

Title VI Plan

Denver Regional Council of Governments

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Updated January 15, 2016

Denver Regional Council of Governments
1290 Broadway, Ste. 700
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www.drcog.org

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I. NON-DISCRIMINATION POLICY STATEMENT

The Denver Regional Council of Governments ("DRCOG") adheres to Title VI of the Civil Rights Act of 1964, a nondiscrimination law which provides that no person shall, on the grounds 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. Further, DRCOG adheres to other federal nondiscrimination statutes that afford legal protection; specifically: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (gender); Age Discrimination Act of 1975 (age); and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990 (disability). DRCOG is committed to ensuring that no person or persons shall, on any statutorily prescribed basis, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by DRCOG.

DRCOG has established a discrimination complaint procedure and form for handling complaints of discrimination.

(Top Agency or Department Official)

Date

II. ORGANIZATION, STAFFING, AND STRUCTURE

The Executive Director is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

DRCOG's Contracts and Budget Coordinator, in Administration and Finance, performs the duties of the Title VI Coordinator and ensure implementation of agency's Title VI program.

The Title VI Coordinator is responsible for:

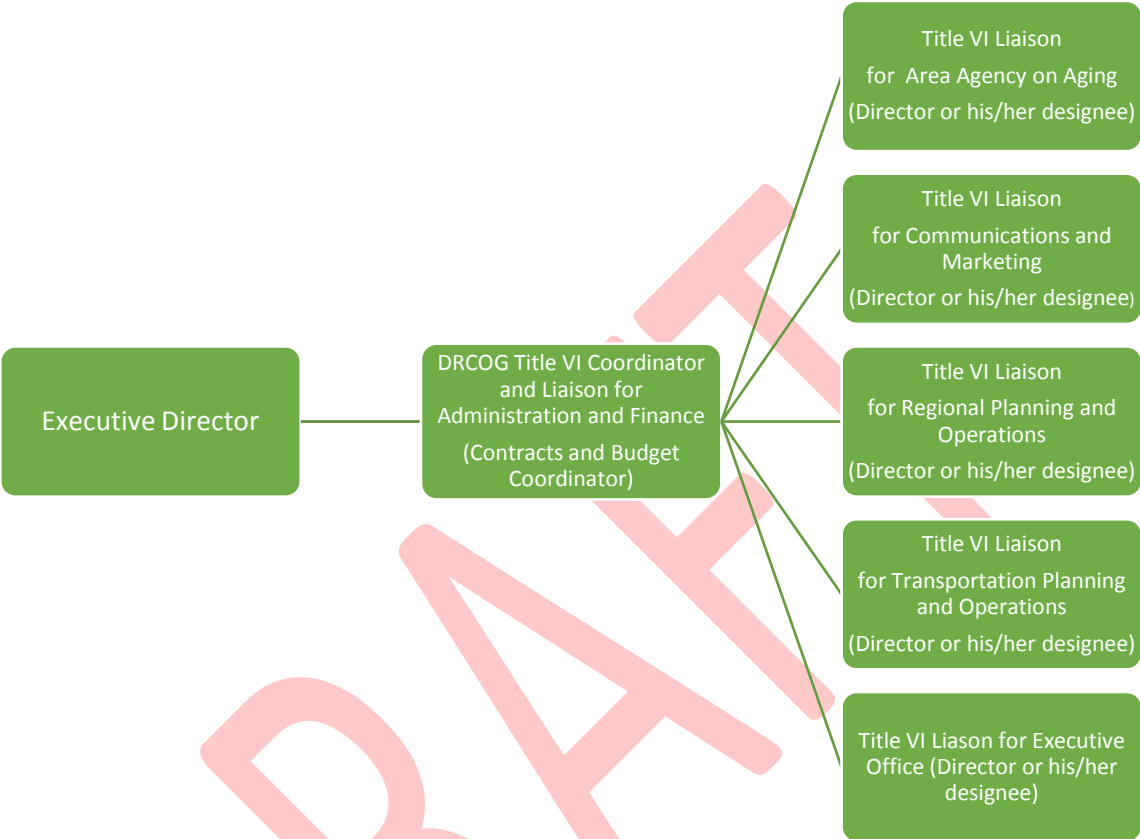
- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to CDOT;
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination to the general public and staff as needed; and
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

The Title VI Liaisons are responsible for:

- Coordinating with the Title VI Coordinator on agency wide Title VI implementation; and
- Maintaining dialogue with the Title VI Coordinator to inform him/her of their department's activities regarding Title VI implementation.

An organizational chart follows.

Title VI Liaison Organizational Chart- DRCOG Divisions



III. PRIMARY PROGRAM AREA DESCRIPTIONS & REVIEW PROCEDURES

Growth and Development

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
MetroVision	As the Regional Planning Commission per Colorado state statute, DRCOG prepares the plan for the physical development and social and economic health of the Denver region. For nearly two decades this plan has been known as Metro Vision.	<p>Equal opportunity to participate in the planning process is the key Title VI/Non-Discrimination Concerns/Responsibility.</p> <p><u>Key strategies included:</u></p> <p>Metro Vision Listening Tour (including focus groups that targeted older adults, low-income and minority residents, and disabled populations)</p> <p>Metro Vision Citizens Advisory Committee – committee sought to include people of all ages, incomes and abilities.</p> <p>Sustainable Communities Initiative – 3-year effort that included numerous efforts to engage low-income and communities of color (example activities: training grassroots leaders, transit-corridor stakeholder committees, corridor-</p>	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation part of every step of the planning process.</p> <p>Staff reviews all steps in the preparation of these planning documents to identify any potential discrimination. Action is taken to remedy the situation if there is any discrimination identified.</p>

		level citizens' academies, public workshops, equity curriculum for regional trainings)	
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Aging

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Area Agency on Aging	As the designated Area Agency on Aging (AAA) for the eight-county region, the Denver Regional Council of Government plans and provides comprehensive services to address the needs of the region's population of older adults and people living with disabilities.	Non-discrimination is key to our success in serving clients as well as our responsibilities in planning for our service area.	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation part of every step of the planning process.</p> <p>We are instructed by the Older Americans Act with serving Older Americans in our service area with the greatest social and economic need. Additionally, we are charged with serving low-income individuals who are 60 years of age and older with a special emphasis on those 75 and older, people in rural areas, Low-income minorities, and Native American Elders.</p>

Transportation

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination

<p>Regional Transportation Planning:</p> <p>Regional Transportation Plan (MVRTP),</p> <p>Transportation Improvement Program (TIP), and Air Quality Conformity</p>	<p>The MVRTP is integrated closely with DRCOG's comprehensive Metro Vision Plan to address the mobility needs of people of all ages, incomes, and abilities. It identifies the desired vision for our transportation system in which funding is unconstrained.</p> <p>The Fiscally Constrained RTP addresses federal requirements for the process of developing, and the content to be included within, a long-range transportation plan. Specifically, it defines transportation elements and services to be provided over the next 25 years based on reasonably expected revenues.</p> <p>DRCOG's Transportation Improvement Program (TIP) identifies all federally funded transportation projects to be completed in the Denver region over a six-year period.</p> <p>Under the Clean Air Acts, DRCOG has responsibilities to ensure its transportation plans and programs support air quality goals contribute to and meeting air quality standards.</p>	<p>Equal opportunity to participate in the planning process is the key Title VI/Non-Discrimination Concerns/Responsibility.</p> <p>The RTP and the TIP must be shown to have benefits and no disproportionate impacts on Environmental Justice communities.</p>	<p>All Board and committee meetings are open to the public. Public comment is always included as an agenda item. Public participation part of every step of the planning process.</p> <p>Staff reviews all steps in the preparation of these planning documents to identify any potential discrimination. Action is taken to remedy the situation if there is any discrimination identified.</p>
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IV. TITLE VI COMPLAINT PROCEDURES

Denver Regional Council of Governments Title VI Complaint Procedure

The Denver Regional Council of Governments (“DRCOG”) follows Title VI of the Civil Rights Act of 1964, a non-discrimination policy in which no person 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 federally funded program activity.

Herein follows the DRCOG complaint procedure to assist anyone who believes he/she has been negatively impacted.

DRCOG’s Title VI Complaint Coordinator (“Coordinator”) is available to review any concerns about potential violations.

In order to file a formal Title VI complaint against a recipient of funds from DRCOG, the following steps need to be followed:

1. A complainant will contact the Coordinator. If a complaint is received by any other DRCOG staff member, that staff member will refer the complaint to the Coordinator.
2. The Title VI Coordinator will conduct an initial determination of the sufficiency of the complaint to be a potential violation of Title VI.
3. If it is determined that the complaint does not meet the basic criteria to be a violation of Title VI, then a determination will be made on whether the issue can informally resolved or administratively closed. That determination will be communicated to the complainant.
4. If it is determined that the complaint meets the basic criteria of a potential violation of Title VI, then an investigation will be conducted by a trained investigator. The investigation will be completed within 60 days from the date it is determined the complaint is sufficient. A formal notice will be sent to the complainant.
5. The level and method of investigation will be determined on a case by case basis and is at the discretion of the investigator. A final report of findings from the investigation will be prepared by the investigator. A final notice of findings will be sent to the complainant by the investigator. If the investigation is conducted by a Regional Civil Rights Specialist, a copy of the report and final notice of findings will be sent to the Coordinator. The final notice will include the process for filing an appeal of the decision.
6. A complainant may appeal a decision by submitting a request in writing within 30 days of the final notice. The request should include information detailing why the complainant believes the decision was made in error. The complainant will be given information on how to appeal this decision directly with the state or federal funding agency in the final notice.

How to File a Complaint

If you believe that you and/or any person(s) under your care have been discriminated against by any organization that receives funds from DRCOG for any of its programs, services, facilities or activities, please complete a discrimination complaint form as found attached. Please provide:

1. Your full name, address, and telephone number, and the name of the person who you believe were discriminated against;
2. The name of the organization that you believe has discriminated, its address and telephone number, and any other identifying information;
3. A description of the actions that you believe were discriminatory (dates of actions, names of those who you believe discriminated, and witnesses);
4. Any other information that you believe necessary to support your complaint. Please send copies of relevant documents, and keep originals.

To file with DRCOG:

Denver Regional Council of Governments
Contracts Department
Title VI Coordinator
1290 Broadway, Suite 700
Denver, CO 80203

The following resources are available:

1. Colorado Department of Transportation, HQ Center for Equal Opportunity
(303) 757-9303, or (800) 925-3427
2. Colorado Civil Rights Division
1560 Broadway, Suite 1050
Denver, CO 80202
Email: ccrd@dora.state.co.us
(303) 894-2997
(800) 262-4845
Fax: 303-894-7830
V/TTD - Relay: 711-894-2997
3. Department of Transportation FHWA, Melinda Urban, Office: 720-963-3015
4. U.S. Department of Housing and Urban Development
1670 Broadway
Denver, Colorado 80202-4801
(303) 672-5437
(800) 877-7353
TTY (303) 672-5248

V. TITLE VI COMPLAINT FORM

Discrimination Complaint

Name		Phone		Name of Person(s) That Discriminated Against You	
Address				Location and Position of Person (If Known)	
City, State, Zip				City, State, Zip	
Discrimination		Race <input type="checkbox"/>	Color <input type="checkbox"/>	National Origin <input type="checkbox"/>	Sex <input type="checkbox"/>
Because of:		Age <input type="checkbox"/>	Disability <input type="checkbox"/>	Retaliation <input type="checkbox"/>	Date of Alleged Incident:
<p>Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.</p>					
Signature				Date	

VI. DATA COLLECTION

Describe your agency's process for collecting and analyzing data on the race, color, national origin, and sex of participants and beneficiaries of your agency's programs and activities. Examples include tracking the race/ethnicity of residents relocated through your agency's right of way program; tracking the race/ethnicity of members of the public participating in public meetings; and collecting U.S. Census data on populations impacted by your agency's projects.

Program Area	Type of Data Collected & Process for Collecting	Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)
Transportation	Environmental Justice spatial data- this data primarily comes from the census and Geographic Information Systems (GIS)	Environmental Justice Report and used to inform transportation planning process (please see Environmental Justice Report)
Transportation	Limited English Proficiency (LEP) Data- this data primarily comes from the census	LEP Plan and used to inform transportation planning process (please see LEP Plan)
Transportation	Assessment of transportation needs for individuals with disabilities and older adults including strategies, activities, and/or projects to address identified gaps between current services and needs. This information comes primarily from public and stakeholder input.	Coordinated Public Transit Human Services Transportation Plan and used to inform the transportation planning process (please see draft Coordinated Transit Plan)
Aging	The Area Agency on Aging Call Center collects demographic data about their clients for the Information and Referral, Refugee, Colorado Choice Transitions, and Option Counseling programs. This data includes age, disability, income, ethnicity, and race.	This data is used to focus on the service needs of our clients, and will be used to target geographic areas for the enhanced provision of services.
Administration/ Committees	Committee Makeup?- Admin looking into	
Administration/ Committees	Race/Ethnicity of public meeting attendees (optional collection)- Admin looking into whether we should do this	

Regional Planning	<p>Fair Housing Equity Assessment (FHEA) – required by HUD (Sustainable Communities Initiative)</p> <ul style="list-style-type: none"> • Racial and Ethnic Distribution, Denver Region, 1960- 2010 • Proportion of Census tract households linguistically isolated • Racially or Ethnically Concentrated Areas of Poverty, Denver Region, 2010 	Data from the FHEA helped give DRCOG an understanding of where RCAPs/ECAPs are located and informed the Regional Housing Strategy developed under DRCOG’s Sustainable Communities Initiative.
	<p>Regional Housing Strategy (RHS)</p> <ul style="list-style-type: none"> • Median Household Income by Race, Ethnicity, and Age, by County, 2008-2012 • Poverty for All Residents, Non- and Minority Populations, Denver Region and by County, 2010 • Residential Loan Denials and Majority Minority, Denver Region, 2013 	Data from the RHS shaped the document’s recommendations for addressing regional housing needs in the Denver region. The findings also informed the region’s long-range plan (Metro Vision 2040) and its housing element.
	<p>Regional Equity Atlas (REA)</p> <ul style="list-style-type: none"> • Distribution of Race and Ethnicity in the Denver region • Percent of Children Receiving Free Lunch by Race in the Denver region 	Data from the REA is available to the public to generate reports on demographic, economic, and other data of the region or a particular community.
	5-Year American Community Survey data from the Census Bureau at the Block Group and Census Tract levels on older adults and low income individuals or households	Data part of performance measures for the region’s long-range plan (Metro Vision) and used to inform the regional planning process
Regional Planning	The Front Range Travel Model analysis includes income, age, and gender.	This analysis informs us about the travel behaviors and needs of the populations studied.

VII. PUBLIC PARTICIPATION

Describe your agency's processes for conducting public outreach. Your description should include answers to the following:

- *How does your agency identify minority populations for outreach? (Ex: demographic data, use of community liaisons, etc.)*
- *How does your agency communicate with and conduct outreach to minority populations? (Ex: website, newsletters, public meetings, etc.)*
- *Explain how your agency considers input from minority populations for decision making within its pertinent program areas.*

The following are excerpts from DRCOG's *Public Involvement in Regional Transportation Planning and Limited English Proficiency Plan*. Please refer to the documents, available on the [DRCOG website](#), for further details.

Minority and Low-Income Community Strategies

DRCOG staff is proactive regarding public outreach to potential low-income communities and minority communities. Example methods to obtain input are:

- Targeted mailings and questionnaire distribution;
- Speaking requests to organizations and interest groups;
- Participation on corridor studies and compilation of local comments;
- Spanish language questionnaires;
- Frequent contact with local government planners, staff and elected officials who have day-to-day contact with their constituents; and
- Monitoring of local projects, studies, and outreach efforts conducted in minority or low-income neighborhoods.

Piggybacking on Other Efforts

DRCOG staff has set up public outreach displays and materials at public meetings or corridor study offices administered by CDOT, RTD and local governments. Staff also takes advantage of opportunities to potentially interact with the public through the activities of the DRCOG Way to Go Program or other entities. A wider audience is often directly reached through these efforts, especially those in low-income communities and minority communities.

Public Hearings and Formal Comment Periods

A public hearing is a more formal event than a public meeting. Held prior to a decision point, a public hearing and associated comment period gathers community comments and positions from all interested parties for the public record and as input into decisions. Public hearings are required by the federal government for many transportation documents. Additional hearings may be held during the transportation planning and project development process at the discretion of the sponsoring organization. Public notices in a general circulation newspaper cite the time, date and place of a hearing. During the public comment period, the agency accepts questions and provides clarification. Subject documents become available to the public when notice of a hearing is given; or, in special circumstances, the notice states when the subject documents will be available. Even in special circumstances every effort will be made to assure all documents are available at least 15 days prior to the hearing.

At a minimum, DRCOG hosts public hearings before the adoption of the Metro Vision Plan, Regional Transportation Plan, Transportation Improvement Program and their corresponding conformity statements, and other key planning documents. DRCOG staff prepares summaries of all comments received during the review period and presents them to the DRCOG committees and Board.

All DRCOG-hosted public hearings are wheelchair accessible. DRCOG will accommodate and provide services for persons with other disabilities when provided notice before the hearing. Hearings are held at venues that are centrally located and accessible by good transit service.

Public Interest Forums / Meetings / Workshops

Public forums and meetings disseminate information; provide a setting for public discussion, and get feedback from the community. They are often hosted at more than one key point in the process to develop specific planning documents. They are often tailored to specific issues or community groups and are either informal or formal. Such forums or meetings may include the following:

- Poster sessions;
- Open houses/interactions periods;
- Activities to engage public input;
- Formal presentations;
- Question and answer periods;
- Brainstorming sessions;
- Small break-out groups; and
- Charettes.

DRCOG addresses the Americans with Disabilities Act by ensuring that all DRCOG-hosted public forums and meetings are wheelchair accessible. Also, DRCOG will make every effort to accommodate and provide services for persons with other disabilities when provided notice before the forum or meeting.

Other Techniques

DRCOG staff employs visualization techniques such as maps, pictures, and/or displays to promote improved understanding of existing or proposed transportation plans and programs.

DRCOG has also supported the efforts of the Transit Alliance's Citizens' Academy. The academy educates citizens and community leaders about the importance of transit services, how to support projects, and how transit projects and services are implemented. More than 700 people have "graduated" from the academy since 2007. Please refer to DRCOG's [Public Involvement in Regional Transportation Planning](#) for more details.

- *How does your agency communicate with and conduct outreach to Limited English Proficient individuals?*

Identifying Persons Who May Need Language Assistance

When encountering an LEP person whose language is unknown, DRCOG staff use Language Identification Flashcards to identify that person's primary language (see Appendix A). Copies are stored in DRCOG's main lobby and four largest public meeting rooms (Independence, Monarch, Wolf Creek, and Cottonwood). Language Identification Flashcards, as developed by the United States Census Bureau, bear the phrase "Mark this box if you read or speak [name of language]" translated into 38 different languages. The LEP person can then denote the language and staff can respond as appropriate to provide or obtain assistance. The Language Identification Flashcards may be [downloaded](http://www.lep.gov/ISpeakCards2004.pdf) at no cost at: <http://www.lep.gov/ISpeakCards2004.pdf>.

As part of the LEP, DRCOG also makes the Language Identification Flashcards available to the public through its website, so LEP persons contacting DRCOG online can communicate their primary language to DRCOG staff. DRCOG staff can then use that information to provide language assistance to the LEP person. DRCOG also make the Language Identification Flashcards available at all public meetings or events. Once a LEP person's primary language is identified using the flashcards, DRCOG staff assess the feasibility of providing written translation service and/or oral interpretation assistance for the LEP person.

For DRCOG activities focused on a specific geographic area of the region, US Census and Colorado Department of Education data is consulted to determine if there are high concentrations of specific LEP groups in the area. DRCOG will maintain separate maps depicting concentrated areas of the five largest non-English speaking language groups (Spanish or Spanish Creole, Vietnamese, Chinese, Korean, and Russian) (see Appendix B in DRCOG's Limited English Proficiency Plan).

Please refer to [DRCOG's Limited English Proficiency Plan](#) for more details.

VIII. ACCOMPLISHMENTS REPORT

Accomplishments made since last report/update

- Title VI Nondiscrimination issues identified and addressed
- Reviews conducted
- Summary and status of complaints filed

There were no Title VI complaints received in 2015.

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**DENVER REGIONAL COUNCIL OF GOVERNMENTS
(DRCOG)
TITLE VI ASSURANCE
FISCAL YEAR 2016-2017**

1. There have been no lawsuits or complaints alleging discrimination on the basis of race, color, or national origin filed against the Denver Regional Council of Governments during the period of October 1, 2014 through September 30, 2015.
2. In addition to funding from the Federal Transit Administration, DRCOG routinely receives federal funds from the Federal Highway Administration and has also received funds from the Department of Health and Human Services, the Environmental Protection Agency, the U. S. Geological Survey, the Department of Agriculture, the Department of Housing and Urban Development, and the Department of State.
3. There were no civil rights compliance reviews performed on DRCOG by any local, state, or federal agency during the period of October 1, 2014 through September 30, 2015.
4. Title VI will be enforced by DRCOG for all of its contractors. All contracts with DRCOG include compliance measures which, in effect, state that failure to comply with Title VI requirements will result in termination of the contract.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into.

Executed this 23rd day of September, 2015

By: 
Jennifer Schaufele
Executive Director

ATTEST: 
for Roxie Ronsen
Administrative Officer

IX. ANNUAL WORK PLAN

- Outline Title VI Nondiscrimination monitoring and review activities planned for the coming plan year
- State by whom each activity will be accomplished and target date for completion

Activities Planned for 2016

Activity	Description	Target Date
Limited English Proficiency (LEP) Training	LEP training/review will be included in the agenda at an all staff meeting	By the end of the year
Continue Data Collection	DRCOG will continue data collection described in the Data Collection chapter of this implementation plan	Ongoing
Update <i>Environmental Justice Report</i>	DRCOG will update the <i>Environmental Justice Report</i> . This will include analysis of how EJ has informed major planning activities such as the <i>Regional Transportation Plan (RTP)</i> and the <i>Transportation Improvement Program (TIP)</i>	Spring/Summer
Update <i>Public Involvement in Regional Transportation Planning</i>	DRCOG will update the <i>Public Involvement in Regional Transportation Planning</i> document	By the end of the year

X. REQUIRED TITLE VI NONDISCRIMINATION CONTRACT PROVISIONS

- Procedures to ensure Title VI Non Discrimination provisions are included in all Federally-funded contracts regardless of tier (Appendix A of USDOT Order 1050.2)
 - Nondiscrimination in selection and retention of subcontractors; procurement of materials and leases of equipments
 - Nondiscrimination in notification of Title VI obligation to each potential subcontractor or supplier
 - Non discrimination in employment practices
 - When employment is primary objective of Federal assistance
 - Discrimination in employment results in discrimination in services provided by Federally-assisted programs

The following provisions are attached to every applicable contract:

CIVIL RIGHTS ACT

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest, agrees as follows:

a. Nondiscrimination In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

b. Equal Employment Opportunity – The following equal employment opportunity requirements apply to the Contract:

1. Race, Color, Creed, National Origin, Sex In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect activities undertaken in the course of this Contract. Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment

advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

2. Age In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

3. Disabilities In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, Contractor agrees to comply with any implementing requirements FTA may issue.

4. Contractor shall comply with the appropriate areas of the Americans with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations.

The parties hereby incorporate the requirements of 41 C.F.R. § 60-1.4(a) and 29 C.F.R. § 471, Appendix A to Subpart A, if applicable.

This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), if applicable. These regulations prohibit discrimination against qualified protected veterans and qualified individuals with disabilities, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and qualified individuals with disabilities.

The following provisions are attached to every applicable Area Agency on Aging contract:

ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES REGULATION UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
AND SECTION 504 OF THE REHABILITATION ACT OF 1973

The Contractor HEREBY AGREES to comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to Regulations of the Department of Health and Human Services (HHS) (45 CFR Part 80) issued pursuant to that title, and to comply with Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) and all requirements imposed by or pursuant to the Regulations of the HHS (45 CFR Part 84) issued pursuant to the Act, all as from time to time amended, to the end that, in accordance with Title VI, the Act and Regulations, no person in the United States shall, on

the grounds of race, color, national origin, or nonqualified handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Contractor receives Federal financial assistance from DRCOG, a recipient of Federal financial assistance from HHS; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Contractor by DRCOG, this assurance shall obligate the Contractor, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Contractor for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Contractor for the period during which the Federal financial assistance is extended to it by DRCOG.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Contractor by DRCOG, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Contractor recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that DRCOG or the United States or both shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Contractor, its successors, transferees, and assignees.

XI. DISADVANTAGED BUSINESS ENTERPRISES (DBE) AND PARTICIPATION BY SMALL BUSINESS ENTERPRISES

- Procedures to ensure that DBE's are afforded opportunity to participate in Federal-aid Highway programs and activities
- "It is declared to be in the national interest to encourage and develop the actual and potential capacity of small businesses and to utilize this important segment of our economy to the fullest practicable extent in construction of Federal-aid highway systems, including the Interstate System. In order to carry out that intent and encourage full and free competition, the Secretary should assist, insofar as feasible, small business enterprises in obtaining contracts in connection with the prosecution of the highway program." (23 USC § 304) & (49 CFR 26, effective 2/2011)

DRCOG includes DBE clauses in all applicable contracts and Request for Proposals (RFP's). These clauses are provided for reference.

Disadvantaged Business Enterprise Information – All Respondents shall complete and return with their response the Disadvantaged Business Enterprise Information Request Form (Attachment C).

Disadvantaged Business Enterprise (DBE) Participation – It is the policy of DRCOG that equal opportunity to participate in its procurements is provided to disadvantaged business enterprises. The selected respondent(s) shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts.

ATTACHMENT C
DENVER REGIONAL COUNCIL OF GOVERNMENTS
DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
INFORMATION REQUEST FORM

It is the policy of DRCOG to request and maintain the following data on **all Respondents** to the solicitation. Please complete this form and include it with proposal.

General Information

Business Name _____

Business Address _____

Phone _____ Fax _____

E-mail _____

This firm was established on ____/____/____

Specify the gross annual receipts of the firm:

- ☐ Under \$100,000
- ☐ \$100,000-\$500,000
- ☐ \$500,000-\$1,000,000
- ☐ Over \$1,000,000

Is your company certified as a Disadvantaged
Business Enterprise under the Colorado
Unified Certification Program (UCP)?

- ☐ Yes
- ☐ No

RESPONDENT

TITLE

DATE



XII. NOTICE OF RIGHTS

Describe how your notice is disseminated to the public, whether the notice is provided in other languages, and provide a copy of the notice. A sample notice is provided below.

Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964

The Denver Regional Council of Governments (DRCOG) operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any DRCOG program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with DRCOG or the Colorado Department of Transportation.

To file a Title VI discrimination complaint, contact:

Title VI Coordinator
Denver Regional Council of Governments
1290 Broadway Ste 700
Denver, Colorado 80203
(303)455-1000

Colorado Department of Transportation
Civil Rights & Business Resource Center
4201 East Arkansas Avenue, Room 150
Denver, CO 80222
(303)757-9234
dot_civilrights@state.co.us

**THE DENVER REGIONAL COUNCIL OF GOVERNMENTS
("DRCOG")**

**TITLE VI
LOCAL AGENCY ASSURANCE**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance. Related statutes and Presidential Executive Orders under the umbrella of Title VI address Environmental Justice (EJ) in minority and low-income populations, services to those individuals with Limited English Proficiency (LEP), and the protected bases of gender, age and disability. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal aid recipients and sub-recipients whether those programs and activities are federally funded or not. **Title VI refers to the umbrella of related authorities that require recipients (and sub-recipients) of federal financial assistance to assure nondiscrimination on the basis of race, color, national origin, age, gender, or disability.**

DRCOG is a recipient of federal financial assistance and as such it, as well as all of its responsible agents, contractors and consultants, is required to assure nondiscrimination. This assurance is required by the United States Department of Transportation Title VI Regulations at 49 CFR Part 21 (hereinafter referred to as the Regulations).

DRCOG hereby gives assurances that no person shall on the grounds of race, color, national origin, age, gender or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by DRCOG regardless of whether those particular programs and activities are federally-funded. It is the responsibility of every person within DRCOG and all DRCOG's external agents to incorporate and implement actions consistent with nondiscrimination in programs.

More specifically, and without limiting the above general assurance, DRCOG hereby gives the following specific assurances:

1. That it will promptly take any measures necessary to effectuate this agreement.
2. That each of DRCOG's programs, activities, and facility will be conducted and or operated in compliance with nondiscrimination requirements under all Federal laws and regulations.
3. That these assurances are given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended by the United States Department of