# FHWA-SUBRECIPIENT
# TITLE VI ASSURANCES and IMPLEMENTATION PLAN AGREEMENT
# FFY 2020

## Introduction

All recipients of federal funds must comply with Title VI of the Civil Rights Act of 1964 and other Nondiscrimination statutes that afford legal protections. The Wisconsin Department of Transportation (WisDOT) is a recipient of Federal Highway Administration (FHWA) financial assistance committed to ensuring nondiscrimination in all WisDOT programs and activities as demonstrated in our signed assurances and Title VI Implementation Plan. Because WisDOT directly or indirectly extends FHWA funds to you, your organization is an FHWA Subrecipient that is required to provide the same Title VI commitment, assurances and plan.

WisDOT is responsible for annual monitoring and reporting of the activities of its FHWA Subrecipients to verify compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes and regulations (hereinafter termed "Acts and Regulations") and for validating continued eligibility for FHWA financial assistance. The contents of this ***TITLE VI ASSURANCES and IMPLEMENTATION PLAN AGREEMENT FFY 2020*** (hereinafter "***2020 ASSURANCES AND AGREEMENT***") are the framework that assures organizational awareness, an implementation plan, and effectuating compliance with the Acts and Regulations.

- The first Section entitled ***Part 1: Title VI Assurances*** is consistent with US Department of Transportation Order Number 1050.2A, *Standard Title VI/Non-Discrimination Assurances*.
- The ***Part 1: Title VI Assurances*** was due to be completed, signed and returned to the WisDOT Title VI Office by:

**September 25, 2019**

- The second Section entitled ***Part 2: Implementation Plan Agreement*** outlines your organization's Title VI activities, data collection, and reporting; the signed agreement serves as your organization's submission of an **Implementation Plan.**

The following pages of this document contain only the ***Part 2: Implementation Plan Agreement*** must be signed by the highest responsible official in the Subrecipient's organization, typically the Executive Director by: **October 15, 2019**

- A signed copy of this ***Part 2: Implementation Plan Agreement*** is a binding legal agreement between WisDOT and the Subrecipient organization.

Note that signature and submission of the attached documents are only applicable to FHWA Title VI compliance. If your organization is subject to Title VI compliance requirements for other USDOT operating administrations or other federal fund recipients (such as the Federal Transit Administration), you are encouraged to review the requirements of each entity to ensure active implementation and assure compliance with appropriate, separate submissions.

## INSTRUCTIONS for the *Part 2: Implementation Plan Agreement*

1. Fill-in all blanks with the appropriate information (search for the word "Click" to find all blanks).
2. The ***Part 2: Implementation Plan Agreement*** must be signed on Page No. 13, by the Executive Director or the highest responsible official in your agency/organization.
3. Promptly submit the completed, signed and scanned ***Part 2: Implementation Plan Agreement*** to the Wisconsin Department of Transportation, Title VI Office at: mary.robb@dot.wi.gov.

If you need assistance, please contact Mary Robb by email mary.robb@dot.wi.gov or phone at 608-267-4489.

***The following pages are the required Part 2: Implementation Plan Agreement to be signed and returned.***

# FHWA-SUBRECIPIENT
# TITLE VI ASSURANCES and IMPLEMENTATION PLAN AGREEMENT
# FFY 2020

The following ***Part 2: Implementation Plan Agreement*** is a legally binding agreement between the Wisconsin Department of Transportation (WisDOT) and Bay-Lake Regional Planning Commission, a WisDOT Subrecipient of Federal Highway Administration (FHWA) funds.

## SUBRECIPIENT TITLE VI COORDINATOR FOR FHWA ACTIVITIES AND MONITORING:

**NOTE: IF YOU RECENTLY PROVIDED THE TITLE VI COORDINATOR NAME AND CONTACT INFORMATION IN *PART 1: TITLE VI ASSURANCES*, YOU MAY SKIP TO #1 BELOW THE GREY BOX.**

**NAME:** Jeffrey C. Agee-Aguayo Title: Transportation Planner

**EMPLOYING ORGANIZATION:** Bay-Lake Regional Planning Commission

**MAILING ADDRESS:** 425 S. Adams Street, Suite 201, Green Bay, WI 54301

**EMAIL ADDRESS:** jagee@baylakerpc.org

**PHONE:**920-448-2820, Ext. 103 Fax : 920-448-2823

1. Name of the signatory of ***Part 2: Implementation Plan Agreement*** (see Page No. 13): Cindy J. Wojtczak
2. Does your organization require the approval of a Board or Commission to execute this ***Part 2: Implementation Plan Agreement*** *(click on box to insert "X")*? Yes ☐ No ☒
3. If yes, provide date of expected Board or Commission approval: NA

# Title VI Policy Statement

The Bay-Lake Regional Planning Commission, a WisDOT Subrecipient of FHWA funds, (hereinafter referred to as the "Subrecipient") assures that no person shall, on the grounds of race, color, national origin or sex as provided by Title VI of the Civil Rights Act of 1964, Section 162 (a) of the Federal Aid Highway Act of 1973 (23 U.S.C. 324), and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Subrecipient further assures every effort will be made to ensure non-discrimination in whether those programs and activities are federally-funded or not.

In other words, this organization has implemented procedures, policies and actions to ensure nondiscrimination in all of its programs and activities; and offers the signature of its highest official as a reasonable guarantee of compliance with all nondiscrimination laws and requirements.

# Authorities

The above Title VI Policy Statement and the following ***Part 2: Implementation Plan Agreement*** is based on a range of federal Acts and Regulations [see 23 CFR 200.5(p)]. References to Title VI requirements and regulations are not solely limited Title VI of the Civil Rights Act of 1964. Where appropriate, "Title VI requirements" also refer to the civil rights provisions of other federal statutes and related implementation regulations to the extent that they prohibit discrimination on the grounds of race, color, national origin or sex in all its programs, activities and operations receiving federal financial assistance. The Title VI authorities (hereinafter referred to as "Acts and Regulations") are:

## Nondiscrimination Acts

- **Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides:** No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- **Section 162 (a) of the Federal Aid Highway Act of 1973 (23 U.S.C. 324) provides:** No person shall, on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Title or carried on under this Title.
- **The Civil Rights Restoration Act of 1987 (P.L. 100-209), provides:** Clarification of the original intent of Congress in Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. The Act restores the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not.

## Nondiscrimination Regulations

- 23 CFR 200, Title VI Program and Related Statutes-Implementation and Review Procedures
- 49 CFR 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964
- USDOT Order 1050.2A, *Standard Title VI/Non-Discrimination Assurances*

## Part 2:

# Implementation Plan Agreement

# Title VI Program Implementation

The following sections represent elements of a "Subrecipient Title VI Implementation Plan", as required by FHWA, to sufficiently document methods used to administer a Title VI Program. Subrecipients of FHWA funds distributed by WisDOT (the recipient) are required to meet requirements of an **Implementation Plan** as set forth by WisDOT within this ***Part 2: Implementation Plan Agreement***.

This ***Part 2: Implementation Plan Agreement*** shall serve as the Bay-Lake Regional Planning Commission's required Implementation Plan pursuant to 23 CFR 200 and 49 CFR 21.

## A. Organization and Staffing

**In FFY 2020 the Bay-Lake Regional Planning Commission should:**

1. have a designated SUBRECIPIENT TITLE VI COORDINATOR pursuant to 23 CFR 200, who has a responsible position in the organization and easy access to the head of the Subrecipient organization, and who is responsible for implementing the Subrecipient's Title VI Program. The head of the organization and the SUBRECIPIENT TITLE VI COORDINATOR may be the same individual, however, staffing must be adequate to implement the Title VI Program requirements.
2. will provide WisDOT with a copy of the Subrecipient's organizational chart illustrating the level and placement of the Title VI Coordinator relative to the head of the organization upon signing the ***Part 1-Title VI Assurances*** portion of this ***2020 ASSURANCES AND AGREEMENT***.
3. notify WisDOT, in writing, of any changes to the Subrecipient's organizational chart, Subrecipient Title VI Coordinator, or Subrecipient Title VI Coordinator contact information.
4. ensure the SUBRECIPIENT TITLE VI COORDINATOR will be responsible for initiating and monitoring Title VI activities, preparing required reports, and additional activities as appropriate to the Subrecipient's Title VI Program, the Acts and Regulations and this ***Part 2: Implementation Plan Agreement***.

## B. Plan and Program Area Review Procedures

**In FFY 2020 the Bay-Lake Regional Planning Commission should:**

1. annually submit to WisDOT, a brief description of your work/program areas, the Title VI responsibilities in each work/program area, and your specific internal procedures (an Implementation Plan) for conducting work/program area reviews of Title VI compliance within your organization.
2. conduct Title VI reviews of Subrecipient program areas and activities for Title VI impacts. Examples of activities that should be reviewed for Title VI compliance:
    a) public outreach and inclusion in transportation planning and projects
    b) planning that recommends possible real estate acquisitions and relocations
    c) contracts with contractors/consultants stating Title VI/Nondiscrimination requirements
    d) racial composition of decision-making Boards or Commissions
3. take affirmative action to communicate and correct any identified Title VI deficiencies.
4. annually report the number and results of your internal Title VI compliance reviews to the WisDOT, Title VI Office in your annual ***Title VI Accomplishments Report and Work Plan*** or within the annual ***WisDOT Title VI/Nondiscrimination Compliance Survey for FHWA Subrecipients (***hereinafter ***WisDOT Subrecipient Title VI Survey)***.

## C. Consultant Review Procedures

**In FFY 2020 the Bay-Lake Regional Planning Commission should:**

1. annually submit the process for determining how many and which contractors/consultants will be reviewed each year and your specific procedures for ensuring Title VI/Nondiscrimination compliance within all contractor/consultant entities or organizations hired by, and receiving federal financial aid, from your organization. For example, state how many consultants you will review for specific measures of compliance such as the proper posting of meeting notices in appropriate locations for the project, in appropriate languages, and meetings held in locations and at times when Title VI protected classes are able to attend.
2. advise contractors and consultants to include, where applicable, policies, procedures and directives to comply with Title VI/Nondiscrimination requirements.
3. advise contractors/consultants on procedure or policy changes, where needed, for Title VI/Nondiscrimination compliance as your subrecipient.
4. annually report the number or contractor/consultant Title VI/Nondiscrimination compliance review(s) and the results of the reviews to the WisDOT, Title VI Office in your annual ***Title VI Accomplishments Report and Work Plan*** or within the annual ***WisDOT Subrecipient Title VI Survey***.

## D. Data Collection Procedures

Data collection and analysis information may be copied from your *Unified Planning Work Program* and/or your Federal Transit Administration (FTA) *Title VI Plan/LEP Plan* and submitted to the WisDOT, Title VI Office as it is annually appropriate, for the fulfillment of FHWA Title VI Program compliance.

**In FFY 2020 the Bay-Lake Regional Planning Commission should:**

1. annually submit specific processes and procedures for collecting, analyzing, using and reporting data on Title VI data to the WisDOT, Title VI Office.
   a. report where [what work area(s)] collect data relevant to Title VI, the method, sources and type of data collected, and a description of the purpose for doing an analysis of the data.
   b. each year, submit the number and names of work areas and data collection processes you will be reviewing in the following year.
2. collect and analyze data on the number and locations of individuals or groups in Title VI protected classes who are or may become impacted by the plans, programs and activities conducted by the Subrecipient based on race, color, national origin, sex, and limited English proficiency.
   a. collect and analyze data from various sources, for example: the U.S. Census, the American Community Survey and additional local or state resources.
3. collect and analyze data on the number and locations of individuals or groups in Title VI protected classes who are participants in or beneficiaries of, programs and activities conducted by the Subrecipient.
4. collect and analyze data at the appropriate geographic level (such as census tracts, block groups and census blocks) to identify where disproportionate impacts to protected classes could result, whether intentionally or unintentionally, from plans or projects conducted by your organization
5. annually report and present the data collection and analysis performed by your agency/organization and the results and impacts of performing the analysis to the WisDOT, Title VI Office in your annual ***Title VI Accomplishments Report and Work Plan*** or within the annual ***WisDOT Subrecipient Title VI Survey***.

## E. Training Procedures

This section is intended to ensure that employees of Subrecipient organizations are receiving sufficient training to be able to understand, identify, and carry out activities for Title VI/Nondiscrimination compliance.

**In FFY 2020 the Bay-Lake Regional Planning Commission <u>should</u>:**

1. annually submit specific internal procedures for choosing and conducting training for staff members, the types of training offered and required of staff (see 2. through 5., below) and the number of training events to be conducted.
2. require employees to complete training programs upon hire and thereafter as needed, on Title VI and related statutes, regulations and procedures or additional nondiscrimination topics, as needed.
3. provide all employees of your organization with training in the proper procedures and handling of Title VI and other nondiscrimination complaints.
4. provide employees working with the public and within relevant business areas with training in the proper procedures for providing services, outreach, inclusion, and the removal of obstacles in participation by individuals and groups with limited English proficiency.
5. provide Title VI data collection and analysis training to employees to ensure effective implementation of the Data Collection Procedures.
6. annually submit training documentation to WisDOT, including the name and type of training events offered and obtained, dates employees participated, titles of employees who participated, and the total number of employees who participated in each training to the WisDOT, Title VI Office in your annual ***Title VI Accomplishments Report and Work Plan*** or within the annual ***WisDOT Subrecipient Title VI Survey***.

## F. Dissemination of Title VI Information

**The Bay-Lake Regional Planning Commission <u>should</u>:**

1. annually submit specific internal procedures for dissemination of Title VI Information and for community outreach and public education, and for the review and documentation of this activity
2. issue and distribute throughout your organization and to the public, a Title VI/Nondiscrimination Policy Statement, signed by the head of the Subrecipient organization, which expresses its commitment to the nondiscrimination provisions of the Title VI Acts and Regulations.
3. issue and distribute throughout your organization and to the public, a Title VI/Nondiscrimination Complaint Policy containing information and instructions on filing a Title VI/Nondiscrimination complaint.
4. post and publish or provide links to your Title VI Policy Statement and your Title VI Complaint Policy, in appropriate languages based on the presence of, or potential impacts on, populations with limited English proficiency in the following locations:

    a) throughout your organization
    b) location(s) where your organization's business is conducted
    c) on your website and social media sites
    d) in meeting announcements in the newspaper and on posters
    e) posted at public meeting locations

5. annually submit a copy of your organization's Title VI Policy Statement to the WisDOT, Title VI Office, with documentation on where the policy was distributed, the intended audience, and in what languages it was provided (refer to p. 3, section "Title VI Policy Statement").

6. annually submit the number, type and location of outreach and public education events or literature to the WisDOT, Title VI Office within your annual ***Title VI Accomplishments Report and Work Plan*** or within the annual ***WisDOT Subrecipient Title VI Survey***.

## G. Limited English Proficiency Accommodations and Procedures

National origin discrimination under Title VI includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, Subrecipients must take reasonable steps to ensure that LEP persons have meaningful access to your programs, plans and services consistent with Executive Order #13166. Subrecipients are encouraged to visit http://www.lep.gov for assistance and information regarding your LEP obligations.

**In FFY 2020, the Bay-Lake Regional Planning Commission should:**

1. annually submit procedures and guidance for the provision of LEP services and outreach, as well as data collection and analysis procedures.
2. ensure compliance with Title VI by taking reasonable steps to ensure that LEP persons have meaningful access to your programs. Provide documentation on language assistance services provided by your organization, such as interpretation and translation services.
3. collect data on LEP individuals or groups that may be impacted by your plans or activities.
4. ensure that LEP persons impacted by the Subrecipient organization's policies, plans or activities are provided with adequate information and opportunities for public involvement and input opportunities within their native language.
5. consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities.
6. annually submit to the WisDOT, Title VI Office, documentation showing the number and type of language services provided during the previous fiscal year, and results of data collection and analysis of LEP populations, such as:
    a) American Community Survey data on Language spoken at home and ability to speak English; or
    b) Maps showing the location of LEP persons, as it applies in specific geographic areas that are impacted by your planning and project recommendations.

## H. Review of Internal Policies and Directives

**The Bay-Lake Regional Planning Commission should:**

1. annually submit procedures and guidance for review of your organization's policies and internal directives to the WisDOT, Title VI Office.
2. conduct Title VI reviews of your organization's policies, procedures and directives and consider possible unintentional impacts that could impact individuals and groups protected under Title VI.
3. revise policies, procedures and directives to include Title VI requirements and to reduce possible unintentional impacts on individuals and groups protected under Title VI.
4. monitor consultants/contractors for possible impacts of their policies, procedures and directives on Title VI protected classes as it relates to their work performed for you on federally funded projects or plans. Advise contractors/consultants on changes, where needed, for Title VI compliance as your subrecipient.
5. Report number and results of reviews of internal directives within the ***annual Title VI Accomplishments Report and Work Plan*** or in the annual ***WisDOT Subrecipient Title VI Survey***.

6. annually submit documentation of your review of internal directives including how many and what directives were reviewed, and the conclusions and improvements made as a result of your reviews to the WisDOT, Title VI Office.

## I. Complaint Policy and Procedures

FHWA requires federal-aid recipients and subrecipients to follow specific procedures for collecting and forwarding complaints alleging discrimination under Title VI. WisDOT also has specific requirements for the handling of, and reporting on, Title VI complaints that are submitted to the Subrecipient. These requirements are provided in the "Complaint Processing Procedures" section below. Subrecipients must submit internal complaint policies and procedures to meet FHWA Title VI compliance.

**In FFY 2020, the Bay-Lake Regional Planning Commission shall adopt the standard FHWA/WisDOT Title VI compliant policy provided in the following section or must submit proof of an alternative complaint policy that contains all FHWA Title VI/Nondiscrimination requirements (such as an alternative Policy submitted in your FTA Title VI Plan).**

### Title VI Complaint Policy

**The Bay-Lake Regional Planning Commission adopts the following Title VI complaint policy for FFY 2020 (do not fill in the name of your organization if you will be submitting an alternative Complaint Policy):**

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any Disadvantaged Business Enterprise (DBE), has been subjected to discrimination by the above named Subrecipient or contractors/consultants to the Subrecipient, based on race, color, national origin or sex may submit a complaint with the Wisconsin Department of Transportation, Office of Business Opportunity and Equity Compliance (WisDOT, OBOEC) Title VI Office, or with the Federal Highway Administration.*

*See contact information on Page No. 11

**In FFY 2020, Bay-Lake Regional Planning Commission shall adhere to the following provisions:**

1. annually submit your organization's internal complaint policies and procedures, and your process for disposition of Title VI Complaints.
2. ensure that a Title VI complaint form (or other reasonable method of submitting a timely and complete complaint) is readily available to the public at all locations where your organization conducts business.
3. develop or use a standard Title VI complaint form containing directions and submission information.
4. accept complaints written on a complaint form, written free-form or given verbally in person or over the telephone by a Complainant, or by a representative of the Complainant. A complaint may also be submitted in Braille or other reasonable format.
5. accept complaints submitted by U.S. Post, by email, on computer disk, flash drive, audio tape, or through other reasonable methods.
6. Subrecipient must, upon request, accept complaints in alternate formats from persons with disabilities.

## Subrecipient Complaint Processing Procedures

**In FFY 2020, the Bay-Lake Regional Planning Commission shall implement the following Title VI complaint processing procedures:**

1. Subrecipient employees must keep detailed records of all interactions with Complainants and potential Complainants throughout the organization.
2. All Title VI/Nondiscrimination complaints received throughout the Subrecipient organization must be immediately forwarded to the SUBRECIPIENT TITLE VI COORDINATOR.
3. Upon receiving a Title VI complaint, the SUBRECIPIENT TITLE VI COORDINATOR shall:
    a) date stamp the complaint
    b) log all complaints received by the Subrecipient with:
        - the date the complaint was received
        - the name of the Complainant (if available)
        - the nature of the complaint (if available)
        - the date and location where the complaint was forwarded
        - a record of any action or communication regarding the complaint
    c) notify the Complainant that their complaint has been received, when and where the complaint has been forwarded, and the appropriate contact information for follow up.
4. The SUBRECIPIENT TITLE VI COORDINATOR shall annually submit a log of all Title VI complaints received, and any additional pertinent records to the WisDOT, Title VI Office.
5. The SUBRECIPIENT TITLE VI COORDINATOR shall advise Complainants, verbally, in writing, or within instructions appearing on a complaint form, that:
    a) complaints should be in writing
    b) a complaint typically must be filed within 180 days of the alleged discriminatory act in order for USDOT/FHWA to take action.
6. Additionally, the SUBRECIPIENT TITLE VI COORDINATOR shall advise Complainants verbally, in writing, or within instructions appearing on a complaint form, that Title VI/Nondiscrimination complaints should contain the following information:
    a) name, address and phone number of the complainant
    b) the date of alleged act(s) of discrimination or where there has been a continuing course of conduct, the date on which the discriminatory conduct last occurred
    c) name(s) and address(es) of alleged discriminating party or parties
    d) the basis of discrimination (race, color, national origin, sex or other)
    e) a statement of the nature of the complaint
    f) other agencies where the complaint has been filed
    g) an explanation of the actions the Complainant recommends to resolve the issue raised in the complaint
    h) The complaint must be signed by the Complainant or a representative of the complainant.
7. Upon receiving and logging a Title VI complaint, the SUBRECIPIENT TITLE VI COORDINATOR shall immediately forward the complaint, and any additional accompanying documentation or information, to the WisDOT, OBOEC, Title VI Office (see contact information below*).
8. If requested or appropriate, the SUBRECIPIENT TITLE VI COORDINATOR shall inform the Complainant that the:
    a) the Subrecipient, WisDOT and FHWA Division Offices do not investigate Title VI complaints
    b) all complaints are routed through the FHWA, Headquarters Office of Civil Rights (FHWA, HCR) for processing
    c) FHWA HCR determines whether to accept, dismiss, or transfer the complaint for investigation.

d) the Complainant, the FHWA Division Office, WisDOT, and the Subrecipient (where applicable) will be notified when a determination has been made accept, dismiss, or transfer the complaint for investigation by the FHWA HCR.

**Subrecipients Forward Title VI Complaints To:**

| | |
|---|---|
| Postal Mail | Wisconsin Department of Transportation<br>OBOEC, Title VI Office<br>Attn: Mary Robb, Title VI Coordinator<br>4822 Madison Yards Way, 5th Floor South<br>PO Box 7986<br>Madison, WI 53707-7986 |
| Email | Mary.robb@dot.wi.gov |
| Phone | 608-267-4489 |

*FHWA Title VI and Americans with Disabilities/Section 504 complaint forms can be found and submitted online at: **https://www.fhwa.dot.gov/civilrights/file/**

For additional USDOT Operating Administrations contact information, go to the following link: **https://www.transportation.gov/civil-rights/complaint-resolution/contacts**

9. In the event that a verbal complaint of discrimination is made to an officer or employee of the Subrecipient organization other than the SUBRECIPIENT TITLE VI COORDINATOR, the officer or employee shall immediately refer the Complainant to the SUBRECIPIENT TITLE VI COORDINATOR. The SUBRECIPIENT TITLE VI COORDINATOR will obtain the name and contact information of the Complainant and will inform the Complainant how to submit a complaint, and will provide assistance, if necessary.
10. The Subrecipient shall provide Title VI complaint handling training to all employees who might participate in complaint intake, handling, processing, or forwarding (see section E. "Training Procedures" above).
11. annually submit a report of the complaint information provided in the log of complaints (see number 3. Above) to the WisDOT, Title VI Office (see contact information above).

## J. Compliance and Enforcement Procedures

**The Bay-Lake Regional Planning Commission should:**

1. annually complete and submit all information requested within the annual ***WisDOT Title VI/Nondiscrimination Compliance Survey for FHWA Subrecipients (WisDOT Subrecipient Title VI Survey)*** to the WisDOT, Title VI Office.
    a) The ***WisDOT Subrecipient Title VI Survey*** is designed to provide a framework for Subrecipients to submit all information required by FHWA and as provided in this ***2020 ASSURANCES AND AGREEMENT***.
2. submit an outline of compliance and enforcement procedures to address deficiencies or noncompliance within your internal program areas and with contractors/consultants to the WisDOT, Title VI Office. Include a procedure for reviewing your organizational policies and directives, and how your policies and directives may intentionally or unintentionally impact Title VI protected classes.

3. take affirmative action to correct any deficiencies found by WisDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this ***2020 ASSURANCES AND AGREEMENT*** and the Acts and Regulations. The head of the Subrecipient shall be held responsible for implementing Title VI requirements.
4. develop and submit methods of administration, as required in A. through I. above, to fulfill the FHWA requirements of a *Title VI Implementation Plan*.
5. Annually submit additional information, as required by this ***2020 ASSURANCES AND AGREEMENT*** by submitting information that meets the following requirements of a ***Title VI/Nondiscrimination Accomplishments Report and Work Plan*** or within the ***WisDOT Subrecipient Title VI Survey.***

**a) Accomplishments Report**

List major accomplishments made regarding Title VI activities to include:

- the number and types of Title VI issues that were identified and actions taken to prevent discrimination.
- activities and efforts that the SUBRECIPIENT TITLE VI COORDINATOR and program area personnel have undertaken in the previous FFY to monitor Title VI Program implementation (refer to Sections A. through I. above)
- a description of the scope and conclusions of special reviews (internal or external) conducted by the SUBRECIPIENT TITLE VI COORDINATOR
- a log of the number and type of complaints received by the Subrecipient (see Section I. above)
- Include a summary and status report on any Title VI complaints filed with the Sub-Recipient.

**b) Annual Work Plan**

Outline Title VI monitoring and review activities planned for the coming year; state by whom each activity will be accomplished, the purpose of the activity, and target date for completion.

## Sanctions

In the event the Bay-Lake Regional Planning Commission fails or refuses to comply with the terms of this ***TITLE VI ASSURANCES and IMPLEMENTATION PLAN AGREEMENT FFY 2020***, WisDOT may take any or all of the following actions:

1. Cancel, terminate, or suspend this agreement in whole or in part;
2. refrain from extending any further assistance to the Subrecipient under the program from which the failure or refusal occurred, or any other program, until sufficient evidence of past correction of noncompliance and/or satisfactory assurance of future compliance has been received from the Subrecipient.
3. take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the Subrecipient.
4. refer the case to the U.S. Department of Justice for appropriate legal proceedings.

*(continued on next page)*

## Signatures

By signing this ***Part 2: Implementation Plan Agreement***, the Bay-Lake Regional Planning Commission 's responsible official (named below) agrees, and is guaranteeing responsibility for the execution and implementation of this ***Part 2: Implementation Plan Agreement***, and agrees that the Bay-Lake Regional Planning Commission is initiating or planning for the performance of tasks and procedures that are NOT REQUIRED in 2019, and implementing or is seeking assistance from the Wisconsin Department of Transportation to perform all REQUIRED aspects of the ***Part 2: Implementation Plan Agreement*** as provided herein.

### Wisconsin Department of Transportation:

DIRECTOR, OBOEC

Signature/Title

Wisconsin Department of Transportation/OBOEC/Title VI Office

Agency/Office

10/21/2019

Date

### Subrecipient Executive Director or Responsible Official:

Executive Director or Responsible Official Signature

Executive Director

Title

Bay-Lake Regional Planning Commission

Subrecipient Agency/Organization

September 30, 2019

Date