

Title VI Program and Non-Discrimination Policy

for

Bi-State Regional Commission

2012



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Title VI Program and Non-Discrimination Policy

for

Bi-State Regional Commission

Approved December 19, 2012


Signature

Danny McDaniel, Chair
Bi-State Regional Commission

12/19/12
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).

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

In 2011, 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 in 2012 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 (RICMMTD) 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).

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 affects 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 CFR § 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-Rock Island-Moline 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 Project Manager

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, 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
Office of Employee Services – Civil Rights
800 Lincoln Way
Ames, Iowa 50010
515-239-1422
515-817-6502 (fax)
dot.civilrights@dot.iowa.gov

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
Jeannette Tamayo, Regional Director
111 North Canal Street
Suite 855
Chicago, IL 60606

- 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 areas' 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) **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.
- 3) **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.
- 4) **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.

Attachment A – 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, P.O. Box 3368, Rock Island, Illinois 61204-3368.. 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: _____

- | | |
|---|--|
| <ul style="list-style-type: none">• Race• Color• National Origin
(Limited English Proficiency)• Sexual Orientation• Age | <ul style="list-style-type: none">• Education• Disability<ul style="list-style-type: none">○ 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: _____

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

Notice of the Public’s Rights Under Title 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) 793-6302, ext. 140.

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.

Attachment C – 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 (2007-2011).

Median income by census tract is scaled in color showing median incomes in the lowest bracket (\$14,840 - \$29,583) in dark orange. The map shows that census tracts in the lowest bracket 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 the most current, reflecting changes since the last Title VI report. 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.

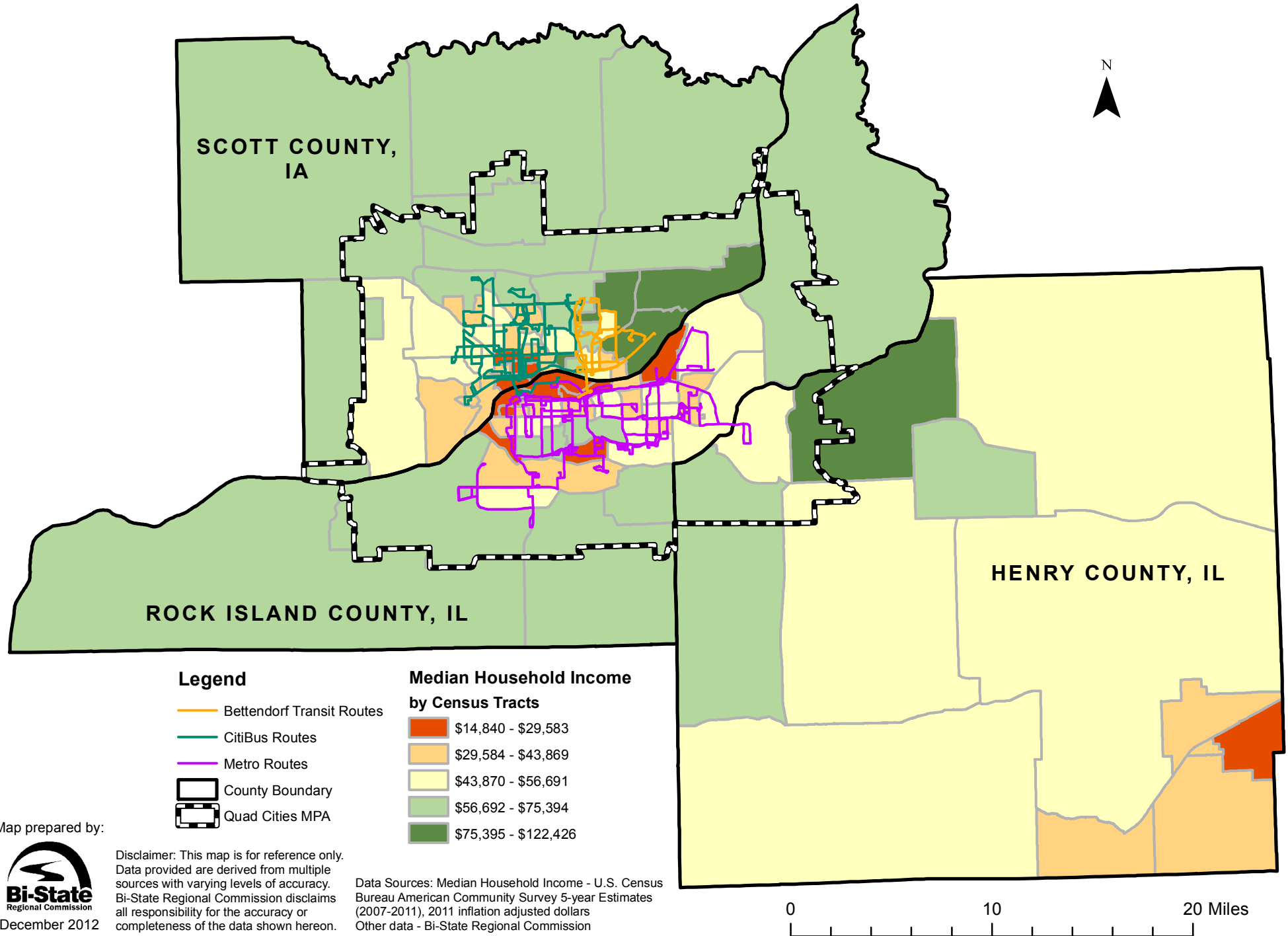
As with the previous map, the highest concentrations of minority populations (51% - 89%) are shown in dark orange. The highest concentrations of minority population generally coincide with the low median-income households of the previous map in the downtown areas of the Quad Cities area. However, census tracts in the middle bracket (21% - 30%) 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.

Limited English Proficiency is for the population 5 years and over. Individuals who reported speaking English "less than very well" are shown on the map. The areas of highest concentration (11% - 17.9%) are shown in dark orange. Bus routes for the three urban transit systems are the most current, reflecting any changes since the last Title VI report. It appears that the transit service 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.

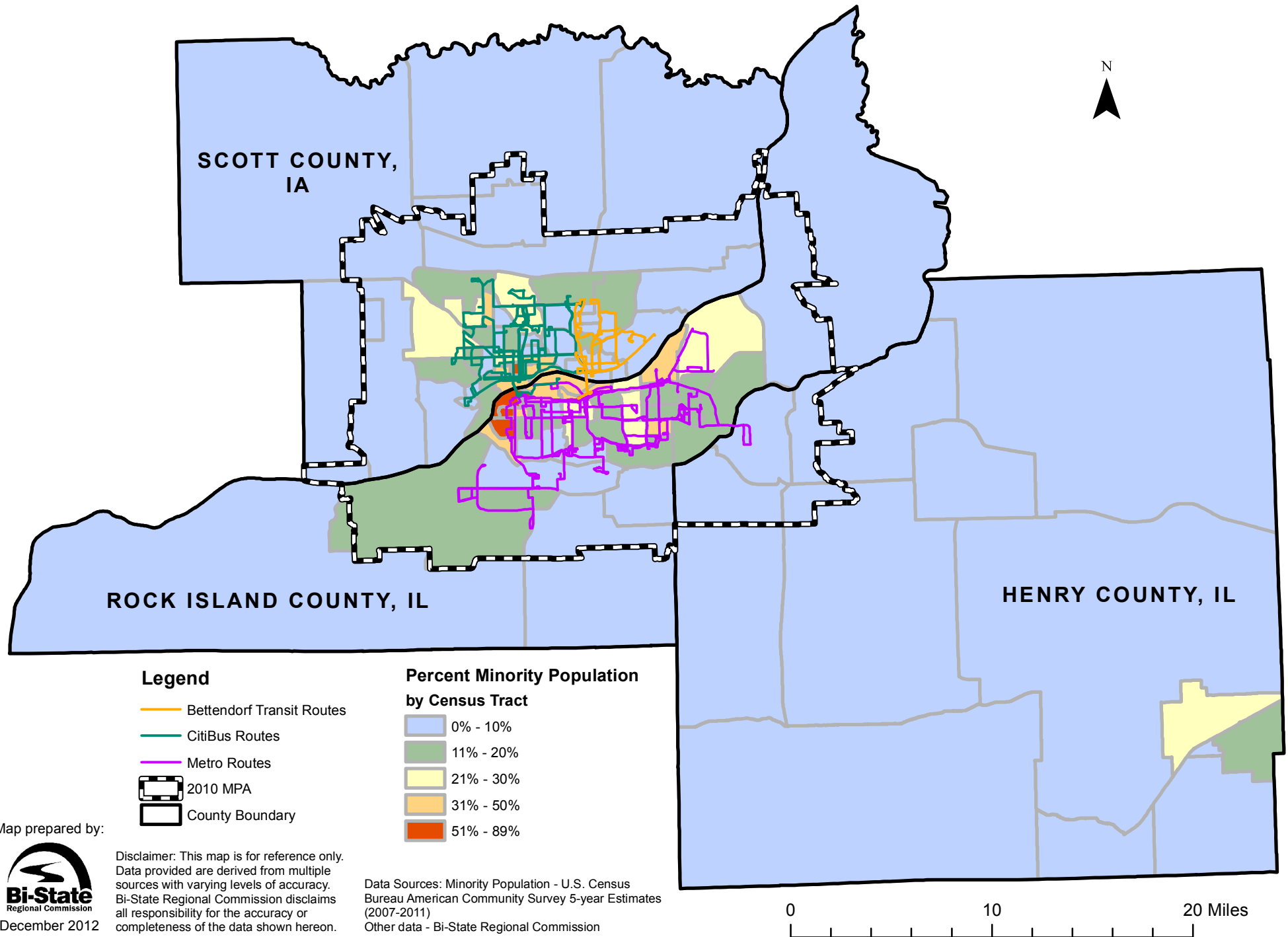
The intent of this map is to display the degree of transit system access to employment afforded by the current transit system bus routes. The employment center data for this map was developed for the Bi-State Region Transit Development Plan in 2012. Transit system bus routes are the most current since the previous Title VI report. The map shows major employment centers with 100 or more employees as a yellow dot. The number of dots appear concentrated in downtown areas, where population and core urban activity are centered. Outside the downtown core areas, major employers appear to be distributed according to areas of commercial and industrial activity and seem to be largely served by current bus routes. Major employment centers that do not have a transit route connection are generally outside the existing transit system service areas.

The intent of this map is to show transportation access to major activity centers in analysis of coordinated transportation services. The major activity centers include social service centers, commercial centers, and medical providers represented on the map as different colored dots. These activity centers were identified in the Bi-State Transit Development Plan to meet requirement for coordinated transportation planning among transportation providers and the agencies that provide services to low-income and minority residents. The transit routes on this map are the most up to date and appear to line up well with the majority of the activity centers. Other minor concentrations of major activity centers are outside the transit system service areas and even outside the urbanized planning area. These represent smaller towns around the urban center and serve a more rural or sparsely settled population.

Median Household Income by Census Tracts



Percent Minority Population by Census Tracts



Existing and Future Transit Routes and Limited English Proficiency

Legend

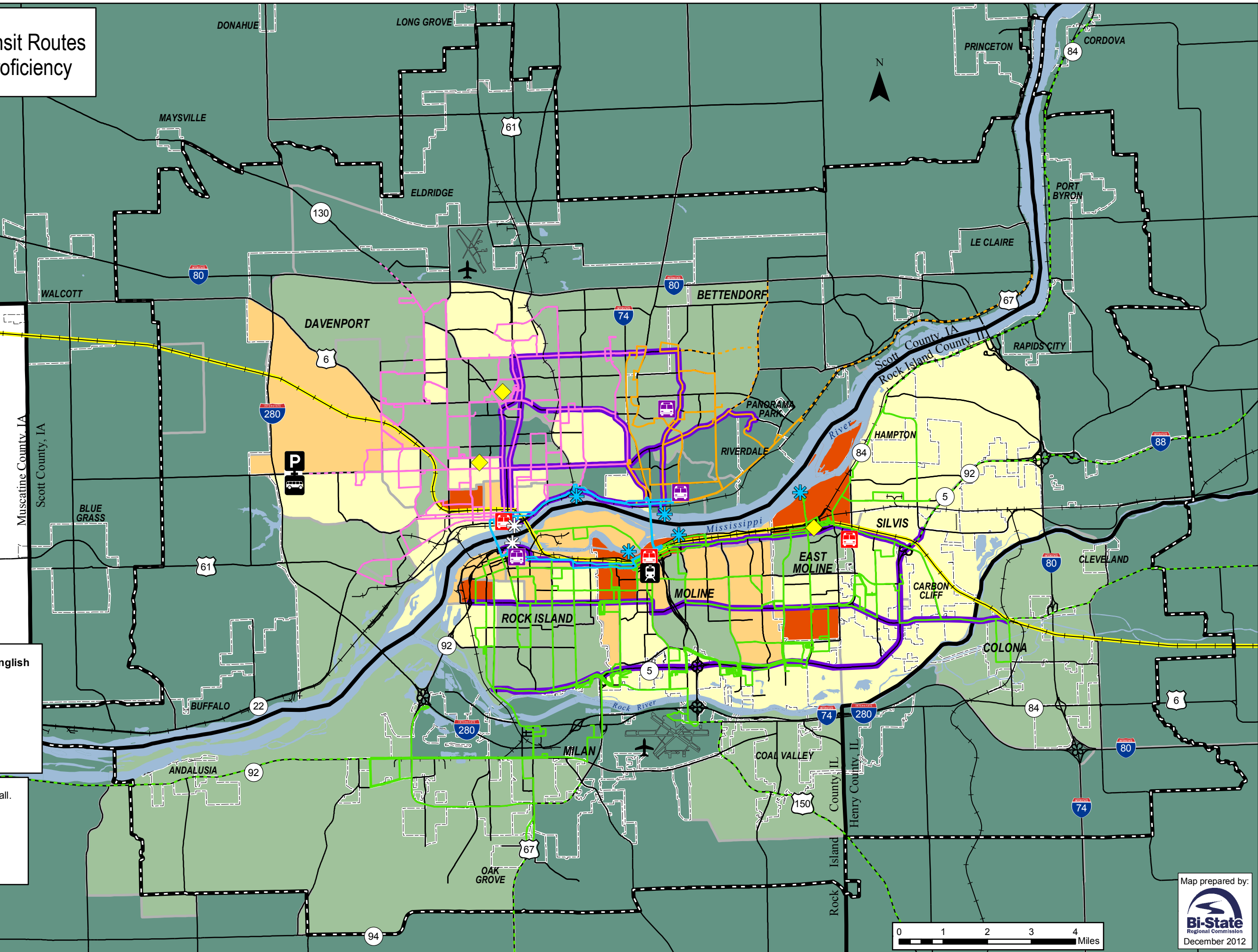
- CitiBus Routes
- CitiBus Routes Proposed
- Bettendorf Transit Routes
- Bettendorf Transit Routes Proposed
- Metro Routes
- Metro Routes Proposed
- The Loop - Riverfront Circulator
- Ground Transportation Center
- Proposed Ground Transportation Center
- Proposed Passenger Rail Station
- Proposed Passenger Rail
- Proposed Park and Ride
- Transfer Point
- Transit Priority Corridors
- Future Passenger Ferryboat
- Passenger Ferryboat
- Quad Cities MPO
- Other
- County Boundaries
- Major Roads
- Railroads
- Airports
- Rivers/Water Bodies



Limited English Proficiency -
Persons who speak English not well or not at all.

Data Sources:
Persons with Limited English Proficiency -
U.S. Census Bureau American Community
Survey 5-year Estimates (2007-2011)
Road data - IA DOT & IL DOT (2009)
Other data - Bi-State Regional Commission

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 herein.



Major Employment Centers within the Quad Cities Metro Area

Legend

Major Employers

with 100 or more employees

2010 MPA

Municipality

County Boundary

Rivers/Water Bodies

Major Roadways

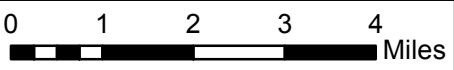
Transit Routes

Bettendorf Transit Routes

CitiBus Routes

Metro Routes

Employee Data - ReferenceUSA Gov. Infogroup™
No publish date. Web. Accessed 10 Dec. 2012.
Other data - Bi-State Regional Commission
MPA (Metropolitan Planning Area)



Activity Centers within the Quad Cities Metro Area

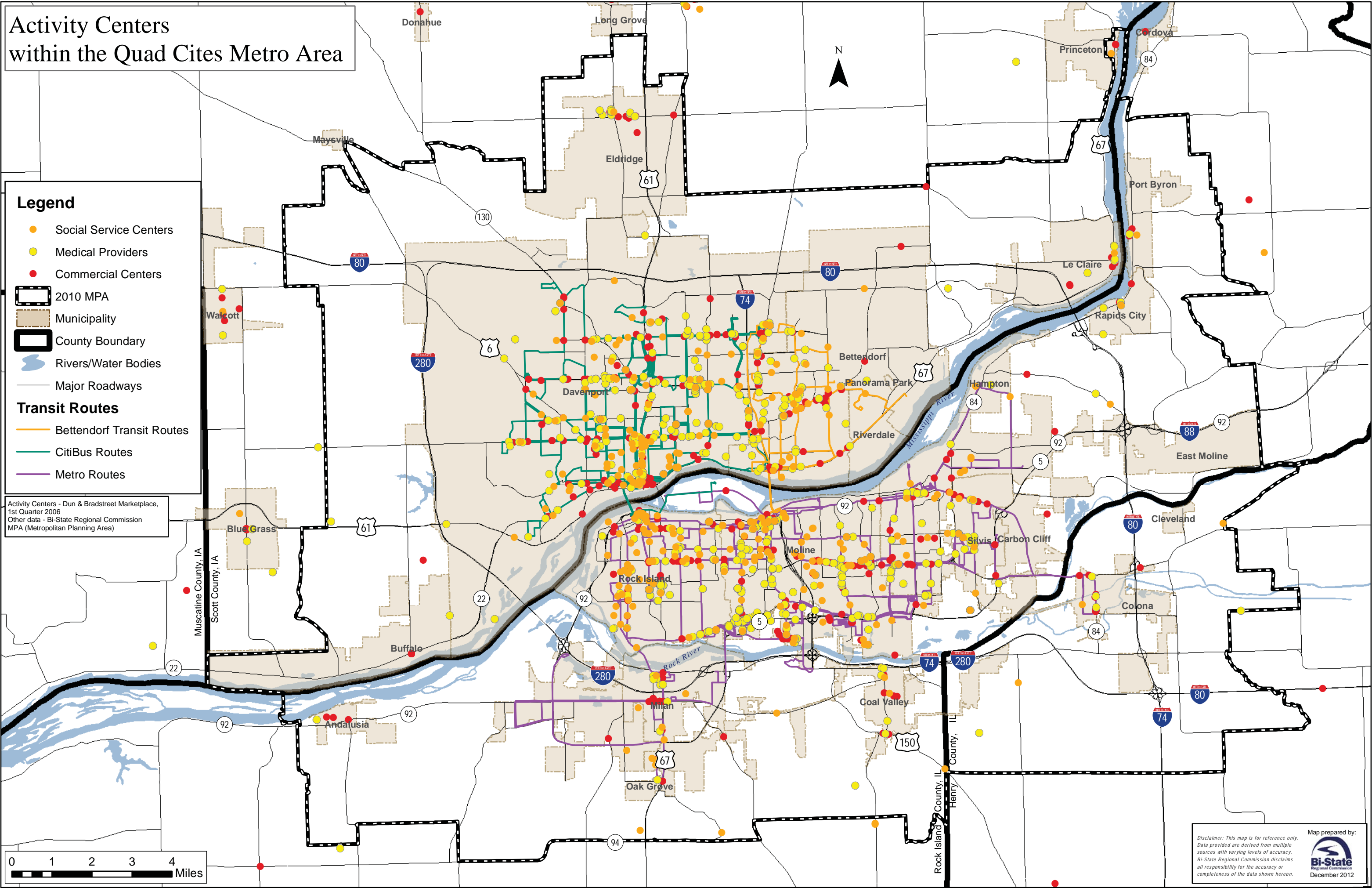
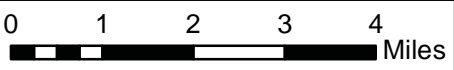
Legend

- Social Service Centers
- Medical Providers
- Commercial Centers
- 2010 MPA
- Municipality
- County Boundary
- Rivers/Water Bodies
- Major Roadways

Transit Routes

- Bettendorf Transit Routes
- CitiBus Routes
- Metro Routes

Activity Centers - Dun & Bradstreet Marketplace,
1st Quarter 2006
Other data - Bi-State Regional Commission
MPA (Metropolitan Planning Area)



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.

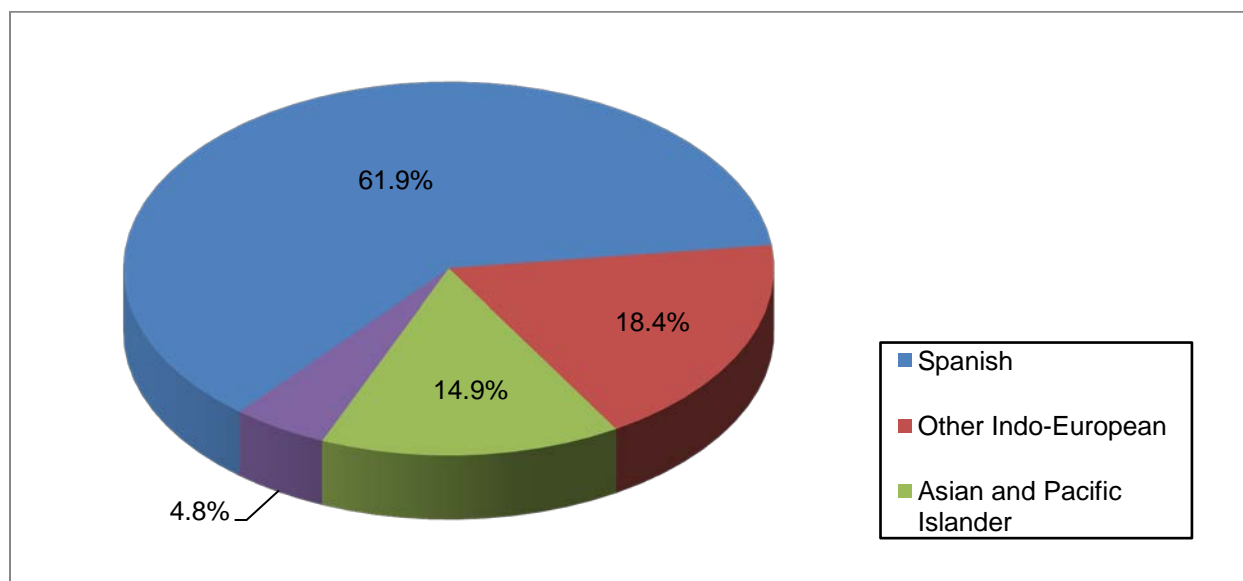
Bi-State Regional Commission reviewed U.S. Census data (American Community Survey 5-year estimates, 2007-2011) to determine the percentage of LEP individuals in the Quad Cities Area. For the purposes of this analysis, persons who speak another language and speak English less than "very well" are considered to be LEP. Rock Island County has a larger percentage of individuals who speak English less than "very well" at 4.9%. Only 2.3% of Scott County's population speak English less than "very well". Table A-1 demonstrates the English abilities of individuals from each county and the Quad Cities Area. Table A-2 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.	139,859	128,092	6,828	4,939	3.53%
Scott Co.	147,593	139,307	4,921	3,365	2.28%
QC Area	287,452	267,399	11,749	8,304	2.89%

Source: U.S. Census Bureau, American Community Survey 5-year estimates (2007-2011)

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 (2007-2011)

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, 2007-2011), approximately 3.5% of the population in the Quad Cities Area are LEP individuals. Although there are areas with a higher density of LEP individuals, no single county within the Quad Cities region has a LEP population at or above 5.0%. The overwhelming majority of the region's population (96.5%) 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, depending upon the area and

the language spoken. Generally, the most requested language services in the Quad Cities Area are from Spanish-speaking individuals.

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.

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, 2007-2011) 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 (5.4%), followed by Rock Island (4.9%). Table 1 demonstrates the English abilities of individuals from each county and the region. Table 2 shows the percentage 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 little 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.

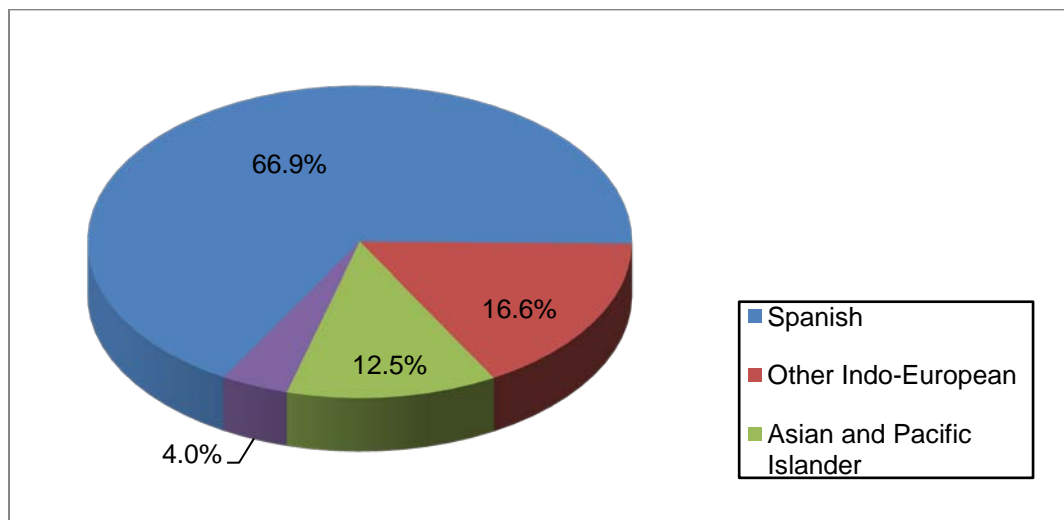
Based on U.S. Census data (American Community Survey 5-year estimates, 2007-2011), approximately 3.4% of the Bi-State Region are LEP individuals. Although there are areas with a higher density of LEP individuals, no single county within the region has a LEP population at or above 6.0%. The overwhelming 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	393,353	47,457	15,558	138,072	39,637	152,629
Speak only English	361,064	45,453	15,253	122,599	33,913	143,846
Speak another Language, and speak English "very well"	32,389	2,004	305	15,473	5,724	8,783
Speak another Language, and speak English less than "very well"	13,368	886	97	6,760	2,147	3,478
Percent that speak another Language, and speak English less than "very well"	3.4%	1.9%	0.6%	4.9%	5.4%	2.3%

Source: U.S. Census Bureau, American Community Survey 5-year estimates (2007-11)

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 (2007-11)

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.

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.

Attachment D – 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 approved the following public participation 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) designated to cooperatively facilitate public participation in the transportation planning process with Quad Cities Area communities and counties, state/federal Departments of Transportation, and among the various modes of transportation. The MPO is charged with carrying out metropolitan 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. This 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.

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. 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 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. In addition, members will receive notification of proposed metropolitan and/or regional Transportation Improvement Program (TIP) amendments, Surface Transportation Program (STP) submittal notices, and proposed changes to the Public Participation Plan, Regional Intelligent Transportation System (ITS) Architecture Plan, Regional Transit Development Plan (TDP), and the Long Range 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 Public Participation Plan, a minimum of a forty-five (45) day comment period shall be provided prior to action by the Commission. A metropolitan area or regional Long Range Transportation Plan will require a minimum of a thirty (30) day comment period prior to action by the Commission. The prioritization process of both the metropolitan area or regional Surface Transportation Program (STP) and the Transportation Alternatives Program (TAP) 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, and Regional ITS Architecture Plan, a minimum 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.

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. 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 E – Copies of Signed Certifications and Assurances

ASSURANCES - NON-CONSTRUCTION PROGRAMS

OMB Approval No. 4040-0007
Expiration Date: 06/30/2014

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.

ORIGINAL

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Chairman
APPLICANT ORGANIZATION Bi-State Regional Commission		DATE SUBMITTED May 7, 2012

USDA
Form RD 400-4
(Rev. 06-10)

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED
OMB No. 0575-0018
OMB No. 0570-0062

The

Bi-State Regional Commission
(name of recipient)

1504 Third Avenue, Rock Island, IL 61201
(address)

("Recipient" herein) hereby assures the U. S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et. seq.), 7 CFR Part 15, and Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, Risk Management Agency, or the Farm Service Agency, (hereafter known as the "Agency") regulations promulgated thereunder, 7 C.F.R. § 1901.202. In accordance with that Act and the regulations referred to above, Recipient agrees that in connection with any program or activity for which Recipient receives Federal financial assistance (as such term is defined in 7 C.F.R. § 15.2) no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination.

1. Recipient agrees that any transfer of any aided facility, other than personal property, by sale, lease or other conveyance of contract, shall be, and shall be made expressly, subject to the obligations of this agreement and transferee's assumption thereof.
2. Recipient shall:
 - (a) Keep such records and submit to the Government such timely, complete, and accurate information as the Government may determine to be necessary to ascertain our/my compliance with this agreement and the regulations.
 - (b) Permit access by authorized employees of the Agency or the U.S. Department of Agriculture during normal business hours to such books, records, accounts and other sources of information and its facilities as may be pertinent to ascertaining such compliance.
 - (c) Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Agency or the U. S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
3. The obligations of this agreement shall continue:
 - (a) As to any real property, including any structure, acquired or improved with the aid of the Federal financial assistance, so long as such real property is used for the purpose for which the Federal financial assistance is made or for another purpose which affords similar services or benefits, or for as long as the Recipient retains ownership or possession of the property, whichever is longer.
 - (b) As to any personal property acquired or improved with the aid of the Federal financial assistance, so long as Recipient retains ownership or possession of the property.
 - (c) As to any other aided facility or activity, until the last advance of funds under the loan or grant has been made.
4. Upon any breach or violation this agreement the Government may, at its option:
 - (a) Terminate or refuse to render or continue financial assistance for the aid of the property, facility, project, service or activity.
 - (b) Enforce this agreement by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, Bi-State Regional Commission on this
(name of recipient)

date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.

(SEAL)

Attest:

Russie Bulat 9/20/11
Title

X [Signature] Recipient
X September 20, 2012 Date
chair Title

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0570-0018 and 0570-0062. The time required to complete this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.



Serving local governments in Muscatine and Scott Counties, Iowa;
Henry, Mercer and Rock Island Counties, Illinois.

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Danny McDaniel

VICE-CHAIR
Larry Minard

SECRETARY
John Thodos

TREASURER
Kas Kelly

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Bill Gluba, Mayor
Sheila Burrage, Alderperson
Jason Gordon, Alderman
Hap Volz, Citizen

City of Rock Island
Dennis Pauley, Mayor
Chuck Austin, Alderman

City of Moline
Don Welvaert, Mayor
Sean Liddell, Alderman

City of Bettendorf
Bob Gallagher, Mayor

City of East Moline
John Thodos, Mayor

City of Muscatine
DeWayne Hopkins, Mayor

City of Kewanee
Bruce Tossell, Mayor

City of Silvis: Villages of
Andalusia, Carbon Cliff,
Coal Valley, Cordova, Hampton,
Hillsdale, Milan, Oak Grove,
Port Byron, and Rapids City
Ken Williams, Mayor, Carbon Cliff

Cities of Aledo, Colona, Galva,
Geneseo; Villages of Alpha,
Andover, Atkinson, Cambridge,
New Boston, Orion, Sherrard,
Viola, Windsor, and Woodhull
Danny McDaniel, Mayor, Colona

Cities of Blue Grass, Buffalo,
Eldridge, Fruiland, LeClaire,
Long Grove, McCausland,
Princeton, Riverdale, Walcott,
West Liberty, and Wilton
Marty O'Boyle, Mayor, Eldridge

COUNTY REPRESENTATIVES:
Henry County
Tim Wells, Chair
Dennis Anderson, Member
Vacant, Member

Mercer County
Vacant

Muscatine County
Kas Kelly, Chair
Jeff Sorensen, Member

Rock Island County
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Tom Rockwell, Member
Vacant, Member
Elizabeth Sherwin, Citizen

Scott County
Tom Sunderbruch, Chair
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Larry Minard, Member
Celia Rangel, Citizen

PROGRAM REPRESENTATIVES:

Cheryl Goodwin
Ralph H. Heninger
Nathaniel Lawrence
Rick Schloemer
Bill Stoerner
Jim Tank
Rory Washburn

Executive Director
Denise Bulat

METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

In accordance with 23 CFR 450.218, the Illinois Department of Transportation, Iowa Department of Transportation, and Metropolitan Planning Organization for the Davenport-Rock Island-Moline, Iowa-Illinois Urbanized Area hereby certify the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. Title 23 U.S.C. 134 & 135, 49 U.S.C. 5303 and 5304
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1 and 49 CFR part 21
3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity
4. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59 and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects
5. 23 CFR part 230, regarding implementation of an equal opportunity program on Federal and Federal-aid highway construction contracts
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38
7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance
8. Section 324 of title 23 U.S.C., regarding the prohibition of discrimination based on gender
9. Section 504 of the Rehabilitation Act of 1973 (49 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.
10. Sections 174 and 176(c) and (d) of the Clean Air Act as amended [42 U.S.C. 7504, 7506(c) and (d)]. (Note: Only for Metropolitan Planning Organizations with non-attainment and/ or maintenance areas within the metropolitan planning area boundary.)

Bi-State Regional Commission


Signature

Chair, Transportation
Title

June 26, 2012

Date

1504 Third Avenue, P.O. Box 3368, Rock Island, Illinois 61204-3368
Phone (309) 793-6300, Fax (309) 793-6305
E-mail: info@bistateonline.org • Website: www.bistateonline.org

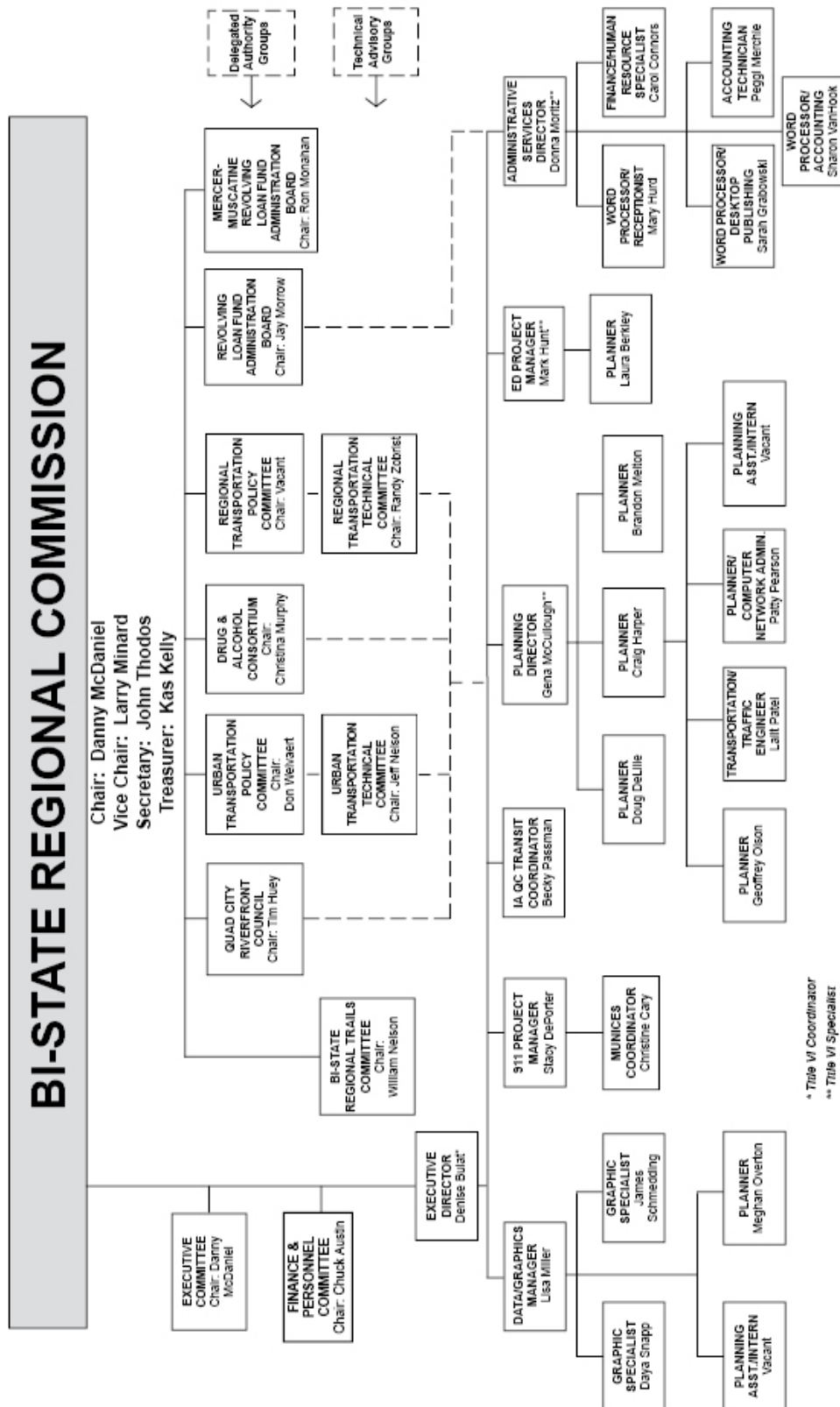


Attachment F – Title VI Program Reporting Template

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.
2. Documentation on the agency's plan for providing language assistance for persons with Limited English Proficiency.
3. Documentation of agency procedures for tracking and investigating Title VI complaints.
4. List of any Title VI investigations, complaints, or lawsuits filed since last submission.
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.
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.
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.

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



* Title VI Coordinator
** Title VI Specialist