

Columbus Transit

Title VI Plan

Update

**Columbus City Transit Department
850 Lindsey Street
Columbus In 47201**

Updated

December 17, 2013

By



Agency Information

City of Columbus operates "ColumBUS" a fixed route service, and "Call-a-bus" demand responsive shared ride taxi service for those persons who because of a disability are unable to access the Fixed Route System. ColumBUS service is provided on four routes on one hour headways. Columbus operates four buses in fixed route service and four buses in Call-a-bus service. All of the buses are equipped with wheelchair lifts. Fixed Route and Call-a-bus service hours are from 6:00 a.m. to 7:00 p.m. Monday thru Saturdays. The fare for ColumBUS service is 25¢ for all riders. Discount, "half fare" rides for Medicare card holders and disabled citizens is .10¢. The fare for Call-a-bus service is 50¢ per trip. Easy Rider "free" passes are available for students up to the age of 18 or their graduation date.

Report/Plan Statement

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 City of Columbus is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A.

This plan was developed to guide the City of Columbus in its administration and management of Title VI-related activities.

*Title VI Coordinator
Cindy Setser, Transit Coordinator
City of Columbus
Columbus City Transit Department
850 Lindsey Street
Columbus In 47201
Phone at 812-376-2506
e-mail: csetser@columbus.in.gov*

Title VI Complaint Procedures

The complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The complaint procedural process is included in Attachment I. The Title VI Complaint Form (see Attachment II) may be used to submit the complaint information. The complaint may be filed in writing with ColumBUS at the following address:

*Title VI Coordinator
Cindy Setser, Transit Coordinator
City of Columbus
Columbus City Transit Department
850 Lindsey Street
Columbus In 47201
Phone at 812-376-2506
e-mail: csetser@columbus.in.gov*

NOTE: *ColumBUS* encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

Active lawsuits or complaints

All Section 5307 Transit Systems shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the Small Urban Transit System and/or Section 5311 Sub-Recipient..

Attachment III is listing by year of all information such as date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint.

A summary of all civil rights compliance review activities conducted in the last 3 years is also included in Attachment III.

Limited English Proficiency programs/activities

LEP program activities plan is included in Attachment IV

Committee/Board Matrix

Columbus Transit Advisory Council and Board of Public Works are the only transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership is selected by the Transit System, The following is documentation depicts the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.

| Body | Caucasian | Latino | African American | Asian American | Native American |
|----------------------------|-----------|--------|------------------|----------------|-----------------|
| Population | 91% | 3% | 3% | 3% | 0% |
| Board of Public Works | 100% | 0% | 0% | 0% | 0% |
| Transit Advisory Committee | 93.3% | 0% | 6.7% | 0% | 0% |

The small rural nature of the community makes diversity of these boards difficult. However the Transit system does make a genuine effort to diversify their board and committees. Transit Advisory encourages TAC organizations to appoint representatives that are consistent with demographic make-up of the community.

Assurance:

A signed FTA Civil Rights Assurance that all of the records and other information required under this circular have been or will be compiled, as appropriate, and maintained by the applicant, recipient, or subrecipient. In the case of State administered programs, this assurance should be provided by the primary and subrecipient [see Attachment VI -Appendix A]. A signed standard DOT Title VI Assurance. This assurance will be maintained as part of the FTA “One-Time Submission” file. [see Attachment VI - Appendix B].

Notice of Compliance:

A notice that it complies with Title VI and procedures the public may follow to file a discrimination complaint can be found as Attachment III.

Public Participation Plan:

Columbus transit utilizes a variety of methods and forums to solicit community participation. The following is a non-inclusive list:

Transit Advisory Committee Meetings: The Transit Advisory Committee is a standing committee consisting of representatives of public transit, not-for-profit social services agencies that provide transportation services and users of both. The Transit Advisory Committee serves as a clearing house for issues related to public transportation as well as to increase the level of coordination amongst the member agencies. MPO Staff is a member and attendee of the Transit Advisory Committee.

The Transit Advisory Committee is one of the primary avenues for the MPO to collect information related to transportation needs of the traditionally underserved.

Members and participant in the Transit Advisory Committee include:

- ColumBUS Transit
- The Senior Center of Bartholomew County
- Aging & Community Services
- United Way of Bartholomew County

- Columbus City Engineer
- Administrative Resources association
- Developmental Services, Inc.
- Bartholomew Consolidated School Corporation
- Human Rights Commission
- Indiana RTAP
- Foundation for Youth
- Columbus / Bartholomew Planning Department
- Columbus Area Metropolitan Planning Organization

MPO Citizens' Advisory Committee: The MPO organizes citizen committees on an ad hoc basis to focus on specific planning issues. An example of this would be the 2006 Bicycle and Pedestrian Committee. This committee was charged with preparing the City of Columbus Bicycle and Pedestrian Plan. Members of committees include a mixture of elected officials, staff from various departments of the City of Columbus, members of interest groups, and interested citizens. Citizens interested in participating on future planning committees should contact MPO staff to let staff know what issues interest them. These meetings are also open to the public.

Board of Public Works (BOW): The BOW services as the city's public body for contract and policy changes. All meeting a public and thus information is disseminated to the public through this forum.

Local Newspaper The city uses the newspaper for many of it notices and advertising to notify of capital projects or any change in service changes. A notice of plan has been published in the paper of local circulation.

City Website: The city website contains a page dedicated to transit. The webpage is used to inform the community of transit services and any program or policy changes.

Note: Title VI Notice to the public (included as Attachment V) was posted to the website, at city hall, at the transit facility, and inside the transit vehicles.

Equity analysts to Determine Site or Location of Facilities

This does not apply to ColumBUS Transit as no such projects were conducted during the reporting period.

Attachment I

· Title VI Complaint Procedures

TITLE VI COMPLAINT PROCEDURE

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the **Columbus Transit** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The **Columbus Transit** investigates complaints received no more than 180 days after the alleged incident. **Columbus Transit** will process complaints that are complete.

Once the complaint is received, **Columbus Transit** will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Columbus Transit has **60** days to investigate the complaint. If more information is needed to resolve the case, **Columbus Transit** may contact the complainant. The complainant has **7** business days from the date of the acknowledgement letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within **30** business days, **Columbus Transit** can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue his or her case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF 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 has **10** days after the date of the letter or the LOF to do so and the appeal will be presented to the Appeals Committee for their review and consideration.

An appeals committee consisting of the Transit Coordinator, MPO Director, the City Director of Operation and Finance, and a selection of two peer Call-a-Bus customers will investigate all eligibility appeals. The Transit Coordinator may collect additional information as part of the review. The complainant will have the opportunity to be heard in person or may submit all his/her arguments in writing or an accessible format. The appeals committee will have fourteen (14) days from the date of the appeal to render a decision. After fourteen (14) days, the applicant will be presumed eligible until a decision has been reached. The applicant will be notified by letter, and other methods if requested.

A person may also file a complaint directly with the Federal Transit Administration (FTA), or if a customer appeal is denied and the person believes the process was unfair, the applicant can file a complaint with the Federal Transit Administration Office of Civil Rights, 1200 New Jersey Avenue, SE, Washington D.C. 20590 (866) 377-8642 (Voice) (800) 877-8339 (TTY)

Attachment II

The Title VI Complaint Form

Title VI Program

Columbus Transit Complaint Form

Section I:

Name: _____

Address: _____

Telephone (Home): _____ Telephone (Work): _____

Electronic Mail Address: _____

| | | | | |
|---------------------------------|-------------|--|------------|--|
| Accessible Format Requirements? | Large Print | | Audio Tape | |
| | TDD | | Other | |

Section II:

Are you filing this complaint on your own behalf? Yes* No

*If you answered "yes" to this question, go to Section III.

If not, please supply the name and relationship of the person for whom you are complaining: _____

Please explain why you have filed for a third party: _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes No

Section III:

I believe the discrimination I experienced was based on (check all that apply):

Race Color National Origin Sex

Age Disability Low Income

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV:

Have you previously filed a Title VI complaint with this agency? Yes No

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court _____

State Agency _____

State Court _____

Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Title VI Coordinator Contact information

Cindy Sester, Transit Coordinator

City of Columbus

Columbus City Transit Department

850 Lindsey Street

Columbus In 47201

Phone at 812-376-2506

E-mail: csetser@columbus.in.gov

Attachment III

Active lawsuits or complaints

and

Civil rights compliance review documentation

Columbus Transit

Active lawsuits or complaints

Year _____

| | 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 | | | | |

Civil rights Complaints

Year _____

| | 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 | | | | |

Attachment IV

Limited English proficiency programs/activities

CITY OF COLUMBUS, INDIANA

FOUR-FACTOR ANALYSIS

**ColumBUS Transit
FTA Section 5307**

Purpose:

In compliance with Executive Order 13166, the City of Columbus has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.

History:

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

City of Columbus Four-Factor Analysis:

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the City of Columbus will undertake to guarantee access to the City of Columbus Public Transit programs (funded under Section 5307) by LEP persons.

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

Currently, the U.S. Census does not provide data regarding Limited English Proficiency below the County Level. Therefore, for determining the LEP population, the City of Columbus utilized the following method(s) to determine the LEP population in the City of Columbus.

The City of Columbus utilized the U.S. Bureau of Census, Census 2000, Table DP-2 Profile of Selected Social Characteristics: 2000, Language Spoken at Home, table shown below. Based on this data, there are a total of 1,094 persons, three percent (3%) of the total population in the City of Columbus the "speak English less than "very well"." With the three languages identified, Spanish, other Indo-European languages and Asian and Pacific Island languages, all do not meet the 1,000 or 5% LEP persons threshold for the languages

identified.

| TABLE DP-2. | | |
|--|--------------|------------|
| LANGUAGE SPOKEN AT HOME | Number | Percent |
| Population 5 years & over | 36,121 | 100.0 |
| English Only | 33,533 | 92.8 |
| Language other than English | 2,588 | 7.2 |
| Speak English less than "very well" | 1,094 | 3.0 |
| Spanish | 1,132 | 3.1 |
| Speak English less than "very well" | 542 | 1.5 |
| Other Indo-European languages | 752 | 2.1 |
| Speak English less than "very well" | 234 | .6 |
| Asian and Pacific Island languages | 662 | 1.8 |
| Speak English less than "very well" | 318 | .9 |

- The frequency with which the LEP persons come into contact with the program.

The frequency for LEP persons to come into contact with program are Call a bus are the following areas:

- Demand response service - daily
- Purchase of passes, tokens or tickets through transit - daily
- Participation in public meetings – Monthly or Quarterly
- Customer service interactions - Daily
- Ridership surveys – Every other year

- The nature and importance of the program, activity, or service provided by the program.

The provision of public transportation is a vital service, especially for people without access to personal vehicles. Transit system activities will impact every person in the community. Development of a coordinated effort to meet the specific transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. The transit system assesses their programs, activities and services to ensure they are providing meaningful access to LEP

Exhibit A – Safe Harbor Provision

The U.S. DOT has adopted the Department of Justice's (DOJ's) Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.

4. The resources available and costs to the recipient.

Currently, the City of Columbus can contract with Su Casa Neighborhood Assistance Center, a United Way Agency in Bartholomew County that provides oral in-person and by-phone interpretation services. Su Casa is provide program information, route maps, and transit brochures to inform them on transit. Su Casa typically does not charge for services or charges nominal fees to city as they are supported by volunteers and donors and provide programs, services and education to increase the self sufficiency of members of the Latino Population and advocates cross cultural interaction within the community.

In addition internet sites can be utilized to translate some written materials and local volunteers have been identified to provide other oral translation services at public meetings and during conversations with LEP residents during the implementation of the proposed project. Furthermore, many of the common forms used in the implementation of a FTA funded programs are available in multiple languages on the FTA, FHWA and DOL websites. Additionally, translation activities are an eligible 5307 administrative expense. Therefore, limited LAP measures are reasonable given the resources available to the City of Columbus.

Certification: Based on the above Four-Factor Analysis, the City of Columbus is not required to develop a LAP. However, the City of Columbus will make all reasonable attempts to accommodate language access needs of residents requesting oral translation during citizen participation activities. The city agrees to adhere to the Safe Harbor Provision as defined in Exhibit A.

Attachment V

Notice to the Public

Public Notice

Public Notice of Rights under Title VI of the Civil Rights Act of 1964

Columbus Transit

Columbus Transit operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Columbus Transit.

For information on Columbus Transit's civil rights plan and the procedures to file a complaint contact

Title VI Coordinator Contact information

Cindy Setser, Transit Coordinator

City of Columbus

Columbus City Transit Department

850 Lindsey Street

Columbus In 47201

Phone at 812-376-2506

E-mail: csetser@columbus.in.gov

For more information visit website at: columbus.in.gov

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the:

Office of Civil Rights

Attention: Title VI Program Coordinator

East Building, 5th Floor -TCR

1200 New Jersey Avenue, SE

Washington, DC 20590

If information is needed in another language or alternate format contact Cindy Setser, Transit Coordinator, 850 Lindsey Street, Columbus In 47201, by phone at 812-376-2506, or e-mail at csetser@columbus.in.gov

Attachment VI
Assurance Forms

APPENDIX A

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The City of Columbus, Indiana HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The City of Columbus, Indiana will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The City of Columbus, Indiana will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

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

Kristen S. Brown, Mayor
(NAME AND TITLE OF AUTHORIZED OFFICER)

DATE: _____

(SIGNATURE OF AUTHORIZED OFFICER)

APPENDIX B

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The City of Columbus, Indiana (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 Federal Transportation Administration (FTA) and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Capital 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 Capital Program and, in adapted form in all proposals for negotiated agreements:

The City of Columbus, Indiana 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 C1 of this assurance in every contract subject to this Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix C2 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 entire 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 C3 of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements enter into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under Capital Program and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under Capital 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 to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
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/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, 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 Capital Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Capital Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: _____

City of Columbus, Indiana
(Name if Recipient)

by _____
(Signature of Authorized Official)

Attachments:

Appendices A, B, and C

(APPENDIX A TO TITLE VI ASSURANCE)

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 Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, 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 City of Columbus Indiana or the Federal Transportation 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 City of Columbus, Indiana, or the Federal Transportation Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the City of Columbus, Indiana shall impose contract sanctions as it or the Federal Transportation 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 City of Columbus, Indiana or the Federal Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of Columbus, Indiana to enter into such litigation to protect the interests of the City of Columbus, Indiana, 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 TO TITLE VI ASSURANCE)

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of Columbus, Indiana will accept title to the lands and maintain the project constructed thereon, in accordance with TEA-21 the Regulations for the Administration of (Name of Appropriate Program) and the policies and procedures prescribed by Federal Transportation Administration of the Department of Transportation and, also in accordance with and in compliance with 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 (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Columbus, Indiana all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto City of Columbus, Indiana and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Columbus, Indiana, its successors and assigns.

The City of Columbus, Indiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person 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 with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and] * (2) that the City of Columbus, Indiana shall use the lands and interests in lands and interests in lands so conveyed, in compliance with 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, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

(APPENDIX C TO TITLE VI ASSURANCE)

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of Columbus, Indiana pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, City of Columbus, Indiana shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, City of Columbus, Indiana shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of City of Columbus, Indiana and its assigns.

APPENDIX D

**APPLICATION OF TITLE VI REQUIREMENTS TO FEDERAL FINANCIAL ASSISTANCE OF
THE FEDERAL TRANSIT ADMINISTRATION**

Examples: Nondiscrimination on FTA Projects

The following examples, without being exhaustive, illustrate the application of the nondiscrimination provisions of this part to projects receiving Federal financial assistance under the programs of certain Department of Transportation operating administrations.

1. Any person who is, or seeks to be, a patron of any public vehicle which is operated as a part of, or in conjunction with, a project shall be given the same access, seating, and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin.
2. No person who is, or seeks to be an employee of the project sponsor or lessees, concessionaires, contractors, licensees, or any organization furnishing public transportation service as a part of, or in conjunction with, the project shall be treated less favorably than any other employee or applicant with regard to hiring, dismissal, advancement, wages, or any other condition above described lands and facilities shall thereupon revert to and vest in and become the absolute property of City of Columbus, Indiana and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by City of Columbus, Indiana pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use

of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other 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, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, City of Columbus, Indiana shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, City of Columbus, Indiana shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of City of Columbus, Indiana and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX C
DIRECTORY
DEPARTMENT OF TRANSPORTATION
AND
FEDERAL TRANSIT ADMINISTRATION OFFICES

Headquarters

Departmental Director of Civil Rights
Office of the Secretary
Department of Transportation
400 Seventh Street, SW., Room 10215
Washington, D.C. 20590
(202) 366-4648

Director, Office of Civil Rights
Federal Transit Administration
400 Seventh Street, SW., Room 9100
Washington, D.C. 20590
(202) 366-4018

CIVIL RIGHTS OFFICES

Region 1

Federal Transit Administration
Transportation Systems Center, Suite 920
Kendall Square, 55 Broadway
Cambridge, MA 02142
(617) 494-2055

Region 2

Federal Transit Administration
26 Federal Plaza, Suite 2940
New York, NY 10278
(212) 264-8162

Region 3

Federal Transit Administration
1700 Market Street, Suite 500
Philadelphia, PA 19103
(215) 656-6900

Region 4

Federal Transit Administration
Atlanta Federal Center
100 Alabama Street, N.W.
17th Floor, Suite T1750
Atlanta, GA 30303
(404) 562-3500

Region 5

Federal Transit Administration
200 West Adams
Suite 320
Chicago, IL 60603
(312) 353-2789

Region 6

Federal Transit Administration
Parkview Place
524 East Lamar Street
Suite 175
Arlington, TX 76011
(817) 860-9663

Region 7

Federal Transit Administration
6301 Rockhill Road
Suite 303
Kansas City, MO 64131
(816) 523-0204

Region 9

Federal Transit Administration
201 Mission Street
Suite 2210
San Francisco, CA 94105
(415) 744-3133

Region 8

Federal Transit Administration
Columbine Place
216 16th Street, Suite 650
Denver, CO 80202
(303) 844-3221

Region 10

Federal Transit Administration
Jackson Federal Building
915 Second Avenue
Suite 3142
Seattle, WA 98174
(206) 220-7954

Attachment VII

Resolution by Board of Public Works

Resolution No. ____2013

City of Columbus

-Title VI Policy-

WHEREAS, the Federal Transit Administration (FTA) support capital and operating assistance projects for small urbanized public transportation systems under Section 5307 of the FTA Act of 1964, as amended; and,

WHEREAS, the City of Columbus operates a public transportation system as Columbus Transit under the Section 5307 grant program, and

WHEREAS, the FTA requires 5307 grant recipient to have annually updated Title VI Civil Rights Program; and,

WHEREAS, the Board of Public Works is responsible for any policy of fee changes in the City's public transportation system,

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works for the City of Columbus:

1. To adopt the City of Columbus Transit Title VI 2013 Program update
2. Authorize the Chief Executive Officer to appoint an agency and Title VI officer as well as execute all applicable assurances and certifications as required by FTA

DULY ADOPTED by the Board of Public Works of the City of Columbus, Indiana, and certified by me, as Mayor, this ____ day of _____, 2013.

Kristen S. Brown
Mayor

CERTIFICATE

The undersigned duly qualified and acting Clerk Treasurer of the City of Columbus, Indiana certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Public Works the City of Columbus, Indiana held on _____, 2013.

SEAL

Luann Welmer
Clerk Treasurer