

Title VI/Nondiscrimination Program Plan



HRTPO
Heartland Regional
Transportation Planning Organization

HRTPO Full and Fair Participation

Public participation is solicited without regard to race, color, national origin, sex, age, disability, religion or family status. Persons requiring accommodation under the Americans with Disabilities Act (ADA) or language translation, free of charge should contact Marybeth Soderstrom, HRTPO Title VI Liaison, 863-534-7130 (voice), or via Florida Relay Service 711, or by emailing msoderstrom@cfrpc.org at least three days prior to the event. The HRTPO strives to ensure full and fair participation by all potentially affected individuals, groups and communities in the transportation decision-making process.

heartlandregionaltpo.org

(863) 534-7130

Adopted: November 28, 2018



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The preparation of this report has been financed in part through grant(s) from the Federal Highway Administration and Federal Transit Administration, US Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, US Code in cooperation with the Florida Department of Transportation, the urbanized area of Highlands County including the cities of Sebring and Avon Park; and the counties of DeSoto, Glades, Hardee, Hendry, Highlands and Okeechobee. The contents of this report do not necessarily reflect the official views or policies of the US Department of Transportation.

Title VI/Nondiscrimination Assurance and Management Commitment to Title VI/Nondiscrimination Plan

The Heartland Regional Transportation Planning Organization (hereinafter the Agency) assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

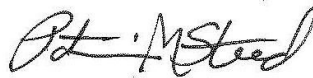
The Agency further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Appendices A & E (located in Section IV of this plan) into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against the Agency.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA, FHWA and FDOT to the primary recipient (refer to Appendix A of this plan)

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

November 28, 2018

Date



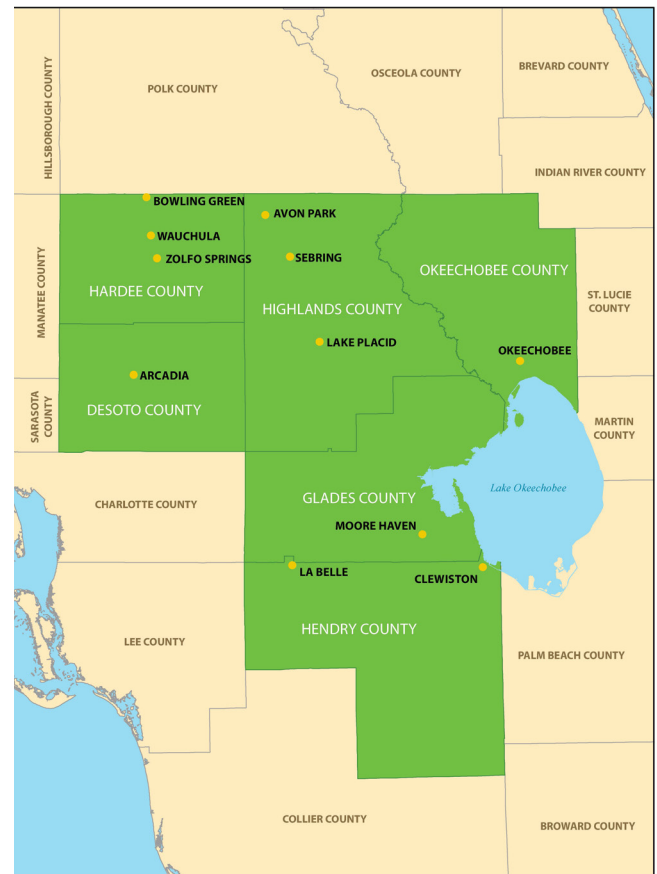
Patricia M. Steed, Staff Services Director

Introduction and Description of Services

The Agency submits this Title VI/Nondiscrimination Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, 23 CFR 200 and FTA Circular 4702.1B. The Agency is a sub-recipient of either FTA and/or FHWA funds and provides Transit and Transportation Facilities and service in DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties.

A description of the Agency's current Transit system, if applicable, is included in Appendix B. The Agency has appointed a Title VI Liaison that has easy access to the chief executive officer of the Agency. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. The Liaison maintains knowledge of Title VI and other nondiscrimination authority requirements, and is responsible for the following:

- Attending training on Title VI and other nondiscrimination authorities when offered by FDOT or any other regulatory agency and providing training to appropriate Agency management and staff.
- Disseminating Title VI information to the public including in languages other than English, when necessary.
- Requiring the collection of data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Reviewing the Agency's programs, services and activities at least triennially to ensure nondiscrimination.
- Implementing procedures for the prompt processing of Title VI complaints



Title VI/Nondiscrimination and ADA Coordinator

Marybeth Soderstrom, Title VI/Nondiscrimination Coordinator

555 East Church Street, Bartow, FL 33830

Email: msoderstrom@cfrpc.org

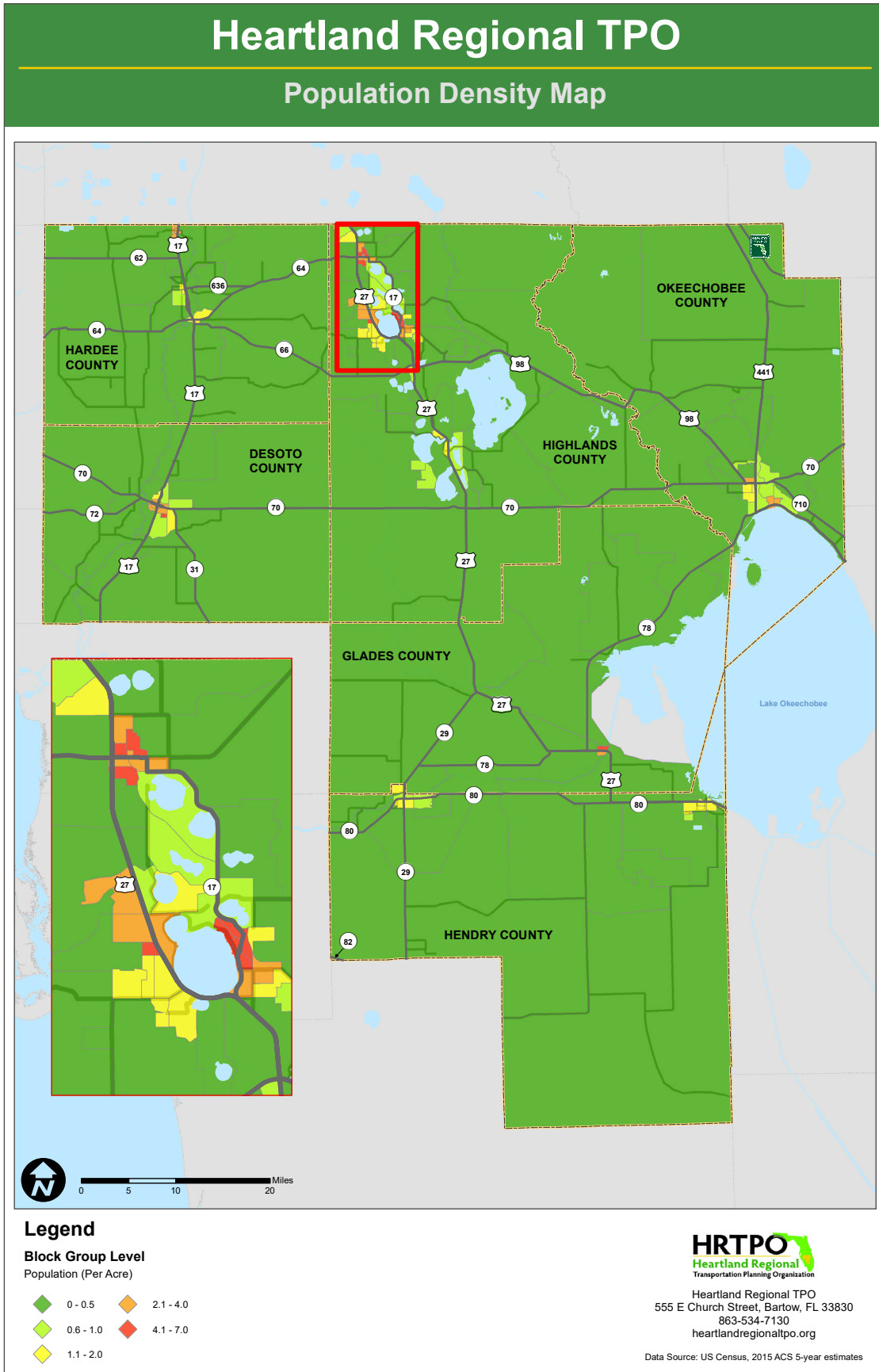
Phone: 863-534-7130 x 134

Fax: 863-534-7138

Hearing Impaired: Dial 711 for the Florida Relay Service (TTY)

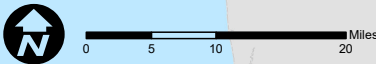
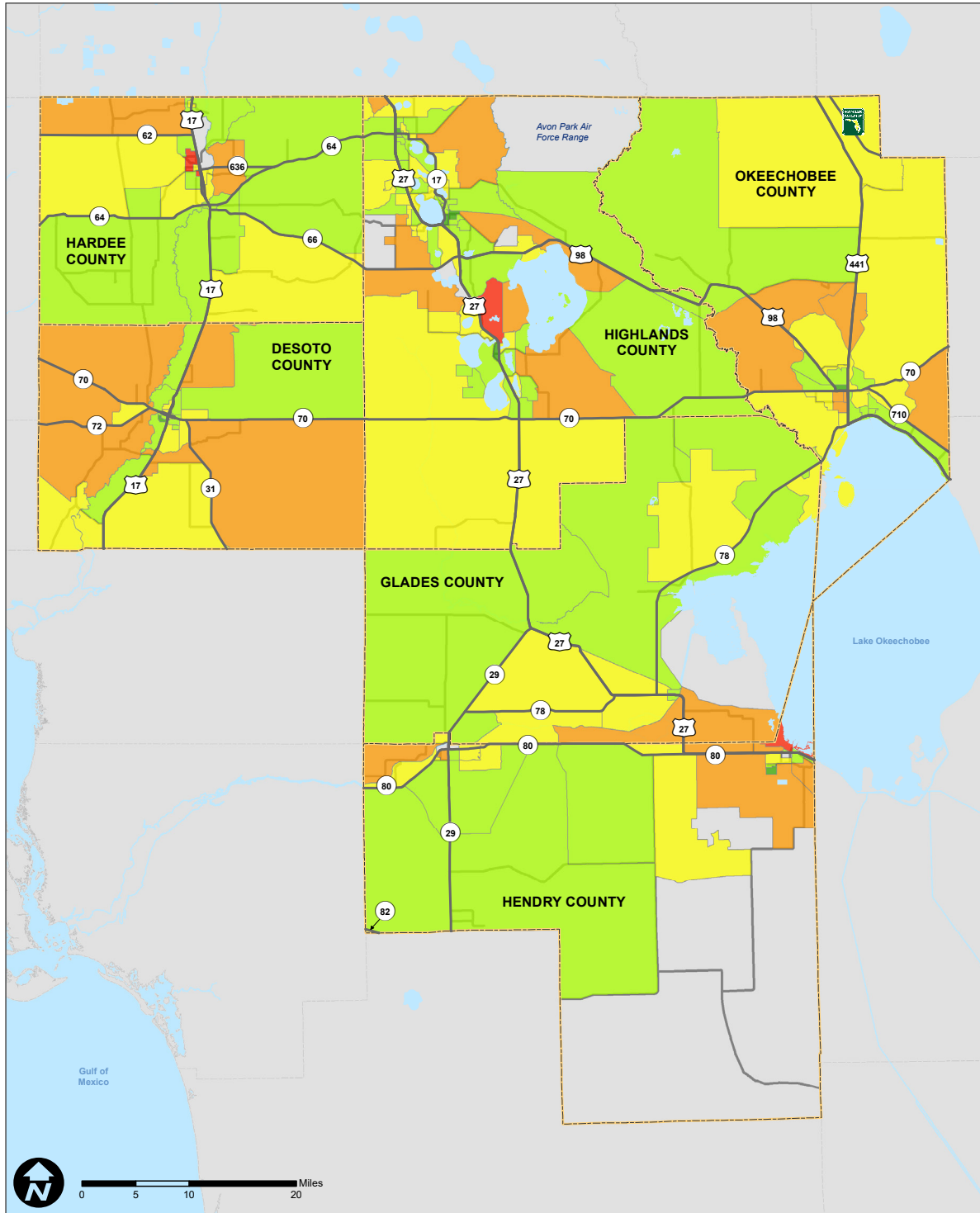
Community Characteristics Inventory

The HRTPO uses demographic information to locate underserved populations, allowing proactive community outreach efforts. Analyzing the size and scope of underserved populations allows us to identify opportunities to minimize, mitigate, or avoid disparate impacts in transportation planning. Robust public involvement is also vital.



Heartland Regional TPO

Median Household Income Map



Legend

Block Group Level
Median Household Income

- ◆ \$10,000 - \$20,000
- ◆ \$20,001 - \$35,000
- ◆ \$35,001 - \$50,000
- ◆ \$50,001 - \$75,000
- ◆ \$75,001 - \$100,000
- ◆ No Data Available



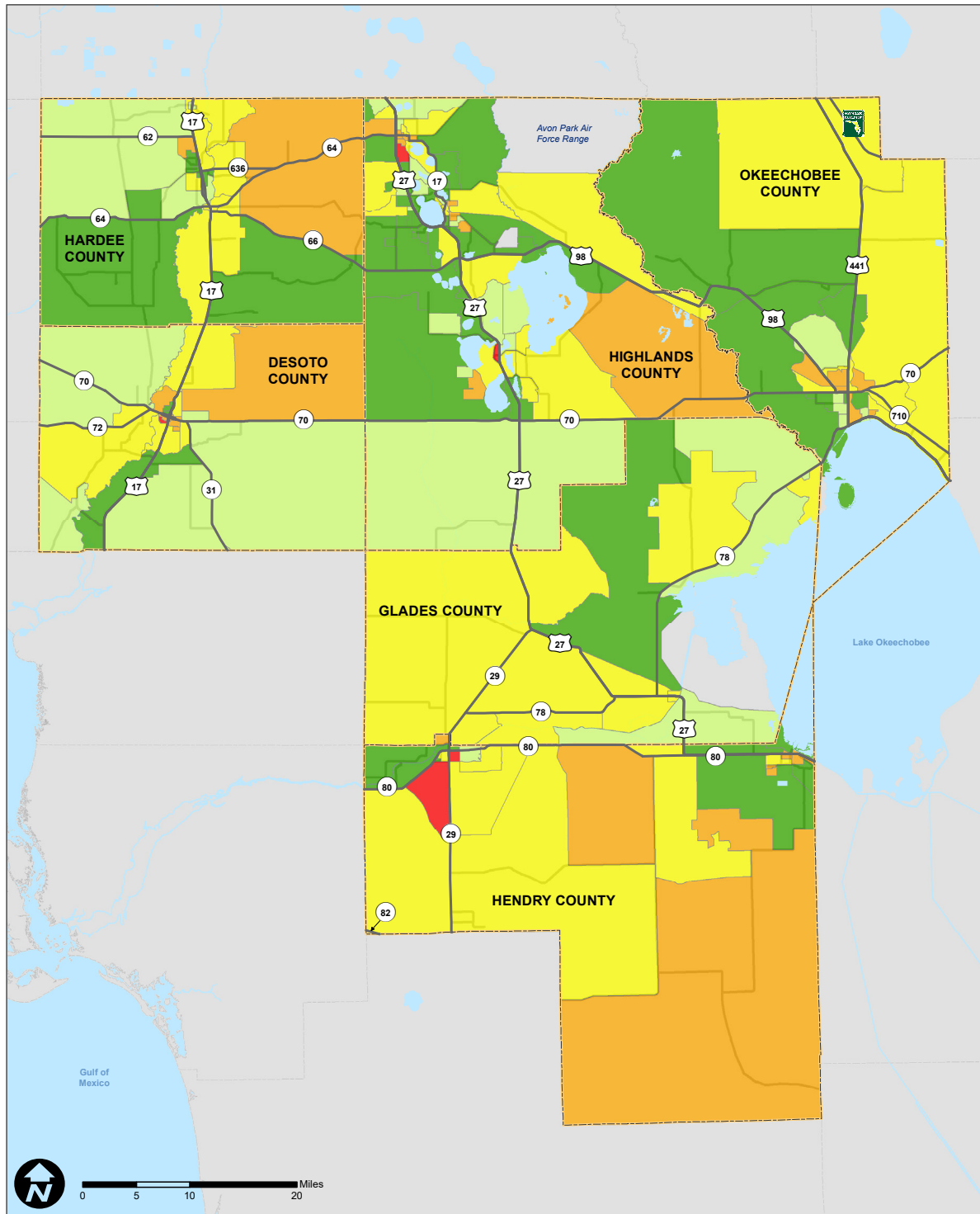
Heartland Regional TPO
555 E Church Street, Bartow, FL 33830
863-534-7130
heartlandregionaltpo.org

Data Source: US Census, 2015 ACS 5-year estimates

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Heartland Regional TPO

Percent Below Poverty Level



Legend

Block Group Level

Percent Below Poverty Level (Families)

- ◆ 0% - 7%
- ◆ 30.01% - 50%
- ◆ 7.01% - 15%
- ◆ 50.01% - 100%
- ◆ 15.01% - 30%
- ◆ No Data Available



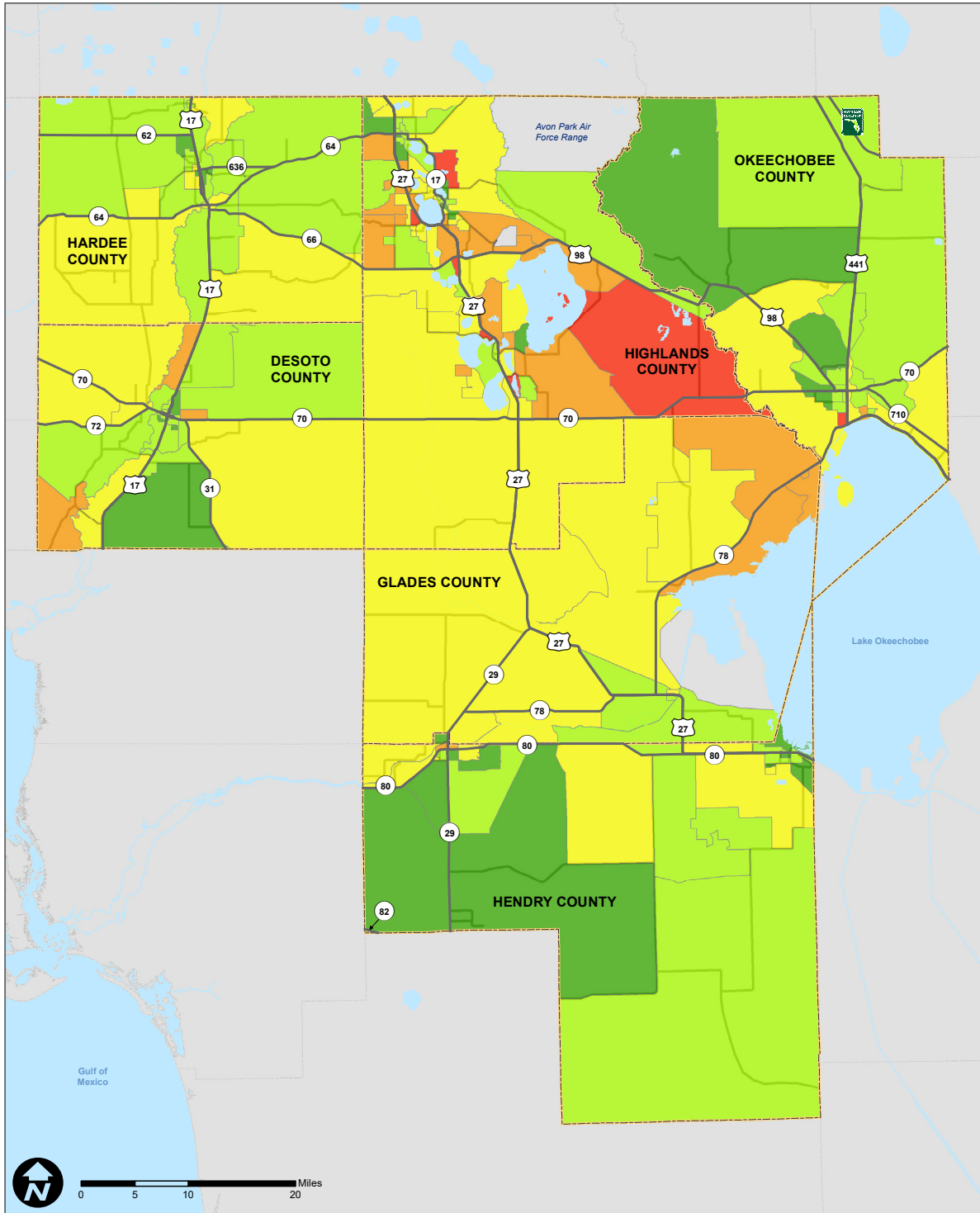
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 555 E Church Street, Bartow, FL 33830
 863-534-7130
heartlandregionaltpo.org

Data Source: US Census, 2015 ACS 5-year estimates

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Heartland Regional TPO

Households with Resident Over 65



Legend

Block Group Level

Percent of Households with a Person Over 65

- ◆ 3.51% - 20%
- ◆ 60.01% - 80%
- ◆ 20.01% - 40%
- ◆ 80.01% - 95.93%
- ◆ 40.01% - 60%
- ◆ No Data Available



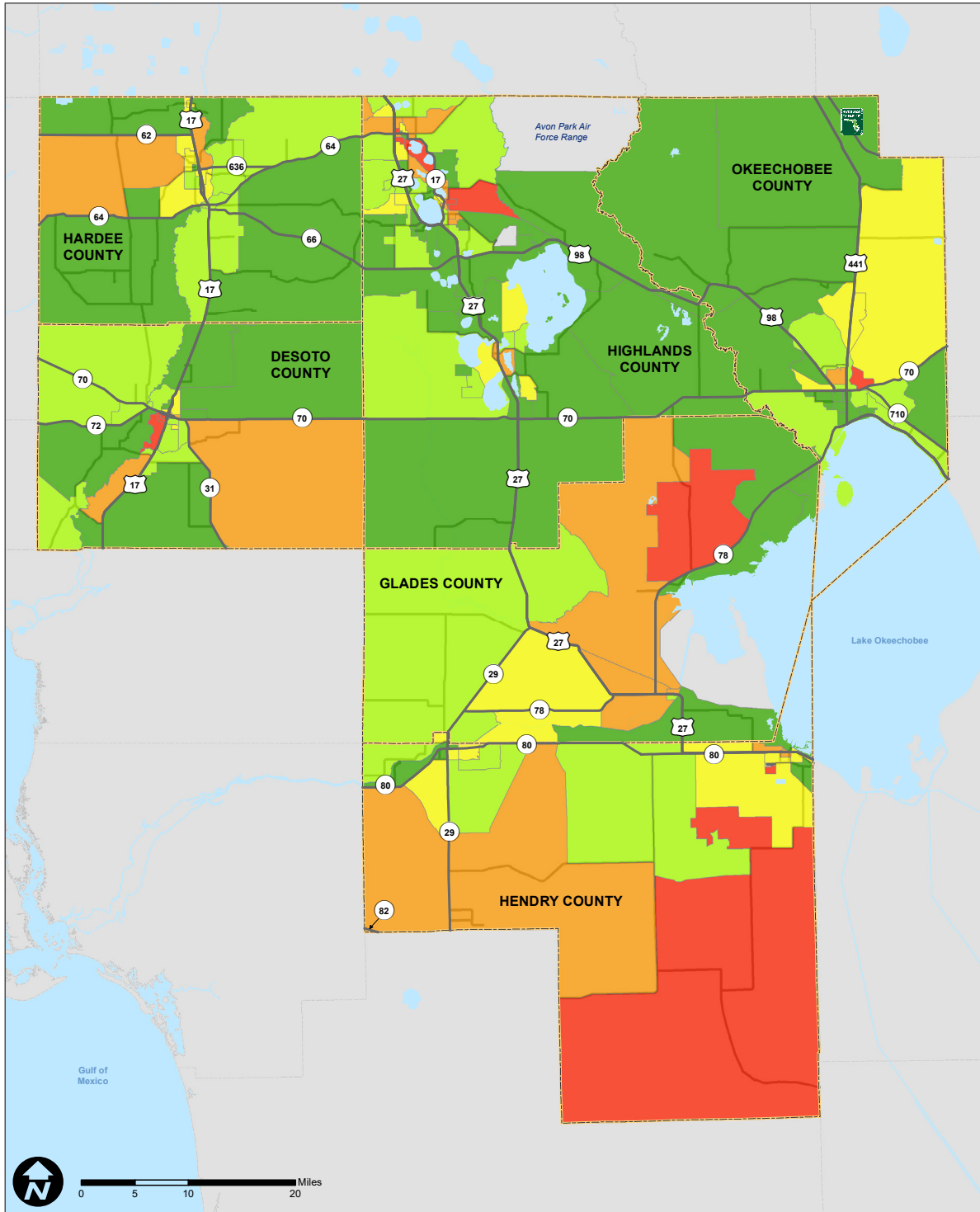
Heartland Regional TPO
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 863-534-7130
heartlandregionaltpo.org

Data Source: US Census, 2015 ACS 5-year estimates

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Heartland Regional TPO

Minority Population Map



Legend

Block Group Level

Percent of Total Population is Minority (Race)

- ◆ 0% - 7%
- ◆ 7.01% - 15%
- ◆ 15.01% - 30%
- ◆ 30.01% - 50%
- ◆ 50.01% - 98%
- ◆ No Data Available



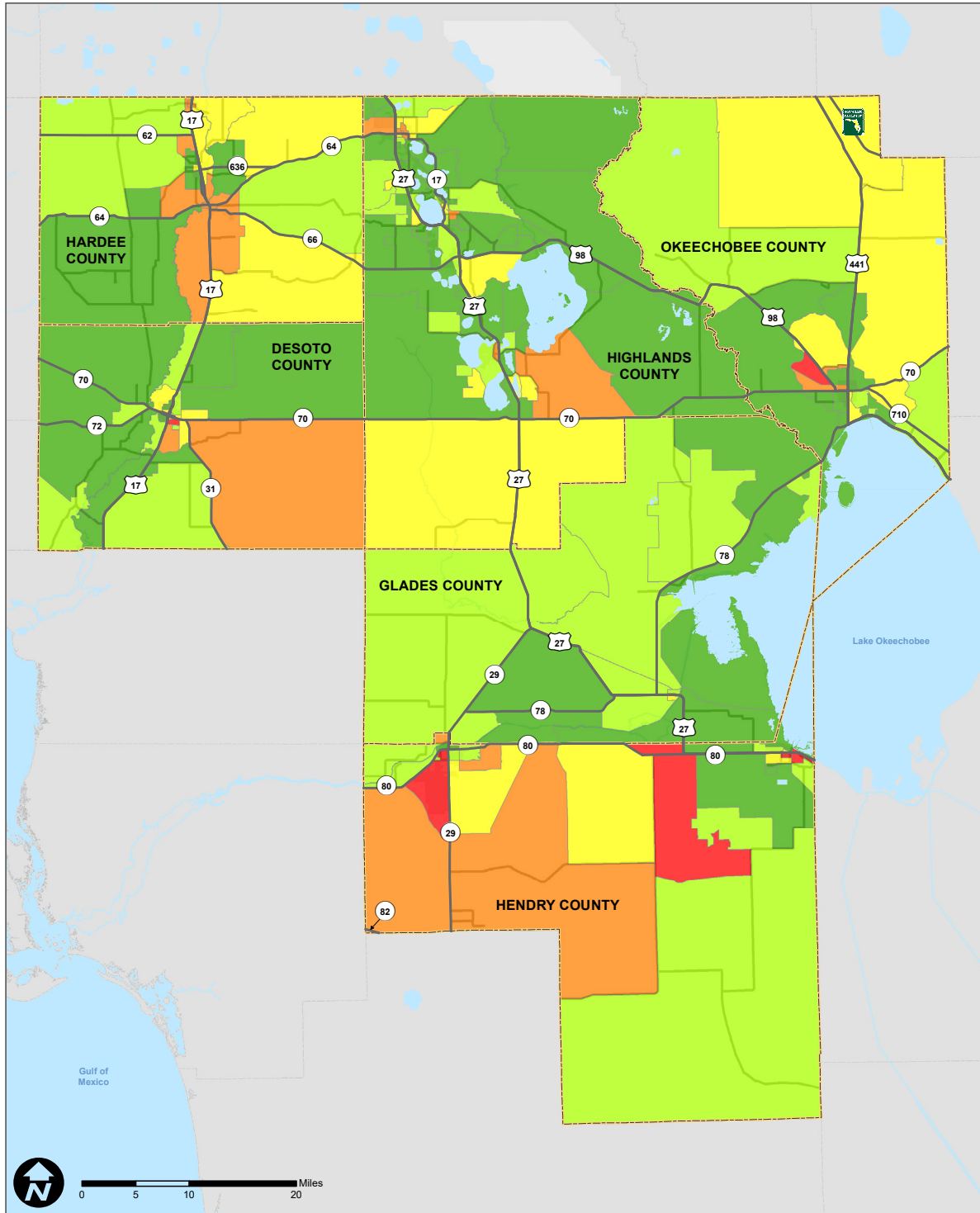
Heartland Regional TPO
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 863-534-7130
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Data Source: US Census, 2015 ACS 5-year estimates

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Heartland Regional TPO

Limited English Proficiency Populations Map



Legend

Block Group Level

Limited English Speaking Households

- | | | | |
|--|--------------|--|---------------|
| | 0% - 2.5% | | 14.6% - 28% |
| | 2.6% - 8% | | 28.1% - 46.5% |
| | 8.1% - 14.5% | | |



Heartland Regional TPO
555 E Church Street, Bartow, FL 33830
863-534-7130
heartlandregionaltpo.org

Data Source: US Census, 2015 ACS 5-year estimates

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Certifications and Assurances

FLORIDA DEPARTMENT OF TRANSPORTATION
**MPO JOINT CERTIFICATION
STATEMENTS & ASSURANCES**

525-010-05
POLICY PLANNING
11/17

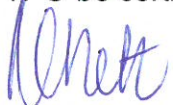
JOINT CERTIFICATION STATEMENT ON THE METROPOLITAN TRANSPORTATION PLANNING PROCESS

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Heartland Regional TPO with respect to the requirements of:

1. 23 U.S.C. 134 and 49 U.S.C. 5303;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21
3. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) of the FAST Act and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in 49 C.F.R. Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on January 23, 2018.

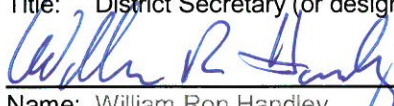
Based on a joint review and evaluation, the Florida Department of Transportation and the Heartland Regional TPO recommend that the Metropolitan Planning Process for the Heartland Regional TPO be certified.



Name: L.K. Nandam
Title: District Secretary (or designee)

02/21/18

Date



Name: William Ron Handley
Title: MPO Chairman (or designee)

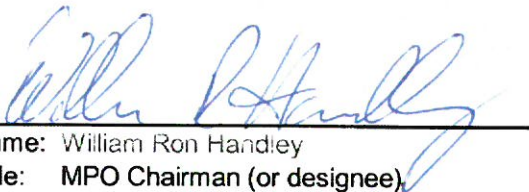
2/21/18

Date

DEBARMENT and SUSPENSION CERTIFICATION

As required by the USDOT regulation on Government wide Debarment and Suspension at 49 CFR 29.510

- (1) The Heartland Regional TPO hereby certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in paragraph (b) of this certification; and
 - (d) Have not, within a three-year period preceding this certification, had one or more public transactions (federal, state or local) terminated for cause or default.
- (2) The Heartland Regional TPO also hereby certifies that if, later, it becomes aware of any information contradicting the statements of paragraphs (a) through (d) above, it will promptly provide that information to the U.S.D.O.T.


Name: William Ron Handley
Title: MPO Chairman (or designee)

4-18-18
Date

LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

In accordance with Section 1352 of Title 31, United States Code, it is the policy of the Heartland Regional TPO that:

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Heartland Regional TPO, to any person for influencing or attempting to influence an officer or employee of any Federal or state agency, or a member of Congress or the state legislature in connection with the awarding of any Federal or state contract, the making of any Federal or state grant, the making of any Federal or state loan, extension, continuation, renewal, amendment, or modification of any Federal or state contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Heartland Regional TPO shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts and subcontracts under grants, subgrants, loans, and cooperative agreement), which exceeds \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- (4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.



Name: William Ron Handley

Title: MPO Chairman (or designee)

4-18-18

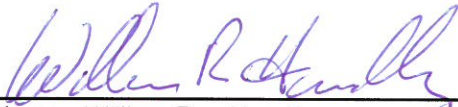
Date

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

It is the policy of the Heartland Regional TPO that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise Program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The Heartland Regional TPO, and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the Heartland Regional TPO, in a non-discriminatory environment.

The Heartland Regional TPO shall require its consultants to not discriminate on the basis of race, color, national origin and sex in the award and performance of its contracts. This policy covers in part the applicable federal regulations and the applicable statutory references contained therein for the Disadvantaged Business Enterprise Program Plan, Chapters 337 and 339, Florida Statutes, and Rule Chapter 14-78, Florida Administrative Code



Name: William Ron Handley

Title: MPO Chairman (or designee)

4-18-18

Date

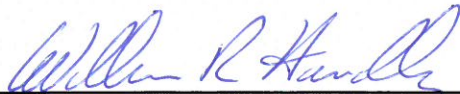
TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Heartland Regional TPO assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Heartland Regional TPO further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.



Name: William Ron Handley

Title: MPO Chairman (or designee)

4-18-18

Date

APPENDICES A and E

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, “USDOT”) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the Contractor’s noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The

Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

- (7) **Compliance with Nondiscrimination Statutes and 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 non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)

FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

**FEDERAL FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: Heartland Regional Transportation Planning Organization

The Applicant agrees to comply with applicable provisions of Categories 01 – 21. _____

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<u>Category</u>	<u>Description</u>	
01.	Required Certifications and Assurances for Each Applicant.	___ x ___
02.	Lobbying.	___ x ___
03.	Private Sector Protections.	_____
04.	Rolling Stock Reviews and Bus Testing.	_____
05.	Demand Responsive Service.	_____
06.	Intelligent Transportation Systems.	_____
07.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
08.	Transit Asset Management Plan, Public Transportation Safety Program, and State Safety Oversight Requirements.	_____
09.	Alcohol and Controlled Substances Testing.	___ x ___
10.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
11.	State of Good Repair Program.	_____
12.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
13.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
14.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.	_____
15.	Rural Areas and Appalachian Development Programs.	_____
16.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
17.	State Safety Oversight Grant Program.	_____
18.	Public Transportation Emergency Relief Program.	_____
19.	Expedited Project Delivery Pilot Program.	_____
20.	Infrastructure Finance Programs.	_____
21.	Construction Hiring Preferences.	_____

FTA FISCAL YEAR 2018 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2018 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for federal assistance to be awarded by FTA in FY 2018)

AFFIRMATION OF APPLICANT

Name of the Applicant: Heartland Regional Transportation Planning Organization


Name and Relationship of the Authorized Representative: William Ron Handley, Chair

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2018, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2018.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 4-18-18

Name William Ron Handley, Chair
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature  Date: 4-18-18

Name Norman White
Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Title VI Notice to the Public

Title VI/Nondiscrimination Statement:

The Heartland Regional Transportation Planning Organization (HRTPO) values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the HRTPO believes that the best programs and services result from careful consideration of the needs of all of its communities and the region benefits when all are involved in the decision-making process. Thus, the HRTPO does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the HRTPO will not exclude from participation in, deny the benefits of, or subject to discrimination, anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

Americans with Disabilities Act/Section 504 of the Rehabilitation Act Statement:

The Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services, and activities.

The HRTPO will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The HRTPO will make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups.

The HRTPO encourages the public to report any facility, program, service or activity that appears to be inaccessible to those who are disabled. Furthermore, the HRTPO will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the HRTPO asks that requests be made at least three (3) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the HRTPO's ADA Officer:

Marybeth Soderstrom, Title VI/Nondiscrimination Coordinator
555 East Church Street, Bartow, FL 33830
Email: msoderstrom@cfrpc.org
Phone: 863-534-7130 x 134
Fax: 863-534-7138
Hearing Impaired: Dial 711 for the Florida Relay Service (TTY)

Posting Locations

The above notice is posted in the public area of the HRTPO's office at
555 East Church Street, Bartow, FL 33830 and on the
HRTPO's website at www.heartlandregionaltpo.org

Title VI/Nondiscrimination Procedures and Compliance

Complaint Procedures

The HRTPO has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, age, disability, religion, income or family status in any of HRTPO's programs, services or activities may file a complaint with the HRTPO Title VI/Nondiscrimination Coordinator:

Marybeth Soderstrom, Title VI/Nondiscrimination Coordinator
555 East Church Street, Bartow, FL 33830
Email: msoderstrom@cfrpc.org
Phone: 863-534-7130 x 134
Fax: 863-534-7138
Hearing Impaired: Dial 711 for the Florida Relay Service (TTY)

The HRTPO's Title VI Coordinator has easy access to the HRTPO's Staff Services Director and is not required to obtain management or other approval to discuss discrimination issues with the Staff Services Director.

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegation(s) (i.e., race, color, national origin, sex, age, disability, religion, income or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

The Title VI/Nondiscrimination Coordinator will respond to the complaint within thirty (30) calendar days and will take reasonable steps to resolve the matter. Should the HRTPO be unable to satisfactorily resolve a complaint, the HRTPO will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation (FDOT).

Should the complainant be unable or unwilling to complain to the HRTPO, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). FDOT will serve as a clearinghouse, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation, Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65, Tallahassee, FL 32399

Complaint Form

Heartland Regional Transportation Planning Organization Title VI / Nondiscrimination Program Complaint of Discrimination										
Complainant(s) Name:	Complainant(s) Address:									
Complainant(s) Phone Number:										
Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc):										
Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You:										
Names of the Individual(s) Whom You Allege Discriminated Against You (If Known):										
Discrimination Because Of: <table border="0" style="display: inline-table; vertical-align: top;"> <tr> <td><input type="checkbox"/> Race</td> <td><input type="checkbox"/> Color</td> <td><input type="checkbox"/> National Origin</td> </tr> <tr> <td><input type="checkbox"/> Sex</td> <td><input type="checkbox"/> Age</td> <td><input type="checkbox"/> Handicap/Disability</td> </tr> <tr> <td><input type="checkbox"/> Income Status</td> <td><input type="checkbox"/> Retaliation</td> <td><input type="checkbox"/> Other</td> </tr> </table>	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Sex	<input type="checkbox"/> Age	<input type="checkbox"/> Handicap/Disability	<input type="checkbox"/> Income Status	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Other	Date of Alleged Discrimination:
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin								
<input type="checkbox"/> Sex	<input type="checkbox"/> Age	<input type="checkbox"/> Handicap/Disability								
<input type="checkbox"/> Income Status	<input type="checkbox"/> Retaliation	<input type="checkbox"/> Other								
Please list the name(s) and phone number(s) of any person, if known, that the Florida Department of Transportation could contact for additional information to support or clarify your allegation(s).										
Please explain as clearly as possible how, why, when and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.										
Complainant(s) or Complainant(s) Representatives Signature:	Date of Signature:									

Heartland Regional Transportation Planning Organization
Title VI Lwa: Plent Kont Diskriminasyon

Non Moun Ki Pote Plent La:	Adrès Moun Ki Pote Plent La:
Nimewo Telefòn Moun Ki Pote Plent La:	

Non, Adrès, Nimewo telefòn Repezantan Moun Ki Pote Plent la ak Lien (setadi: zanmi, Avoka, Paran..etc):

Non ak Adrès Ajans, Institisyon, ou Depatman ou Kwè ki fè Diskriminasyon Kont ou:

Non Mounou Kwè Ki Diskriminen Kont ou (Si-w Konnen yo):

Rezon Diskriminasyon an	<input type="checkbox"/> Ras ou	<input type="checkbox"/> Koule-w	<input type="checkbox"/> Origin nasyonal	Dat Diskriminasyon an te fèt:
	<input type="checkbox"/> Seks ou:	<input type="checkbox"/> Laj ou	<input type="checkbox"/> Andikap/dezabilite	
	<input type="checkbox"/> Stati Revni-w	<input type="checkbox"/> revanj	<input type="checkbox"/> Lòt ankô:	

Silvouplè, bay non ak nimewo telefòn ninpòt moun ke Depatmant Transpòtasyon Florida kap kontakte pou plis infòmasyon pou sipòte ou klarifye plènt ou (a)/plent ou yo:

Silvouplè, eksplike klèman kijan, poukisa , ki lè, ak ki kote ou kwè ke diskriminasyon te fèt kont ou. Bay tout infòmasyon konplèt de tout aksyon diskriminasyon sa yo. Ajoute paj anplis si nesesè:

Siyati Moun Ki Pote Plent La ou Repezantan Li:	Dat Siyati:
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Title VI / Programa Antidiscriminatorio

Querrela de Discriminacion

Nombre del querellante:		Dirección:		
Número de teléfono:				
Nombre, dirección, teléfono y relación (ej. amigo, abogado, pariente, etc.) del Representante del querellante:				
Nombre y dirección de la Agencia, Institución, o Departamento que usted alega discrimino en su contra:				
Nombre(s) del Individuo(s) Quien(es) Usted Alega Discrimino (naron) Contra Usted Si lo(s) Conoce:				
Razón de la discriminación:	<input type="checkbox"/> Raza	<input type="checkbox"/> Color	<input type="checkbox"/> Origen Nacional	Fecha de la alegada discriminación.
	<input type="checkbox"/> Sexo	<input type="checkbox"/> Edad	<input type="checkbox"/> Incapacidad/Impedimento Físico	
	<input type="checkbox"/> Status de Ingreso	<input type="checkbox"/> Represalia	<input type="checkbox"/> Otro	
Favor de indicar el nombre (s) y número(s) de teléfono(s) de alguna persona(s) que el Departamento de Transporte puede comunicarse para información adicional que clarifique o respalde su alegación o alegaciones.				
Favor de explicar tan claro como sea posible, como, porque, cuando y donde usted cree que fue discriminado. Incluya suficiente información acerca de los antecedentes según le sea posible, de los alegados actos de discrimen. Puede añadir paginas adicionales, si es necesario.				
Firma del Querellante(s) o su Representante:			Fecha:	

Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), the Agency must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by the Agency in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to federal funding or other authorities.

For the past three (3) years, the Agency reports the following discrimination incidents, investigations, complaints or lawsuits:

Type of Issue	Date of Receipt	Basis/Issue	Current Status	Actions(s) Taken

Public Participation Plan and Language Assistance Plan



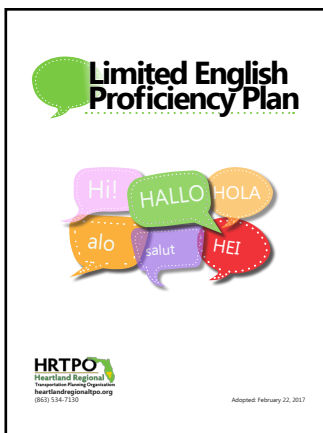
Public Participation Plan

The Public Participation Plan (PPP) for the Agency was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for the Agency. Agency programs, services and activities will consider public opinion and community input based upon documented outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about Agency programs, services and activities, and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services.



Public Involvement Report

The annual Public Involvement Report provides an overview of the public outreach activities of the HRTPO and measures the effectiveness of the HRTPO's public participation plan.



Limited English Proficiency Plan

The Language Assistance Plan has been prepared to address the Agency's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals who have a limited ability to read, write, speak or understand English are LEP. The Agency has taken responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP.

The above documents are available at the HRTPO's office at 555 East Church Street, Bartow, FL 33830 and on the HRTPO's website at www.heartlandregionaltpo.org

Planning and Advisory Bodies

FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees. FHWA Regulation 23 CFR 200.9(b)(4) requires the collection of statistical data of those impacted by Recipient transportation decisions.

The Agency will make efforts to encourage minority participation on the committee. These efforts are made by distributing information about the participation on the committee at public meetings and on the Agency website. The Agency will use minority population demographic maps included in Appendix I to focus on the areas in which the committee participation information is distributed.

Planning and Advisory Bodies	% White	% Black	% Hispanic	% Asian/PI	% Native American	% 2 or More Races	% Disabled or Disabled Rep
<i>Entire Service Area Population (2010 Census)</i>	73.60%	10%	28%	1%	0.95%	2.20%	16%*
Technical Advisory Committee	89.50%	3.50%	3.50%	3.50%	0%	0%	0%
Citizens Advisory Committee	66.60%	8.30%	25%	0%	0%	0%	0%
Local Coordinating Board - Glades/Hendry	71%	4.70%	23.80%	0%	0%	0%	4.70%
Local Coordinating Board - DeSoto/Hardee/Highlands/Okeechobee	77.40%	6.40%	16%	0%	0%	0%	4.70%

*2012-2016 American Community Survey 5-Year Estimates



www.heartlandregionaltpo.org

555 East Church Street, Bartow, FL 33830-3939

P: (863) 534-7130 • F: (863) 534-7138

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