2013

TITLE VI PLAN

PATRICIA CHIZEK
ESCAMBIA COUNTY AREA TRANSIT
8/20/2013
Title VI and Nondiscrimination Policy and Plan
Including Limited English Proficiency (LEP)

Prepared by
Escambia County Area Transit
1515 West Fairfield Drive
Pensacola, Florida 32501
(850) 595-3228 ext. 215
Updated July 30, 2013
I. Title VI Policy Statement

As a major provider of public transportation whose employees have extensive daily contact with the public, Escambia County Area Transit (ECAT) recognizes its responsibility to the community which it serves and is committed to a policy of nondiscrimination.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

(42 U.S.C. Section 2000d). The Environmental Justice component of Title VI guarantees fair treatment for all people and provides for ECAT to identify and address, as appropriate, disproportionately high and adverse effects of its programs, policies, and activities on minority and low-income populations, such as undertaking reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information ECAT provides.

Environmental Justice Regulations are:

(a) To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;

(b) To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process;

(c) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The responsibility for carrying out ECAT’s commitment to this program has been delegated to the Title VI Coordinator who will receive and investigate Title VI complaints, which come through the complaint procedure. However, all managers, supervisors and employees share in the responsibility for making ECAT’s Title VI Program a success. Implementation of the Title VI Program is accorded the same priority as compliance with all other legal obligations incurred by ECAT in its financial assistance agreements with DOT (See Appendix A).
II. Compliance Plan – General Requirements:

A. Title VI Notice to the Public, including a list of locations where the notice is posted:

Notices for Title VI services are displayed in every transit vehicle, and information is provided in two different locations on ECAT’s website, www.goecat.com. In addition, see the Community Outreach services provided by ECAT (Section E). An example of the public involvement activities include the attendance at the Latino festival with an interpreter, the provision of pamphlets and handouts in Spanish about ECAT services, the provision of Title VI compliance within every transit vehicle, the coordination with schools about ECAT services, etc.

B. Title VI Complaint Procedures (i.e. instructions to the public regarding how to file a Title VI discrimination complaint)

If a person believes they have been excluded from participation in, denied the benefits of, or subjected to discrimination based on race, color or national origin by the Escambia County Area Transit (ECAT) transit service, they may file an official Title VI complaint with the Title VI, DBE Coordinator, Patricia Chizek, 1515 W. Fairfield Drive, Pensacola, FL 32501 or by calling (850) 595-3228 ext. 215. We encourage that complaints be submitted in writing (see Title VI Complaint Form – Section C), and include the following:

• Name, address and contact information (phone number, email address, etc.)
• How, why, when and where the complainant believes they were discriminated against. Include the location, names and contact information of any witnesses. If the alleged incident occurred on the bus, give date, time of day, and bus number if available.
• The complainant must sign the letter of complaint.

All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. The Title VI, DBE Coordinator will review every complaint, and when necessary, begin the investigation process. At a minimum the investigation will:

• Identify and review all relevant documents, practices and procedures;
- Identify and interview persons with knowledge of the Title VI violation, i.e., the person making the complaint; witnesses or anyone identified by the Complainant; anyone who may have been subject to similar activity, or anyone with relevant information.

Upon completion of the investigation, the Title VI DBE Coordinator will complete a final report for the General Manager. If a Title VI violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The Complainant will also receive a final report together with any remedial steps. The investigation process and final report should take no longer than twenty-five (25) business days.

If no violation is found and the complainant wishes to appeal the decision, he or she may contact the Federal Transit Administration, 230 Peachtree St., N.W., Suite 800, Atlanta, GA 30303 Attn: Region IV Civil Rights Officer or by calling (404) 865-5620, web site:


Complainants may also file their initial Title VI complaint directly, no later than 180 days after the date of the alleged discrimination, and he or she may contact the Federal Transit Administration, 230 Peachtree St., N.W., Suite 800, Atlanta, GA 30303 Attn: Region IV Civil Rights Officer or by calling (404) 865-5620, web site:


For more information about ECAT, contact:

Patricia Chizek, Title VI, DBE Coordinator
By phone: 850-595-3228 ext. 215,
or mail: ECAT, 1515 W. Fairfield Drive Pensacola, Florida 32501
or fax: 850-595-3222
C. Title VI Complaint Form

Escambia County Area Transit Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Environmental Justice component of Title VI guarantees fair treatment for all people and provides for ECAT, to identify address, as appropriate, disproportionately high and adverse effects of its programs, policies, and activities on minority and low-income populations, such as undertaking reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information ECAT provides.

Complaint No. _______________________________

Name: ______________________________________

Home #: ____________________________  Cell #: ______________________________

Email Address: _____________________________

Address: __________________________,  City: _________________________ Zip: __________

List Type of Discrimination (Please circle all that apply)

Race  National Origin  Color  Other:

_____________________________________

Please indicate your race/color, if it is a basis of your complaint:

_____________________________________

Please describe your national origin, if it is a basis of your complaint:

_____________________________________

Location where incident occurred: ________________________________________________

____________________________________

Time and date of incident: _______________________________________________________

Name/Position title of the person who allegedly subjected you to Title VI discrimination:
Briefly Describe the incident (use a separate sheet, if necessary) _____________________________

_________________________________________________________________________________

Did anyone else witness the incident? Yes (  )     No (  )

List witnesses (use a separate sheet if necessary.)

Name: _______________________________________

Address: _____________________________________

Phone #: ______________________________

Have you filed a complaint about this incident with the Federal Transit Administration? Yes (  ) No (  ) If yes, when?

_________________________________________________________________________________

Affirmation

I hereby swear/affirm that the information that I have provided in this Title VI Complaint Form is true and correct to the best of my knowledge, information and belief.

Your signature ___________________________ Date ___________________________

Action taken (to be completed by Title VI Investigator)

_________________________________________________________________________________

Title VI Investigator Signature ___________________________ Date ___________________________

Mailing Address:
Escambia County Area Transit
Attn: Title VI, DBE Coordinator
1515 West Fairfield Drive
Pensacola, FL 32501

D. List of Transit-related Title VI investigations, complaints, and lawsuits

List any complaints here: None

E. Public Participation Plan

In order to plan for efficient, effective, safe, equitable, and reliable transportation systems, Escambia County Area Transit must have the input of its public. ECAT staff attends a number of transportation meetings, workshops, and other events designed to gather public input on our routes, bus stops, bike paths and walkways with the local TPO. Escambia County Area Transit also provides individual training to assist anyone needing more information about the bus routes and schedules. Following is an overview of the Marketing Department Activities/Community Outreach and Mobility Management Public Involvement Activities:

1. Summary of Activities During 2012-2013:
   o Over 89 Customer Website Requests (GoECAT.com)
   o On-Bus Travel Trainings – over 100 individuals and 8 groups
   o Classroom on Wheel Trips – over 75 students participated
   o ECAT Informational Presentations - 23 Agencies and Groups
   o Amplified Media Exposure
   o Featured in PNJ & Cumulus Media Hurricane Guide
   o Council on Aging – YouTube Channel feature on seniors and transportation

2. Strategic Community Partnership Development and Networking Summary:
   o Florida Transit Marketing Network
   o Disability Summit Council & Council on Aging
   o United Cerebral Palsy (UCP) and ARC Gateway
   o Navy Federal Credit Union & Habitat for Humanity
   o Ride On- Commuter Assistance – West Florida Regional Planning Council
   o Colleges & Universities (Pensacola State College & University of West Florida)
   o Local Churches & other Community Organizations (Kiwanis Club, etc.)
   o Military Organizations (NAS Pensacola, VA Hospital, Gulf Coast Veteran’s
   o Advocacy Council)

3. Community Outreach to Diverse Community Groups Summary:
   o Local Latina Festival each October
   o Veteran’s Stand Down for Homeless Veterans each October
Disability Summit Council – monthly
Juneteenth Event - annually
Transitional Student Services Conference held by Escambia And Santa Rosa County District Schools

For more information on the Escambia County Area Transit’s public involvement plan or to request special presentations, volunteer in any of its activities, or offer suggestions for improvement of Escambia County Area Transit’s public involvement may contact:

Tonya Ellis
Escambia County Area Transit
1515 West Fairfield Drive
Pensacola, FL 32501
Tellis@co.escambia.fl.us
Telephone: 850-595-3228 X 213
Fax: 850-595-3222

F. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LET Guidance:

- Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

  1. The number or proportion of LEP persons eligible to be served or likely to be encountered by Escambia County Area Transit, or activities.

Using census data, the Escambia County Area Transit has determined that LEP individuals speaking Spanish represent approximately 1.4% of the community. Escambia County Area Transit realizes that such statistical data can be inaccurate. Therefore, Escambia County Area Transit reviewed the Florida Alabama TPO statistical analysis they gathered during the preparation of their Title VI plan for the Escambia County area. Their information was gathered from the Social Services agencies and the Escambia County School District. Spanish was reported to be the prevalent LEP language and an estimated 1.1% of requests for service for these agencies were in Spanish. This percentage supports the ECAT census data (See Appendix B for TPO data collection statement). Given this information, Escambia County Area Transit reasons that a relatively small portion of its service population is LEP speakers of Spanish. The Escambia County schools did relate that they also have a small population, 0.6%, of students that speak Vietnamese.
2. *The frequency with which LEP individuals come in contact with these programs, or activities.*

Escambia County Area Transit has not received any requests for translation or interpretation of its programs, services or activities into Spanish or any other language. However, Escambia County Area Transit has provided employees with Spanish transit booklets to help with translation, and we have helpful Spanish translations posted in our Bus Operator break room. In addition, our Mystery Rider program is used to provide current updates on ridership demographics. The forms utilized by the Mystery Rider program include information about riders that may have limited English proficiency. In addition, ECAT’s public outreach documented in this plan (Section E) includes attendance at a variety of public events in an effort to introduce ECAT services, including the Latino festival. To date, the ECAT Director of marketing and Community Relations has not been approached by anyone in the public about there being a need to provide translation services.

3. *The nature and importance of the program, activity, or service provided to people’s lives.*

Escambia County Area Transit believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible without reliable transportation systems. ECAT defines this Plan as an essential document to meet its obligation to provide services to LEP persons.

4. *The resources available to Escambia County Area Transit and the likely costs of the LEP services.*

As with other businesses, costs/resources are a concern. With the previously stated small percentage of LEP persons in the ECAT service area, cost effective solutions are continually being researched to ensure appropriate costs align with the services needed. For instance; measures currently in place include:

1. Current bilingual employees will act as interpreters;
2. Typical statements drivers may receive are translated and posted in the drivers lounge for use;
3. Drivers also have access to pamphlets with translated services;
4. Notices about Title VI rights are posted in all revenue transit vehicles.

- **Type of Language** – The Department of Transportation guidance calls for Safe Harbor provisions. Included in these provisions is the requirement that written translations of vital documents must be completed for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely
to be affected or encountered. As stated earlier, the percentage of LEP individuals in the
service area is very low with the majority of the LEP public speaking Spanish. As a
result, ECAT’s concentration has been to provide Spanish interpreters and Spanish
materials where appropriate. If our Mystery Riders, drivers, and/or public outreach
activities find a shift in ridership demographics, our services in this area will also expand.

- **Training Staff** – ECAT is fortunate to have within Escambia County a number of
institutions of higher education and military facilities, some of which have extensive
language services. Further, ECAT will work to continue to develop relationships with
these organizations through our current public relations activities. We plan to begin
notifying all employees of Spanish classes that may be offered by these organizations to
assist in our efforts to reach out to our community. Currently, our drivers have postings in
the driver’s lounge of Spanish statements, the dispatchers’ have knowledge of all
bilingual staff that can offer appropriate translation services. ECAT also utilizes a Basic
Spanish pamphlet for transit employees. (appendix C)

The analysis of the four factors as stated earlier suggests that extensive LEP services are not
required at this time. Nevertheless, Escambia County Area Transit believes that occasional
Spanish language assistance may be necessary for meaningful access by members of the
public. Thus, the Escambia County Area Transit will:

- Maintain a list of employees who competently speak Spanish and other languages
and who are willing to provide translation and/or interpretation services;
- Distribute this list to staff that regularly has contact with the public;
- Find and use as much Spanish information, booklets, and pamphlets as possible for
our employees to better communicate;
- Continue to provide public relations activities.

Escambia County Area Transit understands that its community profile is changing and that
the four factor analysis may reveal the need for more LEP services in the future. As such,
Escambia County Area Transit will continue to assess the size and needs of Escambia
County’s LEP population and amend our plan as needed.

### G. Non-Elected Committees and Councils

MTAC – advertise meetings in the Pensacola News Journal (Appendix D), allow public
comment for 30 minutes at beginning of the meeting, board includes:

<table>
<thead>
<tr>
<th>Bonita Player-District 3</th>
<th>Theresa Inge-District 4</th>
</tr>
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<tbody>
<tr>
<td>Jonathan Pytynia-Vice Chair-District 5</td>
<td>Earl Jones-District 5</td>
</tr>
<tr>
<td>Arnie Rosenbleeth-District 1</td>
<td>Mary Robinson-County Administrator</td>
</tr>
<tr>
<td>Jim Flaxlanger-District 1</td>
<td>Steven Davidson-City of Pensacola</td>
</tr>
<tr>
<td>Alan McMillan-District 2</td>
<td>Ann Brooks-Town of Century</td>
</tr>
<tr>
<td>Jesse Casey-District 2</td>
<td>Barbara Mayall-City Council</td>
</tr>
<tr>
<td>Sabrina Michelle Wallace Jordan-District 3</td>
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</tbody>
</table>
CAC – advertise meetings in the Pensacola News Journal (Appendix D), allow public to speak, board includes:

<table>
<thead>
<tr>
<th>Mr. Vernon Compton</th>
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<tbody>
<tr>
<td>Mr. Bill Dubois</td>
</tr>
<tr>
<td>Mr. Jim Hunt</td>
</tr>
<tr>
<td>Mr. Warren Jernigan</td>
</tr>
<tr>
<td>Ms. Barbara Mayall</td>
</tr>
<tr>
<td>Mr. Buzz Morley</td>
</tr>
<tr>
<td>Mr. Thomas Steinberg</td>
</tr>
</tbody>
</table>

H. Primary recipients shall include a description of how the agency monitors its sub recipients for compliance with Title VI, and a schedule of sub recipient Title VI Program submissions.
Escambia County Area Transit does not have any sub-recipients.

I. A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
Escambia County Area Transit has not constructed any facilities, vehicle storage, maintenance facilities or operations centers.

J. Board Minutes, Resolution, and other appropriate documentation showing the Board of Directors reviews and approved the Title VI Program
Please see Appendix E for the required information.
III. Additional Information required under Chapter IV for Transit Providers

All Fixed Route Transit Providers must submit:

Service standards

- Vehicle load for each mode
- Vehicle headway for each mode
- On time performance for each mode
- Service availability for each mode

Service policies

- Transit Amenities for each mode
- Vehicle Assignment for each mode - Done
Bus Assignment Policy

Vehicle assignment;

Escambia County Area Transit shall assign fixed route transit vehicles to individual routes based on vehicle mileage and with higher ridership and/or during peak periods. Escambia County Area Transit will insure that the average age of fixed route transit vehicles assigned to revenue service will remain consistent with all service provided. Express and commuter service shall operate with equipment available for that type of service.

Known fixed route block(s) operating with heavy ridership shall have vehicles assigned with the highest number of seating capacity. Express and limited stop commuter service shall operate with vehicles specially designed for that type of service, upon equipment availability.

- The Director of Transportation shall enter projected vehicle mileage by block(s) for each route designed to operate in revenue service before each new work assignment period is posted.

- The Director of Maintenance shall provide, to the Director of Transportation, the total vehicle miles accumulated for each vehicle in revenue service before vehicles are assigned during each new work assignment period.

- The Director of Transportation shall assign fixed route vehicles to each block assignment insuring mileage consistency throughout the system.

- The Director of Transportation shall assign available express, commuter type vehicles to blocks operating this type of revenue service based on availability.

- The Director of Transportation or his/her designee shall post the vehicle assignment list in a conspicuous location before each new run assignment bid begins.

- The Dispatcher shall insure that assigned vehicles shall not be reassigned to any other block(s) between new run assignment postings. The only exception would be for vehicles deemed mechanically unreliable by the Director of Maintenance.
IV. Conclusion

Escambia County Area Transit understands that its community profile is changing. As such, Escambia County Area Transit will biennially examine its Title VI plan, as well as its LEP four factor analysis, to ensure that it remains reflective of the community’s needs. The responsibility for carrying out ECAT’s commitment to this program has been delegated to the Title VI, DBE Coordinator who will receive and investigate Title VI complaints. However, all managers, supervisors and employees share in the responsibility for making ECAT’s Title VI Program a success. Implementation of the Title VI Program is accorded the same priority as compliance with all other legal obligations incurred by ECAT in its financial assistance agreements with DOT (See Appendix A).

Persons requiring special services should contact the Escambia County Area Transit Title VI Coordinator:

Patricia Chizek
Escambia County Area Transit
1515 West Fairfield Drive
Pensacola, FL32501
patricia.chizek@firstgroup.com
Telephone: 850-595-3228 X 215
Fax: 850-595-3222
Appendix
APPENDIX A

TITLE VI / NON DISCRIMINATION ASSURANCES
Escambia County Area Transit declares that it will not tolerate discrimination. That it will uphold all requirements and regulations of the Florida Department of Transportation, The Federal Highway Administration, the Federal Transit Authority as well as the United States Department of Transportation and the United States Government. Escambia County Area Transit abides by the requirements of Title VI of the Civil Rights Act of 1964 based on law, equality, morality and the desire to do what is right for our entire community.

Herold Humphrey, General Manager  
Dianne Hall, Director of Transportation
STANDARD DOT TITLE VI ASSURANCES

Escambia County Area Transit (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, 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 Highway 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) (1) of the Regulations, a copy of which is attached.

More specifically and without limiting the above general assurance the Recipient hereby gives the following specific assurance with respect to its transportation program.

1. That the Recipient agrees that each “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 notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all transportation programs and, in adapted form in all proposals for negotiated agreements:

   The Recipient, 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 clauses of Appendix A of this assurance in every contact subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the
acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreement entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under said transportation program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under said transportation program.

8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the 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 there on, in which case the assurances obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which 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.

9. 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 or 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.

10. 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 said transportation program and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants in the said transportation program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED

By __________________________
____________________, Chairman

ATTEST:
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, 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 Subcontractors, 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, 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 Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instruction. 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 Recipient or the Federal Highway 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 Recipient shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

   a) Withholding of payment so 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 directive issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: 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 Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.
APPENDIX B

TPO Data Collection Information
TPO Data Collection Statement:

“FHWA regulations require federal-aid recipients to collect racial, ethnic, and other similar demographic data on beneficiaries of or those affected by TPO programs, services, and activities. The TPO accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, and other methods. From time to time, the TPO 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 TPO with improving its targeted outreach and measuring of effectiveness. Self-identification of personal data to the TPO will always be voluntary and anonymous. Moreover, the TPO will not release or otherwise use this data in any manner inconsistent with the federal regulations”.

Assurances:

“Each year, the TPO must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed ‘assurances’ and serve two important purposes. First, they document the TPO’s commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the TPO may be held liable for breach. The public may view the annual assurance on the TPO website or by visiting the TPO offices.”

Persons wishing to express concerns or questions about the TPO’s commitment to non-discrimination, again please contact:

Mary Bo Robinson
Florida-Alabama TPO
4081 E. Olive Road, Suite A
Pensacola, FL 32514
mary.robinson@2wfrpc.org
Telephone: 850-332-7976 1-800-226-8914 X 229
Fax: 850-637-1923
APPENDIX C

Driver Pamphlets – take a picture of one and insert
APPENDIX D

Advertisements for MTAC & CAC Meetings
Published Daily-Pensacola, Escambia County, FL

PROOF OF PUBLICATION

State of Florida

County of Escambia:

Before the undersigned authority personally appeared Roshandia Gillis who, on oath, says that she is a personal representative of the Pensacola News Journal, a daily newspaper published in Escambia County, Florida; that the attached copy of advertisement, being a Legal in the matter of:

Meeting Schedule

Was published in said newspaper in the issue(s) of:

September 8, 2012

Affiant further says that the said Pensacola News Journal is a newspaper published in said Escambia County, Florida, and that the said newspaper has heretofore been published in said Escambia County, Florida, and has been entered as second class matter at the Post Office in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 10th Day of September, 2012, by Roshandia Gillis, who is personally known to me.

[Signature]
Affiant

[Notary Public]
Notary Public

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Board of County Commissioners - Escambia County, Florida
Meeting Schedule
September 10- September 14, 2012

One or more of the Escambia County Commissioners may attend the following meetings:

<table>
<thead>
<tr>
<th>DAY</th>
<th>TIME</th>
<th>MEETING</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon.</td>
<td>5:00pm</td>
<td>Planning Board</td>
<td>308 West Park Place</td>
</tr>
<tr>
<td>Mon.</td>
<td>5:00pm</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
</tr>
<tr>
<td>Mon.</td>
<td>6:30pm</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
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<tr>
<td>Mon.</td>
<td>6:30pm</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
</tr>
<tr>
<td>Tue.</td>
<td>9:00am</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
</tr>
<tr>
<td>Wed.</td>
<td>6:30pm</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
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<tr>
<td>Thu.</td>
<td>6:30pm</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
</tr>
<tr>
<td>Fri.</td>
<td>9:00am</td>
<td>Escambia County Commission</td>
<td>308 West Park Place</td>
</tr>
</tbody>
</table>

Note: A copy of the agenda for the meetings attended by the Board of County Commissioners containing specific times to be considered is available at the time of publication. For information on how to contact the Board of County Commissioners, please visit the website of the Escambia County Government. The meetings are open to the public and are broadcasted live on the County Government Channel. The meetings can also be viewed on the County Government’s website at www.escambia.com.
The Florida-Alabama Transportation Planning Organization will hold a public meeting on June 12, 2013 at 9:00 a.m. in the Escambia County Board of County Commission Chambers, 221 E Highway Place, Pensacola, FL 32502. Technical Coordinating Committee (TCC) and Citizen Advisory Committee (CAC) will meet on June 10, 2013 at 1:00 PM and 3:00 PM respectively; Bicycle Pedestrian Advisory Committee (BPAC) will meet at 10 AM on June 11, 2013. All advisory committee meetings will be held at the WFRPC, 4081 E Olive Rd, Pensacola. The agenda will consist of Amending the FY2013-2017 Transportation Improvement Program (TIP) to Add Project #100060119 Design Phase for Curb and Boat Ramp installation in FY 13 and Project 100060120 Construction Phase for Curb and Ramp installation in Baldwin County in FY 14, Adoption of the Florida-Alabama TPO FY 2014-2018 Transportation Improvement Program (TIP), Approving Apportionment of the Florida-Alabama TPO Membership, Appointment of the Florida-Alabama TPO Long Range Transportation Plan (LRTP) 2040 Ad Hoc Subcommittee Members, a Bicycle Pedestrian Advisory Committee Application and Election of Chairs and Vice Chairs for FY2014 (July 1, 2013 through June 30, 2014). Review Items will include the Fort Pickens / Gateway Communities Ferry and Shuttle Feasibility Study update, Review of Northwest Florida Transportation Corridor Authority Master Plan, Update on Amendment of the 2035 Florida-Alabama Long Range Transportation Needs and Cost Feasible Plans and other transportation planning items for consideration and discussion. Public Participation is solicited without regards to race, color, national origin, sex, age, religion, disability or family status. The TPO will make reasonable accommodations for access to this meeting in accordance with the Americans with Disabilities Act. Please notify TPO Coordinator; Mary Beth Washnock at 332-7976, x 228 or Marybeth.washnock@wfrpc.org for additional information or accommodation assistance.

Por favor a la Sr. Rhonda Grice, de los requisitos de acceso o el idioma en el 850-332-7976 ext 214 o 1-800-995-8771 para TTY-Florida al menos 48 horas de antelación.

Legat No. 1600417 1T June 6, 2013
APPENDIX E
Board Meeting Minutes and Resolutions