.S.C. § 2000d-1 note, and with the provisions of U.S. DOT Notice, "DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries," 66 Fed. Reg. 6733 et seq., January 22, 2001. The MPO's LEP Plan is available at the MPO office or may be viewed online at www.hernandocounty.us/mpo.
- (5) Environmental Justice – The CONSULTANT or SUBGRANTEE agrees to comply with the policies of Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," 42 U.S.C. § 4321 note, except to the extent that the Federal Government determines otherwise in writing.
- (6) Drug or Alcohol Abuse – Confidentiality and Other Civil Rights Protections – To the extent applicable, the CONSULTANT or SUBGRANTEE agrees to comply with the confidentiality and other civil rights protections of the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. §§ 1101 et seq., with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. §§ 4541 et seq., and with the Public

Health Service Act of 1912, as amended, 42 U.S.C. §§ 201 et seq., and any amendments to these laws.

- (7) Other Nondiscrimination Laws – The CONSULTANT or SUBGRANTEE agrees to comply with all applicable provisions of other federal laws, regulations, and directives pertaining to and prohibiting discrimination, except to the extent the Federal Government determines otherwise in writing. The CONSULTANT or SUBGRANTEE 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.