

Title VI Implementation Plan



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I. INTRODUCTION

The Colorado Department of Transportation (CDOT)'s mission is to provide the best multi-modal transportation system for Colorado that most effectively and safely moves people, goods, and information. CDOT is committed to achieving full compliance with Title VI of the 1964 Civil Rights Act and all related non-discrimination laws. Through its policies, assurances and Procedures, CDOT makes every effort to ensure that no person is excluded from participation in, denied the benefits of, or otherwise subject to discrimination in any CDOT program or activity on the basis of race, color, national origin, sex, disability or age.

The Civil Rights & Business Resource Center (CRBRC) works with CDOT program specialists and regional civil rights staff to implement and monitor compliance with Title VI nondiscrimination requirements. Questions about CDOT's Title VI Program may be directed to:

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II. POLICY STATEMENT

It is the policy of CDOT to prohibit discrimination on the basis of sex, race, color or national origin. This policy is documented in CDOT Policy Directive 604.0 which is available to all CDOT employees and the public. The CDOT Policy Directive 604.0 is attached as Appendix A.

In support of CDOT's Nondiscrimination policy and commitment to Title VI compliance, CDOT recently approved a Title VI/Nondiscrimination Procedural Directive 604.1. This procedural directive is also available to all CDOT employees. The CDOT Title VI /Nondiscrimination Procedural Directive is attached as Appendix B.

III. STANDARD USDOT TITLE VI ASSURANCE

The U.S. Department of Transportation (USDOT) Standard Title VI/ Non-Discrimination Assurances were signed by CDOT Executive Director Shoshana M. Lew on August 27, 2019. The assurance is attached as Appendix C.

IV. ORGANIZATION & STAFFING

CDOT's Executive Director is ultimately responsible for assuring full compliance with the provisions of Title VI and has directed that non-discrimination is required of all agency employees. Pursuant to 23 CFR 200.9 (b) (1), CDOT has established an adequately staffed civil rights unit to fulfill Title VI statutory and regulatory requirements. This civil rights unit, located at CDOT Headquarters, is known as the Civil Rights & Business Resource Center (CRBRC).

The CRBRC is part of the Office of the Chief Engineer. Organizational charts of CDOT and the CRBRC are attached as Appendix D.

Pursuant to 23 CFR 200.9, the CRBRC has been delegated the responsibility for Title VI actions and its Director has been designated the CDOT Title VI Coordinator. The Title VI Coordinator has direct access to the Executive Director via an agreed upon memorandum of understanding. the Chief Engineer. The Title VI Coordinator oversees CRBRC staff, including the Title VI Program Manager and the Title VI Specialist. The Title VI Specialist prepares implementation plans, conducts annual assessments of pertinent CDOT program areas, makes recommendations to enhance compliance, investigates and resolves Title VI complaints if designated to do so by FHWA, and prepares all necessary reports.

The Civil Rights & Business Resource Center, previously called the Center for Equal Opportunity, was created in 1994 to coordinate CDOT's civil rights programs and serve as a civil rights resource for CDOT staff. The CRBRC is responsible for developing and implementing CDOT's civil rights and non-discrimination programs in accordance with state and federal laws, and under the direction of CDOT's Transportation Commission and Executive Director. The mission of the CRBRC is to advocate civil rights by:

- Promoting a diverse contractor workforce;
- Promoting equal access to transportation improvements, maintenance and systems for Colorado residents; and
- Promoting and maintaining equal opportunity for small and disadvantaged construction contractors and consultants.

The CRBRC does this by providing the following services:

- Training and business development services for small and disadvantaged construction contractors and consultants;
- Training and job placement for entry-level highway construction workers;
- Civil rights complaint investigation and resolution;
- Facilitating Environmental Justice and Limited English Proficiency requirements in programs and reporting;
- Timely completion of DBE certification applications and renewals;
- Implementing updated Title VI plans, monitoring and reporting mechanisms; and
- Monitoring and offering guidance to CDOT staff to ensure access to facilities and services for persons with disabilities.

The Title VI Coordinator is responsible for:

- Establishing a formal program for monitoring and enforcement of non-discrimination laws and regulations;
- Staffing the program adequately in order to provide technical support and consultation to CDOT program areas; and
- Reporting CDOT's efforts and compliance with the law to FHWA on an annual basis.

The Title VI Specialist is responsible for:

- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to FHWA;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas;
- Conducting review of programs, grant applications and special emphasis areas, sub-recipients and state program directives;
- Monitoring Title VI activities and reports to appropriate FHWA administrators;
- Providing training on Title VI to staff, contractors and sub-recipients;
- Developing Title VI information for dissemination;
- Reviewing state program directives in coordination with state program officials and, where applicable, include Title VI and related requirements; and
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.
- Reviewing and providing input for the public participation plan.

Title VI Coordinator

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Civil Rights Program Manager

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Title VI Specialist

Position is currently vacant. While position is vacant the responsibilities are transferred to the Civil Rights Program Manager.

CDOT also has Regional Civil Rights Offices (RCROs) in each of its five transportation regions to provide quality control in civil rights programs under their jurisdiction. The RCROs set project specific DBE and OJT goals, conduct regional contract compliance reviews, ensure regional compliance with civil rights laws and regulations, investigate discrimination complaints in the region, and develop appropriate outreach activities.

<p>CDOT Region 1 Kathy Williams Regional Civil Rights Manager 2829 W. Howard Pl. Denver, CO 80204</p>	<p>CDOT Region 2 Sabrina Hicks Regional Civil Rights Manager 5615 Willis Blvd. Pueblo, CO 81008</p>	<p>CDOT Region 3 Karl Lehmann Regional Civil Rights Manager 222 South 6th St. Grand Junction, CO 81501</p>
<p>CDOT Region 4 Juliet Sheets Regional Civil Rights Manager 1420 2nd Street Greeley, CO 80632</p>	<p>CDOT Region 5 Jason Benally Regional Civil Rights Manager 3803 N. Main Ave. Durango, CO 81301</p>	

V. PROGRAM AREA REVIEW PROCEDURES AND DESCRIPTIONS

CDOT conducts program reviews of six areas: Statewide Planning, Environmental, Right of Way, Construction, Safety, and Research. The objective of the review process is to understand the processes of each program area to ensure fairness and open access to all members of the public. The review process is also used to summarize and highlight efforts of each program area for conducting outreach and providing better access to CDOT's programs and activities for minority, low-income, and LEP populations.

As part of the program area review, the CRBRC meets a minimum of twice a year with program area representatives to discuss and get updates on Title VI, Environmental Justice, and LEP goals and progress toward accomplishing these goals. The CRBRC also requests Title VI-related data in the form of an assessment specific to that program area near the end of the federal fiscal year. The Title VI Specialist compiles information received by each program area, reviews meeting notes, and in coordination with each program area develops a list of goals for each program area. Program area staff then meet with the Title VI Specialist to discuss the proposed Title VI goals for the upcoming Federal Fiscal Year.

The following are descriptions of CDOT's six major program areas.

A. Statewide Planning Program

The Division of Transportation Development (DTD) Multimodal Planning Branch consists of the Statewide Planning and Metropolitan Planning Organization (MPO) and Rural Transportation Planning Region (TPR) Liaison sections. The Statewide Planning Section is responsible for development of long-range statewide and regional transportation plans, which outline a citizen-generated comprehensive multimodal transportation vision for Colorado. The statewide transportation plan sets forth the vision, goals and strategies for transportation statewide, including highway, transit, freight and passenger rail, bicycle and pedestrian, and aviation improvements. The Statewide Transportation Plan, which includes a 10-year needs assessment, incorporates asset management, considers economic development and environmental sustainability, and allows for future performance reporting to ensure sound investment in the transportation system.

A critical component of statewide planning is public involvement. DTD developed CDOT's public participation plan in 2013 and updated it in January of 2016. DTD uses this plan as a guide to conduct public involvement during the creation and dissemination of the Statewide Transportation Plan. The public participation plan, *A Guide to the Transportation Planning and Programming Public Involvement Process*, was developed in consultation with local governments, MPOs, FHWA, and FTA. This plan can be found at <https://www.codot.gov/programs/planning/documents/planning-process/PubInvolvementGuide2015.pdf>. Additionally, DTD will begin the development stage of the next cycle of the Statewide Transportation Plan in the fall of 2018. It will utilize different formats in public involvement to include social media.

Statewide Planning Program and Title VI

CDOT's *A Guide to the Transportation Planning and Programming Public Involvement Process* provides guidance on how to engage the public, including minority populations, in the planning process. A Title VI challenge inherent in the planning process is obtaining input from low-income and minority populations in the decision-making process. The guide contains a section that discusses common barriers that make public participation in transportation planning difficult for low-income and minority communities and identifies various techniques to combat those barriers. Also included is a Tribal Coordination Plan, which outlines the process for consulting with tribal governments on transportation planning and programming. Public involvement approaches specific to the development of the statewide transportation planning efforts are developed using this guidance document.

An additional Title VI challenge is ensuring diversity in representation on planning decision-making boards and committees. The Statewide Transportation Advisory Committee (STAC) advises CDOT on the needs of Colorado's transportation system and reviews and comments on all regional transportation plans. Meetings are hosted monthly to provide updates on planning activities including legislative and budget updates and emerging transportation issues. Recently DTD has implemented data collection procedures including collecting demographic data of the attendees at the STAC meetings.

The STAC is comprised of representatives from both urban and rural areas of Colorado and nonvoting representatives from the Southern Ute Indian Tribe and the Ute Mountain Ute Indian Tribe in southwest Colorado. CDOT staff provides STAC members and other interested parties with meeting notifications, as well as meeting minutes and materials via electronic mail (e-mail). Those without e-mail can receive meeting information via fax, mail or the codot.gov website.

The planning unit is also responsible for oversight of Metropolitan Planning Organizations (MPOs). The CRBRC and the planning unit work together to provide information to MPOs and ensure MPO compliance with Title VI requirements. The CRBRC collects and reviews Title VI plans from all MPOs to ensure compliance with Title VI. MPO's are also subject to site visits, which include Title VI reviews in accordance with CDOT's Division of Transit and Rail procedures.

The Statewide Planning staff works with the CRBRC to identify training needs for the program area and identify Title VI concerns. Additionally, The CRBRC attends the Statewide Planning monthly meetings as necessary.

B. Environmental Program

CDOT's Environmental Programs Branch (EPB) and regional staff are responsible for the execution of procedures in accordance with the National Environmental Policy Act (NEPA) for all proposed CDOT and local agency transportation projects that constitute a federal action. Federal actions are projects, activities, or programs that are approved or funded in whole or in part under the direct or indirect jurisdiction of a federal agency. The purpose of the NEPA process is to provide a systematic, interdisciplinary approach to decision-making when actions may affect the quality of the human environment. The human environment includes both natural and social/economic resources. CDOT's NEPA Manual sets forth uniform criteria and

procedures for determining the applicability of NEPA requirements to specific projects and establishes procedural requirements for assuring compliance. Work is typically completed by a private contractor with direct oversight by the CDOT regional environmental staff. EPB supports regional staff with technical oversight and assistance.

Environmental Planning and Title VI

A required component of all NEPA evaluations is an analysis of whether the project satisfies the requirements of Environmental Justice, a federal policy derived from Title VI. Environmental Justice is the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws and policies. Environmental Justice requires the evaluation of whether the project has potential to cause disproportionately high and adverse human health or environmental effects on minority and low-income populations. Chapter 9.15 of the NEPA Manual describes how to analyze Environmental Justice and its relation to Title VI. The CDOT NEPA Manual is available at <https://www.codot.gov/programs/environmental/nepa-program/nepa-manual> .

An additional critical component of NEPA is public involvement. Project teams are required to document public involvement efforts during the NEPA process. Project teams are also required to identify LEP communities within the project area and provide necessary language assistance during the public involvement process. Chapter 7 of the NEPA Manual also addresses topics involving LEP, minority and low-income populations in the NEPA process. All data collection procedures developed by Environmental staff, related to public involvement will be included during the revision process of the NEPA manual.

The Environmental staff work together with the CRBRC coordinate to identify and address training needs for the program area and identify Title VI concerns. Additionally, the CRBRC attends the Environmental staff's monthly meetings.

C. Right of Way Program

CDOT's Right of Way (ROW) Program acquires real property for CDOT's state and federally funded highway projects and provides oversight of acquisitions on behalf of FHWA on local public agency projects affecting a state highway or interstate in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended (Uniform Act). CDOT's ROW Program also ensures Uniform Act and Title VI compliance for the relocation of residences, businesses and personal property for CDOT projects and local agency projects subject to CDOT oversight.

CDOT is responsible for facilitating the provisions of statewide policies and guidelines, conducting quality assurance, providing training and development and technical assistance to the regional right of way offices. Guidelines and processes for the ROW program is contained in CDOT's Right of Way Manual. Each of the five-region right of way managers are responsible for all right of way acquisition and relocation work in their region, as well as property management in some regions.

Regional engineering staff and right of way managers coordinate staff resources and hire specialty consultants as necessary to procure title work, surveys, final right of way plans, appraisal, and acquisition/relocation services. The region right of way managers then manage the contact with the real property owners, tenants and personal property owners who will have their property rights purchased and might be permanently displaced and all processes that follow through to property acquisition and relocation of owners, tenants and personal property. This contact includes all processes needed to complete property acquisition and relocation of owners, tenants and personal property. Early contact with owners is only to discuss design issues and is not for negotiation, which must wait until- the Chief Engineer has authorized acquisition of the property rights to be acquired.

Parcels or portions of parcels selected for acquisition are identified in the environmental planning phase of a project, which is analyzed during a review process mandated by the National Environmental Policy Act (see previous section). Once parcels have been identified, ROW is responsible for performing title work to determine the ownership of each parcel to be affected by the project. Surveys of the project area include delineation of private properties, which are also included on the ROW plans. ROW plans are prepared at the Region level, and then sent to headquarters for the Chief Engineer's approval of the land acquisition request (per State law).

After the ROW plans have been approved, the regional acquisition/relocation staff notifies all of the affected property owners of CDOT's intent to acquire their property interests, provide an overview of the project, and advise the property owners of the steps to be taken toward acquisition and, if necessary, relocation. This includes informing each property owner about valuation processes for the property rights to be acquired, and that they will be invited to accompany the appraiser on a property inspection if the appraisal process is used. CDOT representatives personally contact property owners again to advise them of the project and to invite the property owner to accompany the appraiser on the appraisal site visit.

Valuation

The Region ROW Manager determines whether to use the federal appraisal waiver value process or a more traditional appraisal. Waiver valuation may be used in lieu of an appraisal on parcels with an estimated value of up to \$25,000, however, waiver valuations expected to exceed \$10,000 in value may only be performed upon written waiver from the landowner. Otherwise, the Agency must perform an appraisal.

For parcel acquisitions with a value of \$5,000 or more, the agent will be required to offer the property owner the option of hiring an appraisal paid for by CDOT (Colorado law). As long as the \$5,000 minimum is met, property owners are entitled to an agency-reimbursed appraisal regardless of whether CDOT performs an appraisal or a waiver valuation. Further, CDOT may perform a waiver valuation up to \$25,000 (inclusive), regardless of whether the owner engages an appraisal, as long as the property owner provides CDOT a written waiver that exempts CDOT from performing an appraisal and allows CDOT to perform a waiver valuation when the value is expected to exceed \$10,000.

All appraisals and waiver valuations are reviewed for quality assurance prior to the Region ROW Manager's signature, although the processes are somewhat different.

The Region ROW Manager, their designee or the assigned region appraiser reviews and signs waiver valuations. Local public agencies will be permitted to participate in the use of waiver valuations on property with an estimated value up to \$10,000 (inclusive) if they have written approval from their CDOT Region ROW manager.

CDOT-qualified staff or qualified contract review appraisers review appraisals. CDOT review appraisers review most appraisal reports made in connection with proposed ROW acquisitions, including reports done for CDOT and reports done independently for the property owner. When CDOT experiences a high volume of appraisals awaiting review, consulting review appraisers are employed. Finally, from among the appraisals reviewed, the review appraiser will recommend the appraisal that overall best supports the value and compensation conclusions as basis for fair market value and compensation for the acquisition.

The Region ROW manager is the signing authority for CDOT's adoption of the compensation offer amount to the owner for the proposed acquisition. If CDOT and the property cannot voluntarily agree on a sale amount, CDOT may proceed with condemnation after authorization by the Transportation Commission (TC). The TC must determine that initiation of an eminent domain action is in the public interest, and will enter a resolution upon its minutes authorizing CDOT to initiate and conduct an eminent domain action.

Relocation

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) applies to all acquisitions of real property or displacements of persons resulting from federal or federally assisted programs or projects.

CDOT acquisition and relocation agents assist all property owners and tenants who will be displaced on an individual, family or business basis to locate a new home or business location. The agents explain the federal benefits for which the displacees are eligible. CDOT agents coordinate the actual search for the new location, move, and any applicable reimbursable business reestablishment expenses. Any person scheduled to be displaced is furnished with a general written description related to eligibility requirements, advisory services and assistance, payments, and the appeal process. CDOT staff provides notification that the displaced person(s) are not to be required to move without at least 90 days advance written notice.

Quarterly, a few acquisition and relocation staff members from a region visit their peers in another region to review randomly selected acquisition and relocation files for adherence to the required process and procedures and to learn about new and improved procedures to accomplish the same ends. The results of these systematic reviews are presented at the ROW Managers' meetings as learning and sharing opportunities. Starting in 2019, HQ ROW staff began to make quality assurance field visits to displaced businesses at the replacement locations to view relocated personal property and interview displacees.

CDOT right of way staff are charged with responsibility for oversight of local agency projects in their respective regions. Oversight duties include reviewing work, making corrections, and settling disputes. CDOT is legally responsible to FHWA for the quality of right of way projects that are part of a project that receives federal funding in any phase.

Local public agencies choosing to use right of way consultants must select these consultants from CDOT's pre-approved lists of acquisition agents, relocation agents, appraisers and review appraisers. When displacees on local public agency projects file relocation appeals or contact CDOT management or their legislative representatives for assistance, CDOT right of way staff must intervene and remain closely involved in the balance of the project.

CDOT Right of Way and Title VI

CDOT staff must acquire property interests in a manner that ensures that the property owners are treated fairly and consistently, in accordance with Title VI. The CDOT right of way staff and their consultants strive to ensure that all persons and property displaced as a result of the project are treated fairly consistently and equitably so that they will not suffer disproportionate injuries as a result of projects designed for the benefit of the public. CDOT staff and consultants accomplish this by complying with the mandates of the Uniform Act, Federal and State laws, and the CDOT ROW Manual. For example, the CDOT ROW Manual states that relocation notices shall be written in plain, understandable language. Persons who are unable to read and understand the relocation notice and Limited English Proficiency (LEP) persons must be provided with appropriate translation and counseling. Relocation benefits are provided to all eligible persons regardless of race, color, religion, sex, or national origin.

It is CDOT policy that all reasonable efforts shall be made to acquire property through negotiation and not by condemnation. The CDOT ROW Manual states that the negotiator should strive to attain rapport with the property owner, inspire confidence in the correctness of the acquisition process and the fairness of the offer being made. Awareness of cultural sensitivities is important to achieving this goal. Communicating with LEP persons is also vital for ensuring those impacted by the ROW Program understand their rights under the Uniform Act. CDOT translates many of its ROW forms and hire interpreters when necessary. Relocation benefits under the Uniform Act, to which each eligible owner or tenant may be entitled, are determined on an individual basis and explained to them in detail by an agent.

The CRBRC and ROW staff work together to assess training needs in this program area and improvements to Title VI compliance.

D. Construction Program

The Construction Program includes the administration of all phases of highway design and construction contracts including prequalification of contractors, advertisement, competitive bid letting or proposal selection, award of contract, change orders, contract modifications, inspection and acceptance of work, and payment.

CDOT awards pre-construction professional services work through a Brooks Act compliant,

most qualified selection process. All consultants, including subconsultants, must be prequalified and have an established Master Pricing Agreement in order to be eligible for award. CDOT regional staff oversee the selection process to ensure that it is fair to all participants. CDOT headquarters provides training and review for consistent application of selection criteria, principles, and process.

CDOT awards construction projects through a low apparent bid process. In order to be eligible to bid on a CDOT construction project, a prime contractor must be financially prequalified to bid at the contract amount. Prequalification criteria is documented in CDOT's Rules for Prequalification and Bidding which are available on the CDOT website at <https://www.codot.gov/business/bidding/documents/rules-governing-construction-bidding-2-ccr-601-10>. CDOT's prequalification application is available at <https://www.codot.gov/business/bidding/documents/prequalification-application>. Prequalification is currently handled electronically through a system called B2G and in 2015, the bidding process went entirely online through an online system called Bid Express. As a result, CDOT no longer accepts paper bids. CDOT advertises its projects on a regular schedule, however there may be frequent changes due to funding availability. Letting is the opening of the bids CDOT received on an advertised project to identify the low apparent bidder.

Construction Program and Title VI

CDOT utilizes both its DBE and Emerging Small Business (ESB) program to promote diversity on contracts. In order to increase the capacity of DBE firms, the CDOT CRBRC conducts outreach and provides supportive services to small businesses through Connect2DOT, CDOT's DBE Supportive Services program. Connect2DOT collaborates with partners like the State Minority Business Office and the Small Business Development Center Network to help small businesses in the transportation industry become more competitive and successful in bidding and contracting with CDOT and other local transportation agencies. For example, Connect2DOT's Bid Matching Service informs registered firms of CDOT project opportunities based on the types of work those firms perform. A Connect2DOT program overview is provided here as Appendix F.

CDOT also administers programs designed to increase small business participation through mentor-protégé relationships, low-dollar construction contracts restricted to bidding by ESB certified firms, and bonding support for ESB prime contractors. The CRBRC is also investigating options for providing restricted pre-construction professional services contract opportunities that remains compliant with Brooks Act requirements.

Every federally-assisted CDOT contract is evaluated for a Disadvantaged Business Enterprise (DBE) contract goal. In order to be eligible for award, the proposer or bidder must sign an affidavit committing to make good faith efforts to meet the contract goal. On pre-construction professional contracts, CDOT awards points for the participation of DBEs and Emerging Small Businesses (ESB) as part of the scoring criteria. Most professional service contracts are not fund encumbered and CDOT issues task orders through a regional approval process in order to encumber funds and commence work. The task orders cannot be awarded until the consultant demonstrates good faith efforts to meet the goal and the targets for which they receive points. A

more detailed explanation of CDOT's DBE program can be found in the CDOT DBE program manual at <https://www.codot.gov/business/civilrights/smallbusiness/assets/cdot-dbe-program-manual-revised-2016.pdf>.

Each contract for federally-assisted construction projects also includes the Form FHWA 1273, "Required Contract Provisions" which notifies contractors of their Title VI obligations. All contracts include the Standard Special Provisions for Davis Bacon, Affirmative Action, On the Job Training, and Disadvantaged Business Enterprise (DBE), and CDOT maintains a current webpage dedicated to required bulletin board postings for construction job sites <https://www.codot.gov/business/bidding/bulletin-board-postings>

Once a project has been awarded, the Regional Civil Rights Office is responsible for oversight of the contractor's compliance with all civil rights contract requirements. All new projects, including professional services, construction and design build, are now being tracked in B2GNow for prompt payment monitoring. Civil rights complaints from contractors and sub-contractors can be submitted to the CRBRC or the regional civil rights office. All complaints will be forwarded to the Title VI coordinator or designee and sent to FHWA, pursuant to the Nondiscrimination Procedural Directive 604.1 and the FHWA Discrimination Complaints Memo dated June 13, 2018.

E. Transportation Safety Program

Transportation safety at CDOT involves several units including the Governor's Representative for Highway Safety, the Traffic Safety and Engineering Branch (TSE), the Office of Transportation Safety (OTS), and the Transportation Regional Directors.

Specifically, within the Office of Transportation Safety (OTS) at the Colorado Department of Transportation (CDOT), The Highway Safety Office (HSO), is responsible for developing and administering behavioral programs that improve traffic safety in Colorado by reducing the number and severity of traffic collisions. In support of this mission, OTS works closely with Colorado communities, law enforcement, and traffic safety experts to design and implement projects to proactively address the state's emerging and persistent traffic safety challenges.

The HSO provides grant oversight, administration, and financial management of federal funds and state funds for Highway Safety initiatives and programs. HSO also manages National Highway Traffic Safety Administration (NHTSA) funds to address traffic safety issues such as impaired driving, occupant protection, motorcycle safety, speed control and enforcement, young and older drivers, pedestrian and bicycle safety, and distracted driving education and enforcement. In addition, the HSO receives state funds for Motorcycle Operator Safety Training (MOST) and 12 statewide Impaired Driving enforcement periods.

In order to direct its funds to the highest and best use, the HSO relies on the results of the annual Problem Identification Report based on data from the Traffic Records Unit (TRU) and other data

sources. The Problem Identification Report incorporates Fatality Analysis Reporting System (FARS) data, annual observed seat belt use survey results, crash data and Vehicle Miles Traveled (VMT) data. Other data sources include behavioral risk surveys (Healthy Kids Colorado, Youth Risk Behavior Survey) and the Colorado Health Information Dataset.

The HSO offers the majority of the funds it administers through competitive grant opportunities to agencies, organizations, and tribal governments within Colorado that address the above safety issues. Grant applications are reviewed by a committee of two or three project managers who award the grants based on the needs of the population. Oversight of the day-to-day operations of grants to local contractors is managed by the five project managers within the HSO.

HSO is responsible for developing the Integrated Safety Plan (ISP) and reporting annually to FHWA regarding its goals and performance measures. The ISP includes CDOT's goals, objectives, and strategies for improving traffic safety as well as performance measures to evaluate CDOT's progress. It outlines specific highway safety projects and programs and respective funding for 2017. Additionally, the ISP reflects the Strategic Highway Safety Plan (SHSP) and articulated goals for fatality and serious injury crash reductions.

The ISP is based on a problem identification process, establishing performance goals and objectives based on identified. FHWA funded projects included in the ISP are identified through the Highway Safety Improvement Program (HSIP). These projects along with various other non-federally funded safety projects are managed by the Traffic and Safety Engineering Branch (TSE).

Within the Traffic and Safety Engineering Branch (TSE), The Traffic Records Unit (TRU), is responsible for providing crash/accident data to HSO to be included in the ISP, administering federal funds to law enforcement agencies to improve traffic records, and reporting annually to FHWA. The Traffic records unit works with the Statewide Traffic Records Advisory Committee (STRAC) in managing the Traffic Records Program at CDOT. Traffic records projects are reviewed by both CDOT and STRAC before eventually being approved by NHTSA.

STRAC is part of a federally-sponsored effort to collect, organizes, analyze and utilize all types of information relating to accidents that occur on Colorado roadways. STRAC is composed of 7 major state agencies: Human Services, Public Health and Environment, Public Safety, Department of Revenue (DOR), Transportation, Judicial and Office of Information Technology. Its primary function is to help unify, link, and organize Colorado's traffic records.

Also within TSE, the Safety Programs Analysis (safety unit) unit, is responsible for administering HSIP funds. Once an application for a proposed safety improvement project is submitted to the Safety Unit by a local agency (working directly with its MPO) or Regional CDOT traffic office, the proposed project is evaluated against the HSIP criteria which is based

on the potential for reducing crashes or identification of a correctable crash pattern. After projects have been approved for funding by the Safety Unit the projects are available to be included in the TIP and eventually into the STIP. Each project is subject to federal requirements.

HSIP funds are allocated based on the percent of crashes occurring in each region. The HSIP describes the planning, implementation and evaluation of each aspect of Colorado's HSIP. The goal of the program is to achieve a significant reduction in fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance consistent with Colorado's Strategic Highway Safety Plan (SHSP) overall Mission, Values and Goals.

Safety at CDOT requires many units working together to address safety concerns on both the roads and through programs specifically impacting minority and low-income populations. TSE and HSO provide the necessary information for the ISP to strategically fund and address safety statewide.

Transportation Safety Program and Title VI

The HSO's Diversity Outreach Coordinator provides statewide outreach to diverse communities. Diverse community outreach is executed by strategically targeting communities with low seat belt compliance and other highway safety related concerns. The coordinator partners with bilingual community organizations to implement projects and to deliver services in these communities in a culturally sensitive manner. The coordinator designs and implements strategies for disbursement of program funds to communities identified as having diverse populations, low seat belt and child passenger safety compliance, and other highway safety related concerns. The coordinator assists these organizations in all aspects of grant and program development; decisions on type of project's activities, report writing, claims preparation and, selecting local coordinators. As some diverse communities can be resistant to government assistance or interference, the coordinator assists in approaching potential partners in a more culturally relevant fashion so that they are more receptive to State and Federal grant assistance and the related requirements once funding is received.

The CRBRC and the Safety staff work together to identify Title VI implications in all programs and activities for the Safety unit. All grant applications involving Federal safety funds will contain non-discrimination language. Additionally, HSO collects demographic data regarding each program it funds with federal safety funds.

F. Transportation Research Program

The Applied Research and Innovation Program (ARIP) is responsible for the development of the Transportation Research Program including the selection and completion of research projects. In general, research topics may be related to transit, transportation, environmental, sustainability, and socioeconomics. The majority of the transportation-related research projects are funded with

both federal-aid and state monies. The research may be conducted by ARIB and other CDOT branches/offices if feasible contingent on their resources but is often contracted out to universities and/or consultants that have the capabilities and staff to perform the research. Participation by these organizations is obtained through responses to bid solicitations conducted by the CDOT Procurement Office following the applicable procurement rules for various levels of estimated costs of services. The bid solicitations for professional services may either be in the form of one written quote ($\$5,000 < \$25,000$), a solicitation on BIDS ($\$25,000 < \$150,000$), or a formal sealed bid/Request for Proposal ($\$150$ or more).

Research projects are selected annually by the Research and Implementation Council (RIC). The council is made up of various CDOT directors and managers and receives input from subject-specific, technical research oversight teams. The council considers and debates problem statements received internally and externally. The selected and approved for budget problem statements are then turned into a scope-of-work (SOW) document and research organizations are solicited to conduct the research.

Applied Research and Innovation Program and Title VI

The ARIB seeks to ensure that discrimination is avoided through an RFP or solicitation process that is fair and impartial and not biased toward one particular university or consultant. CDOT is always looking to expand its solicitation list to include more minority-managed research organizations.

VI. SPECIAL EMPHASIS PROGRAM AREA REVIEW PROCEDURES

A Special Emphasis Program Area is a program area in which FHWA has identified a trend or pattern of discrimination. A program cannot be considered a Special Emphasis Program by CDOT unless prior approval has been received from FHWA. If a Special Emphasis Program Area is identified and FHWA has approved this designation, the CRBRC Manager will notify the Chief Engineer and a plan will be drafted on how best to remedy the trend or pattern of discrimination. The Special Emphasis Program Area will be reported to the Executive Director who will ensure that the program area complies with the remediation plan. As they are identified, Special Emphasis Areas will be outlined in the Annual Goals and Accomplishments report.

VII. SUB-RECIPIENT REVIEWS

Sub-recipients are local governmental entities that receive federal financial assistance through CDOT. CDOT has approximately 80 recipients that utilize Federal Highway Administration (FHWA) funds to build and maintain their roads and bridges. As part of the Intergovernmental Agreement to obtain federal funds, the sub-recipient must sign an assurance of nondiscrimination and agree to carry out the requirements of the Title VI program. The list of Local public Agencies receiving federal funding will be updated annually.

CDOT requires all subrecipients to submit a Title VI plan and will require Local Public Agencies (LPAs) to submit responses to additional Title VI questions where necessary. CDOT also

requires all subrecipients to conform to CDOT's Implementation Plan, this includes collecting demographic data to ensure nondiscrimination, creating discrimination complaint procedures consistent with CDOT's, providing training to program staff and project staff on Title VI requirements, creating a LEP policy, submitting annual assurances, using US DOT Title VI/Nondiscrimination assurances, and submit Title VI plans. The Local Public Agency Title VI plan template can be found on the CRBRC website at <https://www.codot.gov/business/civilrights/titlevi/fhwa-subrecipients>. The Metropolitan Planning Organizations (MPOs) will be required to submit a Title VI plan that is compliant with the FTA Title VI requirements in FTA Circular 4702.1 for MPOs (see **Appendix I** for a checklist of requirements). Additionally, all subrecipients will receive an annual survey assessing compliance and providing an opportunity to report goals and accomplishments (see **Appendix H**)

The Metropolitan Planning Organizations (MPOs) Title VI site reviews will be consistent with the review process created by the Division of Transit and Rail. Every year, the Division of Transit & Rail (DTR) selects several grant recipients including MPOs to conduct a site review. MPOs typically receive funding from both Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) and as a result, MPOs will continue to be required to have a Title VI plan that is consistent with the FTA and FHWA Title VI requirements.

All subrecipients will receive a desk review of their Title VI plans. If the desk review leads to a finding of discriminatory practices or the need for improvement, a letter of deficiency will be sent to the identified subrecipients within 30 days of the review. The subrecipient will have 45 days to submit a corrective action plan to CDOT. Timeline for corrective action will be dependent on the nature of the deficiency identified by CDOT. CDOT provides various resources to its sub-recipients on the CDOT website, such as a listing of Title VI Requirements and a Title VI Plan template.

The CRBRC will conduct site visits as deficiencies are identified.

VIII. DATA COLLECTION

CDOT is required by federal regulation to collect statistical data on the race, color, and national origin of participants in and beneficiaries of its programs. *See* 23 CFR 200.9(b)(4). CDOT civil rights staff works with program area staff (environmental, planning, right of way, etc.) on collecting and analyzing data. This requirement is also addressed in CDOT's Title VI Nondiscrimination Procedural Directive 604.1

Data collection efforts specific to each program area are described on an annual basis in CDOT's Goals and Accomplishment Report to FHWA. The following is a brief description of data collection efforts conducted by CDOT:

Right of Way: During the interview/intake process, CDOT ROW staff will ensure that demographic information is collected voluntarily and inform impacted person of the reasons for collecting the demographic data. Additionally, ROW staff will disseminate Customer Service Surveys that include demographic information questions and provide to all relocatees and

persons impacted by ROW activities.

More information regarding the new data collection procedures can be found in these forms and be found in section 4.20 of the Right of Way Manual. New demographic data collection procedures can be found in Appendix H of the Goals and Accomplishments report.

Environmental Planning: CDOT collects and analyzes U.S. Census and other data as a part of the environmental Justice analysis, regarding populations expected to be impacted by CDOT projects. Race, low-income, and language data is collected during the environmental review process. CDOT's process for identifying possibly impacted minority and low-income communities is described in chapter 9.15 of the CDOT NEPA Manual, which is available at <https://www.codot.gov/programs/environmental/nepa-program/nepa-manual>. Additionally, Environmental staff will begin a new process of collecting voluntary demographic data during public meetings. This process will be piloted on select projects and assessed accordingly. Environmental staff also plan to include begin analyzing this data to identify whether public feedback involves impacted minority and low-income communities.

Statewide Planning: As part of the Statewide Planning Process, CDOT staff analyze demographic maps that include median income levels per county, racial/ethnic makeup at the U.S. Census tract level, and trends regarding transportation equity. Additionally, demographic data will be collected at all public meetings that DTD host.

Language Assistance: The CRBRC sends out an annual report form to headquarters right of way, environmental planning, and some regional civil rights staff in order to collect data about the number of occasions CDOT staff has provided translation or interpretation services to members of the public. Feedback from this report form is included in the Title VI Goals and Accomplishments report (see Appendix Q for a copy of the LEP Annual report form).

IX. TRAINING PROCEDURES

The CRBRC coordinates with program area staff to find Title VI, LEP and Environmental Justice training opportunities tailored for that specific program area. If the annual assessment reveals that program areas are lacking understanding in Title VI, the CRBRC will tailor training in order increase the knowledge of program area staff.

The Title VI Program Manager meets every other month with the regional civil rights managers and provides them with Title VI program updates. The regional civil rights managers provide Title VI training to engineers and other staff in their region.

Additionally, The Title VI Specialist meets with each program area at a minimum twice a year to assess training needs and develop ways to incorporate training with existing program area staff meetings. In Federal fiscal year 2019, the CRBRC will consider creating a training standard operating procedure to ensure a process for conducting Title VI training.

X. COMPLAINT PROCEDURES

CDOT's Discrimination Complaint Procedure and Complaint Form were updated in May 2018. Both forms are available in English and Spanish on the CRBRC website at <http://www.coloradodot.info/business/civilrights/accessibility/titlevi/title-vi>.

The English version of the complaint procedure is attached as Appendix J and the Spanish version is attached as Appendix K. The English version of the complaint form is attached as Appendix L and the Spanish version is attached as Appendix M.

XI. DISSEMINATION OF INFORMATION

The CRBRC disseminates Title VI information through its website, <https://www.codot.gov/business/civilrights>, which was redesigned in May 2016. The website features a page in Spanish titled "CRBRC En Espanol," which highlights information about CDOT's civil rights programs, informs readers about their rights against discrimination, and allows visitors to download the Spanish versions of CDOT's Discrimination Complaint Procedure and Discrimination Complaint Form.

The CRBRC also disseminates a public notice that informs the public of its rights against discrimination, provides procedures for filing a discrimination complaint, and informs the public how to request language services and ADA accommodations. The English version of CDOT's public notice is attached as Appendix N and the Spanish version is attached at Appendix O.

CDOT staff conducts public involvement with guidance from CDOT's *A Guide to the Transportation Planning and Programming Public Involvement Process* which can be found at <https://www.codot.gov/programs/planning/documents/planning-process/PubInvolvementGuide2015.pdf>. This guidance document integrates the principles of Title VI, environmental justice, and access for LEP persons into CDOT's public involvement processes. The guidance document addresses specific barriers for minority, low-income, and LEP persons to the transportation planning process. Examples of methods discussed in the guidance document for overcoming cultural and language barriers include cultural training for staff, connecting with local community leaders, and providing web content and documents in Spanish.

XII. LIMITED ENGLISH PROFICIENCY

As a recipient of federal financial assistance, CDOT must assure that Limited English Proficient (LEP) individuals have meaningful access to CDOT programs and activities. LEP individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, and understand English. Failure to provide meaningful access to such individuals may result in national origin discrimination, which is prohibited by Title VI.

CDOT uses the following criteria, known as the four factors, to determine what steps need to be taken to provide meaningful access for LEP individuals:

1. **Number or proportion** of LEP persons likely to be encountered by CDOT.
2. **Frequency** with which LEP persons come into contact with CDOT.
3. **Importance** of the program, activity, or service provided.
4. **Resources** available to CDOT and the costs.

The CRBRC has compiled U.S. Census data of LEP people in Colorado (people who speak English “well, not well, or not all”). The data is attached as **Appendix P** and is broken down by county and CDOT region. LEP persons make up 6.8% of Colorado’s overall population. The largest LEP group in the state is Spanish speakers, who make 5.08% of Colorado’s overall population.

Because LEP Spanish speakers make up more than 5% of the state population, vital CDOT information that is meant for a statewide audience is translated into Spanish. For example, the CDOT website has a page in Spanish that notifies the public of its rights against discrimination and provides information about requesting ADA and language accommodations. The page also provides links to the Spanish version of CDOT’s Discrimination Complaint Form and Discrimination Complaint Procedure. The Spanish page is available at <http://www.coloradodot.info/business/civilrights/espanol.html>. For other activities that do not have a statewide audience, each CDOT program area determines the appropriate level of language assistance and outreach based on the four factors. The following is a summary of CDOT program areas whose work may include a particular LEP emphasis and how those areas communicate with LEP persons.

Planning: The Division of Transportation Development (DTD) Multimodal Planning Branch uses *A Guide to the Transportation Planning and Programming Public Involvement Process* as a guide for public involvement. The guide discusses common barriers that make public participation in transportation planning difficult for low-income and minority communities and identifies various techniques to combat those barriers. CDOT’s Statewide Plan Website, <http://coloradotransportationmatters.com>, is available in the top 10 spoken languages in Colorado. Regional planning surveys are also translated into Spanish.

Environmental: CDOT collects and analyzes LEP data regarding populations expected to be impacted by CDOT projects through the NEPA environmental review process. CDOT’s process for identifying LEP populations within a project’s impacted area is described chapter 9.15 of the CDOT NEPA Manual, which is available at <http://www.coloradodot.info/programs/environmental/nepa-program/nepa-manual>. When developing a public involvement strategy, project teams determine whether language assistance measures are needed to ensure meaningful access to the process. Efforts to ensure meaningful access to LEP individuals are documented in the public participation section of the NEPA document. Language assistance measures include translation of vital information such as flyers for public hearings and providing interpretation services at public meetings held in communities with large LEP populations.

Right of Way: CDOT staff must acquire property interests in a manner that ensures that the property owners are treated fairly and consistently. Persons who are unable to read and understand their rights during CDOT’s relocation process are provided with appropriate

translation and counseling. CDOT translates many of its Right of Way forms and hires interpreters when necessary. For example, its relocation information booklets have been translated into Spanish and Korean.

Construction: The CDOT Communications Office assists CDOT regional staff on disseminating public information related to construction projects. The Communications Office uses a multicultural consulting firm on projects that require information to be translated or for other language assistance needs. Construction projects that impact LEP communities are identified through the NEPA environmental review process.

Safety: The Highway Safety Office uses a multicultural consulting firm to help identify, contact, and engage LEP populations for CDOT public safety campaigns. Press releases, posters, and billboards for impaired driving and occupant protection campaigns are translated into Spanish.

XIII. ENVIRONMENTAL JUSTICE

Environmental Justice is the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws and policies. Executive Order 12898 directs federal agencies to identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority populations. As a recipient of federal funding, CDOT complies with the federal government's Environmental Justice Policy.

Federally assisted CDOT projects are analyzed for potential impacts to minority and low-income communities during the environmental review process. Chapter 9.15 of the CDOT NEPA Manual describes how CDOT staff analyzes Environmental Justice issues during the NEPA environmental review process. The CDOT NEPA manual is available at www.coloradodot.info/programs/environmental/nepa-program/nepa-manual.

To help ensure compliance with Environmental Justice and Title VI, the Civil Rights & Business Resource Center reviews draft NEPA documents and makes comments about possible concerns to the project teams. Based on the comments made, a comment resolution meeting might be held between CRBRC staff and the project team.

XIV. REVIEW OF CDOT DIRECTIVES

Given the new FHWA guidance from September 9, 2014, the CRBRC will review CDOT policy directives and procedural directives for possible Title VI implications. If a directive is deemed to have potential discriminatory results, the issue will be discussed with the Office of Policy & Government Relations office, brought to the Chief Engineer and possibly to the Colorado Transportation Commission for revision of the directive.

XV. COMPLAINT AND ENFORCEMENT PROCEDURES

Trends or patterns of discrimination can be identified through outreach and education, yearly

program area review, sub-recipient reviews, analyzing Title VI-relevant data or discrimination complaints. The CRBRC will continue to meet with each program area a minimum of twice a year to ensure compliance and assess progress towards program area Title VI goals.

If deficiencies are identified within a program area and efforts have not been made to resolve the deficiencies, a memorandum listing the deficiencies will be emailed to the program area manager and the Chief Engineer, with a request that a corrective action plan is submitted to the CRBRC within 45 days of receiving the memo. The timeframe for completion of the corrective action is dependent on the nature of the deficiency and should be included in the corrective action plan. The CRBRC will support program area corrective action plans through education and training.

APPENDIX A:
Policy Directive 604.0

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Office of Government Relations
4201 East Arkansas Avenue, Room 275
Denver, Colorado 80222
(303) 757-6772



To: All CDOT Employees

From: Heidi Humphreys – DAS / Herman Stockinger – OPGR / Katherine Williams - CRBRC

Re: Policy Directive 604.0 “Policy on Non-Discrimination”

Date: January 27, 2014

Background Policy Directive 604.0 “Policy on Non-Discrimination” updates Policy Directive 604.0 “Non-Discrimination in Federally Funded Programs Policy,” adopted July 7, 2004.

Rationale for Policy Directive Outlines CDOT’s general non-discrimination policy for all CDOT programs and activities. Also identifies and describes the forms of discrimination that are prohibited by federal law and highlights objectives related to access for persons with disabilities, access for persons with limited English proficiency, principles of environmental justice, and fair competition for federally funded contracts. This directive does not include CDOT’s Equal Employment Opportunity policy, which is set forth in Policy Directive 600.0.

Individuals/Entities Impacted in Policy Directive This Policy Directive applies to all operations of CDOT, including all offices, divisions, regions, and branches of CDOT, its contractors and anyone who acts on CDOT’s behalf. This Policy Directive also applies to the operations of any department or agency to which CDOT extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Implementation The Division of Administrative Services (DAS), Civil Rights and Business Resource Center shall implement this directive.

Effective Date January 22, 2014

Review Date On or before January 2019

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject POLICY ON NON-DISCRIMINATION		Number 604.0
Supersedes 604 (7/1/04) 611 (4/15/10)	Effective 1.22.14	Originating Office Civil Rights & Business Resource Center, Division of Administrative Services

I. Purpose

To ensure that no person shall, on the ground of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the operations of the Colorado Department of Transportation ("CDOT") or of any department or agency to which CDOT extends federal financial assistance.

II. Authority

See Appendix A. This Policy Directive is intended to meet Federal Highway Administration and Federal Transit Authority requirements.

III. Applicability

This Policy Directive applies to all operations of CDOT, including all offices, divisions, regions, and branches of CDOT, its contractors and anyone who acts on CDOT's behalf. This Policy Directive also applies to the operations of any department or agency to which CDOT extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

IV. Policy

1. It is CDOT's policy that no person shall on the ground of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of CDOT or of any department or agency to which CDOT extends federal financial assistance.

A. Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include:

- (1) Denial to an individual any service, financial aid, or other benefit;
- (2) Distinctions in the quality, quantity, or manner in which a benefit is provided;
- (3) Segregation or separate treatment;
- (4) Restriction in the enjoyment of any advantages, privileges, or other benefits provided;

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(5) Discrimination in any activities related to highway and infrastructure or facility built or repaired; and

(6) Discrimination in employment.

B. Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Instances where seemingly neutral acts may result in discrimination include:

(1) Utilizing criteria or methods of administration that have the effect of subjecting persons to discrimination or have the purpose or effect of substantially reducing the likelihood that persons can benefit from the objectives of a program or activity with respect to persons;

(2) Using different standards or requirements for determining whether a person satisfies any admissions, enrollment, quota, eligibility, membership, or other requirement for any service, financial aid, or other benefit; and

(3) Determining the site or location of a facility that has the effect of excluding persons, denying them the benefits of, or otherwise subject to them discrimination.

C. Harassment and retaliation are also forms of discrimination. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors that are directed against a particular person because of race, color, national origin, sex, disability, or age. This Policy Directive prohibits retaliation against any person because he or she has reported alleged discrimination under this Policy Directive or has testified, assisted or participated in any manner in an investigation of such report, or has opposed such discrimination. No one shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with their rights against discrimination.

D. As part of this Policy Directive, CDOT adheres to the following objectives, which shall not be interpreted in any way to limit the general policy stated above:

(1) Access for Persons with Disabilities – No qualified disabled person shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination. Aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for disabled and non-disabled persons, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonably achievable. Even if separate or different aid, benefits, or services are available to handicapped persons, a qualified disabled person shall

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not be denied the opportunity to participate in the programs or activities that are not separate or different.

(2) Access for Persons with Limited English Proficiency – Individuals who have a limited ability to read, write, speak, or understand English are considered limited English proficient (“LEP”). Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by CDOT. Ignoring LEP populations may constitute discrimination on the basis of national origin. CDOT shall seek to communicate with LEP populations and provide LEP individuals meaningful access to CDOT programs and activities.

(3) Principles of Environmental Justice – CDOT will meaningfully engage all sectors of the public, including low-income and minority populations, potentially affected by CDOT projects. To help ensure the fair distribution of the benefits and burdens associated with CDOT programs and activities, CDOT will be guided by the following environmental justice principles:

- (a) To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations;
- (b) To ensure the full and fair participation by all potentially affected communities in CDOT’s decision-making process; and
- (c) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

(4) Fair Competition for Federally-Funded Contracts – A Disadvantaged Business Enterprise (“DBE”) is a business that is owned and controlled by a socially and economically disadvantaged individual or individuals. The objectives of CDOT’s DBE program are to:

- (a) To ensure nondiscrimination in the award and administration of federally-assisted contracts in CDOT’s highway, transit, and airport programs;
- (b) To create a level playing field on which DBEs can compete fairly for federally-assisted contracts;
- (c) To ensure that CDOT’s DBE program is narrowly tailored in accordance with applicable law;
- (d) To ensure that only firms that fully meet this part’s eligibility standards are permitted to participate as DBEs;

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(e) To help remove barriers to the participation of DBEs in federally-assisted contracts; and

(f) To assist the development of firms that can compete successfully in the marketplace outside the DBE program.

V. Implementation Plan

1. This Policy Directive shall be effective immediately upon approval by the Transportation Committee.
2. The Civil Rights & Business Resource Center (“CRBRC”) shall implement this Policy Directive and will coordinate education and training to ensure compliance with this Policy Directive. All CDOT employees, its contractors, and anyone who acts on behalf of CDOT, including any department or agency to which CDOT extends federal financial assistance, shall be responsible for assuring that the proscribed discrimination does not occur. Should the potential for discrimination be discovered, action to eliminate the potential shall be taken.
3. Notices informing individuals of their rights under this Policy Directive will be posted on CDOT’s internal and external webpages, and be displayed in public office areas. These notices will also be consistent with CDOT’s policy for communicating with LEP populations.
4. As required by federal law, the CRBRC and regional civil rights staff shall be responsible for acquiring non-discrimination assurances, investigating discrimination complaints, conducting reviews of program areas, and preparing required reports.

VI. Review Date

This Policy Directive shall be reviewed on or before January 2019.

Hermon F. Stockinger III
Secretary, Transportation Commission

1-22-14
Effective Date

Subject Policy on Non-Discrimination	Number 604.0
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APPENDIX A: Authority for Policy Directive 604.0

Federal Statutes

Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000d

Age Discrimination Act of 1975, 42 U.S.C. § 6101

Federal Aid Highway Act of 1970, 49 U.S.C. § 306

Federal Aid Highway Act of 1973, 23 U.S.C. § 324

Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 – 12213

Rehabilitation Act of 1973 § 504, 29 U.S.C. § 794

Federal Transit Laws, 49 U.S.C. § 5332

Federal Regulations

23 CFR §1.36 – Compliance with Federal laws and regulations

23 CFR pt. 200 – Title VI Program and Related Statutes – Implementation and Review Procedures

23 CFR pt. 771 – Environmental Impact and Related Procedures

28 CFR pt. 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

28 CFR pt. 36 – Nondiscrimination on the Basis of Disability in Public Accommodations and in Commercial Facilities

28 CFR pt. 42, subpart C – Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964

49 CFR pt. 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

49 CFR pt. 26 – Participation By Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs

49 CFR pt. 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance

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49 CFR § 37.5 – Nondiscrimination – Transportation Services for Individuals with Disabilities (ADA)

Executive Orders

Exec. Order No. 12898, 59 Fed. Reg. 7629 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Exec. Order No. 13166, 65 Fed. Reg. 50121 – Improving Access to Services for Persons with Limited English Proficiency

APPENDIX B: Title VI Nondiscrimination Procedural
Directive 604.1



COLORADO
Department of Transportation
Office of Policy and Government Relations
2829 W. Howard Place, Suite 562
Denver, CO 80204

RELEASE MEMORANDUM

TO: All CDOT Employees
FROM: Michael P. Lewis, Executive Director
RE: New Procedural Directive 604.1 "Title VI Non-Discrimination"
DATE: August 3, 2018

1. Name of New Procedural Directive: "Title VI Non-Discrimination"

2. Rationale for New Directive: This new Procedural Directive 604.1 "Title VI Non-Discrimination" is required by FHWA and explains CDOT's responsibilities in complying with Title VI for non-discrimination related to CDOT's activities and programs. Many of the responsibilities outlined in PD 604.1 are for specific programs listed in Appendix A, and those programs have already been complying with everything in the PD.

One of the key requirements in PD 604.1 for all employees is to send complaints of discrimination from external entities to CDOT's Title VI Coordinator in the Civil Rights & Business Resource Center at CDOT. For help in implementing this PD, questions should also be directed to the Title VI Coordinator.

3. Individuals/Entities/Projects Impacted by Procedural Directive: All employees who work in programs that affect external entities.

4. PD 604.1 will be implemented by: Title VI Coordinator in the Civil Rights & Business Resource Center at CDOT Headquarters.



COLORADO DEPARTMENT OF TRANSPORTATION		<input type="checkbox"/> POLICY DIRECTIVE
		<input checked="" type="checkbox"/> PROCEDURAL DIRECTIVE
Subject		Number
Title VI Non-Discrimination		604.1
Effective	Supersedes	Originating Office
8/3/18	New	Civil Rights & Business Resources Center

I. PURPOSE

The purpose of this Directive is to ensure the public that interacts with CDOT programs and activities are protected against discrimination under Title VI of the Civil Rights Act of 1964 with regard to race, color, national origin, sex, disability, or age. Additionally, this Directive shall be read in conjunction with Policy Directive 604.0 "Policy on Non-Discrimination" with regard to CDOT's compliance with environmental justice.¹

II. AUTHORITY

Executive Director, pursuant to § 43-1-105, C.R.S.

[Policy Directive 604.0 "Policy on Non-Discrimination"](#)

[CDOT Title VI Implementation Plan](#)

[CDOT Limited English Proficiency \("LEP"\) Plan](#)

See Appendix B for a list of federal authority

III. DEFINITIONS

"Limited English Proficiency" or "LEP" means an individual whose primary language is not English, and who has limited ability to read, write, speak, or understand English. See CDOT LEP Plan.

"Reasonable Steps" for purposes of LEP services shall mean ensuring meaningful access to CDOT's programs and activities by LEP persons, which is contingent upon a number of factors. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the four following factors: (1) The number or proportion of LEP persons eligible to be served, or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program activity or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and cost. "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," 67 Fed. Reg. 41455, 41459 (June 18, 2002); See Also CDOT LEP Plan;

¹ Procedural Directive 600.6 "Internal Discrimination Complaint Procedures" sets forth the process to be followed for complaints filed by CDOT employees and applicants.

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“Synopsis of DOT Guidance to Recipients on Special Language Service to Limited English Proficient (LEP) Beneficiaries,” at https://www.fhwa.dot.gov/cadiv/docs/special_lang.pdf.

IV. APPLICABILITY

This Procedural Directive applies to all divisions, regions and offices of CDOT. Where stated, specific requirements apply to the CDOT programs identified in Appendix A.

V. PROCEDURES

A. General Requirements

1. All CDOT Division Directors shall ensure that all contracts and agreements, solicitations for bids and Requests for Proposals regardless of the funding source include the required nondiscrimination language from the USDOT Standard Title VI/Non-Discrimination Assurances, DOT Order No. 1050.2A. See information on this requirement at Civil Rights & Business Resources Center’s (CRBRC) website at www.codot.gov/business/civilrights/titlevi.
2. All CDOT employees whose job responsibilities include publishing notices of meetings to which the public is invited shall:
 - a) Include in all notices the language set forth in the LEP Guidance Document (<https://www.codot.gov/business/civilrights/titlevi>). The meeting notice must include Limited English Proficiency interpretation and translation services if the contact person listed in the meeting notice receives a request for translation or interpretation services, the contact person shall consult with the Title VI Coordinator in the CRBRC.
 - b) For questions on this requirement, contact the Title VI Coordinator in the CRBRC.
3. All program managers, division directors and supervisors in the programs identified in Appendix A shall comply with the Title VI Implementation Plan and the requirements of this Directive.
4. All CDOT employees must cooperate with the Title VI Coordinator in providing any and all requested information.
5. All CDOT employees shall notify the Title VI Coordinator of any potential Title VI related issues (i.e., potential discrimination of members of the public engaging in business with CDOT).
6. All CDOT employees, including Regional Civil Rights Managers, shall notify the Title VI Coordinator within three business days of any written or verbal complaints of discrimination they receive from a member of the public engaging in business with CDOT.

Subject Title VI Non-Discrimination	Number 604.1
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- a) A Title VI complaint is the method whereby a person engaging in business with CDOT may allege discrimination based on race, color, national origin, sex, age or disability.
- b) All Title VI complaints must be forwarded to the Title VI Coordinator.
- c) The Title VI Coordinator shall be responsible for managing the investigation process for discrimination complaints. With the exception of FHWA-related complaints, the Title VI Coordinator shall determine whether CDOT is responsible for conducting the investigation. The Title VI Coordinator shall forward all relevant complaints to FHWA.
- d) If CDOT is specifically designated by the respective federal agency as the appropriate party to conduct the investigation, the respective Regional Civil Rights Manager and the Title VI Coordinator shall collaborate on who should conduct an investigation of the complaint. All investigations shall follow the discrimination complaint procedures, which are available at www.codot.gov/business/civilrights/titlevi.
- e) After a complaint investigation is completed all relevant documents related to the complaint investigation shall be submitted to the Title VI Coordinator.
- f) All pertinent CDOT employees shall cooperate with the Title VI Coordinator or Regional Civil Rights Manager in the investigation.
- g) If the complaint is communicated verbally, the person shall be offered the option of completing the complaint form on the CRBRC webpage or they may contact the Title VI Coordinator directly (<https://www.codot.gov/business/civilrights/titlevi>). The form is available in Spanish and other languages upon request.

B. Title VI Coordinator

The Title VI Coordinator in the CRBRC or his/her designee shall be the Department’s resource on compliance with Title VI requirements. The Title VI Coordinator shall coordinate efforts with respective federal agencies regarding Title VI complaints. The Title VI Coordinator is responsible for the following:

1. Updating public notices and disseminating updated notices to the Regional Civil Rights Managers;
2. Tracking all complaints submitted to the respective federal agency to note the date forwarded by the Title VI Coordinator. If CDOT is designated by the federal agency to investigate the complaint, the Title VI Coordinator shall track the date that CDOT was notified as the investigating agency, and the date the investigation was concluded;
3. Conducting investigations and processing and maintaining a log of all external discrimination complaints in coordination with Regional Civil Rights Managers and the federal agency;

Subject Title VI Non-Discrimination	Number 604.1
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4. Conducting program area audits for Title VI compliance in accordance with the CDOT Title VI Program Plan;
5. Reviewing and commenting on Title VI/environmental justice issues in Environmental Impact Statements (EIS) and Environmental Assessment (EA) Finding of No Significant Impact (FONSIs);
6. Recommending appropriate action to program managers or the division director as identified in Appendix A where Title VI issues are involved;
7. Providing Title VI/environmental justice training, information, and technical assistance to CDOT staff and programs;
8. Ensuring that Title VI Liaisons are trained to comply with the requirements for collection of demographic data (i.e. at least race and ethnicity);
9. Serving as a contact on Title VI matters for the U.S. Department of Transportation and its federal funding recipients;
10. Conducting subrecipient oversight to ensure nondiscrimination in the award and administration of funds received from CDOT. To such end, CRBRC may conduct desk audits, site reviews, and/or other investigations to ensure compliance with Title VI;
11. Reviewing new policy/procedural directives to comply with Title VI requirements prior to implementation;
12. Advising CDOT employees on Title VI LEP services;
13. Collecting information on minority representation on decision-making and advisory boards;
14. Meeting semi-annually with all program managers or designee to ensure Title VI compliance is met, including any reporting requirements; and
15. Completing annual program reviews and implementing programmatic changes to fulfill annual goals for Title VI compliance in furtherance of ensuring non-discrimination.

C. Regional Civil Rights Managers

Regional Civil Rights Managers are responsible for:

1. Title VI Public Notices. Ensuring that CDOT's English and Spanish non-discrimination notices apprising the public of the protections against discrimination afforded to them by

Subject	Number
Title VI Non-Discrimination	604.1

Title VI are posted in their respective Region's facilities. Additional notices may be requested by contacting CRBRC.

2. Access for LEP persons. In the event a member of the public requests LEP services, the Regional Civil Rights Managers shall be notified and the request shall be directed to the HQ Title VI Liaison (see (V)(D) below).

3. Demographic Data Collection. Working with the Title VI Liaison to ensure that demographic data is provided to the Title VI Coordinator.

4. Title VI Complaints. Please see (V)(A)(6) above.

D. Title VI Liaisons for CDOT Programs Identified in Appendix A

Division directors for programs included in Appendix A shall be responsible for the following.

1. Pursuant to Policy Directive 604.0 "Policy on Non-Discrimination," incorporate environmental justice evaluations into their processes by following the Federal Highway Administration Environmental Justice Reference Guide and ensure that their respective programs implement and consider the FHWA-identified environmental justice principles in transportation decision-making. Divisions receiving Federal Transit Administration funding shall incorporate environmental justice principles into their processes by following the Federal Transit Administration's Environmental Justice Policy Guidance for FTA Recipients.

2. Develop and maintain a program-specific language assistance plan in accordance with CDOT's LEP Plan. The measures described in a language assistance plan must be tailored to the needs of LEP individuals affected or likely to be affected by the particular program area.

3. Assign a liaison responsible for carrying out the Title VI responsibilities. The Title VI Liaison shall:

a) Meet at a minimum on a semi-annual basis with the Title VI Coordinator to provide an update on the program area's Title VI-related initiatives and progress made toward annual goals.

b) Maintain a record of all translated materials and requests for language assistance, including the language requested and assistance provided, and submit such information to the Title VI Coordinator by September 1 of each year.

c) Work with the Title VI Coordinator to comply with the requirements for collection of demographic data (i.e. at least race and ethnicity) by doing the following:

(i) At every meeting where the specific program is attempting to gather input from impacted citizens and affected communities, ensuring that best efforts are made to collect voluntary demographic data (i.e. at least race and ethnicity) from meeting attendees;

Subject	Number
Title VI Non-Discrimination	604.1

(ii) Collecting the data using the template Data Collection form (attached as Appendix C) or by some other method as approved by the Title VI Coordinator and the respective federal agency;

(iii) Analyzing the data to determine whether traditionally underserved populations attended the meeting, provided input, and whether modifications should be made to the program’s public involvement strategy;

(iv) Providing the demographic data to the Title VI Coordinator to determine whether traditionally underserved populations are participating in the decision making and whether modifications should be made to the specific program’s public involvement strategy;

(v) Coordinating with the Title VI Coordinator to complete a site or location equity analysis during the planning stage of the CDOT facility/project to ensure the location is selected without regard to race, color or national origin, pursuant to 49 C.F.R. 21.5(b)(3);

(vi) Engaging in outreach to persons potentially impacted by the siting of the facility/project determined on a project by project basis and in coordination with the Title VI Coordinator; and

(vii) Complying with the Title VI Coordinator’s requests for information as necessary to complete CDOT’s annual program area reviews, implement programmatic changes to fulfill annual goals, and ensure nondiscrimination in the respective program area. As further described in the Title VI Implementation Plan, each Title VI Liaison shall notify the Title VI Coordinator of any potential Title VI related issues.

VI. DOCUMENTS REFERENCED IN THIS DIRECTIVE

[Policy Directive 604.0 "Policy on Non-Discrimination"](#)

[CDOT Title VI Implementation Plan](#)

[CDOT Limited English Proficiency \(“LEP”\) Plan](#)

VII. IMPLEMENTATION PLAN

The Office of Policy and Government Relations shall post this Procedural Directive on CDOT’s intranet as well as on public announcements.

Subject Title VI Non-Discrimination	Number 604.1
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The Civil Rights & Business Resources Center shall provide this Procedural Directive to pertinent personnel and ensure the Directive's implementation, including any training on Title VI compliance.

VIII. REVIEW DATE

This Procedural Directive shall be reviewed on or before August 2023.



Michael P. Lewis
Executive Director



Date of Approval

Subject	Number
Title VI Non-Discrimination	604.1

Appendix A

The following CDOT divisions or programs must adhere to the requirements of Title VI non-discrimination as set forth in the Title VI Implementation Plan and this Procedural Directive:

Multimodal Planning Branch, Division of Transportation Development

Environmental Programs Branch, Division of Transportation Development

Applied Research and Innovation Branch, Division of Transportation Development

Safety (which includes Office of Transportation and Safety (OTS) and Transportation Systems Management & Operations (TSM&O))

Right-of-Way Office, Project Development Branch, Division of Project Support

Construction (as coordinated by CRBRC staff)

Subject	Number
Title VI Non-Discrimination	604.1

Appendix B

Federal Statutes

Title VI of the 1964 Civil Rights Act, 42 U.S.C. § 2000d

Age Discrimination Act of 1975, 42 U.S.C. § 6101

Federal Aid Highway Act of 1970, 49 U.S.C. § 306

Federal Aid Highway Act of 1973, 23 U.S.C. § 324

Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 – 12213

Rehabilitation Act of 1973 § 504, 29 U.S.C. § 794

Federal Transit Laws, 49 U.S.C. § 5332

Federal Regulations

23 C.F.R. §1.36 – Compliance with Federal laws and regulations

23 C.F.R. pt. 200 – Title VI Program and Related Statutes – Implementation and Review Procedures

23 C.F.R. pt. 771 – Environmental Impact and Related Procedures

28 C.F.R. pt. 35 – Nondiscrimination on the Basis of Disability in State and Local Government Services

28 C.F.R. pt. 36 – Nondiscrimination on the Basis of Disability in Public Accommodations and in Commercial Facilities

28 C.F.R. pt. 42, subpart C – Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964

49 C.F.R. pt. 21 – Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

49 C.F.R. pt. 26 – Participation By Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs

49 C.F.R. pt. 27 – Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance

Subject	Number
Title VI Non-Discrimination	604.1

49 C.F.R. § 37.5 – Nondiscrimination – Transportation Services for Individuals with Disabilities (ADA)

Executive Orders

Exec. Order No. 12898, 59 Fed. Reg. 7629 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Exec. Order No. 13166, 65 Fed. Reg. 50121 – Improving Access to Services for Persons with Limited English Proficiency

Federal Highway Administration (FHWA)

“Memorandum: Processing of Title VI Complaints,” from Nichole McWhorter, HCR-20, issued by FHWA, June 13, 2018



Appendix C

TITLE VI PUBLIC INVOLVEMENT SURVEY

Completing this form is voluntary but encouraged.

You are not required to provide the information requested in order to participate in this meeting. Thank you for your participation.

Title VI of the Civil Rights Act of 1964 requires the Colorado Department of Transportation (CDOT) to provide opportunity for everyone to comment on transportation programs and activities that may affect their community. Title VI specifically states that "No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination under any program, service, or activity receiving federal financial assistance."

By completing this form you are helping CDOT to comply with Title VI of the Civil Rights Act of 1964 and related statutes, which require the collection of statistical data to aid in assessing CDOT's outreach efforts among those who are affected or interested in this project. Your participation is voluntary but it helps CDOT ensure that it is inclusive of all members of the community. It will not be used for any other purpose.

Meeting Purpose:			Location of Meeting:				Date:	
Please check all that apply. Check Race/Ethnicity								
	List zip code	Indicate M=Male or F=Female	White	African American	Hispanic/Latino	Native American	2 or more races	Other
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APPENDIX C:

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Colorado Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Aviation Administration (FAA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

General Assurances

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

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the FHWA, FTA, or FAA.

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, FTA, and FAA assisted programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA, FTA and FAA programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

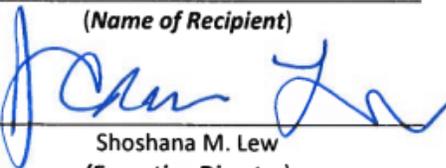
"The Colorado Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

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

Colorado Department of Transportation

(Name of Recipient)
 by 
 Shoshana M. Lew
(Executive Director)

DATED 8/27/14

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, (*Title of Modal Operating Administration*), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the (*Title of Modal Operating Administration*) to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the (*Title of Modal Operating Administration*), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the (*Title of Modal Operating Administration*) may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

A

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *(Title of Modal Operating Administration)* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Colorado Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of (*Name of Appropriate Program*), and the policies and procedures prescribed by the (*Title of Modal Operating Administration*) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Colorado Department of Transportation all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

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

The Colorado Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Colorado Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Colorado Department of Transportation pursuant to the provisions of Assurance 7(a):

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

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

C

APPENDIX D

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Colorado Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Colorado Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Colorado Department of Transportation will there upon revert to and vest in and become the absolute property of Colorado Department of Transportation and its assigns.*

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

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

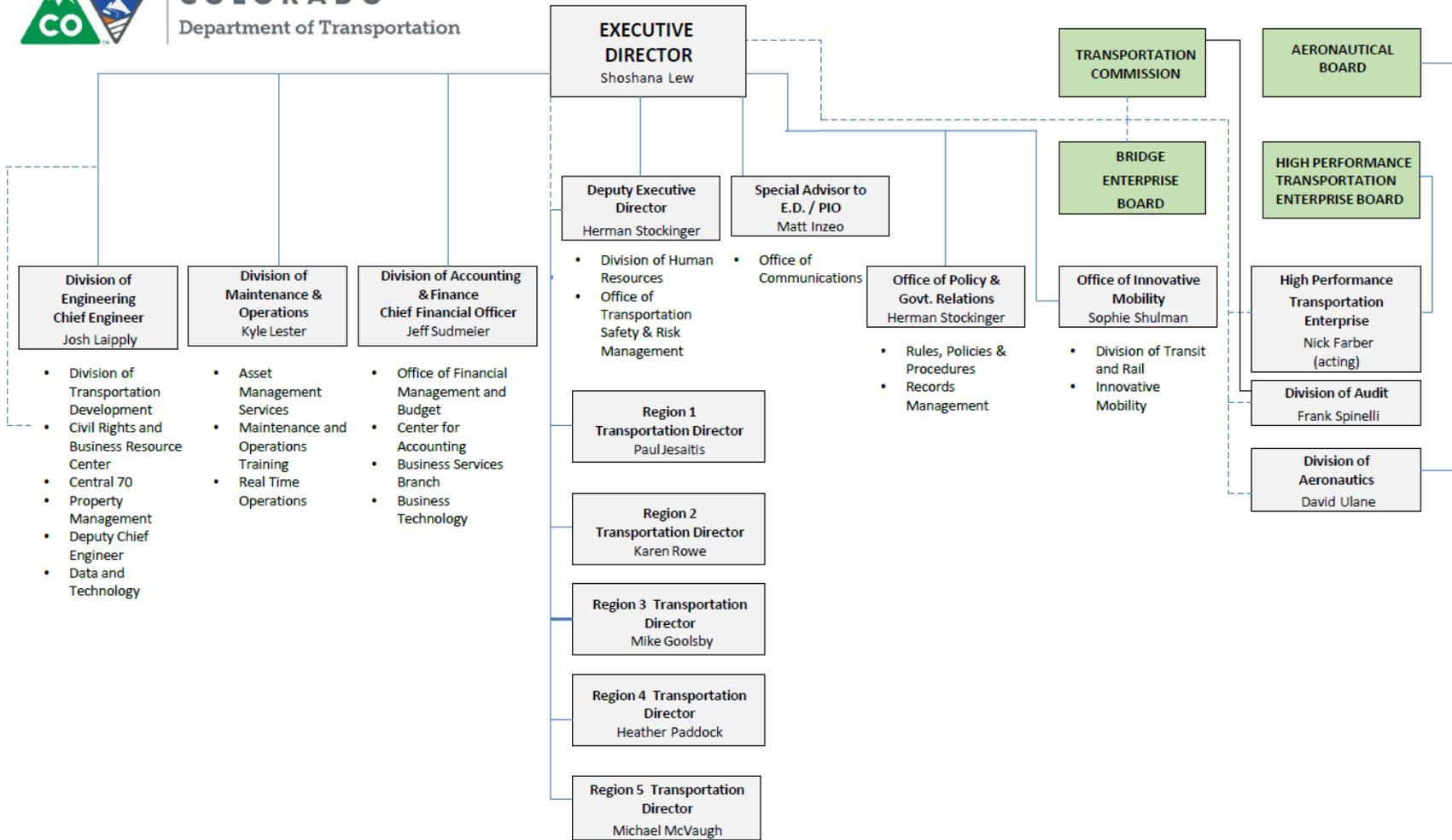
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

E

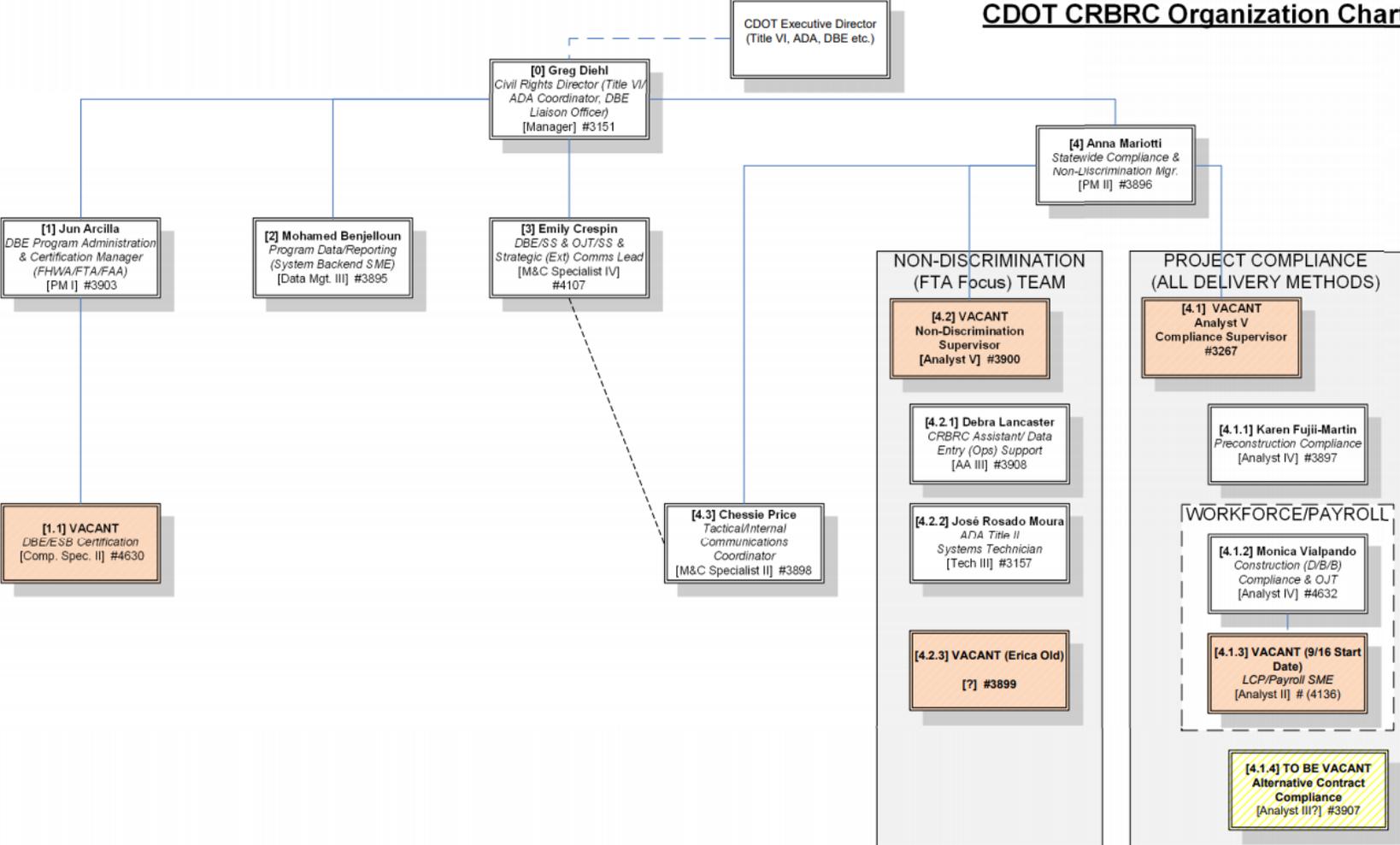
APPENDIX D:
CDOT Organizational Charts



COLORADO
Department of Transportation



CDOT CRBRC Organization Chart



APPENDIX E:
Title VI Annual Program Review
Questionnaire Example

Title VI Liaison

1. Please provide your name.
2. Please provide the date of submission.
3. Please provide the number of meetings you have had with the Title VI specialist for Federal Fiscal Year (FFY) 2018.

Dissemination of Title VI Information

4. Does ROW disseminate Title VI information to the general public? If so, describe efforts.
5. Does ROW's Title VI information detail the Title VI/Nondiscrimination obligations and notify of the protections against discrimination afforded to them by Title VI/Nondiscrimination requirements? If not, describe efforts to include this information.
6. Describe ROW's FFY 2019 Title VI goals for dissemination of Title VI information to the general public.

Complaints

7. Did ROW receive any external discrimination complaints in FFY 2018? If so, provide brief details about the complaint and the status.

Procurement

8. Describe ROW's efforts to encourage minority and female owned businesses to bid on contracting opportunities.
9. Describe ROW's FFY 2019 Title VI goals to provide and/or increase contracting opportunities for small, minority, and female owned businesses.

Operations Manual

10. Does ROW's operations manual include the required Title VI/Nondiscrimination language? If not, describe efforts to include this information.
11. Describe ROW's procedures to implement the requirements of Environmental Justice (EJ) Executive Order 12898 and Limited English Proficiency (LEP) Executive Order 13166. Is this information included in ROW's operations manual? If not, describe efforts to include this information.
12. Describe ROW's procedures to ensure that Title Searching/Acquisition/Valuation consultant services are retained in a Title VI/Nondiscrimination compliant manner. Is this information included in ROW's operations manual? If not, describe efforts to include this information.

Planning and Public Involvement

13. Describe how ROW ensures that Title VI/Nondiscrimination persons are not treated differently as the ROW program elements are implemented (Title Searching, Property Valuation, Property Negotiation, Relocation, and Property Management).
14. Describe how ROW monitors recipients, including LPAs, to ensure that Title VI/Nondiscrimination persons are not treated differently as the ROW program elements are implemented (Title Searching, Property Valuation, Property Negotiation, Relocation, and

Property Management).

15. Describe how ROW monitors all recipients, including LPAs, receiving federal funds and implement the Right-of-Way Program on its public participation procedures.

Limited English Proficiency

16. Attached please review the LEP report form and submit to the Title VI Specialist by August 1st, 2018.

17. Please include ROW's Language Assistance Plan.

18. Describe ROW's FFY 2019 LEP-related goals.

Training

19. What Title VI-related training has the ROW staff attended?

20. Describe ROW's FFY 2018 Title VI training goals.

Negotiations, Acquisitions and Relocations

21. How many negotiations were made during FFY 2018? Does the negotiator's log reflect any disparity in the conduct of negotiations between minorities and non-minorities?

22. Did minorities, women, elderly, disabled, or low-income raise any concerns regarding their options during the negotiation phase? If so, specify how many were minorities, women, elderly, disabled, and low-income.

23. Specify the number of acquisitions and relocations made during FFY 2018.

24. Were any concerns raised by minorities, women, elderly, disabled, and low-income on replacement housing, referral housing, appraisals, relocation assistance, payments and property Management?

Data Collection

25. Does ROW sample data on an annual basis to determine if Relocation Housing Benefits are being calculated based upon the Relocateses specific housing situation and not based upon the person's race, color, national origin, sex, age, or disability? If not, are there any plans to do so?

26. Please submit a summary of statistical demographic data collected regarding the beneficiaries of your Division's programs and activities.

Subrecipient Monitoring

27. Describe ROW's efforts to ensure that recipients, including LPAs, receiving federal funds are aware of their Title VI/Nondiscrimination responsibilities.

FFY 2018 Goals

Describe your Division's progress towards the following goals:

1. ROW staff will update the Customer Service Survey to include Project and parcel identification numbers; Optional low-income indication threshold; and Optional race and ethnic questions. In doing so ROW staff will have necessary information to analyze impacts on minority and low-income populations and better identify patterns of discrimination.

2. ROW will obtain final approval of the proposed data collection process and begin implementation. Implementation will include training CDOT ROW Region and HQ staff on the new data collection process, and how to encourage property owners and displacees to complete the Customer Service Surveys.
3. ROW staff will distribute updated Customer Service Survey templates to the CDOT Regions and local agencies using FHWA funding. ROW staff will ensure that the survey is also distributed to property owners.
4. ROW staff will develop a system to track data collection information and assess for discriminatory practices or impact.
5. ROW will ensure all updates to data collection procedures and Title VI requirements are recorded in the ROW manual.
6. ROW will work with CRBRC to develop a language assistance plan to better serve property owners and displacees with limited English proficiency.
7. ROW staff will review ROW manual and work with CRBRC to include best practices involving Title VI and EJ requirements.
8. The Title VI specialist will provide hands on Title VI training on October 24, 2017 to CDOT ROW staff from all around Colorado.

Please describe any Title VI/Nondiscrimination goals you would like included in the report for FFY 2019.

APPENDIX F:
Connect2DOT Program Overview

Connect2DOT



Connecting Small Business with Transportation Project Opportunities and Support Services

The **Connect2DOT** program is an innovative partnership between the Colorado Small Business Development Center Network (SBDC) and the Colorado Department of Transportation (CDOT) designed to help small businesses in the transportation industry become more competitive and successful in contracting with CDOT and other local transportation agencies.



The following services are provided **FREE** for contractors and design and engineering firms interested in pursuing transportation-related projects and growing their business.

Consulting

- DBE/ESB Certification
- Contractor/A&E Prequalification
- Cost Accounting/Certified Payroll
- Finance/Bonding
- HR/Operations
- Procurement/Marketing to Primes
- Estimating/Bidding
- Teaming/Statement of Interest
- Project Mgmt/Contractor Compliance
- Contract Management/Legal

Training

Workshops are offered as webinars and at various SBDC locations. Visit the website www.connect2dot.org for a list of upcoming workshops or www.coloradosbdc.org to view the statewide training schedule.

- Introduction to Contracting with CDOT
- Next Level Contracting with CDOT
- Applying for DBE Certification
- ESB Program Orientation
- Estimating and Bidding Projects
- Managing Construction Risk
- Marketing to Prime Contractors
- Successful Project Management

Technical Support

- Bid Express Online Access
- Download CDOT Project Plans
- Print CDOT Bid Documents
- www.connect2dot.org
- Online Small Business Network
- The Daily Journal Online Access

Outreach and Events

- Industry News and Announcements
- CDOT Project Opportunities
- Reverse Trade Fairs
- Prime Contractor Meet and Greet

CONTACT:

Cathy Kramer,
Program Manager

Colorado SBDC Network
1625 Broadway, Ste 2700
Denver, CO 80202

P: 720-624-6728
F: 303-604-6314

info@connect2dot.org

www.connect2dot.org



The Colorado Small Business Development Center Network is a partnership between the State of Colorado, the Colorado Office of Economic Development and International Trade, the Small Business Administration (SBA), Colorado's institutions of higher education, local economic development organizations and local chambers of commerce.

APPENDIX G:
Title VI Requirements for CDOT Sub-recipients

Title VI Requirements for FHWA Subrecipients



**Colorado Department of Transportation
Civil Rights & Business Resource
Center**

September 2019

Introduction

Title VI of the Civil Rights Act of 1964 and related non-discrimination statutes require that recipients of federal financial assistance ensure that no one is excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, national origin, sex, age, or disability in any federally-assisted program and activity. Title VI should not be confused with Title VII, which prohibits employment discrimination.

For Title VI purposes, the term “program or activity” means all of the operations of a department, agency, special district, or other instrumentality of a local government. For example, if a local agency’s public works department receives any federal financial assistance, Title VI program requirements apply to every part of that public works department whether federally funded or not. However, Title VI program requirements do not apply to all other departments of the local agency unless the federal assistance is transferred to such departments.

While the original Title VI law only prohibits discrimination on the basis of race, color and national origin, FHWA’s “Title VI Program” incorporates related statutes that have been passed since 1964 and, therefore, prohibits discrimination on the basis of race, color, national origin, sex, age, and disability. Subrecipients must also comply with federal policies regarding environmental justice and limited-English proficiency. The U.S. Department of Transportation (USDOT)’s Title VI implementing regulations are contained in 49 CFR Part 21 and the Federal Highway Administration (FHWA)’s Title VI regulations are in 23 CFR Part 200.

Agencies that receive federal funds from CDOT are referred to as subrecipients. Subrecipients that receive FHWA funds through CDOT are required to establish a Title VI program that is subject to review by CDOT pursuant to 23 CFR 200.9(b)(7). The purpose of the program is to not only prohibit discrimination but to ensure non-discrimination through policies, procedures and regular program reviews.

CDOT’s Civil Rights & Business Resource Center (CRBRC) monitors CDOT subrecipients for Title VI compliance. CDOT will send out a survey to determine compliance annually to all funded Local Public agencies. The following is a summary of items that are required as part of a subrecipient’s Title VI program.

A. Title VI Plan

Subrecipients are required to submit a Title VI Plan to the CRBRC that documents procedures used for complying with FHWA’s Title VI requirements. Subrecipients may create their Title VI Plan using CDOT’s Title VI template, which is available at <https://www.codot.gov/business/civilrights/accessibility/titlevi/title-vi-subrecipients>. Whether the subrecipient uses CDOT’s template or develops its own format for a Title VI Plan, it must contain the following:

- **Non-discrimination Policy Statement:** A subrecipient must provide a statement of its commitment to non-discrimination and Title VI compliance that is signed by its top official

and circulated throughout the organization and general public. The policy statement must define federal financial assistance and delineate specific forms of prohibited discrimination. For an example, CDOT's Nondiscrimination Policy is available at <https://www.codot.gov/business/civilrights/accessibility/titlevi/title-vi-assets/policy-directive-604-0-policy-on-non-discrimination>.

- **Standard DOT Assurances:** A Title VI Plan must include the USDOT's Standard Title VI Assurance in which the subrecipient assures that its program will be conducted in a non-discriminatory manner. The Standard Assurance should have been included and signed with your agency's intergovernmental agreement with CDOT. The subrecipient must ensure that it has a copy of a signed Standard Assurance or executes one to be included in the plan. The subrecipient is also responsible for ensuring that the applicable appendix of the Standard Assurance is included in each federally-assisted contract. A template of the Standard Assurance and its appendices is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/usdot-assurances.pdf>
- **Title VI Coordinator:** The subrecipient must designate a Title VI Coordinator who is responsible for managing and monitoring Title VI compliance, providing reports to CDOT, and handling Title VI complaints.
- **Primary Program Area Descriptions:** The Title VI Plan must describe the nature of the subrecipient's primary program areas and the way in which the subrecipient seeks to ensure non-discrimination in each area. For example, a city's public works department may have divisions for transportation planning and right of way services. Each of these program areas has unique Title VI-related responsibilities to ensure non-discrimination. For example, Planning must ensure equal access to the planning process and equal consideration of the interest of minority populations and Right of Way must ensure equal treatment of minorities throughout the acquisition process.
- **Monitoring and Review Process:** The subrecipient must develop procedures for identifying and addressing potential discrimination or discriminatory procedures within the agency. The Title VI Plan must include a description of how the subrecipient's pertinent program areas are reviewed for Title VI compliance and outline procedures to eliminate and address discrimination and resolve deficiencies when non-compliance occurs. Subrecipients administering federal aid contracts are also required to monitor prime contractors and subcontractors for Title VI compliance.
- **Notice of Rights:** Members of the public must be informed of their rights against discrimination under Title VI and how they can file a Title VI discrimination complaint. The Notice must be made available on the agency's website and be posted in locations accessible to the public. For an example, CDOT's notice is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/nondiscrimin-access-eng.pdf>. If more than five percent of the subrecipient's population in its service area is limited English proficient (LEP), the notice must be translated into the applicable language of that population.

and circulated throughout the organization and general public. The policy statement must define federal financial assistance and delineate specific forms of prohibited discrimination. For an example, CDOT's Nondiscrimination Policy is available at <https://www.codot.gov/business/civilrights/accessibility/titlevi/title-vi-assets/policy-directive-604-0-policy-on-non-discrimination>.

- **Standard DOT Assurances:** A Title VI Plan must include the USDOT's Standard Title VI Assurance in which the subrecipient assures that its program will be conducted in a non-discriminatory manner. The Standard Assurance should have been included and signed with your agency's intergovernmental agreement with CDOT. The subrecipient must ensure that it has a copy of a signed Standard Assurance or executes one to be included in the plan. The subrecipient is also responsible for ensuring that the applicable appendix of the Standard Assurance is included in each federally-assisted contract. A template of the Standard Assurance and its appendices is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/usdot-assurances.pdf>
- **Title VI Coordinator:** The subrecipient must designate a Title VI Coordinator who is responsible for managing and monitoring Title VI compliance, providing reports to CDOT, and handling Title VI complaints.
- **Primary Program Area Descriptions:** The Title VI Plan must describe the nature of the subrecipient's primary program areas and the way in which the subrecipient seeks to ensure non-discrimination in each area. For example, a city's public works department may have divisions for transportation planning and right of way services. Each of these program areas has unique Title VI-related responsibilities to ensure non-discrimination. For example, Planning must ensure equal access to the planning process and equal consideration of the interest of minority populations and Right of Way must ensure equal treatment of minorities throughout the acquisition process.
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- **Notice of Rights:** Members of the public must be informed of their rights against discrimination under Title VI and how they can file a Title VI discrimination complaint. The Notice must be made available on the agency's website and be posted in locations accessible to the public. For an example, CDOT's notice is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/nondiscrimin-access-eng.pdf>. If more than five percent of the subrecipient's population in its service area is limited English proficient (LEP), the notice must be translated into the applicable language of that population.

- **Complaint Procedures:** Subrecipients must develop procedures for investigating and tracking Title VI discrimination complaints pursuant to 23 CFR 200.9(b)(3). The complaint procedures must be consistent with CDOT's complaint procedures and disseminated by the local agency internally and externally. The complaint procedures must indicate that all Title VI violation complaints against the subrecipient, must be filed or forwarded to CDOT or the relevant Federal Operating Administration. At a minimum, the complaint procedures must be posted on the subrecipient's website. For an example, CDOT's complaint procedure is available at https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/cdot-discrimination-complaint-procedure_updated-june-2018.pdf. If more than five percent of the subrecipient's population in its service area is limited English proficient (LEP), the notice must be translated into the applicable language of that population.
- **Complaint Investigation and Tracking.** Any complaints directly against the local agency and/or an employee of the local agency must be forwarded to CDOT for investigation. Local agencies are required to investigate complaints against its subrecipients, contractors, consultants, and anyone else acting on its behalf. Such complaints must be investigated within 60 days of receipt and a final investigative report must be submitted to CDOT for review. Complaints must be investigated by someone knowledgeable in Title VI and discrimination investigations. Contact CDOT's Civil Rights & Business Resource Center if your agency does not have anyone qualified to investigate complaints or if a conflict of interest may exist.
- **Data Collection and Analysis:** The subrecipient is required to develop procedures for the collection of statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of the subrecipient's programs. See 23 CFR 200.9(b)(4). Collecting data helps identify and prioritize problem areas and evaluate the effectiveness of policies and programs to ensure non-discrimination. The Title VI Plan must describe how the subrecipient plans to collect Title VI-related data on an on-going basis. For example, the subrecipient may collect data such as meeting attendees, board member demographics, persons affected by acquisitions and relocations, impacted communities, etc. Results of the analysis should be reported on a yearly basis in the Annual Goals and Accomplishments Report.
- **Public Participation:** The Title VI Plan must describe procedures for eliciting and soliciting participation by minority communities. The Title VI Plan must identify how the subrecipient communicates with and conducts outreach to minority and limited-English proficient (LEP) individuals. The process must address how input from minority populations is considered during agency decision-making.
- **Staff Training:** The Title VI plan must indicate how agency staff is trained on Title VI related policies and procedures.

B. Language Assistance Plan

LEP individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, or understand English. Failure to provide language assistance for LEP persons may result in national origin discrimination. Therefore, pursuant to Executive Order 13166, FHWA subrecipients are required to perform an LEP analysis of their service area and develop a plan for providing language assistance and outreach to LEP populations.

The following is the four-factor analysis which should be used to determine what measures are necessary provide meaningful access for LEP individuals:

1. **Identify the number or proportion** of LEP persons likely to be encountered by the subrecipient.
2. **Determine the frequency** with which LEP persons come into contact with the subrecipient.
3. **Determine Importance** of the program, activity, or service provided.
4. **Identify the resources** available to the subrecipient and the costs.

For more information about completing the four factor LEP analysis and developing a Language Assistance Plan, refer to the USDOT's LEP Guidance at <https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>.

The Language Assistance Plan must be distributed throughout the subrecipient's agency. The agency should record requests for language assistance and measures taken to assist LEP Persons. This information must be included in the annual report to CDOT.

C. Adherence to Environmental Justice Principles

Executive Order 12898 directs federal agencies to identify and address the disproportionately high and adverse human health and environmental effects of their actions on minority and low-income populations. Subrecipients are required to comply with the federal government's Environmental Justice (EJ) policy by integrating EJ principles into their programs. This can be accomplished by describing how minority and low-income data is collected, describing how EJ populations are included in public participation activities, and analyzing how a subrecipients' actions impact EJ populations. For more information, visit CDOT's Environmental Justice webpage at <http://www.coloradodot.info/business/civilrights/accessibility/titlevi/ej>.

D. Annual Goals and Accomplishment Survey

The subrecipient is required to respond to an annual survey regarding its Goals and Accomplishments and its Title VI compliance from the previous Federal Fiscal Year by program area. The survey will also ask for a summary of Title VI complaints and request the subrecipient to include program specific goals and work plan for the following year.

E. CDOT Compliance Reviews

CDOT is responsible for conducting compliance reviews of its subrecipients. Compliance reviews focus on determining whether the subrecipient has met the criteria of FHWA's Title VI program and how effective the subrecipient is at ensuring nondiscrimination. CDOT staff may evaluate the subrecipient's Title VI Plan and related documents, interview individuals with Title VI responsibilities, and/or conduct a site visit as part of the process.

Completed Title VI and Language Assistance Plans should be readily available for CDOT review. If you would like assistance in completing these plans, contact the CDOT CRBRC at the information provided below.

Title VI Resources

Title VI Plan Template

<https://www.codot.gov/business/civilrights/titlevi/fhwa-subrecipients>

Standard DOT Assurance

<https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/usdot-assurances.pdf>

U.S. DOT LEP Guidance

<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>

FHWA Investigating External Complaints of Discrimination

<http://www.fhwa.dot.gov/civilrights/programs/iecd.cfm>

Contact Us

CDOT Civil Rights & Business Resource Center
2829 W. Howard Pl., Suite 130 Denver, CO 80204

Anna Mariotti, Civil Rights Program Manager

(303)757-9162

Anna.mariotti@state.co.us

APPENDIX H:
Subrecipient Title VI Compliance Survey

Subrecipient Title VI Compliance Survey

1. Basic Information

CDOT's Civil Rights & Business Resource Center (CRBRC) is responsible for monitoring local agencies that receive federal funds from CDOT for compliance with Title VI of the Civil Rights Act of 1964. The CRBRC has developed this survey as a means to assess your current level of compliance and technical assistance needs. More information about Title VI requirements for local agencies is available at the CRBRC website.

The following pages allow you to upload your agency's Title VI Plan, Non-Discrimination Policy, USDOT Non-Discrimination Assurance, Title VI Complaint Procedure, and Public Participation Plan. These items are NOT required to complete this survey. If your agency does have any of these items, please gather them before starting the survey.

Questions or concerns may be directed to Eboni Younger-Riehl, CDOT Civil Rights Specialist, eboni.riehl@state.co.us, (303) 757-9072.

Thank you for your cooperation.

* 1. Who is the Title VI contact person for your agency?

2. Title

* 3. Contact Information

Phone

Email

Address

Agency Website

4. Name of person completing this survey?

5. Contact information for person completing this survey

Email Address

Phone Number

Subrecipient Title VI Compliance Survey

2. Your Title VI Plan

* 1. Does your agency have a Title VI plan?

2. Title VI Plan Comments (Optional)

3. If your agency has a Title VI Plan, please upload.

Choose File

No file chosen

Subrecipient Title VI Compliance Survey

3.

* 1. Does your agency have a documented policy against discrimination?

2. If yes, please attach a copy of your agency's policy against discrimination if it is not already a part of your Title VI plan.

Choose File

No file chosen

Subrecipient Title VI Compliance Survey

4.

* 1. Does your Agency have a signed USDOT Standard Title VI Nondiscrimination Assurance?

2. If yes, please attach a copy of your agency's signed USDOT Standard Title VI-Nondiscrimination Assurance if it is not a part of the Title VI plan.

Choose File

No file chosen

Subrecipient Title VI Compliance Survey

5.

* 1. Does your agency have a written discrimination complaint process?

2. If yes, please upload a copy of your agency's discrimination complaint process.

Choose File

No file chosen

* 3. Is your discrimination complaint process available on your agency's website?

4. If yes, Please provide the URL to the website where the complaint process is available to the public.

* 5. Does your agency have a process for tracking Title VI complaints?

Subrecipient Title VI Compliance Survey

6.

* 1. Does your agency inform the public of its rights under Title VI, including the right to file a complaint?

2. How does your agency inform the the public? Check all that apply

Website	<input type="text"/>
Printed material	<input type="text"/>
Other	<input type="text"/>

3. Please attach any examples of materials , such as a public notice used to inform the public of its rights under Title VI.

No file chosen

4. Any Questions regarding the information on this page? (Optional)

Subrecipient Title VI Compliance Survey

7.

* 1. Does your agency provide free translation and interpretation services for Non-English speakers (i.e. Limited English Proficient (LEP) Persons?

* 2. Which languages, other than English, has your agency encountered in the past year?**Check all that apply**

- | | |
|-------------------------------|----------------------------------|
| <input type="radio"/> Spanish | <input type="radio"/> French |
| <input type="radio"/> German | <input type="radio"/> Vietnamese |
| <input type="radio"/> Russian | <input type="radio"/> Korean |
| <input type="radio"/> Other | <input type="radio"/> Unsure |
| <input type="radio"/> None | |

* 3. Does your agency have a public participation plan?

* 4. Does your agency collect demographic data of program participants?

5. If yes, please explain how demographic data is collected and the purpose for collecting it.

6. Any questions regarding the information on this page?

Subrecipient Title VI Compliance Survey

8. Questions and Comments

* 1. Is your agency interested in Title VI training or other Title VI technical assistance from CDOT or FHWA?

2. Please describe any Title VI-related issues for which your agency would like training or technical assistance

3. Additional comments, questions, or concerns?

APPENDIX I:
MPO Title VI Plan Checklist

TITLE VI CHECKLIST FOR METROPOLITAN PLANNING ORGANIZATIONS

As a steward of federal funds, CDOT is required to monitor MPOs in Colorado for compliance with Title VI of the Civil Rights Act of 1964. MPOs are subject to the Title VI program requirements of the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA).

FTA Title VI requirements are described in FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients." FHWA's Title VI regulations are in 23 CFR Part 200. For more information about FHWA and FTA Title VI requirements, visit <https://www.codot.gov/business/civilrights/titlevi>.

The following is a checklist of FTA and FHWA Title VI Program requirements. For assistance with developing a Title VI Program, please contact the Civil Rights Business & Resource Center at 303-757-9072 or eboni.riehl@state.co.us.

General Requirements (FTA Circular Chapter III and 23 CFR Part 200)

All recipients must submit:

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program

Specific Requirements of MPOs (Consistent with FTA Circular Chapter VI and 23 CFR part 200)

Metropolitan Planning Organizations and other planning entities must submit:

- Demographic profile of the metropolitan area
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the MPO's transportation system investments that identifies and addresses any disparate impacts
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
- Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)
- Description of how Environmental Justice is addressed in the MPO's programs and activities.

APPENDIX J:

Discrimination Complaint Procedure (English)



CDOT Discrimination Complaint Procedure

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any CDOT program or activity. This prohibition applies to all branches of CDOT, agencies and organizations that receive money from CDOT, contractors, consultants, and anyone else who acts on CDOT's behalf.

Federal law requires that CDOT investigate if designated to do so by FHWA, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact the CDOT Civil Rights and Business Resource Center (CRBRC) toll free at (800) 925-3427.

Este procedimiento de queja y el Formulario de Queja de Discriminación están disponibles en español en www.codot.gov/business/civilrights/espanol o llamando a la línea gratuita (800) 925-3427.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any CDOT program or activity because of their race, color, national origin, age, sex, or disability may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within **180 days** from the last date of the alleged discrimination. However, contact the CRBRC if you believe your complaint may fall outside this deadline. The CRBRC will respond with a confirmation that the complaint was received within 10 days of submission.

CDOT will make reasonable efforts to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the Civil Rights & Business Resource Center at (800) 925-3427.

While not required, complainants are encouraged to use the Discrimination Complaint Form which can be found at www.codot.gov/business/civilrights/your-rights.

Complaints may be submitted via email, fax or in person to one of the following:

Civil Rights & Business Resource Center
Title VI Coordinator
2829 W. Howard Pl., 1st Floor Denver,
CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office
Regional Civil Rights Manager
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
Phone: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office
Regional Civil Rights Manager
905 Erie Ave.
Pueblo, CO 81002
Phone: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office
Regional Civil Rights Manager
222 South 6th St.
Grand Junction, CO 81501-2769
Phone: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office
Regional Civil Rights Manager 10601
W. 10th Street
Greeley, CO 80634
Phone: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office
Regional Civil Rights Manager
3803 N. Main Ave.
Durango, CO 81301
Phone: (970) 385-1403
Fax: (970) 385-1429

Complaints may also be filed directly with one of the following agencies:

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration, Region 8
1961 Stout Street, Suite 13-301
Denver, Colorado 80202
Phone: (303) 362-2400
Fax: (303) 362-2424

What happens after a complaint is filed with CDOT?

Most complaints will be investigated within **sixty days**. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties.

Complaints related to employment with CDOT will be investigated by the Office of Strategic Workforce Solutions or regional civil rights staff in accordance with CDOT policy. All other complaints will be investigated by the CRBRC or regional civil rights staff and, upon completion of the investigation, formal findings will be issued to the complainant. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

Complaints alleging Title VI violations against CDOT should be filed in writing directly with the Federal Transit Administration or the Federal Highway Administration listed above. If your complaint is received by CDOT, but needs to be forwarded to one of these agencies, you will be provided the name and contact information of the federal employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Questions?

Contact the Civil Rights & Business Resource Center toll free at (800) 925-3427 or email dot_civilrights@state.co.us

What happens after a complaint is filed with CDOT?

Most complaints will be investigated within **sixty days**. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties.

Complaints related to employment with CDOT will be investigated by the Office of Strategic Workforce Solutions or regional civil rights staff in accordance with CDOT policy. All other complaints will be investigated by the CRBRC or regional civil rights staff and, upon completion of the investigation, formal findings will be issued to the complainant. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, CDOT must forward complaints to either the Federal Highway Administration or Federal Transit Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the federal employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Questions?

Contact the Civil Rights & Business Resource Center toll free at (800) 925-3427 or email dot_civilrights@state.co.us

APPENDIX K:
Discrimination Complaint Procedure
(Spanish)



Procedimiento para quejas por discriminación del CDOT

Las leyes federales prohíben la discriminación en base a la raza, el color, el país de procedencia, la edad, el sexo o las discapacidades en todos los programas y en todas las actividades del CDOT. Esta prohibición se aplica a todas las ramas del CDOT y a los organismos y a las organizaciones que reciben dinero del CDOT, contratistas, consultores y cualquier otra persona que actúe en representación del CDOT.

Las leyes federales requieren que el CDOT investigue, controle e informe las quejas por discriminación. Las quejas deben presentarse por escrito y se investigarán dentro de los sesenta días posteriores a recibirse. Si necesita ayuda para presentar su queja o necesita servicios de interpretación, comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center, CRBRC) del CDOT en el (800) 925-3427 (llamada gratuita).

¿Quiénes son elegibles para presentar una queja?

Toda persona que piense que ha sido excluida de la participación, que le negaron beneficios o que sufrió discriminación en relación con cualquier programa o actividad del CDOT debido a su raza, color, país de procedencia, edad, sexo o discapacidad puede presentar una queja.

La discriminación incluye falta de acceso, acoso, represalias e impactos desproporcionados en un programa o en una actividad. El acoso incluye una extensa variedad de conductas verbales o físicas abusivas y humillantes. Las represalias incluyen la intimidación, las amenazas, la coacción o las conductas discriminatorias contra una persona por haber presentado una queja o haber participado en una investigación de discriminación.

¿Cómo se presentan las quejas?

Las quejas deben presentarse por escrito dentro de los **180 días** posteriores a la fecha de la presunta discriminación. Sin embargo, comuníquese con el CRBRC si piensa que su queja puede estar fuera de este plazo límite.

El CDOT tomará medidas razonables para asistir a las personas con discapacidades o que no hablen inglés y a otras personas que no puedan presentar una queja por escrito. Para obtener ayuda para presentar una queja, comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center) en el (800) 925-3427.

Aunque esto no es obligatorio, se recomienda a las personas que presentan la queja que usen el formulario de quejas por discriminación que se encuentra en www.coloradodot.info/business/civilrights/espanol.html

Las quejas pueden presentarse por correo electrónico, fax o en persona a:

CDOT CRBRC (Headquarters)

Coordinador de Título VI (Title VI
Coordinator)
4201 East Arkansas Ave., Room 150
Denver, CO 80222
dot_civilrights@state.co.us
Teléfono: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
2000 South Holly Street
Denver, CO 80222
Teléfono: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
905 Erie Ave.
Pueblo, CO 81002
Teléfono: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
222 South 6th St.
Grand Junction, CO 81501-2769
Teléfono: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
1420 2nd Street
Greeley, CO 80632
Teléfono: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)
3803 N. Main Ave.
Durango, CO 81301
Teléfono: (970) 385-1403
Fax: (970) 385-1429

También pueden presentarse quejas directamente ante uno de estos organismos:

Federal Highway Administration, Colorado Division

12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration, Region 8

1961 Stout Street
Suite 13-301
Denver, CO 80202
Teléfono: (303) 362-2400
Fax: (303) 362-2424

¿Qué ocurre después de presentar una queja ante el CDOT?

La mayoría de las quejas se investigan dentro de los **sesenta días**. La investigación de una queja incluye entrevistar a todos los participantes y a los testigos principales. El investigador también puede solicitar información pertinente como libros, registros, información electrónica y otras fuentes de información de todos los participantes.

Las quejas relacionadas con el empleo en el CDOT serán investigadas por la Oficina de Soluciones Estratégicas de la Fuerza Laboral (Office of Strategic Workforce Solutions) o por el personal de derechos civiles en conformidad con las políticas del CDOT. Todas las demás quejas serán investigadas por el CRBRC o por el personal de derechos civiles y, después de finalizada la investigación, se enviarán las determinaciones formales a la persona que presentó la queja. Puede especificar si hay personas en específico que piensa que no deben investigar su queja debido a conflictos de intereses u otros motivos.

Las quejas que alegan violaciones del Título VI contra CDOT se deben presentar por escrito, directamente ante la Administración Federal de Tránsito (Federal Transit Administration) o la Administración Federal de Carreteras (Federal Highway Administration) que se mencionó anteriormente. Si el CDOT recibe su queja, pero necesita ser enviada a una de estas agencias, se le proporcionará el nombre y la información de contacto del empleado federal que maneja su queja.

Las leyes federales prohíben las represalias contra las personas por presentar una queja por discriminación o por participar en una investigación de discriminación. Toda presunta represalia debe informarse por escrito al investigador.

¿Tiene alguna pregunta?

Comuníquese con el Centro de Recursos de Derechos Civiles y Negocios (Civil Rights and Business Resource Center) en el (800) 925-3427 (llamada gratuita) o por correo electrónico a dot_civilrights@state.co.us

APPENDIX L:
Discrimination Complaint Form
(English)

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
 Status (pending, resolved, etc.) _____ Result, if known _____
 Complaint number, if known _____

Do you have an attorney in this matter?

Name _____ Phone _____
 Address _____ City _____ Zip _____

Signed _____	Date _____
--------------	------------

Complaints may be submitted via email, fax or in person to one of the following:

Civil Rights & Business Resource Center
Title VI Coordinator
2829 W. Howard Pl., 1st Floor Denver,
CO 80204
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office
Regional Civil Rights Manager
2829 W. Howard Pl., 1st Floor
Denver, CO 80204
Phone: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office
Regional Civil Rights Manager
905 Erie Ave.
Pueblo, CO 81002
Phone: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office
Regional Civil Rights Manager
222 South 6th St.
Grand Junction, CO 81501-2769
Phone: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office
Regional Civil Rights Manager 10601
W. 10th Street
Greeley, CO 80634
Phone: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office
Regional Civil Rights Manager
3803 N. Main Ave.
Durango, CO 81301
Phone: (970) 385-1403
Fax: (970) 385-1429

Complaints may also be filed directly with one of the following agencies:

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration, Region 8
1961 Stout Street, Suite 13-301
Denver, Colorado 80202
Phone: (303) 362-2400
Fax: (303) 362-2424

APPENDIX M:
Discrimination Complaint Form
(Spanish)

Indique las fechas y las horas en que ocurrió la discriminación

¿Hubo testigos de la discriminación?

Nombre	Organización/cargo	Teléfono laboral	Teléfono personal

¿De qué manera le gustaría que se resuelva esta situación?

¿Presentó su queja, descargo o juicio ante otro organismo o en los tribunales?

Quién _____ Cuándo _____
 Estado (pendiente, resuelto, etc.) _____ Resultado, si lo conoce _____
 Número de queja, si lo conoce _____

¿Tiene un abogado para este tema?

Nombre _____ Teléfono _____
 Dirección _____ Ciudad _____ Código postal _____

Firma _____	Fecha _____
-------------	-------------

Pueden enviarse quejas por correo electrónico, por fax o en persona a:

Civil Rights & Business Resource Center

Coordinador de Título VI (Title VI
Coordinator)

2829 W. Howard Pl., 1st Floor
Denver, CO 80204
dot_civilrights@state.co.us
Teléfono: (800) 925-3427
Fax: (303) 952-7088

CDOT Region 1 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

2000 South Holly Street
Denver, CO 80222
Teléfono: (303) 757-9385
Fax: (303) 365-7033

CDOT Region 2 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

905 Erie Ave.
Pueblo, CO 81002
Teléfono: (719) 546-5432
Fax: (719) 562-5525

CDOT Region 3 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

222 South 6th St.
Grand Junction, CO 81501-2769
Teléfono: (970) 683-6227
Fax: (970) 683-6210

CDOT Region 4 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

1420 2nd Street
Greeley, CO 80632
Teléfono: (970) 350-2107
Fax: (970) 350-2178

CDOT Region 5 Civil Rights Office

Gerente regional de derechos civiles
(Regional Civil Rights Manager)

3803 N. Main Ave.
Durango, CO 81301
Teléfono: (970) 385-1403
Fax: (970)385-1429

También pueden presentarse quejas directamente ante los siguientes organismos:

Federal Highway Administration, Colorado Division

12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Teléfono: (720) 963-3000
Fax: (720) 963-3001

Federal Transit Administration, Region 8

1961 Stout Street
Suite 13-301
Denver, CO 80202
Teléfono: (303) 362-2400
Fax: (303) 362-2424

APPENDIX N:
Public Notice (English)



Request for Access to CDOT Programs & Activities

It is CDOT's objective to provide access to CDOT programs and activities for all individuals.

The following services are available:

Interpretation & Translation Services: CDOT provides reasonable language assistance free of charge upon request. Contact the Civil Rights & Business Resource Center at (800) 925-3427 to make translation or interpretation requests related to any CDOT public meeting or service.

Access for the Visually and Hearing Impaired: Dial 711 or (800) 659-3656 to reach Relay Colorado. [Relay Colorado](#) is a free service that provides full telephone access to people who are deaf, hard of hearing, deaf-blind, or speech-disabled.

Accessible Meeting Locations & Facilities: CDOT strives to provide services and hold meetings in locations accessible to people with disabilities. Contact the Civil Rights & Business Resource Center at (800) 925-3427 to make an accommodation request.

Your Rights Against Discrimination

The Colorado Department of Transportation 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 CDOT program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with CDOT, the Federal Highway Administration, or the Federal Transit Administration.

To file a complaint, please contact one of the following:

CDOT Civil Rights & Business Resource Center
2829 West Howard Place,
Suite 139
Denver, CO 80204
(800) 925-3427
dot_civilrights@state.co.us

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue,
Suite 180
Lakewood, CO 80228
(720) 963-3000

Federal Transit Administration, Region 8
1961 Stout Street,
Suite 13-301
Denver, CO 80202
(303) 362-2400

Si necesita informacion en Espanol, favor contactar (800) 925-3427.

APPENDIX O:
Public Notice (Spanish)



Solicitud de acceso a los programas y a las actividades del CDOT

El CDOT tiene el objetivo de proporcionar acceso a sus programas y a sus actividades a todas las personas.

Están disponibles los servicios siguientes:

Servicios de interpretación y traducción: El CDOT proporciona ayuda razonable en otros idiomas a pedido. Comuníquese con el Centro de Recursos de Negocios y Derechos Civiles (CRBRC) en el (800) 925-3427 para solicitar traducciones o interpretaciones en relación con cualquier reunión pública o servicio del CDOT.

Acceso para las personas con problemas visuales y auditivos: Marque 711 o (800) 659-3656 para comunicarse con Relay Colorado. **Relay Colorado** es un servicio gratuito que ofrece acceso telefónico completo a las personas sordas, que tienen problemas para escuchar, sordas y ciegas o que tienen problemas del habla.

Ubicaciones para las reuniones e instalaciones: El CDOT se esfuerza por proporcionar servicios y llevar a cabo reuniones en ubicaciones accesibles para las personas con discapacidades. Comuníquese con el CRBRC en el (800) 925-3427 para solicitar accesibilidad.

Sus derechos contra la discriminación

El Departamento de Transporte de Colorado (CDOT) opera sus programas y servicios sin discriminar respecto de la raza, el color, el país de procedencia, el sexo, la edad o las discapacidades. La persona que piense que la excluyeron de la participación, que le negaron beneficios o que sufrió discriminación en relación con cualquier programa o actividad del CDOT debido a su raza, color, país de procedencia, edad, sexo o discapacidad puede presentar una queja ante el CDOT, la Administración Federal de Carreteras (Federal Highway Administration) o la Administración Federal de Tránsito (Federal Transit Administration).

Para presentar una queja, comuníquese con uno de los siguientes:

CDOT Civil Rights & Business Resource Center
2829 West Howard Place,
Suite 139
Denver, CO 80204
(800) 925-3427
dot_civilrights@state.co.us

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue,
Suite 180
Lakewood, CO 80228
(720) 963-3000

Federal Transit Administration, Region 8
1961 Stout Street,
Suite 13-301
Denver, CO 80202
(303) 362-2400

APPENDIX P:
Statewide LEP Data

Colorado LEP Demographic Data

Colorado has a total population of 4,860,145 people. Colorado has a total Limited English Proficient (LEP) population of 310,065, which is 6.4% of Colorado’s overall population. The following table shows the top five languages spoken by LEP persons in Colorado and their percentage of the total Colorado population, according to the U.S. Census Bureau.¹

Language	Number of LEP Persons	Percent of Colorado Population
Spanish	226,453	4.66%
Vietnamese	12,078	0.25%
Chinese ²	10,489	0.22%
Korean	8,475	0.18%
African Languages ³	7,932	0.17%

Demographic data by county and CDOT Transportation Region

CDOT is geographically structured into five Transportation Regions. The following pages contain LEP demographic data for each CDOT Transportation Region and the counties within in each region using U.S. Census data for people who do not speak English as their primary language and speak English “less than very well.”

Census data is also supplemented with data from the Colorado Department of Education.⁴ The presence of English Language Learners in schools may indicate the presence of greater LEP populations. In addition to the languages listed in the U.S. Census tables, the following pages also list additional languages found in the school data.

CDOT Region 1

CDOT Region 1 is comprised of the five counties listed in the table below. LEP individuals make up 8.8% of Region 1’s total population. LEP individuals that speak Spanish represent 6.4% of Region 1’s

¹ Data tabulated by the Migration Policy Institute, “Limited English Proficient Individuals in the United States: Linguistic Diversity at the County Level (February 2013).” Data was tabulated using the US Census Bureau’s 2010-2014 American Community Survey, Table B16001 “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.” For more information about LEP data, visit http://www.lep.gov/demog_data/demog_data.html.

² The US Census Bureau groups the following languages under the “Chinese” language category: Chinese, Hakka, Kan, Hsiang, Cantonese, Mandarin, Fuchow, Formosan, and Wu.

³ The US Census Bureau’s “African language” classification includes Amharic, Afro-Asiatic languages, Nilo-Saharan languages, and Niger-Congo languages. For a full listing of these languages, visit <https://www.census.gov/hhes/socdemo/language/about/>.

⁴ Colorado Department of Education, English Language Learner student count, grades preschool through 12, October 2015. This data is available upon request from CDOT’s Civil Rights & Business Resource Center.

population. Adams, Arapahoe, and Denver counties have the largest Spanish-speaking LEP populations in Region 1. Other prevalent LEP populations in Region 1 include Vietnamese, Russian, and Korean speakers.

Region 1, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ⁵
Adams	424,235	52,820 (12.45%)	44,305 (11.2%)	Vietnamese (2,136 people) Russian (1,000) Chinese (700) African Languages (500)
Arapahoe	556,245	50,332 (9.05%)	28,310 (5.09%)	Korean (3,467) African Languages (2,900) Russian (2,181) Vietnamese (2,462) Chinese (1,873) Arabic (1,248) Other Asian ⁶ (1,456) Other Indic ⁷ (624) French (813) Tagalog (567)
Broomfield	50,287	2,601 (4.7%)	1,388 (2.51%)	-
Clear Creek	8,722	26	18	-
Denver	589,391	67,832 (11.51%)	51,593 (8.75%)	Chinese (1,975) Russian (1,653) Other Indic languages (915) Vietnamese (3,868) Arabic (1,191) African Languages (2,127) Other Asian (750)

⁵ LEP number estimates are displayed only if 500 persons or more.

⁶ The US Census Bureau’s “Other Asian languages” classification includes Turkic languages, Dravidian languages, and Tibetan-Burman languages. For a full listing of these languages, visit http://www.census.gov/hhes/socdemo/language/about/02_Primary_list.pdf

⁷ For a full listing the US Census Bureau’s “Other Indic languages,” visit http://www.census.gov/hhes/socdemo/language/about/02_Primary_list.pdf.

Douglas	279,291	6,896(2.47%)	3,198 (1.15%)	Chinese (894) Korean (666)
Gilpin	5,295	66 (1.25%)	66	-
Jefferson	516,473	16,844(3.26%)	9,213 (1.78%)	Vietnamese (1,600) Chinese (600) Russian (500) Korean (500)
Region 1	2,429,939	197,417(8.1%)	138,091(5.6%)	

In addition to the languages listed in the table on the previous page, school data indicates the presence of the following language population groups:⁸

Adams County: Hmong, Lao.

Arapahoe County: Amharic, Japanese, Burmese, Nepali, Hindi, Pa’o Karen, Tigrigna, Tamil and Somali.

City and County of Denver: Burmese, West Central Oromo, Pa’o Karen, Amharic, French, Nepali, Somali, Swahili and Tigrigna.

Douglas County: Hindi.

⁸ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

CDOT Region 2

CDOT Region 2 is comprised of the 14 counties listed in the table below. LEP individuals make up 4% of Region 2's population. The largest LEP group is Spanish at 3.6%. Most of the Spanish-speaking LEP population in Region 2 is found in El Paso and Pueblo counties.

Region 2, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ⁹
Baca	3,498	89 (2.8%)	71	-
Bent	5,757	425 (7.38%)	402(6.98%)	-
Crowley	5,351	472 (8.82%)	454(8.48%)	-
Custer	4143	9 (0.22%)	9 (0.22%)	-
El Paso	599,826	22932(3.82%)	14582(2.43%)	Korean (1,742 people) German (659) Tagalog (542) Chinese (931) Vietnamese (930) Arabic (513)
Fremont	44,891	2,675 (5.96%)	2,028(4.52%)	-
Huerfano	6,367	251 (3.94%)	204 (3.20%)	-
Kiowa	1,322	7 (0.53%)	7 (0.53%)	-
Las Animas	14,030	508(3.62%)	415 (2.96%)	-
Otero	17,530	996 (4.5%)	885 (5.05%)	-
Park	15,525	164(1.06%)	139 (0.90%)	-
Prowers	11447	775 (6.77%)	688 (6.01%)	-
Pueblo	150,658	6,632(4.40%)	5800(3.58%)	-
Teller	22,356	235 (1.06%)	111 (0.50%)	-
Region 2	902,701	36,170 (4.0%)	25,795(2.8%)	

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁰

⁹ LEP number estimates are displayed only if 500 persons or more.

¹⁰ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

EL Paso County: Nepali.

CDOT Region 3

CDOT Region 3 is comprised of the 15 counties listed in the table below. LEP individuals make up 6.5% of Region 3’s total population. LEP individuals that speak Spanish represent 5.7% of Region 3’s population. The majority of the Spanish-speaking LEP population in Region 3 is located in Eagle and Garfield counties.

Region 3, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ¹¹
Delta	28,813	1,087 (3.8%)	975 (3.4%)	-
Eagle	49,414	6,220 (12.6%)	5,780 (11.7%)	-
Garfield	52,410	5,094 (9.7%)	4,943 (9.4%)	-
Grand	13,704	300 (2.2%)	174 (1.2%)	-
Gunnison	14,752	317 (2.1%)	238 (1.6%)	-
Hinsdale	806	0	0	-
Jackson	1,334	9 (0.7%)	9 (0.7%)	-
Lake	6,753	716 (10.6%)	626 (9.2%)	-
Mesa	137,942	3,797(2.7%)	3,177 (2.3%)	-
Moffat	12,322	696 (5.6%)	635 (5.1%)	-
Montrose ¹²	38,534	1,988 (6.3%)	1,899(6.0%)	-
Pitkin	16,503	667(4.0%)	469(2.8%)	-
Rio Blanco	6,287	221 (3.3%)	209 (3.3%)	-
Routt	22,354	592(2.6%)	307 (1.3%)	-
Summit	27,051	1,940 (7.2%)	1828(6.7%)	-
Region 3	428979	23,644 (5.5%)	21,269 (4.9%)	

In addition to the languages listed in the table above, school data indicates the additional presence of the following language population groups:¹³

¹¹ LEP number estimates are displayed only if 500 persons or more.

¹² Parts of Montrose County are located in CDOT Region 3 and Region 5. However, for this LEP Plan, Montrose County data is analyzed as part of Region 3 because much of the county’s population, including the City of Montrose, is located in Region 3.

¹³ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

Gunnison County: El Nayar Cora.

Note: CDOT Region 3 includes counties with many tourists and seasonal workers. The data here does not reflect the languages likely to be encountered because of these groups.

CDOT Region 4

CDOT Region 4 is comprised of the 13 counties listed in the table below. LEP individuals make up 5.5% of Region 4's total population. LEP individuals that speak Spanish represent 4.5% of Region 4's population. The majority of the Spanish-speaking LEP population in Region 4 is located in Boulder, Larimer, and Weld counties.

Region 4, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ¹⁴
Boulder	289,106	16,085 (6.2%)	12,800 (4.6%)	Chinese (1,194 people) Korean (536)
Cheyenne	1,988	77 (4.8%)	75	-
Elbert	21,517	301(1.34%)	185 (0.82)	-
Kit Carson	7,592	480 (6.32%)	465 (6.12%)	-
Larimer	294,054	6,534(2.22%)	4,324 (1.47%)	-
Lincoln	5,193	354 (6.82%)	329 (6.34%)	-
Logan	21,476	938 (4.37%)	890 (4.14%)	-
Morgan	26,222	3,416 (13.03%)	3,042 (11.60%)	-
Phillips	4,084	524 (12.86%)	518 (12.68%)	-
Sedgwick	2,244	63 (2.81%)	59 (2.63%)	-
Washington	4,531	109 (2.41%)	109 (2.41%)	-
Weld	245,113	17,368 (7.09%)	15,607(6.37%)	
Yuma	9,303	744 (8.0%)	738 (7.93%)	
Region 4	932,423	46,993 (5.0%)	39,141(4.2%)	

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁵

Weld County: Burmese, Karen Pa'o, Somali.

¹⁴ LEP number estimates are displayed only if 500 persons or more.

¹⁵ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

CDOT Region 5

CDOT Region 5 is comprised of the 14 counties¹⁶ listed in the table below. LEP individuals make up 3.3% of Region 5's total population. LEP individuals that speak Spanish represent 2.3% of Region 5's population.

Region 5, U.S. Census Data

County	Total Population	Total LEP Population	Spanish LEP Population	Other Languages ¹⁷
Alamosa	14,937	1,051 (7.04%)	957 (6.41%)	-
Archuleta	11,516	276 (0.9%)	176 (1.53%)	-
Chaffee	17,374	562 (1.8%)	559 (3.2%)	-
Conejos	7,600	604 (7.9%)	575 (7.5%)	-
Costilla	3,416	408 (11.94%)	395 (11.56%)	-
Dolores	1,671	2 (0.12%)	0	-
La Plata	49,689	731 (1.47%)	524 (1.05%)	-
Mineral	695	5 (0.72%)	5 (0.72%)	-
Montezuma	23,997	470 (2.1%)	265 (1.10%)	-
Ouray	4,418	54 (1.22%)	44 (1.0%)	-
Rio Grande	11,079	751 (7.2%)	715 (6.3%)	-
Saguache	5,806	655 (11.28%)	637 (10.97%)	-
San Juan	623	12 (1.93%)	12 (1.93%)	-
San Miguel	7,194	259 (3.6%)	248 (3.45%)	-
Region 5	160,015	5,840 (3.6%)	5,112 (3.2%)	

In addition to the languages listed in the table above, school data indicates the presence of the following language population groups:¹⁸

Alamosa: Eastern Q'anjob'al.

Montezuma: Navajo.

¹⁶ A part of Montrose County is also located in CDOT Region 5. However, for this LEP Plan, Montrose County data is analyzed as part of Region 3 because much of the county's population, including the City of Montrose, is located in Region 3.

¹⁷ LEP number estimates are displayed only if 500 persons or more.

¹⁸ The languages listed here were not the only languages identified in the Colorado Department of Education data. These languages and the languages listed in the U.S. Census table were the most prevalent languages identified in the Colorado Department of Education data.

APPENDIX Q: LEP Annual Report



LEP Annual Report

Region:

Contact Person:

Telephone:

Report Year:

LEP Encounters

Total Number of LEP encounters:

Language most frequently requested: Spanish Other (specify) _____
(Select one by placing an X in the box)

LEP service most frequently used: Oral Interpretation (in person) Written Translation Telephone Interpretation
(Select one by placing an X in the box)

Most frequent LEP services rendered: Employee Contractor Community Volunteer LEP Person's Family/Friend
(Select one by placing an X in the box) Other method (specify): _____



LEP Expenditures

Total Expenses: \$

Spanish: \$ Other language (specify) _____: \$

Oral Interpretation (in person): \$ Written translation: \$ Telephone Interpretation:

Translation of Documents

Total number of documents stated upon request: Total number of vital documents translated:

Types of documents Translated:

Application Brochure Notice Other document (specify) _____

LEP Complaints

Total number of complaints: Number of complaints resolved:

Complaint Information

Date filed: Date resolved: Description: _____