



## **RELATING TO TRANSPORTATION**

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# **TITLE VI/NON DISCRIMINATION PROGRAM**

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## INTRODUCTION

### THE HERNANDO/CITRUS METROPOLITAN PLANNING ORGANIZATION

The Hernando/Citrus Metropolitan Planning Organization (MPO) is a subrecipient of federal funds from the U.S. Department of Transportation modal agencies, including Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) through the Florida Department of Transportation. All Recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations and authorities. This Implementation Plan describes how the MPO effectuates nondiscrimination in the delivery of its federally assisted programs, services and activities. The Plan includes the structure of the MPO's Title VI/Nondiscrimination program as well as the policies, procedures and practices that are used to comply with nondiscrimination requirements.

TTY-based Telecommunications Relay Services permit persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. Dial 711 to be automatically connected to a TRS communications assistant.

**Discapacidad para usar el sistema telefónico a través de un teléfono de texto (TTY) u otro dispositivo para llamar a personas con o sin tales discapacidades. Marque 711 para conectarse a un asistente.**

Individuals requiring special accommodations under the Americans with Disabilities Act, known by its acronym in English ADA, or persons requiring translation services (free of charge) should contact the Civil Rights Officer.

Las personas que requieran acomodaciones especiales bajo la Ley para las Personas con Impedimentos (Americans with Disabilities Act), conocida por sus siglas en inglés ADA, o las personas que requieran servicios de traducción (de forma gratuita) deben comunicarse con el Oficial de Derechos Civiles.

The Plan is intended to be a living document, regularly updated by the Department to reflect the program as it changes and grows. Anyone wishing to provide input into the MPO's Title VI/Nondiscrimination Program is encouraged to contact the Title VI/Nondiscrimination Program Coordinator, Robert Esposito, 789 Providence Boulevard, Brooksville, FL 34601, [resposito@hernandocounty.us](mailto:resposito@hernandocounty.us).

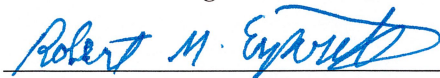
## MPO ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Hernando/Citrus MPO assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, income, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities to be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Hernando/Citrus MPO further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendix A and E* of this agreement in every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.



Robert Esposito, MPO Executive Director

## **POLICY STATEMENT**

It is the policy of the MPO to comply with all federal and state authorities requiring nondiscrimination, including but not limited to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Federal-Aid Highway Act of 1973 (23, U.S.C. 324), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Order 12898 (Environmental Justice) and 13166 (Limited English Proficiency).

The MPO does not and will not exclude from participation in; deny the benefits of; or subject anyone to discrimination on the basis of race, color, national origin, sex, age, disability or income. In addition, the MPO complies with the Florida Civil Rights Act, and does not permit discrimination on the basis of religion or family status in its programs, services or activities.

## **ANNUAL CERTIFICATION ASSURANCES**

Title VI of the Civil Rights Act of 1964 provides that: “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program, or activity receiving Federal financial assistance.” Other federal legislation extended the protections under Title VI of the Civil Rights Act of 1964 to prohibit discrimination based on sex, disability, and age.

Federal rule, 23 CFR 450.316(b)(2), requires that the metropolitan transportation planning process “[b]e consistent with Title VI of Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794, which ensure that no person shall, on the grounds of race, color, sex, national origin, or physical handicap, be excluded from participation in, be denied benefits, or be otherwise subjected to discrimination under any program receiving Federal assistance from the United States Department of Transportation.” An effective public involvement process is integral to providing assurances that the MPO's planning process is consistent with Title VI.

Each MPO must annually certify to the FDOT that the MPO planning process is being conducted in accordance with Title VI of the Civil Rights Act of 1964. The MPO uses a variety of strategies to demonstrate that their planning process is consistent with Title VI. These strategies include but are not limited to the following:

- Developing and updating a Title VI plan;
- Designing the MPO public involvement plan with specific Title VI strategies;
- Evaluating any existing public involvement Title VI strategies;
- Reviewing planning products and projects for disparate impacts on various cultures and socioeconomic groups; and,
- Maintaining documentation of its Title VI strategies.

## **TITLE VI/NONDISCRIMINATION NOTICE TO THE PUBLIC**

The Hernando/Citrus MPO operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. In addition, the Agency does not deny the benefits of, exclude from participation in or discriminate against anyone on the basis of race, color, national origin, sex, age, disability, religion, income or family status. Any person who believes themselves subject of any unlawful discriminatory practice under Title VI or other nondiscrimination authorities may file a complaint with the Title VI Coordinator for the MPO.

Any person who believes they have been discriminated against under Title VI has the right to file a formal complaint within 180 days of the alleged discrimination. Individuals and organizations may file a complaint with the MPO Title VI Liaison by contacting us or submitting a complaint form.

The form should be completed, signed, and sent to:

Robert Esposito, MPO Executive Director  
Hernando/Citrus MPO  
789 Providence Boulevard  
Brooksville, FL 34601  
Phone: (352) 754-4082  
Email: [mpo@hernandocounty.us](mailto:mpo@hernandocounty.us)

If information is needed in another language or accessible in another required format, please contact us at the above phone number and assistance will be provided.

This notice to the public is posted at the Hernando/Citrus MPO offices and on the MPO website.

Si necesita información en otro idioma o necesita los documentos en otros formatos, por favor contactese con nosotros al número telefónico ya mencionado y se le prestará asistencia.

## **TITLE VI/NONDISCRIMINATION COMPLAINT PROCEDURES**

The Hernando/Citrus MPO has put in place a complaint procedure to ensure that any alleged discrimination is investigated and eliminated, if found. The Title VI coordinator has direct, easy and unimpeded access to the MPO Executive Director for purposes of discussing nondiscrimination issues. Any person(s) who believes they have been subjected to discrimination based on race, color, national origin, sex, age, disability, religion, income or family status in any of the Hernando/Citrus MPO services, activities, plans and programs may file a written complaint within 180 days of the alleged incident with the Hernando/Citrus MPO.

1. The complaint should be submitted in writing, signed and dated, contain the identity of the complainant, the basis of allegations(s) (i.e., race, color, national origin, sex, age, disability, religion, income or family status) and a description of the alleged discrimination with the date it occurred (refer to MPO Complaint Form, Appendix C). The official complaint will need to be submitted to the Title VI Coordinator or the MPO Executive Director. The complaint can be mailed or submitted at the following location:

*\*2-6-24 Updated contact information*

Robert Esposito, MPO Executive Director  
789 Providence Boulevard, Brooksville, FL 34601  
352-754-4082, email: [resposito@hernandocounty.us](mailto:resposito@hernandocounty.us)

2. Within 10 business days from receipt of the complaint, the MPO will investigate the complaint for completeness. If more information is needed to resolve the case, the MPO will send correspondence requesting the additional information by mail (with return receipt requested). The complainant has 10 business days from receipt of the letter to provide requested information.
3. By FDOT policy and FHWA requirement, copies of all MPO nondiscrimination complaints involving race, color or national origin will be immediately provided to the FDOT District Title VI/Nondiscrimination Coordinator. The FDOT Title VI Coordinator can assist MPO staff in investigating the complaint and identifying resolution, but will also ensure that the federal authority with Title VI jurisdiction .
4. If the MPO is not contacted by the complainant or does not receive the additional information within 10 business days of the receipt of the request, the MPO can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case. After the investigator reviews the complaint, she/he/they will issue one of two letters to the complainant: a letter closing the matter or one recommending resolution. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A resolution letter summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he/they has/have 30 days to do so after the date of the resolution.
5. The review process by the MPO shall not exceed 90 days from determination of a complete complaint by the MPO's Title VI Coordinator.
6. If the Hernando/Citrus MPO is unable to satisfactorily resolve a complaint, the MPO will forward the complaint, along with a record of its disposition to the Florida Department of Transportation (FDOT) Equal Opportunity Office. The written complaint may be submitted directly to FDOT if the complainant is unable or unwilling to complain to the MPO. FDOT will serve as a clearinghouse forwarding the complaint to appropriate state or federal agency.

Florida Department of Transportation, Equal Opportunity Office  
Attn: Title VI Complaint Processing  
605 Suwannee St. MS 65, Tallahassee, FL 32399

*\*2-6-24 Updated contact information*





**FORMULARIO DE QUEJA  
CONDADO DE HERNANDO/CITRUS MPO**

Nombre de la persona discriminada:	Nºmero de Teléfono (residencia):	Nºmero de Teléfono (trabajo):
Direccion de Residencia (Nºmero y calle, nºmero de departamento):	Ciudad, Estado y C.:digo Postal de Residencia:	
Nombre de la persona que discrimin.: contra usted, y nombre de la dependencia (si lo sabes):		
Direccion de la persona o dependencia que discrimin.: contra usted:	Ciudad, Estado y C.:digo Postal de la persona o dependencia que discrimin.: contra usted:	
Fecha del incidente discriminatorio:		
Causa de la discriminaci.:n:		
<input type="checkbox"/> Raza <input type="checkbox"/> Retaliaci.:n <input type="checkbox"/> Sexo <input type="checkbox"/> Estado Civil <input type="checkbox"/> Religi.:n <input type="checkbox"/> Color de Piel <input type="checkbox"/> Nacionalidad <input type="checkbox"/> Edad <input type="checkbox"/> Impedimento <input type="checkbox"/> Otro <span style="margin-left: 150px;">Fisico</span> <span style="margin-left: 150px;">o Mental</span>		
<p>Explique claramente como sucedi.: la discriminaci.:n y quienes participaron en ella. Incluya en su explicaci.:n cualquier conocimiento que tenga de tratamiento diferente a otras personas. Adjunte cualquier otro escrito relacionado con su caso.</p>		
<b>Firma:</b>	<b>Fecha:</b>	

## TITLE VI INVESTIGATIONS, COMPLAINT AND LAWSUITS

In accordance with 49 CFR 21.9B), the Hernando/Citrus MPO must record and report any investigations, complaints or lawsuits involving allegations of discrimination. the records of these events shall include a summary of the date of the investigation, lawsuit or complaint, a summary of the allegations, status and final action takes. Records shall be maintained in the MPO files.

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status:	Action(s) Taken:
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

## PUBLIC PARTICIPATION PLAN

In order to plan for efficient, effective, safe, equitable and reliable government services, the MPO must have the input of its public. The MPO spends extensive resources in furtherance of this goal and strongly encourages the participation of the entire community.

The Hernando/Citrus MPO seeks out and considers viewpoints of all persons including low-income, minority, elderly, and those with disabilities, Limited English Proficiency (LEP), ethnic and religious groups in the course of conducting public outreach and involvement activities regarding transportation planning activities. The MPO uses the approved Public Participation Plan (PPP) to facilitate this effort. Strategies to facilitate public input include:

- Website and Publications: The MPO includes information on its website regarding transportation planning activities and the Title VI plan. The MPO can supply most documents, upon request, in a variety of alternative formats and the use of Google Translator enables multi-lingual options. MPO transportation planning documents are available on the website. Social Media outlets including Facebook and Twitter are utilized to expand public outreach. .
- Public Meetings and Workshops: Any person may attend any MPO meeting, workshop, or committee meeting and speak during the public comment portion of the agenda

concerning a matter of MPO business or concern to the person. All public meetings are advertised and open to the public. Agendas and notices are posted to MPO website.

- Surveys: Transportation planning activity surveys are conducted as needed to gain feedback from the public. 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.
- Community Outreach – The MPO participates in various community and business meetings to promote public involvement, including social and faith-based organizations that serve vulnerable or traditional underserved communities.

## **ENVIRONMENTAL JUSTICE**

Executive Order 12898, as well as the principles of equity and nondiscrimination require the MPO to identify and address discriminatory impacts on low income and minority communities. This process is referred to as Environmental Justice (EJ). As part of its planning process, the MPO is required to evaluate the impact its plans and projects have on these populations. The three fundamental principles the MPO follows include:

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.

## **OBJECTIVES**

The MPO will continue to monitor impacts to the minority and low-income populations that could be affected by any of its programs or policies. By conducting analysis of these impacts, the MPO will ensure that no disparate treatment or consequences result from any of its activities. 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:

1. 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.
2. Transportation Improvement Program (TIP)
3. Public Participation Plan (PPP): Complies with the public participation requirements of the new federal legislation. 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.

4. 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 MPO is a significant population, as indicated in the 2010 Census. As a result, a Spanish language complaint form is provided.
5. 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*.

## **RECORD OF LANGUAGE ASSISTANCE**

The MPO maintains a file for language assistance requests. As Spanish is the primary LEP language for those within the MPO planning boundaries, the MPO provides notice in Spanish of language services available. For more information or to review the MPO's LEP Plan, contact the Title VI Coordinator or visit our website at: [www.hernandocitrusmpo.us](http://www.hernandocitrusmpo.us).

## **ADA/504 STATEMENT**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in programs and services.

The Hernando/Citrus MPO will make every effort to ensure that its facilities, programs, and services are accessible to those with disabilities. The MPO will make every effort to ensure that its advisory committees, public involvement and other programs and services includes representation by the disabled community and disability service groups. A reasonable accommodation is a change or modification to afford a qualified individual with a disability full enjoyment of the MPOs programs, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program or service or result in undue financial and administrative burdens or hardships to the MPO. The public is encouraged to report any facility, program, activity, or service that appears inaccessible to those who are disabled. Furthermore, the MPO will provide reasonable accommodations to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, activities, or services. Because providing reasonable accommodations may require outside assistance, organizations or resources, the MPO asks that requests be made at least five (5) business days prior to the need for accommodation by contacting: Hernando/Citrus MPO, 352-754-4082 or [mpo@hernandocitrus.us](mailto:mpo@hernandocitrus.us)

## PLANNING AND ADVISORY BODIES

The Hernando/Citrus MPO is governed by a board which is comprised of 9 elected officials from the 5 jurisdictions in the MPO area, 4 from Hernando County Board of County Commissioners, 2 from Citrus County Commissioners, and one member from each City in the MPO area, Brooksville, Inverness and Crystal River.

The MPO also maintains 3 advisory committees: the Technical Advisory Committee (TAC), the Citizens Advisory Committee (CAC), and the Bicycle/Pedestrian Advisory Committee (BPAC)

The MPO is also the designated planning agency for 2 local coordinating boards, the Hernando County Transportation Disadvantaged Local Coordinating Board (TDLCB) and the Citrus County Transportation Disadvantaged Local Coordinating Board.

The MPO makes every effort to encourage a diversity of participants on its boards and committees by posting positions on the MPO website and social media platforms. Anyone interested in serving on an MPO committee or participating in any MPO-sponsored activity should contact MPO staff at [mpo@hernandocounty.us](mailto:mpo@hernandocounty.us), or 352-754-4082.

## DATA COLLECTION

The Federal Highway Administration (FHWA) regulations require federal-aid recipients to collect racial, ethnic, and other similar demographic data on beneficiaries of or those affected by transportation programs, services, and activities. The MPO accomplishes this through the use of census data and other reporting methods. From time to time, the MPO may find it necessary to request voluntary identification of certain racial, ethnic, or other data from those who participate in its public involvement events. This information assists the MPO with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the MPO will always be voluntary and anonymous. Moreover, the MPO will not release or otherwise use this data in any manner inconsistent with the federal regulations.

To assist with its Title VI and EJ responsibilities, the MPO maintains a Community Characteristics Inventory (CCI) that maps communities within the planning boundaries by race, ethnicity, age, low income and other 'base data'. This information is essential to the MPO in assessing whether its activities are equitably distributed or if planned projects may adversely impact a particular area or group. The MPO updates the CCI every three (3) years using the best available data, usually decennial census or American Community Survey result.

The MPO will conduct periodic EJ studies when warranted. Information drawn from the results of these studies is useful in developing subsequent MPO *plans*.

- The MPO will use American Community Survey and 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 with 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.

## CONSULTANT SERVICES AND CONTRACTING SERVICES

The Procurement Department of Hernando County provides support services to the MPO relating to policy and establishing procedures for consultant selection, negotiation, and administration of consultant contracts. Title VI responsibilities associated with the consultant contracts include but are not limited to:

- Monitor Disadvantaged Business Enterprise (DBE) program requirements. For FHWA-assisted contracts, the MPO is required to follow the FDOT DBE program and goal. Currently that goal is 100% race neutral.
- Ensure that all consultant contracts administered by the MPO have the appropriate Title VI provisions included
- Review directives and procedures to ensure Title VI nondiscrimination compliance
- Maintain necessary data and documentation required for completion of the department's Title VI Annual Report

## 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, 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 regard 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 VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, 23 U.S.C. § 324, 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, Title 42 U.S.C. § 6101 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, and 29 C.F.R. Part 27, 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.hernandocitrusmpo.us](http://www.hernandocitrusmpo.us).

- (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.

## **INCLUSION OF APPENDICES A & E INTO MPO CONTRACTS**

### **Title VI Nondiscrimination Policy Language**

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:
- (1.) withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - (2.) 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.
- (7) Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability

in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et. seq

## **DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

It is the Hernando/Citrus MPO's policy to encourage all qualified businesses to actively participate in the procurement of all Hernando/Citrus MPO sponsored contracts. The MPO has adopted the Florida Department of Transportation's Unified Certification Program (UCP) for DBE certification and utilization by resolution.

## APPENDIX A: PROFILE OF THE HERNANDO/CITRUS MPO AREA –

Source: American Community survey 2010, 2016-2020, FDOT EDTM

### Hernando County

Description	2010	2010 %	2016-2020	2016-2020 %
White Alone	153968	90.39	165207	86.63
Black or African American Alone	8366	9.69	9964	14.14
Native Hawaiian and Other Pacific Islander Alone	166	0.1	111	0.06
Asian Alone	1716	1.01	2291	1.2
American Indian or Alaska Native Alone	264	0.15	547	0.29
Some Other Race Alone	3434	2.02	4136	2.17
Claimed 2 or More Races	2423	1.42	8444	4.43
Hispanic or Latino of Any Race	16500	9.69	26964	14.14
Not Hispanic or Latino	153837	90.31	163736	85.86
Minority	30931	18.16	44412	23.29

### Citrus County

Description	2010	2010 %	2016-2020	2016-2020 %
White Alone	131271	93.31	135714	91.74
Black or African American Alone	3942	4.39	4043	5.87
Native Hawaiian and Other Pacific Islander Alone	33	0.02	26	0.02
Asian Alone	1851	1.32	2616	1.77
American Indian or Alaska Native Alone	606	0.43	412	0.28
Some Other Race Alone	1026	0.73	1224	0.83
Claimed 2 or More Races	1957	1.39	3903	2.64
Hispanic or Latino of Any Race	6171	4.39	8677	5.87
Not Hispanic or Latino	134515	95.61	139261	94.13
Minority	14687	10.44	18398	12.44