

Title VI Program and Non-Discrimination Policy

for

Bi-State Regional Commission

2020



1504 Third Avenue, Third Floor
Rock Island, IL 61201

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Website: <http://www.bistateonline.org>

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Bi-State Regional Commission

Approved September 23, 2020

Signature
Ken Maranda, Chair
Bi-State Regional Commission

Date



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In accordance with Federal Law, Bi-State Regional Commission is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write to: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call 800-795-3272 (voice) or (202) 720-6382 (TDD).

Proyecto Titulo VI y Reglas Para Evitar Descripcion

para

Bi-State Regional Commission

Aprobado Septiembre 23, 2020

Firma
Ken Maranda, Chair
Bi-State Regional Commission

Fecha



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De acuerdo con las Leyes Federales, el Bi-State Regional Commission está prohibido de discriminar a otros en base a raza, color, origen nacional, edad, discapacidades, religión, sexo, y/o estado civil. (No todas las prohibiciones aplican a todos los programas). Para registrar una queja de discriminación, escriba a USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington D.C. 20260-9410 o llame al 800-795-3272 (voz) o al (202) 720-6382 (TDD).

Bi-State Regional Commission

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Introduction

This Title VI Program Policy document for the Bi-State Regional Commission fulfills non-discrimination policy requirements for all federally-funded programs under the agency including:

- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Economic Development Administration (EDA)
- U.S. Department of Agriculture (USDA)

In 2015, the Iowa Department of Transportation, as lead overseer of Bi-State Regional Commission's transportation planning process, required a separate and standardized Title VI Plan for the agency. Additionally, the FTA required separate Title VI documents for each transit system in the Bi-State Region, due to their direct receiving of FTA funds.

Previously, Bi-State Regional Commission, as the Metropolitan Planning Organization (MPO), prepared a collective Title VI Program Report for the three fixed-route public transportation systems and Bi-State Regional Commission. These systems include Rock Island County Metropolitan Mass Transit District (RICMMDT) based in Moline, Illinois; Davenport CitiBus; and Bettendorf Transit based in the Iowa Quad Cities.

As the MPO, Bi-State Regional Commission is a subrecipient of Federal Highway Administration and Federal Transit Administration planning funds for metropolitan transportation that are administered through the States of Iowa and Illinois Departments of Transportation. As part of each state's grant agreements, Bi-State Regional Commission agrees to federal certifications and assurances, which included the Title VI program by reference. These certifications and assurances are the final attachments to this report.

Title VI Program and Non-Discrimination Policy for Bi-State Regional Commission

Agency information

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- * If the Title VI coordinator changes, please contact the appropriate state or federal Title VI specialists (e.g. Iowa and/or DOT Title VI specialist).

Title VI Program and Non-Discrimination Policy for Bi-State Regional Commission

I. Policy statement, authorities and citations

A. Policy of non-discrimination

The Bi-State Regional Commission, hereinafter referred to as the AGENCY, hereby assures that no person shall on the grounds of race, color, national origin, gender, age or disability, as provided by Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and the Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. The AGENCY further assures every effort will be made to ensure non-discrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of the AGENCY to comply with Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency). While there are no federal laws against discrimination on the basis of sexual orientation, Iowa and Illinois prohibit it, and the Agency will include this protection as part of its policy of non-discrimination.

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of federal-aid recipients, subrecipients, and contractors/consultants, regardless of whether such programs and activities are federally assisted.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, the AGENCY hereby gives assurance that no qualified disabled person shall, solely by reason of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The AGENCY also assures that every effort will be made to prevent discrimination through the effects of its programs, policies, and activities on minority and low-income populations. In addition, the AGENCY will take reasonable steps to provide meaningful access to services for persons with limited-English proficiency. The AGENCY will, where necessary and appropriate, revise, update, and incorporate non-discrimination requirements into appropriate manuals, directives, and regulations.

In the event the AGENCY distributes federal-aid funds to a second-tier subrecipient, the AGENCY will include Title VI language in all written agreements.

The AGENCY's Executive Director, is responsible for initiating and monitoring Title VI activities, preparing reports, and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21.

B. Authorities

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, provides that no person in the United States shall on the grounds of race, color, national origin, or gender be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal-aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Environmental justice (EJ): Executive Order 12898 addresses disproportionate adverse environmental, social, and economic effects that may exist in communities, specifically minority and low-income populations.

Limited English Proficiency (LEP): Executive Order 13166 addresses access to services for persons whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Americans with Disabilities Act of 1990 (ADA): The Act prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation.

Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, prohibits discrimination based on disability.

C. Additional citations

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-4; 42 U.S.C. §§ 4601 to 4655; 23 U.S.C. §109(h); 23 U.S.C. §324; DOT Order 1050.2; Executive Order 12250; Executive Order 12898; 28 C.F.R. § 50.3.

Title IX of the Education Amendments of 1972 (20 USC §§ 1681 et seq.) prohibiting discrimination on the basis of sex under federally-assisted education programs or activities; and Parts II and III of EO 11246 (30 FR f12319, 1965, as amended by EO 11375 (32 FR 14303, 1967) and 12086 (43 FR 46501, 1978), require federally-assisted construction contracts to include the non-discrimination provisions §§ 202 and 203 of that EO and Department of Labor regulations implementing EO 11246 (41 CRF § 60-1.4(b), 1991).

II. Standard assurances

Pursuant to 7 C.F.R. § 15.3, 13 C.F.R. Part 302.20 49 C.F.R. § 21.7, every application for federal financial assistance or continuing federal financial assistance must provide a

statement of assurance and give a reasonable guarantee that the program is (or, in the case of a new program, will be) conducted in compliance with all requirements imposed by or pursuant to Part 21 (Non-discrimination in Federally Assisted Programs). Fully-executed standard federal assurances are attached to this policy.

III. Organization, staffing and structure

A. Organizational chart – reporting relationships related to Title VI

Refer to Attachment G for the AGENCY organizational chart, specifying the Title VI Coordinator, as the executive director within the hierarchy of the organization.

The AGENCY board consists of 36 persons representing elected officials from counties, cities, and program and designated constituencies throughout the region, appointed by the elected county officials. Approximately 72% of the members are elected officials and 28% are citizen appointments. Membership is approximately proportional to the population with 14 county representatives, 15 city representatives, and seven program and designated constituency representatives.

In the interest of effective and efficient functioning of the AGENCY, delegated authority groups have been established by the AGENCY to expedite specific business and planning activities. The AGENCY board has established specific guidelines or limits within the delegated authority groups. Such groups include the Urban and Rural Transportation Policy Committees, the Bi-State Revolving Loan Fund Administration Board, Mercer-Muscatine Revolving Loan Fund Board, Quad City Riverfront Council, and Bi-State Drug and Alcohol Consortium.

The Urban and Rural Transportation Policy Committees are responsible for transportation planning and programming for the Davenport, IA/IL Urbanized Area and Region 9. They are comprised of elected officials representing the respective geographic area and chair or board representative of a transit system. The Drug and Alcohol Consortium is responsible for implementation of the random drug testing program for commercial driver's license holders in cities, counties, and school districts. In these cases of the delegated authorities, membership is not selected by Bi-State Regional Commission but by the participating entity.

B. Staffing

- 1) Metropolitan planning organization or regional planning affiliation administrator

The AGENCY administrator is authorized to ensure compliance with provisions of the department's policy of non-discrimination and with the law, including the requirements of 7 C.F.R. §15.3, 13 C.F.R. §302.20, 23 C.F.R. § 200 and 49 C.F.R. § 21. The AGENCY grants compliance function, and Title VI coordination shall be performed under the authority of the AGENCY.

- 2) Title VI coordinator

The AGENCY has appointed the executive director to perform the duties of the Title VI coordinator (Coordinator) and ensure implementation of the AGENCY's Title VI Federally Funded Programs pertaining to this agreement.

The AGENCY will notify its federal grantors in writing of any changes to the Coordinator or Coordinator contact information.

3) Title VI specialists (if applicable)

Additionally, the AGENCY has designated Title VI specialists (Specialists) in departmental special emphasis program areas. The Specialists, designated below, shall work in concert with the Coordinator. These key programs or department areas are subject to receiving federal assistance through grants or other types of transportation-related funding, or are responsible for implementing AGENCY directives and policies to ensure civil rights compliance and equal opportunity. The Specialists will work with the Coordinator to ensure their respective departments and programs comply with Title VI regulations and assurances, meet the objectives of the Title VI plan, meet federal and state reporting requirements, and provide adequate training opportunities for applicable staff.

Specialists will work with the Coordinator to ascertain Title VI compliance by contractors, subcontractors, consultants, and suppliers under federally-funded projects or programs. Specialists will ensure applicable Title VI provisions and requirements are included in contractual agreements to prime contractors. Specialists will work with the Coordinator to obtain statistical data (race, color, national origin, age, gender, LEP, and income of populations in service area) of participants in, and beneficiaries of federally-funded programs. Each of the Specialists will maintain data relative to their respective special emphasis program areas, designated below. The Coordinator shall use the data to complete annual Title VI reports and for other administrative needs.

Agency List of Title VI specialists by title

- Administrative and Financial Services Director
- Planning Director
- Economic Development Planner

IV. Implementation procedures

Title VI Coordinator's responsibilities and program administration

As authorized by the AGENCY, the Coordinator is responsible for initiating, monitoring, and ensuring AGENCY compliance with Title VI requirements as follows:

- 1) **Program administration.** Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations as required to the AGENCY Board (see Section V: Self-Assessment and Remedial Action Procedures).
- 2) **Complaints.** Review written Title VI complaints that may be received by the AGENCY following the adopted procedural guidelines (see Section IV: Complaint Procedures). Ensure every effort is made to resolve complaints informally at the local or regional level.
- 3) **Data collection.** Statistical data on race, color, national origin, age, disability, income level, language spoken, and gender of participants in, and beneficiaries of, programs is to be gathered and maintained by program area, as described in the Special Emphasis Program Areas Responsibilities Section VI of this document. The

AGENCY will review the statistical data gathering process periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.

- 4) **Environmental documents.** To the maximum extent practical as a planning organization, ensure that appropriate data are included as a part of all environmental impact statements (EIS) or environmental assessments (EA) for projects receiving federal assistance. Efforts are undertaken to ensure that transportation system or community development improvements that are implemented do not have disproportionately negative effects on minority and low-income populations. In addition, system investments must provide for an equitable distribution of benefits to the areas that are traditionally underrepresented in the planning process.
- 5) **Training programs.** Conduct or facilitate training programs on Title VI issues and regulations for AGENCY employees, and facilitate Title VI training for appropriate staff, contractors, and subrecipients. A summary of training conducted will be documented.
- 6) **Title VI plan update.** Review and update the AGENCY's Title VI policy as needed or required. Present updated policy to the AGENCY board for approval; submit amended policy to the federal grantor's civil rights section.
- 7) **Public dissemination.** Work with AGENCY staff to develop and disseminate Title VI program information to AGENCY employees and subrecipients, including contractors, subcontractors, consultants, subconsultants, and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, maintaining the Title VI language on AGENCY website postings, and informational brochures. Ensure public service announcements or notices are posted of proposed planning related hearings, meetings, or formation of public advisory boards in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.
- 8) **Limited English Proficiency (LEP).** The AGENCY follows Executive Order 13166 in identifying and engaging LEP populations to ensure their involvement and knowledge of transportation, community, and economic development planning projects in and around their communities. A LEP person is defined as one who does not speak English as his or her primary language and has a limited ability to read, write, or understand English. The AGENCY's policy for engaging individuals with LEP is to provide translation services to individuals who request them, if reasonable accommodations can be made. In addition, the AGENCY proactively identifies communities with high concentrations of LEP persons and employs tactics and strategies to effectively engage them in the planning process.
- 9) **Elimination of discrimination.** Work within the AGENCY to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any AGENCY processes. Take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement.
- 10) **Maintain legislative and procedural information.** Federal laws, rules and regulations, state guidelines, the current AGENCY Title VI program and non-

discrimination policy, annual accomplishment and goals reports, and other resource information pertaining to the implementation and administration of the AGENCY's Title VI program will be maintained and updated by the Coordinator. Information will be made available within the AGENCY or to the public as requested or required.

V. Discrimination complaint procedures – allegations of discrimination in federally-assisted programs or activities

The AGENCY adopts the following discrimination complaint procedures for complaints relating to federally-assisted programs or activities.

- 1) **Filing a discrimination complaint:** Any person who believes that he or she, or any class of individuals, or in connection with any disadvantaged business enterprise, has been or is being subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and/or the Civil Rights Restoration Act of 1987, as amended, has the right to file a complaint.

Any individual wishing to file a discrimination complaint must be given the option to file the complaint with the AGENCY, or directly with the Iowa DOT, FHWA, FTA, USDOT, U.S. Department of Commerce, U.S. Department of Agriculture, and U.S. Department of Justice. Complaints may be filed with all agencies simultaneously.

No individual or agency shall refuse service, discharge, or retaliate in any manner against any persons because that individual has filed a discrimination complaint, instituted any proceeding related to a discrimination complaint, testified, or is about to testify, in any proceeding or investigation related to a discrimination complaint, or has provided information or assisted in an investigation.

- 2) **Complaint filing timeframe:** A discrimination complaint must be filed within 180 calendar days of either:

- The alleged act of discrimination
- Date when the person(s) became aware of the alleged discrimination
- Date on which the conduct was discontinued, if there has been a continuing course of conduct

The AGENCY or their designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

- 3) **Contents of a complaint:** A discrimination complaint must be written. The document must contain the following information:

- a) The complainant's name and address, or other means by which the complainant may be contacted
- b) Identification of individual(s) or organization(s) responsible for the alleged discrimination
- c) A description of the complainant's allegations, which must include enough detail to determine if the AGENCY has jurisdiction over the complaint and if the complaint was filed timely

- d) Specific prohibited bases of alleged discrimination (i.e., race, color, gender, etc.)
- e) Apparent merit of the complaint
- f) The complainant's signature or signature of his/her authorized representative

In the event that a person makes a verbal complaint of discrimination to an officer or employee of the AGENCY, the complainant shall be interviewed by the AGENCY's Coordinator. If necessary, the Coordinator will assist the complainant in reducing the complaint to writing and then submit the written version of the complaint to the person for signature.

- 4) **Complaints against the AGENCY:** Any complaints received against the AGENCY should immediately be forwarded to the appropriate planning-related federal agency or its agent. The AGENCY shall not investigate any complaint in which it has been named in the complaint.

In the case of a transportation planning-related complaint, contact Iowa DOT for investigation. The contact information for the Iowa DOT's Title VI program is:

Iowa Department of Transportation
Civil Rights Bureau
800 Lincoln Way
Ames, Iowa 50010
515-239-1427
515-239-1175 (fax)
Civil.Rights@iowadot.us

In the case of another planning-related complaint, contact the following for investigation of discrimination:

U.S. Department of Agriculture (USDA)
Director, Office of Civil Rights
1400 Independence Avenue S.W.
Washington, D.C. 20250-9410

800-795-3272 (voice)
202-720-6382 (TDD)

USDA is an Equal Opportunity provider, employer and lender.

Economic Development Administration
Direct Civil rights complaints to
Chicago Regional Office
Susan Brehm, Regional Director
230 South Dearborn Street
Suite 3280
Chicago, IL 60604-1512

- 5) **Notice of Receipt:** All complaints received by the federal grantor noted in item 4 above shall be referred to the AGENCY's Coordinator for review and action. Within 10 days of receipt of the discrimination complaint, the Coordinator shall issue an initial written Notice of Receipt that:

- a) Acknowledges receipt of the discrimination complaint
 - b) Advises the complainant of his/her right to seek representation by an attorney or other individual of his or her choice in the discrimination complaint process
 - c) Contains a list of each issue raised in the discrimination complaint
 - d) Advises the complainant of the timeframes for processing the discrimination complaint and providing a determination
 - e) Advises the complainant of other avenues of redress of their complaint, including the Iowa DOT, FHWA, USDOT, USDOJ, USDOC, and USDA
 - f) Includes an invitation to mediation as described in paragraph 1 under item 8 below
- 6) **Notification of the federal grantors of a complaint:** The AGENCY shall advise the AGENCY's federal grantors within 10 business days of receipt of the complaint. Generally, the following information will be included in every notification to the federal grantor, appropriate by programmatic area.
- a) Name, address and phone number of the complainant
 - b) Name(s) and address(es) of alleged discriminating official(s)
 - c) Basis of complaint (i.e., race, color, national origin, or gender)
 - d) Date of alleged discriminatory act(s)
 - e) Date complaint received by the AGENCY
 - f) A statement of the complaint
 - g) Other agencies (state, local, or federal) where the complaint has been filed
 - h) An explanation of the actions the AGENCY has taken or proposed to resolve the issue identified in the complaint

- 7) **Processing a complaint and timeframe:** The total time allowed for processing the discrimination complaint is 90 calendar days from the date the complaint was filed. There is no extension available at this level. This timeframe includes 60 calendar days at the AGENCY level and 30 days for review at the state level, if needed.

If the complainant elects to file a complaint with both the AGENCY and a federal grantor(s) or their agent, the complainant shall be informed that the AGENCY has 90 calendar days to process the discrimination complaint and the federal grantor(s) or their agent shall not investigate the complaint until the 90 calendar-day period has expired.

Immediately after issuance of the notice of receipt to the complainant (step four), the AGENCY's Coordinator shall either begin the fact-finding or investigation of the discrimination complaint, or arrange to have an investigation conducted.

Based on the information obtained during that investigation, the Coordinator shall render a recommendation for action in a Report of Findings to the head of the AGENCY.

- 8) **Alternative dispute resolution/mediation process:** The complainant must be given an invitation to participate in mediation to resolve the complaint by informal means. The AGENCY's Coordinator shall include an invitation to mediation with the Notice of Receipt, offering the opportunity to use the alternative dispute resolution/mediation process.

If the complainant selects mediation, disputes will be resolved in a less adversarial manner. With mediation, a neutral party assists two opposing parties in a dispute to come to an agreement to resolve their issue. The mediator does not function as a judge or arbiter, but simply helps the parties resolve the dispute themselves.

Upon receiving a request to mediate, the AGENCY's Coordinator shall identify or designate a mediator who must be a neutral and impartial third party. The mediator must be a person acceptable to all parties and who will assist the parties in resolving their disputes.

If the complainant chooses to participate in mediation, she/he or the designee must respond in writing within 10 calendar days of the date of the invitation. This written acceptance must be dated and signed by the complainant and must also include the relief sought.

After mediation is arranged, a written confirmation identifying the date, time, and location of the mediation conference shall be sent to both parties. If possible, the mediation process should be completed within 30 calendar days of receipt of the discrimination complaint. This will assist in keeping within the 90 calendar-day timeframe of the written Notice of Final Action if the mediation is not successful.

If resolution is reached under mediation, the agreement shall be in writing. A copy of the signed agreement shall be sent to the federal grantor(s)' Title IV program coordinator. If an agreement is reached, but a party to it believes his/her agreement has been breached, the nonbreaching party may file another complaint. If the parties do not reach resolution under mediation, the AGENCY's Coordinator shall continue with the investigation.

- 9) **Notice of Final Action:** A written Notice of Final Action shall be provided to the complainant within 60 days of the date the discrimination complaint was filed. It shall contain:
- a) A statement regarding the disposition of each issue identified in the discrimination complaint and reason for the determination
 - b) A copy of the mediation agreement, if the discrimination complaint was resolved by mediation
 - c) A notice that the complainant has the right to file a complaint with the Iowa DOT, FHWA, USDOT, USDOC, USDA, or USDOJ within 30 calendar days after the Notice of Final Action, if she or he is dissatisfied with the final action on the discrimination complaint.

The AGENCY's Coordinator shall provide the federal grantor(s)' Title VI program coordinator with a copy of this decision, as well as a summary of findings upon completion of the investigation. Should deficiencies be noted in the implementation of these discrimination complaint procedures by the AGENCY, the federal grantor(s)' Title VI program coordinator will work in conjunction with the AGENCY's Coordinator

to review the information and/or provide technical assistance in the discrimination complaint process, mediation process, and/or investigation.

- 10) **Corrective action:** If discrimination is found through the process of a complaint investigation, the respondent shall be requested to voluntarily comply with corrective action(s) or a conciliation agreement to correct the discrimination.
- 11) **Confidentiality:** AGENCY and federal grantors' Title VI program coordinators are required to keep the following information confidential to the maximum extent possible, consistent with applicable law and fair determination of the discrimination complaint.
 - a) The fact that the discrimination complaint has been filed
 - b) The identity of the complainant(s)
 - c) The identity of individual respondents to the allegations
 - d) The identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation
- 12) **Recordkeeping:** The AGENCY's Coordinator shall maintain a log of complaints filed that alleged discrimination. The log must include:
 - a) The name and address of the complainant
 - b) Basis of discrimination complaint
 - c) Description of complaint
 - d) Date filed
 - e) Disposition and date
 - f) Any other pertinent information

All records regarding discrimination complaints and actions taken on discrimination complaints must be maintained for a period of not less than three years from the final date of resolution of the complaint.

VI. Self-assessment and remedial action procedures

A. Title VI self-assessment federal-aid funds.

Conduct Title VI self-assessment of the AGENCY's program areas and activities. Where applicable, revise policies, procedures, and directives to include Title VI requirements. Ensure that programs, policies, and other activities do not have disproportionate adverse effects on minority and low-income populations.

B. Remedial action.

When irregularities occur in the administration of federal-aid programs, corrective action will be taken to resolve identified Title VI issues. Take affirmative action to correct any deficiencies found by federal grantor(s) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with

this plan. The head of the AGENCY shall be held responsible for implementing Title VI requirements.

VII. Title VI implementation activities in special emphasis program areas

A. Transportation and Economic Development Planning and Technical Assistance Activities

- 1) **Transportation Planning process.** The Planning Director has responsibility for providing long-range transportation planning (through a service agreement with Iowa and Illinois Departments of Transportation), transportation planning program development, and transportation project programming necessary to provide efficient transportation planning services to AGENCY members. The AGENCY's planning director annually updates and coordinates the metropolitan area's four-year plan for transportation improvement programs and projects. The update also informs the AGENCY's jurisdictions of the current planning direction for transportation needs. Projects included in the update are the result of evaluation and prioritization of needs in various transportation areas. The evaluation process includes input from the AGENCY, local jurisdictions and organizations, citizen groups, and private individuals.
- 2) **Federal Transit Funding Grant Administration.** The Executive Director, Planning Director, and Administrative & Finance Services Director have responsibility for facilitating the administration of federal transit funds apportioned to the urbanized area and to Bi-State Regional Commission as the Designated Recipient and those funds received as a direct recipient. These responsibilities include allocating relevant apportionment among recipients in the urbanized area; identifying and selecting projects; submitting a grant application for relevant FTA funds and/or authorizing other eligible applicants to apply for all or part of the apportionment; ensuring an annual program of projects complies with relevant FTA requirements; and verifying that appropriate documentation of designation is on file with FTA.
- 3) **Economic Development Planning and Technical Assistance Activities.** The Economic Development Program Manager has responsibility for producing the Regional Comprehensive Economic Development Strategy (CEDS) and CEDS Progress Report, through an ongoing grant agreement with the EDA. The CEDS is completed in five-year increments, and the progress report is completed annually. The development of the CEDS and CEDS Progress Report is guided by the Strategy Committee, which under 13 CFR must represent the main economic interests of the region and must include private sector representatives as a majority of its membership. Additionally, the strategy committee should include public officials, community leaders, representatives of workforce development boards, institutions of higher education, minority and labor groups, and private individuals. Each CEDS must be made available for review and comment by the public for a period of at least 30 days prior to submission to EDA.
- 4) **Revolving Loan Funds.** The Administrative & Financial Services Director has responsibility for the Bi-State Revolving Loan Fund and the Mercer-Muscatine Revolving Loan Fund administration and compliance with non-discrimination requirements. In its administration of these funds, the AGENCY has assured to the Economic Development Administration that it shall abide by all Title VI Civil Rights

and non-discrimination requirements. Additionally, all loan recipients receiving federal financial assistance from the Economic Development Administration through these loan funds are required to sign a contract subject to the requirements of Title VI of the Civil Rights Act of 1964, as amended and designated as 15 CFR Subtitle A Part 8. Further completion of Assurance of Compliance with the Department of Commerce and the Economic Development Administration Regulations under Title VI of the Civil Rights Act of 1964 and Public Law 92-65” is acquired at the loan closing.

5) **Public involvement in planning and technical assistance activities and Title VI and EJ**

- a) The AGENCY shall invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning process by disseminating written program information to minority media and ethnic organizations, and providing public service announcements for all local media, when forming citizen advisory committees or planning boards, and requesting involvement.
- b) To ensure access to public meetings will be conducted in a variety of accessible locations, ensure translation services are available if anticipated or requested, and ensure public meetings are held in predominantly minority communities when transportation planning efforts will specifically affect those communities.
- c) The AGENCY conducts an analysis of how the benefits and burdens of the federally-specified plans or documents are distributed among low-income, minority, and disabled populations versus the general population. The analysis utilizes the demographic profile (Attachment C). The AGENCY is responsible for informing all staff members and consultants of all federal Title VI policies, including any changes and updates. In addition, the AGENCY is responsible for informing all staff members and consultants of the AGENCY’s Title VI program and non-discrimination policy, including the public involvement and LEP plan, environmental justice policy, and ADA policy, as well as any updates and changes.

B. Consultant contracts activities

1. **Consultant contracts administration.** The executive director is responsible for recommending consultant firms to the AGENCY for final selection, negotiation, and award. The administrative services & finance director administers awarded consultant contracts.
2. **Consultant selection process.** AGENCY staff will request qualifications from consulting firms specializing in various areas that may relate to community and economic development, transportation planning and/or public works projects, and the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies, or preparing National Environmental Policy Act of 1969 documents. Consultant selection from the certified list maintained by the AGENCY staff adheres to federal and state regulations and is consistent with the AGENCY’s vendor policies. Title VI text is included in all request for proposals (RFP) and contracts.

3. Title VI assurances and provisions

- a) Include Title VI assurance and provision language in all federally-funded consultant contracts. Periodically review documents and language to ensure compliance with current laws and regulations. Provide a copy of the form of the contract to the Coordinator, and any amendments or updates that may occur over time.

DRAFT

Attachment A – Notice of Public’s Rights under Title VI

Notice of the Public’s Rights Under Title VI

Notificación de los Derechos para el Público Bajo Título VI

Bi-State Regional Commission is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin as protected by Title VI of the Civil rights Act of 1964, as amended (“Title VI”).

To request more information regarding Title VI requirements, you may contact the Title VI Coordinator at the Bi-State Regional Commission. This office is located at 1504 Third Avenue, Rock Island, Illinois or you may contact by phone at (309) 793-6300.

If you believe you have been subjected to discrimination under Title VI, you may file a written complaint at the Bi-State Regional Commission office.

Incluso A – Notificación de los Derechos Para el Público Bajo Título VI

Notificación de los Derechos para el Público Bajo Título VI

Bi-State Regional Commission está obligado a asegurar que ninguna persona sea excluida de participar en o se le niegan beneficios a sus servicios en base a raza, color, origen nacional, como protegidos por el Título VI de los Derechos Civiles del Acta de 1964 como amendados ("Título VI").

Para pedir mayor información relacionada con los mandatos del Título VI, usted deberá ponerse en contacto con el Coordinador del Título VI en Bi-State Regional Commission. Esta oficina esta localizada en 1504 Third Avenue, Rock Island, Illinois o póngase en contacto por teléfono con el (309) 793-6300.

Si usted piensa que ha sido sujeto a una discriminación bajo el Título VI, usted puede registrar una queja por escrito a la oficina de Bi-State Regional Commission.

Attachment B – Title VI Complaint Form

Title VI Non-Discrimination Complaint Form Bi-State Regional Commission

Bi-State Regional Commission is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Coordinator by calling (309) 793-6300. The completed form must be returned to the Bi-State Regional Commission, 1504 Third Avenue, Third Floor, Rock Island, Illinois 61201. Faxed, e-mailed, or electronically-transmitted forms are not accepted. Hand delivery is recommended to ensure that the complaint is filed within the statutory deadline.

Your Name: _____ Phone: _____

Street Address: _____ Alt. Phone: _____

City, State, & Zip Code: _____

Person(s) discriminated against (if someone other than complainant):

Name: _____

Street Address, City, State, & Zip Code: _____

Which of the following best describes the reason for the alleged discrimination that took place?
(Circle one)

Date of Incident: _____

- Race
- Color
- National Origin
(Limited English Proficiency)
- Sexual Orientation
- Age

- Education
- Disability
 - Mental
 - Physical
- Other: _____ (specify)

Please describe the alleged discrimination incident. Provide the names and title of all Bi-State employees involved if available. Explain what happened and who you believe to be responsible.

**Title VI Non-Discrimination Complaint Form Bi-State Regional Commission
Page 2**

Please describe the alleged discrimination incident (continued)

Have you filed a complaint with any other federal, state, or local agencies? (Circle one) Yes / No

Agency: _____ Contact Name: _____

Street Address, City, State, & Zip Code: _____

Agency: _____ Contact Name: _____

Street Address, City, State, & Zip Code: _____

I affirm that I have read the above charge and that it is true to the best of my knowledge, information, and belief.

X _____
Complainant's Signature Phone

Print or Type Name of Complainant

Date Received: _____

Received By: _____

Incluso B – Título VI Formulario de Quejas

Título VI Formulario de Queja Discriminatoria Bi-State Regional Commission

Bi-State Regional Commission está dispuesto a asegurar que acualquier persona sea excluída de tener una participación en o negada de beneficios a los servicios en bási a raza, color, u origen nacional, como son proveídos por el Título VI del Acta de Derechos Civiles de 1964, como amendados. Las quejas correspondientes al Título VI deberán ser registradas dentro de los 180 días a partir de la fecha de la queja alegada correspondiente a una discriminación.

La siguiente información es necesaria para asistirlos a procesar su queja. Si usted requiere alguna ayuda en completar este formulario, pónganse en contacto con el Coordinador del Título VI al llamar al (309)793-6300. El formulario completo deberá ser devuelto al Bi-State Regional Commission, 1504 Third Avenue, Third Floor, Rock Island, Illinois 61201. No se aceptan formularios que son enviados por fax, correo electrónico o diferentes transmisiones. Se recomienda que éstos sean entregados personalmente para así asegurar que la entrega ha sido hecha dentro de los límites de plazo de cierre estatutorio.

Su nombre: : _____ Teléfono: _____

Dirección: _____ Otro Telf: _____

Ciudad, Estado, y Código Postal: _____

Persona (as) discriminadas (si son otras personas diferentes en la queja):

Nombre: _____

Dirección, Ciudad, Estado & Código Postal: _____

Cuál de lo siguiente mejor describe la razón discriminatoria alegada que ocurrió? Chequee una:

Fecha del incidente: _____

- Raza
- Color
- Origen nacional (Idioma Inglés Limitado)
- Orientación sexual
- Edad
- Educación
- Desabilidad
 - Mental
 - Física
- Otros: _____ (especifique)

Por favor describa el alegado incidente discriminatorio. Provea los nombres y los puestos de todos los empleados de Bi-State envueltos en el asunto si se puede. Explique que sucedió y quién piensa usted que es el responsable de lo sucedido.

Attachment C – Public Involvement and Limited English Proficiency (LEP) Plan

Public Participation and Limited English Proficiency (LEP) Plan for Bi-State Regional Commission and its Overall Planning Responsibilities

In compliance with the Bi-State Regional Commission's Title VI Program Policy, the Bi-State Regional Commission (hereafter referred to as the "Commission") has reflected the following public participation processes under the existing requirements of those programs and Limited English Proficiency plan to engage interested parties and resource agencies in the Commission's planning processes in a nondiscriminatory manner.

The Commission and its staff engage in various planning processes that take place at local, regional, tribal, state, and federal levels. It is based on comprehensive, continuing, and coordinated activities that work together to identify, prioritize, and meet specific transportation, economic development, environmental, and/or social needs at these various levels within the Bi-State Region. Public participation in this process begins with finding what opportunities are available and expressing interest or concern.

The Commission is the Metropolitan Planning Organization (MPO) and Regional Planning Area (RPA) designated to cooperatively facilitate public participation in the transportation planning process with Quad Cities Area and Region 9 communities and counties, state/federal Departments of Transportation, and among the various modes of transportation. The MPO and RPA delegated authorities are charged with carrying out metropolitan and regional transportation planning that provides early and on-going opportunities for involvement, timely information, reasonable access to information, adequate notification, diverse participation, and periodic review and evaluation of the participation process. The full Public Participation Plan outlines the parameters for conducting these requirements.

Additionally, the Commission is a designated District Organization by the EDA. As such, the Commission has responsibility for producing the regional Comprehensive Economic Development Strategy (CEDS) and CEDS Progress Report, through an ongoing grant agreement with the EDA. The Commission also provides community and economic development technical assistance to local governments within its five-county Economic Development District (EDD). Under a separate EDA grant, the Commission administers two Revolving Loan Funds (RLFs) within the EDD. The CEDS is completed in five-year increments and the progress report is completed annually.

Bi-State Regional Commission maintains a Regional Transit Interest Group (RTIG) whose membership is open to anyone interested in passenger transportation and mobility. Members represent the elderly, disabled advocacy groups, resident associations, social service agencies, transit systems, or individual community members. Bi-State also maintains a Regional Transportation Advisory Group (RTAG), discussed further below, which is open to anyone interested in transportation planning and projects. Members represent private transportation providers, social service agencies that provide transportation, transit consumers, school districts, historic societies, biking and hiking clubs, environmental groups, and freight movers. These two groups function as a forum to solicit and receive public input into regional mobility issues and passenger transportation. RTIG in particular also provides organized discussions on transportation problems affecting the special needs populations of the region. Information and meeting notices related to the Regional Transit Development Plan and transit funding selection process are provided to this group for input and suggestions.

Extensive news media resources can be accessed by the Commission within its five-county area. Four major television networks (ABC, CBS, NBC, and FOX) have affiliate stations located in the region. There are three public television stations, plus digital and cable TV. In addition, there are 21 radio stations, 4 daily newspapers, and 4 weekly newspapers located in the area. The local English-Spanish bilingual media organization, *Hola America*, is included in the Commission's mailings to the general media. Many of these media sources also have websites or social media that include news and information. Local news coverage including the matters of local government is excellent within the area with a broad, diverse coverage within all sectors of the community. The visibility of the Commission is enhanced with public service and public affairs programming through the cable television media. Meeting announcements and news features focusing on local government are given regular coverage.

Bi-State Regional Commission does not maintain a council or committee whose membership is chosen by the Commission. The Bi-State Regional Commission consists of 35 persons representing counties, cities, and programs and designated constituencies throughout the region. Approximately 72 percent of the members are elected officials with 28 percent citizen appointments. Membership is approximately proportional to population with 13 county representatives, 15 city representatives, and 7 program and designated constituency representatives.

In the interest of effective and efficient functioning of the Commission, delegated authority groups have been established from time to time by the Commission to expedite specific business and planning activities. The Commission has established specific guidelines or limits within the delegated authority groups. As an example, the MPO Transportation Policy Committee is one such group, whose voting members consist of local elected officials and representatives from the Illinois and Iowa Departments of Transportation. Representatives from the Federal Highway Administration and Federal Transit Administration are represented as ex-officio, non-voting members.

The Transportation Technical Committee is responsible for technical review and guidance of data collection and analysis, transportation plan preparation, review, and updates. This committee is responsible to, and makes recommendations to, the Transportation Policy Committee.

Racial/Ethnic Breakdown of the Non-Elected Committees and Councils:

Boards and Committees	Number of Members	Racial Minorities	Females	Elected Officials
Bi-State Regional Commission	35	9	6	25
Transportation Policy Committee	17	3	4	11
Transportation Technical Committee	23	0	2	0

For FTA Section 5307, 5310, and 5339 apportionments, Bi-State Regional Commission uses a mutually agreed-upon formula-based suballocation with Bettendorf Transit, Davenport CitiBus, and MetroLINK. This formula is stated in the Regional Transit Development Plan. All subrecipients, Bettendorf Transit, Davenport CitiBus, and MetroLINK, have Title VI Programs.

Subrecipient	Title VI Program Submission
Bettendorf Transit	November 2019
Davenport CitiBus	July 2019
MetroLINK	September 2019

Public Notification

All meeting announcements and agendas of the Commission and its official delegated authorities shall be sent to local news media prior to the actual meeting date at least forty-eight (48) hours in advance. It is common practice to send meeting announcements and agendas one week in advance of a meeting. Agendas of these committees are posted at Bi-State Regional Commission offices and on the Commission's website (www.bistateonline.org), while minutes are web-posted following approval by these committees.

Notice of public hearings will be published in local newspapers of general circulation and posted on the Commission's website per the time period noted in "Public Hearings" of this plan.

Regional Transportation Advisory Committee

Related specifically to transportation planning, the federal intent of the transportation legislation is to provide a special effort for an early and continuing public involvement process that seeks out and considers the transportation needs of a diverse public, including the traditionally underserved populations (Executive Order 12898 – Federal Action to Address Environmental Justice in Minority and Low-Income Populations, 1994), as well as providing an opportunity for consultation with resource agencies as defined in the current transportation act. The Regional Transportation Advisory Group (RTAG) will fulfill that role. Involvement in the RTAG is open to any interested party, business, organization, or interested citizen within the five-county Bi-State Region wanting to be involved in the metropolitan or regional transportation planning process. RTAG serves as the diverse, multi-modal advisory committee to the Commission's transportation delegated authorities. Members will receive all meeting notices, as noted in "Public Notices" above, for the Commission's transportation-delegated authorities meetings, and following their respective Public Participation Plans. In addition, members will receive notification of proposed metropolitan and/or regional Transportation Improvement Program (TIP) amendments, Surface Transportation Block Grant (STBG) submittal notices, and proposed changes to the Public Participation Plan, Regional Intelligent Transportation System (ITS) Architecture Plan, Regional Transit Development Plan (TDP), the Long Range Plan, and Congestion Management Plan.

In addition, proposed amendments to the annual Transportation Improvement Program or Transportation Planning Work Program shall be sent to the local media and RTAG, as well as local jurisdictions within the metropolitan area or region, as part of the Commission's transportation-delegated authorities agendas. Other transportation-related advisory committees may be posted on the Commission's website to provide added transportation-related information, such as the Bi-State Regional Trails Committee and Bi-State Region Air Quality Task Force meetings.

Individual jurisdictions, members of RTAG, and the media shall be informed as to when projects are being sought for inclusion in the annual Transportation Improvement Program through an announcement requesting Transportation Improvement Program annual element additions, modifications, or deletions for the proposed fiscal years, as part of an annual document update

cycle, typically thirty (30) days prior to a draft document review by the Commission's transportation delegated authorities.

Public Comment/Notification

The general public shall be afforded the opportunity to provide comments via the Commission or its delegated authorities, as appropriate for the planning program, on the annual Transportation Planning Work Program (TPWP) activities, Transportation Improvement Program (TIP), Regional ITS Architecture Plan, Regional Transit Development Plan, Long Range Transportation Plan, Comprehensive Economic Development Strategy (CEDS), and the Public Involvement Plan, through the process outlined under "Public Notification" above. This process satisfies Program of Projects (POP) public participation requirements for Bettendorf Transit, Davenport CitiBus, River Bend Transit, and the Rock Island County Metropolitan Mass Transit District (MetroLINK). In the case of the MPO Public Participation Plan, a minimum of a forty-five (45) day comment period shall be provided prior to action by the Policy Committee. A metropolitan area or regional Long Range Transportation Plan, and the RPA Public Participation Plan revisions will require a minimum of a thirty (30) day comment period prior to action by the respective Policy Committee. The prioritization process of both the metropolitan area or regional Surface Transportation Block Grant Program (STBG) and the Transportation Alternatives Set-Aside (TASA) will require a minimum of a thirty (30) day comment/notification period to be provided prior to action by the Commission's delegated authority or the respective metropolitan or regional Transportation Policy Committees. In matters involving adoption or amendments to the metropolitan area or regional Transportation Planning Work Program, Transportation Improvement Program (TIP), Regional Transit Development Plan, Congestion Management Plan, and Regional ITS Architecture Plan, a minimum of 48 hours, but typically seven (7) day comment period shall be utilized prior to approval by the respective delegated authority, metropolitan area, or regional Transportation Policy Committee. Additional notice may be provided through meetings of the respective advisory committee in advance of action by the respective Policy Committee.

Publications

The Commission shall publish or otherwise make available for public review at a minimum the metropolitan area Long Range Transportation Plan (LRP), Transportation Improvement Program (TIP), and Comprehensive Economic Development Strategy (CEDS) in an electronically accessible format and means (to the maximum extent practicable), such as the World Wide Web. The CEDS, LRP, and TIP publications developed by the Commission or delegated authority will be placed on the Bi-State Regional Commission website, www.bistateonline.org. Other planning publications may be posted to allow for interested parties to review and access additional planning information. Within these publications, the Commission shall employ visualization techniques to help clarify planning issues and/or activities. At a minimum, visualization techniques shall be applied to the LRP and TIP. Visualization techniques may include maps, graphs, charts, tables, diagrams, or other methods. The LRTP will include a specific public participation outline during the update process that will be reviewed by the Technical and Policy Committees, and the results will be documented in the LRTP.

The USDOT has adopted the Department of Justice's "Safe Harbor Provision," which summarizes that recipients of federal transportation funds who translate written documents for LEP groups that constitute five percent (5%) or 1,000 persons, whichever is less, will have demonstrated strong evidence of compliance with written obligations. The LEP Analysis indicates that Spanish is the only language that exceeds the stated threshold. Bi-State

Regional Commission includes bilingual media publications in its media mailings, and extensive Spanish language outreach was made for the previous LRTP public participation process. Vital documents shall be translated into Spanish. Vital documents are interpreted to give LEP populations direction for participation in the planning process and means to request accommodation.

Public Hearings

The Commission or its delegated authority shall hold a public hearing as required by the specific planning program and as necessary. At least fourteen (14) days prior notice will be given for all public hearings.

Data

As part of the non-discrimination requirements, the Commission will maintain information on protected class (race, color, national origin, gender, age, or disability) and Limited English Proficiency (LEP) populations within the Bi-State Region, including demographics and identification of potential barriers (language, mobility, temporal, or other) that may prevent underserved persons from effectively participating in the Commission's planning processes.

Accommodation

Persons requiring special material or presentation formats will be asked within a public notice for advanced request of at least one week prior to a public hearing. In the event that a meeting announcement is published less than one week ahead of time, 24 hours' notice will be requested. Reasonable accommodations to provide documents in an accessible format, as required by the Americans with Disabilities Act and Executive Order 13166 (Improving Access for Persons with Limited English Proficiency, 2000), will be made when requested by the public. Persons requesting such assistance will be referred to the appropriate Commission staff who will make reasonable accommodations for translation services or other accommodations based on the request. Meetings will be held at convenient and accessible locations and times with emphasis to engage minority, low-income, and LEP populations. Receipt of public input will be taken in a variety of formats, written, oral, or other means where accommodations are requested and reasonable.

Attachment D – Demographic Profile- Analysis and Maps, including Limited English Proficiency (LEP) Analysis

Analysis and Maps

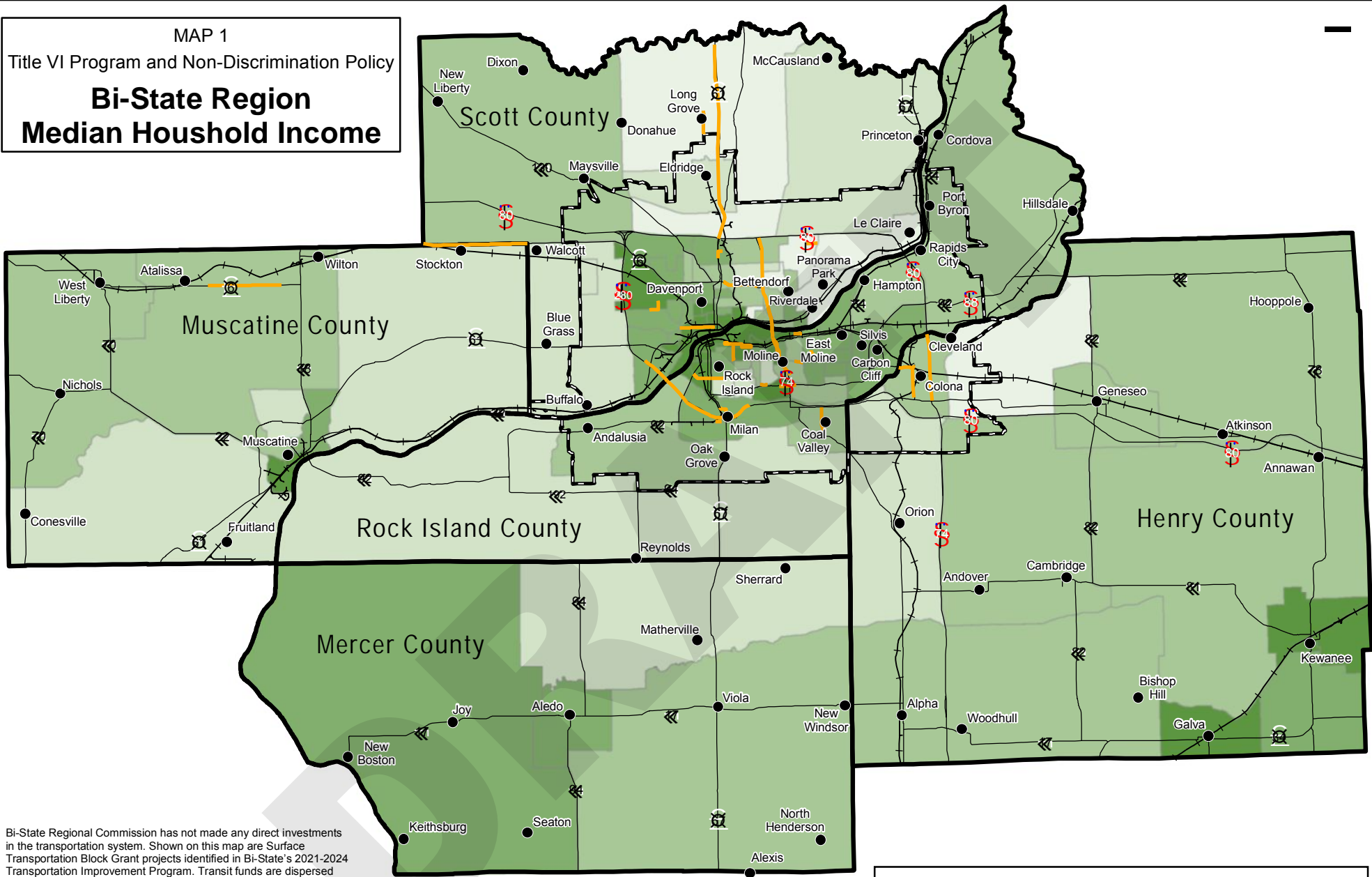
As noted in the introduction, the urbanized planning area of the Bi-State Regional Commission has a population greater than 200,000. However, none of the three public transit agencies is individually large enough to need to address program-specific requirements and guidelines for recipients serving large urbanized areas. As a service in addition to preparing the Title VI report for these agencies, Bi-State Regional Commission also provides demographic and service profile maps. This document has been updated with data from the U.S. Census Bureau American Community Survey 5-year estimates (2014-2018).

Median income by census tract is scaled in color showing median incomes in the lowest bracket (\$0 - \$41,999) in dark green. Map 1 shows that census tracts in the lowest bracket in the Bi-State Region are mostly concentrated along the Mississippi River. These census tracts are in the downtowns and the oldest settled areas of the Quad Cities area. Bus routes for the three urban transit systems are shown in Map 2. Transit service appears to provide service to the lower median income census tracts. Census tracts that do not have a transit route connection are generally outside the existing transit system service areas.

As with the previous maps, the highest concentrations of minority populations (45% - 82%) are shown in dark blue in Map 3. The highest concentrations of minority populations generally coincide with the low median-income households of the previous maps in the downtown areas of the Quad Cities area. However, census tracts in the middle bracket (15% - 24%) also appear farther out from the urban core. These tracts in the outer areas are generally larger in geographic area and are less densely populated. A smaller portion of the minority population may appear as a larger percentage in these more sparsely populated census tracts. Even with this consideration, the current bus routes appear to reach into these areas to the extent of the current service area boundaries of the three urban transit systems, shown in Map 4.


Limited English Proficiency is for the population 5 years and over. Individuals who reported speaking English "less than very well" are shown on Maps 5 and 6. The areas of highest concentration (7% - 10%) are shown in dark purple. Bus routes for the three urban transit systems are the most current. It appears that the transit service within the urbanized area is provided to the census tracts with higher concentrations of LEP individuals. Census tracts that do not have a transit route connection are generally outside the existing transit system service areas.

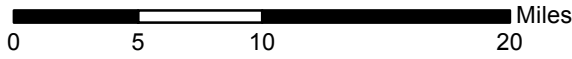
MAP 1
 Title VI Program and Non-Discrimination Policy
**Bi-State Region
 Median Household Income**














Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Median Household Income - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

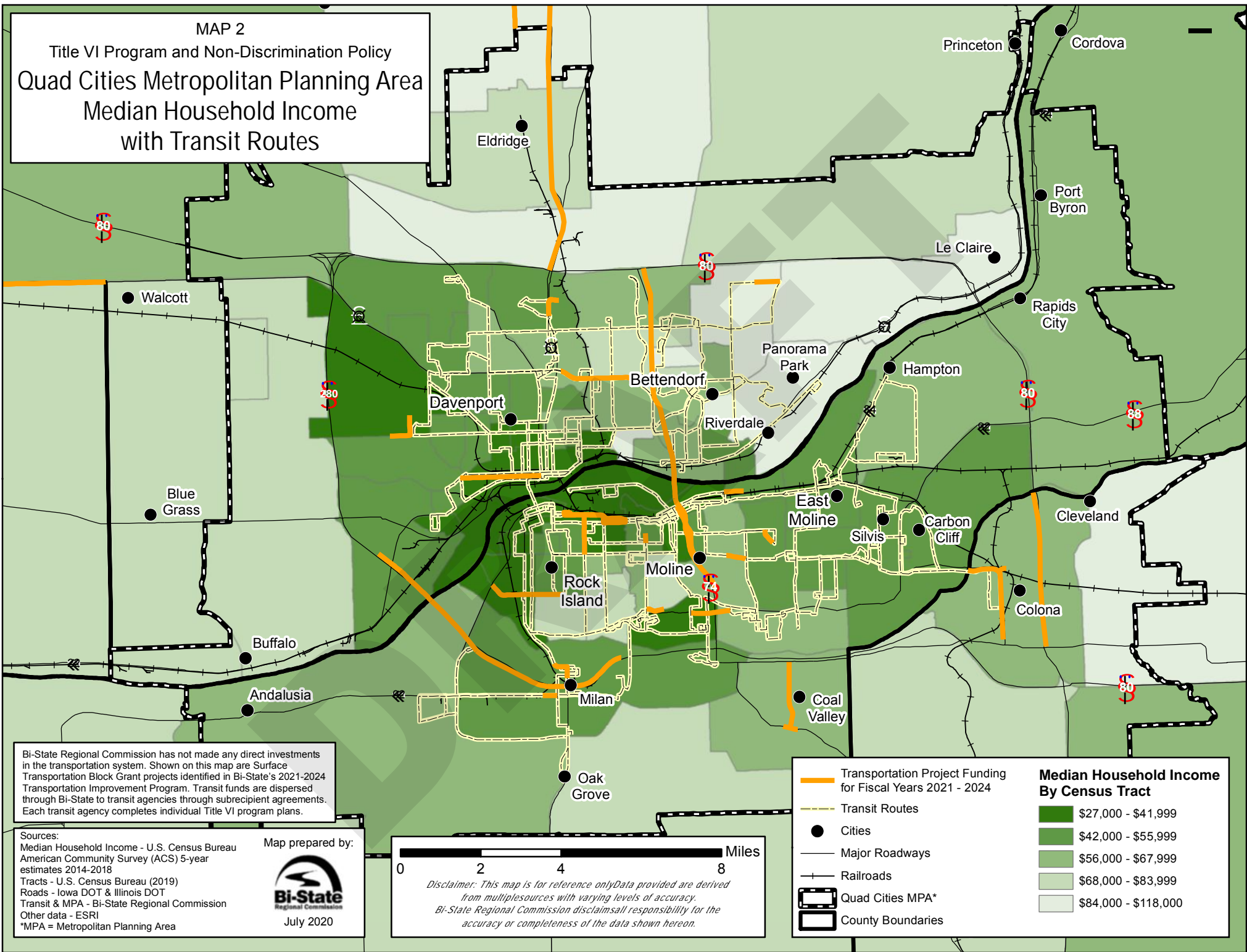
Map prepared by:

 July 2020



Disclaimer: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.

 Transportation Project Funding for Fiscal Years 2021 - 2024	Median Household Income By Census Tract
 Cities	 \$27,000 - \$41,999
 Major Roadways	 \$42,000 - \$55,999
 Railroads	 \$56,000 - \$67,999
 Quad Cities MPA*	 \$68,000 - \$83,999
 County Boundaries	 \$84,000 - \$118,000

MAP 2
 Title VI Program and Non-Discrimination Policy
 Quad Cities Metropolitan Planning Area
 Median Household Income
 with Transit Routes



Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Median Household Income - U.S. Census Bureau American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 Transit & MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

Map prepared by:



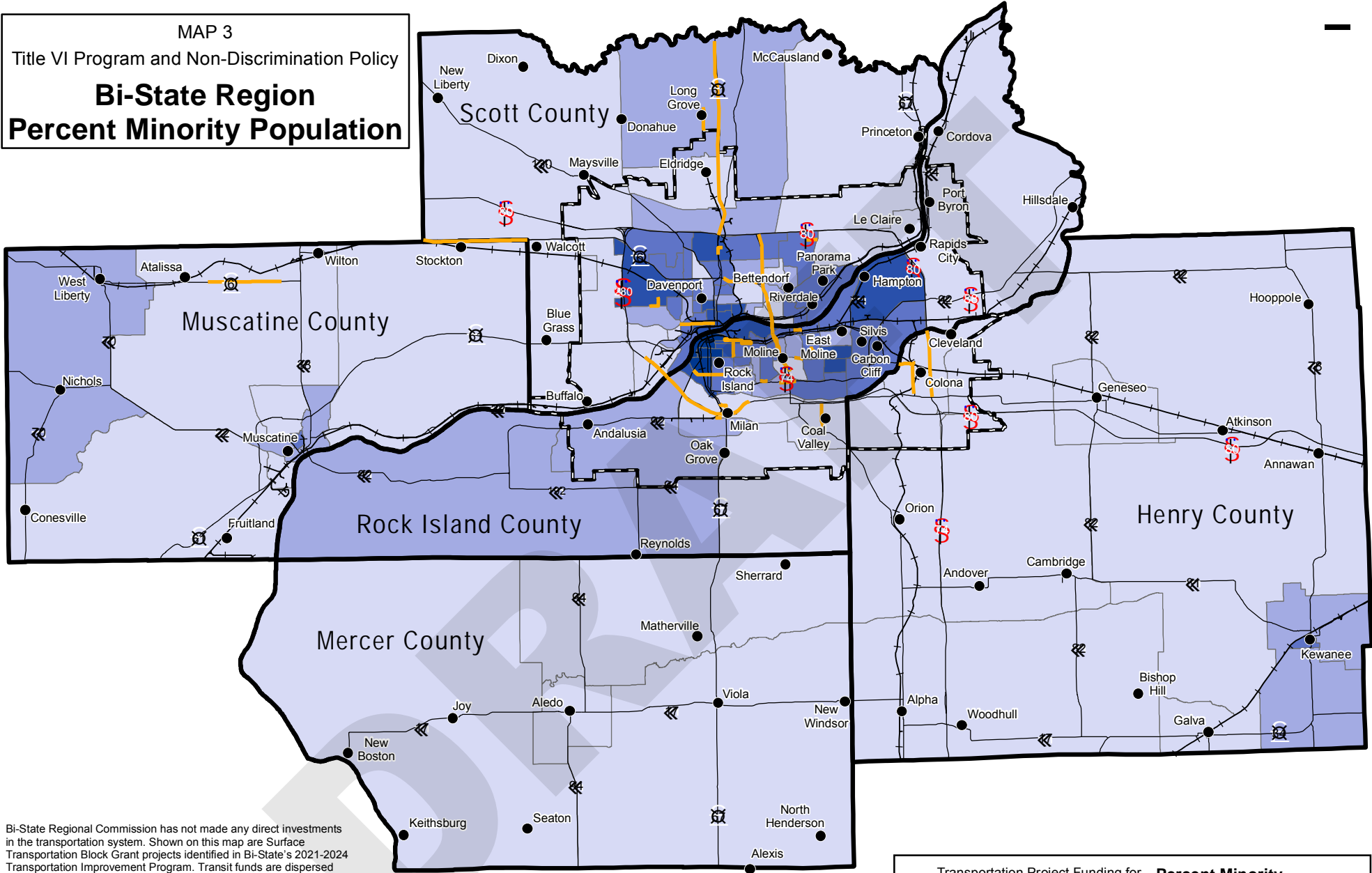
July 2020



Disclaimer: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.


	Transportation Project Funding for Fiscal Years 2021 - 2024		Median Household Income By Census Tract \$27,000 - \$41,999
	Transit Routes		\$42,000 - \$55,999
	Cities		\$56,000 - \$67,999
	Major Roadways		\$68,000 - \$83,999
	Railroads		\$84,000 - \$118,000
	Quad Cities MPA*		
	County Boundaries		

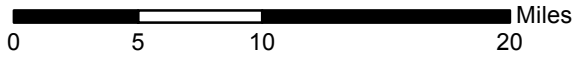
MAP 3
 Title VI Program and Non-Discrimination Policy
**Bi-State Region
 Percent Minority Population**



Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Percent Minority Population - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

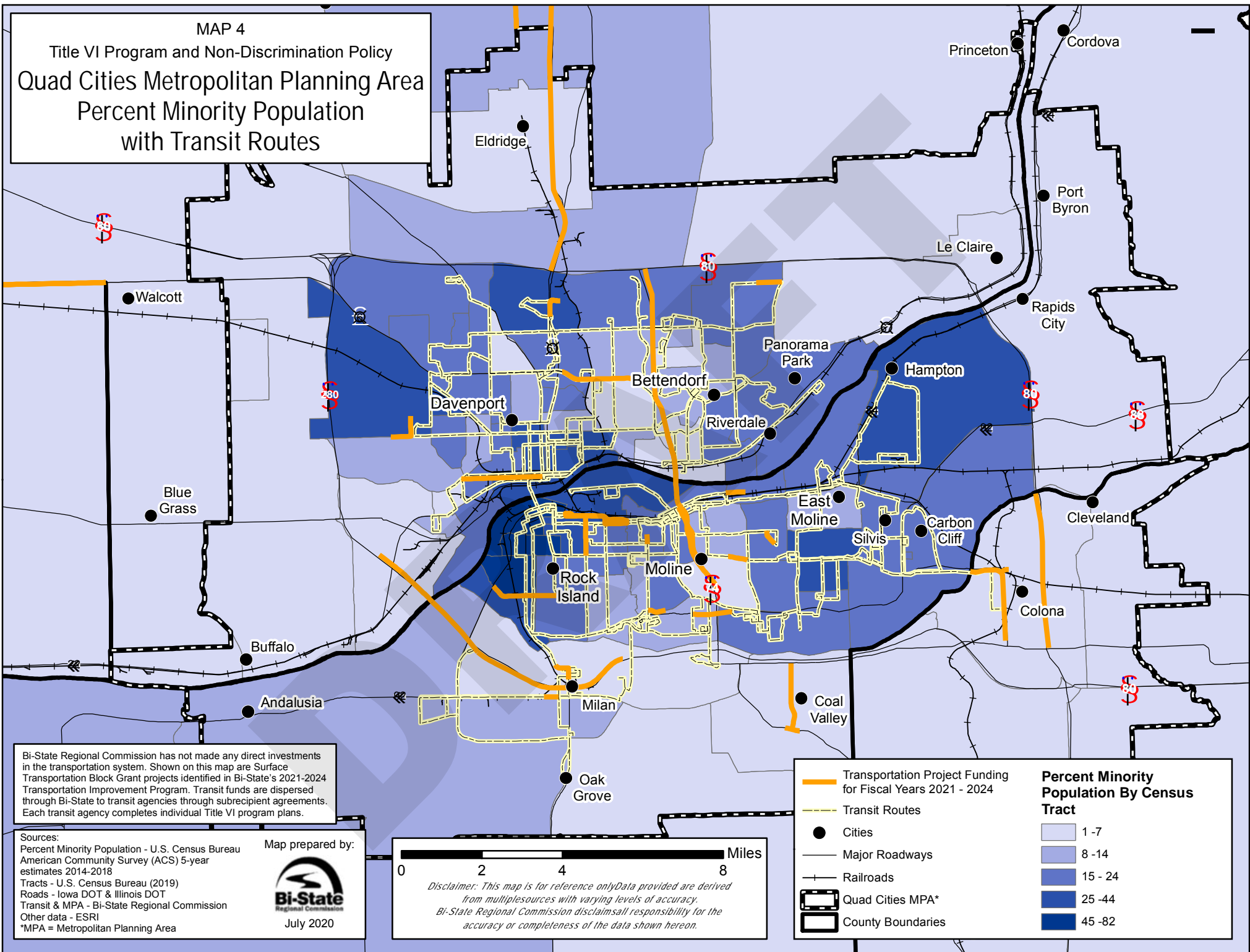
Map prepared by:

 July 2020



Disclaimer: This map is for reference only. Data provided are derived from multiplesources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Transportation Project Funding for Fiscal Years 2021 - 2024	Percent Minority Population By Census Tract
Cities	1 - 7
Major Roadways	8 - 14
Railroads	15 - 24
Quad Cities MPA*	25 - 44
County Boundaries	45 - 82

MAP 4
Title VI Program and Non-Discrimination Policy
Quad Cities Metropolitan Planning Area
Percent Minority Population
with Transit Routes



Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Percent Minority Population - U.S. Census Bureau American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 Transit & MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

Map prepared by:

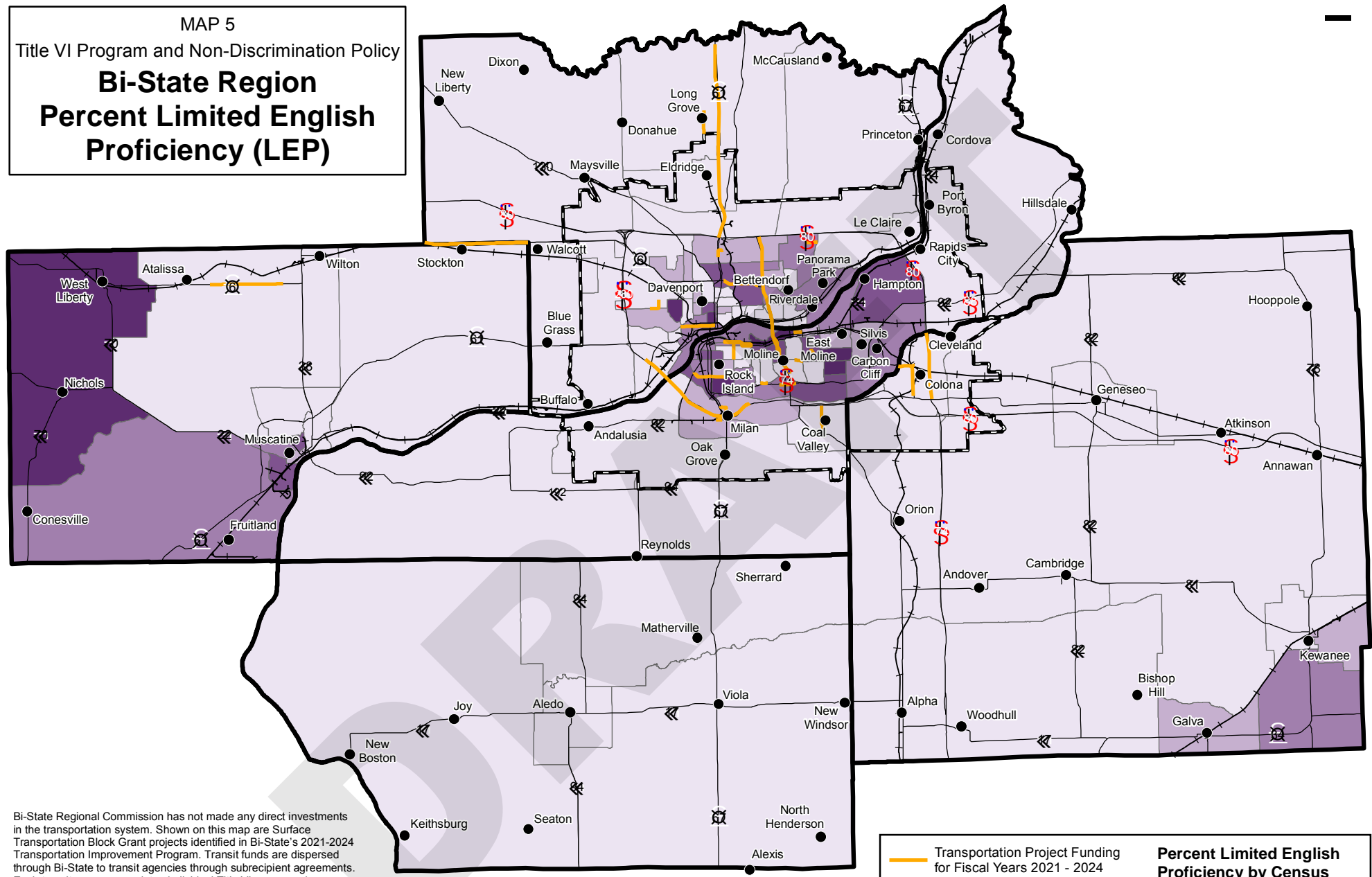
 July 2020

0 2 4 8 Miles

Disclaimer: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Transportation Project Funding for Fiscal Years 2021 - 2024	1 - 7
Transit Routes	8 - 14
Cities	15 - 24
Major Roadways	25 - 44
Railroads	45 - 82
Quad Cities MPA*	
County Boundaries	

MAP 5
 Title VI Program and Non-Discrimination Policy
**Bi-State Region
 Percent Limited English
 Proficiency (LEP)**



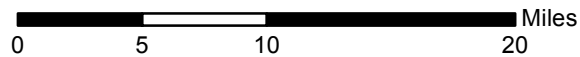
Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Percent Limited English Proficiency - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

Map prepared by:



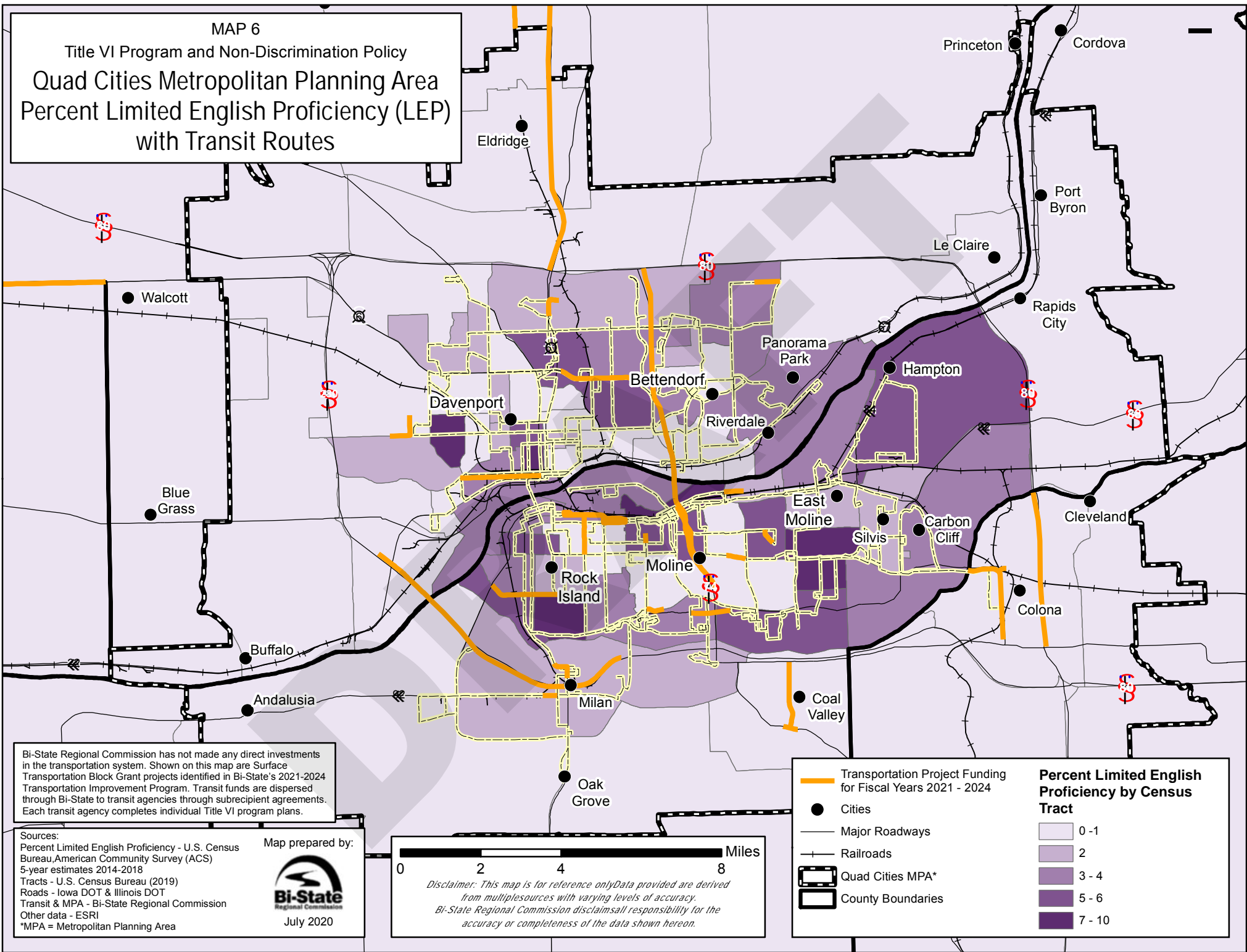
July 2020



Disclaimer: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.

Transportation Project Funding for Fiscal Years 2021 - 2024	Percent Limited English Proficiency by Census Tract
Cities	
Major Roadways	
Railroads	
Quad Cities MPA*	
County Boundaries	
0 - 1	
2	
3 - 4	
5 - 6	
7 - 10	

MAP 6
Title VI Program and Non-Discrimination Policy
Quad Cities Metropolitan Planning Area
Percent Limited English Proficiency (LEP)
with Transit Routes














Bi-State Regional Commission has not made any direct investments in the transportation system. Shown on this map are Surface Transportation Block Grant projects identified in Bi-State's 2021-2024 Transportation Improvement Program. Transit funds are dispersed through Bi-State to transit agencies through subrecipient agreements. Each transit agency completes individual Title VI program plans.

Sources:
 Percent Limited English Proficiency - U.S. Census Bureau, American Community Survey (ACS) 5-year estimates 2014-2018
 Tracts - U.S. Census Bureau (2019)
 Roads - Iowa DOT & Illinois DOT
 Transit & MPA - Bi-State Regional Commission
 Other data - ESRI
 *MPA = Metropolitan Planning Area

Map prepared by:

 July 2020

0 2 4 8 Miles
 Disclaimer: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. Bi-State Regional Commission disclaims all responsibility for the accuracy or completeness of the data shown hereon.

 Transportation Project Funding for Fiscal Years 2021 - 2024	Percent Limited English Proficiency by Census Tract
 Cities	 0-1
 Major Roadways	 2
 Railroads	 3-4
 Quad Cities MPA*	 5-6
 County Boundaries	 7-10

Limited English Proficiency Analysis

Bi-State Regional Commission and public transit operators in the Quad Cities Area

The purpose of this Limited English Proficiency (LEP) analysis is to outline how Bi-State Regional Commission and Quad Cities Area, as well as the public transit systems, identify persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

The LEP analysis will utilize the framework of the U.S. DOT's four-factor LEP analysis, which considers the following elements:

1. The number or proportion of LEP persons in the region who may be served by public transportation or are likely to encounter a public transportation program, activity, or service.
2. The frequency with which LEP persons come in contact with public transportation programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by public transportation providers to the LEP population.
4. The resources available to public transportation providers and overall costs to provide LEP assistance.

Analysis for Rock Island & Scott Counties representing the Metropolitan Area counties

1. The number or proportion of LEP persons in the region who may be served or are likely to encounter a public transportation program, activity, or service.

Bi-State Regional Commission reviewed U.S. Census data (American Community Survey 5-year estimates, 2012-2016) to determine the percentage of LEP individuals in the Quad Cities Area. For the purposes of this analysis, persons who speak another language and speak English less than "very well" are considered to be LEP. Rock Island County has a larger percentage of individuals who speak English less than "very well" at 5.55%. Only 2.16% of Scott County's population speak English less than "very well". Table 1 demonstrates the English abilities of individuals from each county and the Quad Cities Area. Figure 1 shows the percentage of languages other than English that are spoken in the Quad Cities Area.

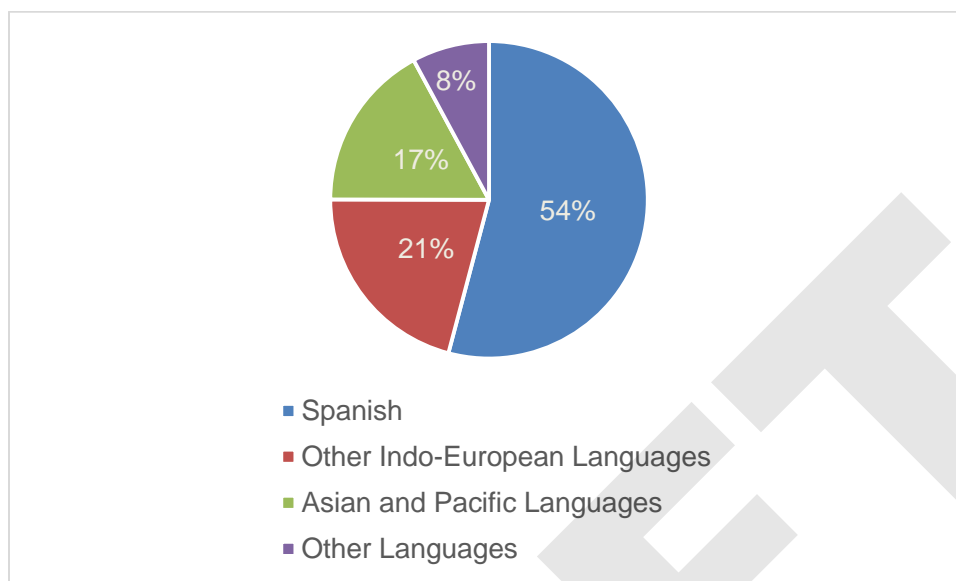
Table 1 – Quad Cities Area Population Speaking English

	Population Age 5+	Speak English Only	Speak another language, and English "very well"	Speak another language, and English less than "very well"	Percentage of LEP Individuals
Rock Island Co.	136,094	117,611	11,595	6,888	5.06%
Scott Co.	161,103	150,605	6,627	3,871	2.40%
QC Area*	297,197	268,216	18,222	10,759	3.62%
Davenport, IA--IL Urbanized Area	264,940	236,540	17,662	10,738	4.05%

Source: U.S. Census Bureau, American Community Survey 5-year estimates (2014-2018)

Note*: QC Area is defined as Rock Island County, IL and Scott County, IA.

Figure 1 – Percentage of Languages Other Than English Spoken in the Quad Cities Area



Source: U.S. Census Bureau, American Community Survey 5-year estimates (2012-2016)

1. The frequency with which LEP persons come in contact with public transportation programs, activities, or services.

In the majority of the area, transit systems have received few or no requests for translation services from LEP individuals. Driver training, public outreach, and regular assessment of potential demographic changes allow the transit systems to monitor the use of their services by LEP individuals and identify ways to improve their outreach efforts as needed.

2. The nature and importance of programs, activities, or services provided by public transportation providers to the LEP population.

Based on U.S. Census data (American Community Survey 5-year estimates, 2014-2018), approximately 3.62% of the population in the Quad Cities Area are LEP individuals. Rock Island County has the higher proportion of LEP individuals with 5.06%, while Scott County has 2.40%. The overwhelming majority of the region's population (96.38%) speaks English as a first language or as a second language and "very well." As a result, there are fewer social service, professional, and leadership organizations focused on LEP individuals within the region available to contract for specialized transportation services. Services in which the transit systems are most likely to encounter LEP individuals are fixed-route systems and employee-specific services that primarily serve the general public.

3. The resources available to public transportation providers and overall costs to provide LEP assistance.

Overall, the Quad Cities Area has a relatively small LEP population. In some cases, limited LEP resources are provided because a particular transit system's service area has very few LEP riders and/or has received no requests for translation services. Transit systems that do provide service to a higher percentage of LEP populations provide various types of services to accommodate potential riders such as new

employee training and contracted oral translation services. Generally, the most requested language services in the Quad Cities Area are from Spanish-speaking individuals. Transit agencies have determined that the need to provide Spanish-language materials outweighs the financial burden to develop them.

A Language Assistance Measures

1. Quad Cities Area transit systems train new drivers and staff on awareness of language services available to potential riders, how to respond to LEP callers, how to respond to correspondence from LEP individuals, and overall how to respond to LEP needs.
2. In areas where a greater LEP population resides, transit systems provide key information in alternative languages. Resources include websites, riders guides, promotional materials, and public notices. On some buses, annunciators make announcements in both English and Spanish.

B Outreach Techniques

1. Transit systems maintain regular communication with community-based organizations that commonly work with LEP populations to educate their clients on transit services, including the availability of language assistance services. Examples of organizations that have been contacted include: Churches, Community Advocacy Groups, Service Organizations, and the Greater Quad Cities Hispanic Chamber of Commerce.
2. When available, marketing campaigns and public notices are included in newspapers and magazines that are published in a language other than English.

C Monitoring and Updating LEP Efforts

1. Bi-State Regional Commission and area transit systems regularly assess changes in demographics and population within the two-county area to determine the need to provide a greater emphasis on LEP assistance and reevaluate transit systems' LEP plans.
2. Quad Cities Area transit systems review the number of requests for translation resources and materials to identify if LEP needs have changed within their service areas.

Analysis for Bi-State Region counties

1. The number or proportion of LEP persons in the region who may be served or are likely to encounter a public transportation program, activity, or service.

Bi-State Regional Commission reviewed data from the U.S. Census Bureau (American Community Survey 5-year estimates, 2014-2018) to determine the percentage of LEP individuals in the Bi-State Region. For the purposes of this analysis, persons who speak another language and speak English less than "very well" are considered to be LEP. The county with the highest percentage of individuals who speak English less than "very well" is Muscatine (5.23%), followed by Rock Island (5.06%). Table 2 shows the English abilities of individuals from each county in the region. Figure 2 shows the percentage of languages other than English spoken in the Bi-State Region.

2. The frequency with which LEP persons come in contact with public transportation programs, activities, or services.

In the majority of the region, transit systems have received few or no requests for translation services from LEP individuals. Driver training, public outreach, and regular

assessment of potential demographic changes allow the transit systems to monitor the use of their services by LEP individuals and identify ways to improve their outreach efforts.

3. The nature and importance of programs, activities, or services provided by public transportation providers to the LEP population.

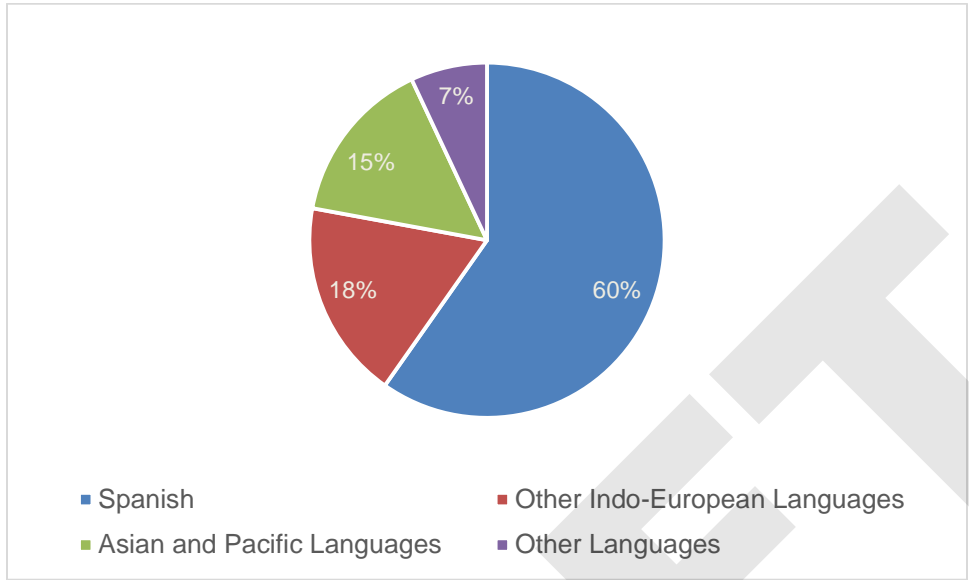
Based on U.S. Census data (American Community Survey 5-year estimates, 2014-2018), approximately 3.42% of the Bi-State Region are LEP individuals. Although there are areas with a higher density of LEP individuals, no single county within the region has a LEP population at or above 6.0%. The overwhelming majority of the region’s population (96.6%) speaks English as a first language or as a second language and “very well.” Services in which the transit systems are most likely to encounter LEP individuals are fixed-route systems and employee-specific services that primarily serve the general public.

Table 2 – Bi-State Region Limited English Proficiency

	Bi-State Region	Henry County, IL	Mercer County, IL	Rock Island County, IL	Muscatine County, IA	Scott County, IA
Total Population age 5 years and over	399,012	46,723	14,909	136,094	40,183	161,103
Speak only English	362,640	44,757	14,718	117,611	34,949	150,605
Speak another Language, and speak English “very well”	22,729	1,247	129	11,595	3,131	6,627
Speak another Language, and speak English less than “very well”	13,643	719	62	6,888	2,103	3,871
Percent that speak another Language, and speak English less than “very well”	3.42%	1.54%	0.42%	5.06%	5.23%	2.40%

Source: U.S. Census Bureau, American Community Survey 5-year estimates (2014-2018)

Figure 2 – Percentage of Languages Other Than English Spoken in the Bi-State Region



Source: U.S. Census Bureau, American Community Survey 5-year estimates (2014-2018)

4. The resources available to public transportation providers and overall costs to provide LEP assistance.

Overall, the Bi-State Region has a very small population of LEP individuals. In some cases, limited LEP resources are provided because a particular transit system’s service area has very few LEP riders and/or has received no requests for translation services. Transit systems that do provide service to a higher percentage of LEP populations provide various types of services to accommodate potential riders, depending upon the area and the languages spoken. Generally, the most requested language services in the Bi-State Region are from Spanish-speaking individuals.

A. Language Assistance Measures

1. Some regional transit systems train new drivers and staff on awareness of language services available to potential riders, how to respond to LEP callers, how to respond to correspondence from LEP individuals, and overall how to respond to LEP needs.
2. In areas where a greater LEP population resides, transit systems provide key information in alternative languages. Resources include websites, riders guides, promotional materials, and public notices.

B. Outreach Techniques

Due to a relatively small regional LEP population, not all of the transit systems have a formal outreach procedure in place. Below are some of the outreach efforts that are currently being done on a regular basis:

1. Regular communication with community-based organizations that commonly work with LEP populations to educate their clients on transit services, including the availability of language assistance services. Examples of organizations that

have been contacted include: Churches, Community Advocacy Groups, Service Organizations, and the Greater Quad Cities Hispanic Chamber of Commerce.

2. In some cases, transit systems utilize resources such as websites, riders guides, and local publications offered in alternative languages to provide information to LEP populations.
3. Bi-State Regional Commission partnered with Iowa State University in November 2015 to facilitate outreach to the Spanish-speaking community in the Quad Cities. The University held four different meetings throughout the Quad Cities area to reach a maximum number of people.

C. Monitoring and Updating LEP Efforts

1. Bi-State Regional Commission and regional transit systems regularly assess changes in demographics and population within the five-county area to determine the need to provide a greater emphasis on LEP in planning documents and reevaluate transit systems' LEP plans.
2. Regional transit systems review the number of requests for translation resources and materials to identify if LEP needs have changed within their service areas.

D. Language Assistance Measures

1. Quad Cities Area transit systems train new drivers and staff on awareness of language services available to potential riders, how to respond to LEP callers, how to respond to correspondence from LEP individuals, and overall how to respond to LEP needs.
2. In areas where a greater LEP population resides, transit systems provide key information in alternative languages. Resources include websites, riders guides, promotional materials, and public notices.

E. Outreach Techniques

1. Transit systems maintain regular communication with community-based organizations that commonly work with LEP populations to educate their clients on transit services, including the availability of language assistance services. Examples of organizations that have been contacted include: Churches, Community Advocacy Groups, Service Organizations, and the Greater Quad Cities Hispanic Chamber of Commerce.
2. When available, marketing campaigns and public notices are included in newspapers and magazines that are published in a language other than English.

F. Monitoring and Updating LEP Efforts

1. Bi-State Regional Commission and area transit systems regularly assess changes in demographics and population within the two-county area to determine the need to provide a greater emphasis on LEP assistance and reevaluate transit systems' LEP plans.

2. Quad Cities Area transit systems review the number of requests for translation resources and materials to identify if LEP needs have changed within their service areas.

DRAFT

Attachment E – Copies of Signed Certifications and Assurances

DRAFT

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Bi-State Regional Commission (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory 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);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"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 DOT, including the FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Federal Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal Highway Programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Bi-State Regional Commission, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will 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 will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or 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 will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal

financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, 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 Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Bi-State Regional Commission also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Bi-State Regional Commission gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal Highway Program**. This ASSURANCE is binding on **Iowa and Illinois**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Bi-State Regional Commission

(Name of Recipient)

by


(Signature of Authorized Official)

DATED

7-22-20

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
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 will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will 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 Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **Federal Highway Administration**, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **Federal Highway Administration** may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take 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 noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Bi-State Regional Commission will accept title to the lands and maintain the project constructed thereon in accordance with laws of the state of Iowa, the Regulations for the Administration of **Federal Highway Program**, and the policies and procedures prescribed by the **Federal Highway Administration** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation 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 Bi-State Regional Commission all the right, title and interest of the U.S. 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 Bi-State Regional Commission 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 will be binding on the Bi-State Regional Commission, its successors and assigns.

The Bi-State Regional Commission, 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 will 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 Bi-State Regional Commission will 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, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. 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 make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Bi-State Regional Commission pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, 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:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Bi-State Regional Commission will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Bi-State Regional Commission will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Bi-State Regional Commission and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Bi-State Regional Commission pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, 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 (1) no person on the ground of race, color, or national origin, will be excluded from participation in, 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 of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Bi-State Regional Commission will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Bi-State Regional Commission will there upon revert to and vest in and become the absolute property of Bi-State Regional Commission and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- 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.*).

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Completed on submission to Grants.gov	Administrative & Financial Services Director
APPLICANT ORGANIZATION	DATE SUBMITTED
Bi-State Regional Commission	Completed on submission to Grants.gov

Standard Form 424B (Rev. 7-97) Back



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 Randy Moore, Citizen
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 Executive Director
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CERTIFICATE OF COMPLIANCE WITH THE STATEMENT OF FINANCIAL CAPACITY ANALYSIS

This is to certify that the Transportation Improvement Program for the Davenport-Rock Island-Moline, Iowa-Illinois Urbanized Area is prepared in accordance with the requirements of FTA Circular 7008.1A for financial capacity analysis. An assessment of financial capacity is conducted by the Bettendorf, Davenport, and Rock Island County Metropolitan Mass Transit District systems.

Approved this 23rd day of June 2020.

Mike Thoms, Chair
Davenport-Rock Island-Moline, Iowa/Illinois
Urbanized Area Transportation Policy Committee

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Attachment F – Title VI Program Reporting Template

Title VI Program Summary for Bi-State Regional Commission

1. Summary of public outreach and involvement activities since last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.

12/02/2015	Urban Mobility Summit—Bettendorf, IA
08/11/2016	Region 9 Mobility Summit—Muscatine, IA
10/12/2016	Centers for Independent Living and SILC Transportation Advisory Group — Springfield, IL
02/16/2017	Region 2 Mobility Summit—Coal Valley, IL
08/17/2017	Region 9 Mobility Summit—Muscatine, IA
11/16/2017	Urban Mobility Summit—Moline, IL
06/28/2018	Region 9 Mobility Summit—Walcott, IA
06/04/2019	Region 9 Mobility Summit—Muscatine, IA
06/26/2019	Council on Community Services of the Quad Cities meeting – Moline, IL
01/22/2020	Council on Community Services of the Quad Cities presentation – Moline, IL

All transportation meetings are open to the public, but may not have transit-related topics on the agenda. This includes all Urban Transportation Technical and Policy Committee meetings held once a month at Bi-State Regional Commission, Iowa Region 9 meetings held quarterly, and Illinois Region 2 meetings held quarterly. Public input opportunities are also made available at the RIM Rural Transit Advisory Committee meetings that are held quarterly.

2. Documentation on the agency's plan for providing language assistance for persons with Limited English Proficiency.

See Attachment D, Section 3.

3. Documentation of agency procedures for tracking and investigating Title VI complaints.

See Section IV of Program Policy.

4. List of any Title VI investigations, complaints, or lawsuits filed since last submission.

There have been no transit related investigations, complaints, or lawsuits in the last three years.

5. Documentation of any planning boards, advisory councils, or committees or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees and description of efforts made to encourage the participation of minorities.

Bi-State Regional Commission does not choose the membership of its committees or councils. Bi-State maintains a Regional Transit Interest Group, whose membership is open to anyone interested in passenger transportation and mobility. Members represent elderly, disabled advocacy groups, resident associations, social service agencies, transit systems, or individual community members.

The Regional Transportation Advisory Group is open to anyone interested in transportation planning and projects. Members represent private transportation providers, social service agencies that provide transportation, transit consumers, school districts, historic societies, biking and hiking clubs, environmental groups, and freight movers.

6. Documentation of Commission's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.

See Attachment A of Program Policy.

7. List whether any construction projects have been undertaken by the Commission and include an equity analysis during the planning stage of the location of the facility.

Bi-State Regional Commission does not undertake construction of transportation infrastructure projects.

Attachment G – Bi-State Regional Commission Organizational Chart with Title VI Coordinator identified

