



Jacksonville Urban Area

Metropolitan Planning Organization

PUBLIC PARTICIPATION PLAN

Updated: October 2013

The Jacksonville Urban Area MPO (JUMPO) strives to ensure an open transportation planning process where the free exchange of ideas and information and the opportunity for input from interested parties at all stages of the transportation planning process can take place in an effective manner. The purpose of this plan is to outline the public participation process required for the successful completion, adoption and implementation of JUMPO plans and programs. This plan also serves as the required Public Participation Plan for Jacksonville Transit.

The Public Participation Plan shall be reviewed periodically by MPO staff, the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) to assure that a full and open process that is inclusive of all interested parties and that conforms to federal transportation regulations is being followed. There will be a 45-day minimum public review period for the Public Participation Plan if changes have been made since the last opportunity for public review or if the Public Participation Plan has not been reviewed in the past three (3) years. The following outreach methods will be utilized to notify the public of the comment period:

- a) A notice will be placed on the MPO website; and
- b) A notice will be placed on social media sites; and
- c) A notice will be published in at least one (1) newspaper with regional coverage prior to initiation of the public comment period(s); and
- d) A notice will be placed in at least one (1) newspaper with circulations targeted at minority and/or low-income populations; and
- e) Media notification to the newspaper(s) above AND the City of Jacksonville media contact list (approximately 8 news agencies covering printed media, television, and radio as well as 12 other media related contacts); and
- f) Additional regional newspapers and non-government organizations representing other interested parties will be notified as deemed appropriate.

There are several laws and regulations that have been established by the Federal government to ensure the transportation planning process remains open and in the public interest. The following is a listing of federal legislation and regulations that guide the public participation process:

Moving Ahead for Progress in the 21st Century (MAP-21) (PL 112-141) emphasizes participation by interested parties in the transportation plan:

- A In General: Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.
- B Contents of Participation Plan: A participation plan:
 - i) shall be developed in consultation with all interested parties; and
 - ii) shall provide that all interested parties have reasonable opportunities to comment on the contents on the transportation plan.

- C Method: In carrying out subparagraph A, the metropolitan planning organization shall, to the maximum extent practicable:
- i) hold any public meetings at convenient and accessible locations and times;
 - ii) employ visualization techniques to describe plans; and
 - iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph A.

National Environmental Policy Act: The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) regulations implementing the National Environmental Policy Act (NEPA) of 1969 (as amended) outline requirements to go through an environmental review process for implementing projects from a TIP. NEPA has its own set of public participation requirements for review period and notification of interested parties on a project basis. These requirements are not a substitute for earlier participation at the planning and programming stages.

Americans with Disabilities Act of 1990: The American with Disabilities Act (ADA) of 1990 encourages the participation of people with disabilities in the development and improvement of transportation and paratransit plans and services. Also in accordance with ADA guidelines, all meetings conducted by the MPO will take place at locations which are accessible facilities so as to accommodate persons with mobility limitations.

Title VI – Environmental Justice: Title VI of the Civil Rights Act of 1967 sets standards which authoritatively outlawed discrimination in the conduct of all Federal activities. The term Environmental Justice (EJ) was created by people concerned that everyone within the United States deserves equal protection under the country’s laws. A 1994 Presidential Executive Order directed every Federal agency to make Environmental Justice (EJ) part of its mission by identifying and addressing the effects of all programs, policies, and activities on “minority populations and low-income population.” The U.S. Department of Transportation (DOT) issued its DOT Order to Address Environmental Justice in Minority Population and Low-income Population in 1997. The DOT Order accomplishes this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety and mobility.

The Jacksonville Urban Area MPO has developed several policies, procedures, and techniques that will be used to solicit information from interested parties and ensure participation of the public (Appendix C: Title VI Policy and Documents). Several types of projects or plans require specific actions while other activities may require a more versatile set of outreach options. JUMPO will strive to incorporate the policies and techniques listed below as well as other procedures as appropriate.

1. JUMPO Meetings

Meetings of the TAC and TCC are open to the public and meeting notification is available on the website. The schedule of meetings and past meeting minutes are available on the MPO's website. Prior to each meeting, a contact list of interested parties receives reminder notices, meeting agendas, and other material. (To join this list, please contact a JUMPO staff member.) Persons with disabilities needing auxiliary aids or services are requested to contact the MPO office 48 hours in advance of a meeting to make appropriate arrangements for their attendance.

2. Long-Range Transportation Plan (LRTP)

The development of the LRTP and all amendments shall meet all current Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and North Carolina Department of Transportation (NCDOT) requirements for public participation. The LRTP shall be open to public review and comment for a minimum of 45 days prior to JUMPO approval. Development of the LRTP shall consider, at a minimum, the following opportunities for public participation:

- a) Identification of Interested Parties
 - 1) Establish stakeholder listings, including citizen advisory committees, community leaders, chambers of commerce, public and quasi-public organizations, housing authorities, users of alternate forms of transportation, freight interests, civic organizations, faith-based organizations, and state, federal, and local government agencies;
 - 2) Special outreach to low-income and minority populations within JUMPO that will include a list of business, and community leaders in areas with incomes below the JUMPO average and minority populations above the JUMPO average;
 - 3) Contact information that includes telephone, address, or email listings;
- b) Outreach
 - 1) Dissemination of newsletters and summaries;
 - 2) Development of public information on the website;
 - 3) Use of social media to provide timely updates
 - 4) At least three (3) open public meetings to receive public comment;
 - 5) Member jurisdictions involved shall also notify citizens of public meetings and opportunity for public comment during regularly scheduled board and council meetings as well as distributing notification to community contacts via email;
 - 6) Dissemination of media notifications to public news agencies in the JUMPO area;
- c) A timely opportunity for public comment on the Draft LRTP will be made available during at least one TCC and one TAC meeting, the latter serving as a public hearing;
- d) The draft LRTP shall be open to public review and comment for no less than 45 days prior to approval by the TAC. The draft plan shall be advertised using the following:
 - 1) A notice published in at least one (1) newspaper with regional coverage prior to initiation of the public comment period(s);
 - 2) A notice published at least one (1) newspaper with circulations targeted at minority and/or low-income populations;
 - 3) The LRTP will be posted on the JUMPO website (<http://www.jumpo-nc.org>):

- 4) A media notification to newspapers AND the City of Jacksonville media contact list (approximately 8 news agencies covering printed media, television, and radio as well as 12 additional media related contacts);
- 5) Additional regional newspapers and non-government organizations representing interested parties will be notified as deemed appropriate; and
- 6) When significant formal comments are received, a summary, analysis, and report on the disposition of comments shall be made part of the final LRTP.

3. Transportation Improvement Program (TIP)

The development of the TIP and all amendments shall meet all current FHWA, FTA and NCDOT requirements for public notification and participation. In addition, there will be a formal public comment period of no less than 30 days after development of the draft project priority list and the mechanism for evaluating projects have been released. This comment period will be an opportunity for interested parties to comment on the project priorities and the method(s) used to derive them.

Jacksonville Transit coordinates the development of the Programming of Projects (POP) with the MPO to ensure that the public is aware that the TIP development process is being used to satisfy the POP requirements. All public notices for TIP development will contain an explicit statement that associated public involvement activities and comment periods fulfill FTA POP requirements.

The following opportunities for public participation will be initiated:

- a) A 30-day minimum public review and comment period will be established for the Draft TIP. The following outreach methods will be utilized to notify the public of the review and comment period:
 - 1) A notice will be placed on the MPO website;
 - 2) A notice will be placed on social media sites;
 - 3) A notice published in at least one (1) newspaper with regional coverage prior to initiation of the public comment period(s);
 - 4) A notice published in at least one (1) newspaper with circulations targeted at minority and/or low-income populations;
 - 5) The TIP and amendments will be posted on the JUMPO website;
 - 6) A media notification to newspapers AND the City of Jacksonville media contact list (approximately 8 news agencies covering printed media, television, and radio as well as 12 additional media related contacts);
 - 7) Additional regional newspapers and non-government organizations representing interested parties will be notified as deemed appropriate; and
- b) A timely opportunity for public comment on the Draft TIP will be made available during at least one TCC and one TAC meeting, the latter serving as a public hearing;
- c) Member jurisdictions involved shall also notify citizens of the public comment period during regularly scheduled board and council meetings as well as through distributing notification to community contacts via email;
- d) When significant formal comments are received, a summary, analysis, and report on the disposition of comments shall be made part of the final TIP.

4. General

As the Lead Planning Agency (LPA) for the Jacksonville Urban Area MPO, the City of Jacksonville will maintain copies of any plans, programs or amendments on file in the City of Jacksonville offices. Copies of the proposed plans, programs or amendments shall be distributed to all TCC and TAC members. This same information shall be made available to any interested party on the JUMPO website or upon request. Each JUMPO member jurisdiction shall also have a copy available for public review during the official comment period. The following outreach methods will be utilized to notify the public of new documents or public comment periods:

- a) A notice with a link to online documents will be placed on the website;
- b) Notification that new documents are available for public review will be placed on social media sites;
- c) A notice published in at least one local newspaper with regional circulation shall be advertised indicating that plans, programs or amendments have been prepared and are available for public review and comment at all MPO member jurisdictions. The public review period shall be no less than 30 days. Contact information for an MPO staff person shall be included in the public notice;
- d) Both the TCC and TAC shall have an open formal public comment period at the beginning of each regularly scheduled board meeting. The allowable duration of each speaker's time shall be determined by the chair of the board, recommended not to exceed three (3) minutes per speaker;
- e) Innovative methods shall be utilized to inform and involve the public in the transportation planning process. Such methods may include, but will not be limited to: digital and paper maps, collages and photomontages, meetings at public gathering places such as malls or libraries, television and radio public service announcements, open house forums & public workshops, project specific web pages, PowerPoint presentations, and other visualization techniques where possible;
- f) Member jurisdictions involved in the development or amendment of any plan or program shall also notify citizens of the opportunity for public comment during regularly scheduled board and council meetings as well as through distributing notification to citizens contacts via email;
- g) These general guidelines shall apply to the development or amendment of any plan or program administered by the Jacksonville Urban Area MPO. Additional requirements for the Long-Range Transportation Plan and Transportation Improvement Program are described above in this document. This Public Participation Plan shall be available for public information upon request and will remain viewable by the public on the website and in the offices of the Jacksonville Urban Area MPO.

5. Common Transportation Terms and Acronyms.

Modern transportation planning is a comprehensive process that is filled with an ever increasing array of policies, boards, and agencies that all work to meet the transportation needs of the public. A list of common transportation planning related terms and acronyms has been included as Appendix B to assist interested parties in the transportation planning process.

Appendix A

Outreach Techniques

The Public Participation Plan of the JUMPO ensures participation opportunities for interested parties by using a number of outreach techniques to organizations and individuals working through media outlets, the internet, flyers and word of mouth to raise awareness of issues, to schedule meetings, and to provide opportunities and outlets for review and comments. Distribution to media outlets primarily serving low income and minority groups is also emphasized.

Committee Meetings:

Meetings of the TAC and TCC are open to the public and meeting minutes are available to the public. The schedule of meetings and past meeting minutes are available on the MPO's website. Prior to each meeting, a contact list of interested parties receives reminder notices, meeting agendas, and other material. (To join this list, please contact a JUMPO staff member.) Persons with disabilities needing auxiliary aids or services are requested to contact the MPO office 48 hours in advance of a meeting to make appropriate arrangements for their attendance.

Electronic Mailing List:

An electronic mailing list of organizations, public agencies, elected and appointed officials, transportation providers, neighborhood interest groups, media outlets, special interest groups, civic organizations, individuals interested in transportation issues, and others has been developed. The organizations and individuals on this list are asked to review and disseminate information and provide comments from their associations. The mailing list is periodically updated to keep the list current.

Transportation Planning Forums:

JUMPO staff and the staff of other entities of the MPO may participate in transportation planning forums to obtain information at the time of creating or revising plans and programs such as the LRTP and the TIP. The forums will be held in locations that are dispersed throughout the MPO area.

Transportation Focus Groups:

From time to time the MPO may use transportation focus groups to discuss special transportation needs of communities. Examples include environmental justice, freight movement, corridor studies and other special projects involving the targeted groups.

Advisory Groups:

JUMPO staff meets with boards and commissions advising participating local governments on transportation matters relating to land use, zoning, transit, bicycle and pedestrian issues, and goods movement. In addition, the MPO staff meets with associations representing different interest groups, such as Onslow United Transit System, Greater Jacksonville Chamber of Commerce, and several groups associated with MCB Camp Lejeune and MCAS New River.

Newsletter:

JUMPO will utilize periodic printed and electronic newsletters to provide information on transportation planning activities. Newsletters will be distributed to the addresses on the e-mailing list and through the MPO's website www.jumpo-nc.org

Informational Material:

Informational material is a key component of the public participation process. The pamphlets and brochures published by the MPO provide information on the MPO composition, transportation planning process, and major documents and data produced by the MPO.

JUMPO Website:

The JUMPO website is a comprehensive library of MPO documents and activities. The website provides information on the MPO committee members, publications, meeting calendars, and links to other useful transportation planning websites. Visitors can use the website to stay informed and involved in the region's transportation planning process as well as submit comments and questions about JUMPO activities.

MPO Speakers:

The MPO provides speakers to civic organizations, clubs, schools, neighborhood associations, and other organizations who like to know the transportation planning function of the MPO. The speakers provide information on the purpose, process, and products of the MPO and seek continued participation and comments from the public.

Targeted Activities for Traditionally Under-Served Communities:

Contacts with traditionally under-served communities are very important. The MPO contacts minorities, disabled and other traditionally under-served communities to exchange information regarding transportation planning.

Written Correspondence:

The MPO receives letters and comments from the public on a regular basis. These letters are always read and answered. This is an invaluable tool for maintaining an ongoing relationship with those members of the public motivated to write. Correspondents are placed on the mailing list.

News Releases:

At times, the MPO will distribute news releases to local media contacts including radio stations, television stations, and newspapers.

Public Access Channel:

The MPO posts its activities on the City of Jacksonville's television channel (G10TV).

Appendix B

Common Transportation Definitions & Acronyms

ADA – Americans with Disabilities Act – Civil Rights legislation which requires accessibility of facilities and programs

CTP – Comprehensive Transportation Plan - long range, non-fiscally constrained multi-modal transportation plan that identifies regional transportation needs.

FHWA – Federal Highway Administration - an agency of the U.S. Department of Transportation responsible for highways, bridges and ferries. Also responsible for ensuring ADA compliance within the public right-of-way.

FTA – Federal Transit Administration - an agency of the U.S. Department of Transportation responsible for transit systems.

ISTEA – Intermodal Surface Transportation Efficiency Act “Ice Tea” - landmark federal legislation signed into law in December 1991 called for broad changes in the way transportation decisions are made. ISTEA emphasized diversity and balance of modes, as well as the preservation of existing systems before construction of new facilities. Replaced by TEA-21.

ITS – Intelligent Transportation Systems - an integrated network of computer, electronics, communications technologies and management strategies to provide traveler information that increases the safety and efficiency of the transportation system. ITS also provides useful, real-time information to system operators. Goals of ITS are to increase safety and capacity while reducing congestion and air pollution.

JUMPO – Jacksonville Urban Area Metropolitan Planning Organization – established in 1983 to conduct comprehensive transportation planning for the designated planning area.

JUMPO Planning Area – an area of approximately 188 square miles in Onslow County that includes the Jacksonville metropolitan area, MCB Camp Lejeune and MCAS New River.

LOS – Level of Service – describes the volume of traffic in relation to the capacity of a transportation facility. LOS is defined by six categories ranging from “LOS A”, denoting free flow conditions, to “LOS F”, denoting fully congested conditions.

LRTP – Long Range Transportation Plan - a federally required, fiscally constrained long range transportation plan with a twenty year horizon that identifies area transportation needs in light of projected growth patterns. It addresses all modes as well as operations and maintenance of existing systems. It charts major capital investments for transportation system development to meet these projected needs.

MAP- 21 – Moving Ahead for Progress in the 21st Century – was signed into law on July 6, 2012, replacing SAFETEA-LU. A two-year bill, it completely reorganized the federal funding categories to streamline project delivery.

MPO – Metropolitan Planning Organization – a federally required planning body responsible for the continuing, cooperative and comprehensive (“3-C”) transportation planning and project selection in its region. An MPO provides a forum for cooperative decision making for the metropolitan planning area. The governor designates an MPO in every urbanized area with a population of more than 50,000. JUMPO has been designated this area’s MPO by the governor of North Carolina.

MSA – Metropolitan Statistical Area - an area defined by the Office of Management and Budget as a federal statistical standard. An area qualifies as an MSA in one of two ways: if there is a city of at least 50,000 population, or an urbanized area of at least 50,000 population and a metropolitan population of at least 100,000. An MSA must contain a county with the main city and may include additional counties that meet specific criteria concerning economic and social ties to the central city. The Jacksonville MSA area is all of Onslow County.

NCDOT – North Carolina Department of Transportation - state agency responsible for all different aspects and types of transportation throughout North Carolina.

NEPA – The National Environmental Policy Act of 1969 - basic national charter for protection of the environment. It established procedures that all federal agencies are required to implement to ensure environmental consideration is a part of an agency’s decision-making process. NEPA requires all federal agencies to take into account environmental consequences when making decisions that could be considered “major federal actions.” Federal agencies must assess the environmental consequences of proposed actions and consider that information when making decisions. Applies to any project using federal funds.

POP – Programming of Projects – projects identified in the first-year program of an approved STIP that utilize FTA funding resources.

PPP – Public Participation Plan - a planning document that explains the way JUMPO will engage and encourage participation in the transportation planning process with interested parties such as the public, resource agencies, and planning partners.

SAFETEA-LU – Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users - was signed into law August 10, 2005, replacing TEA-21 legislation after it expired. Continued providing for transportation facilities and programs throughout the U.S. Replaced by MAP-21.

SPOT – Strategic Planning Office of Transportation – NCDOT office responsible for the strategic prioritization process for prioritizing major transportation projects

SMF – Strategic Mobility Formula – signed into NC law on June 26, 2013 to fund and prioritize transportation projects to ensure they provide the maximum benefit to the state.

STIP – State Transportation Improvement Program - the federally required programming document for funding of projects expected over the next four years from all sources for transportation projects of all types in North Carolina. It includes illustrative projects for an additional three years.

STP – Surface Transportation Program – a federal funding program for roads that may be used for any roads that are not functionally classified as local or rural minor collectors. Funds may be used for a wide variety of purposes.

TAC – Transportation Advisory Committee - a JUMPO committee, comprised of officials from the governing bodies of JUMPO member jurisdictions as well as a member of the NC Board of Transportation. The TAC provides policy direction for the transportation planning process for the Jacksonville Urban Area Metropolitan Planning Organization.

TCC – Technical Coordinating Committee - a JUMPO committee, comprised of a broad representation of JUMPO member organizations and advisory groups. The TCC reviews the plans, programs, studies and documents related to the transportation planning area and makes recommendations to the TAC.

TEA-21 – Transportation Equity Act for the 21st Century - replaced the previous ISTEA legislation and included provisions to guarantee funding for highway and transit programs through FY2003. It represented the largest public works act in U.S. history at the time of its passage on June 9, 1998. Replaced by SAFETEA-LU.

Thoroughfare Plan – provides for a hierarchical, functional road network and promotes the proper arrangement of land patterns by managing state and local roadways.

TIP – Transportation Improvement Program – the federally required programming document for funding of project expected over the next four years from all sources for transportation projects of all types in the JUMPO region. JUMPO prepares the TIP every two years based on information submitted by local and state governments. It can also be referred to as the Metropolitan Transportation Improvement Program (MTIP).

U.S. DOT – United States Department of Transportation is the federal cabinet-level agency with responsibility for all modes of transportation (highways, mass transit, rail, motor carrier, aviation, bicycle, pedestrian, and ports). It is headed by the Secretary of Transportation.

APPENDIX C TITLE VI Policy and Documents

[Title VI Policy Statement – Jacksonville MPO](#)

It is the policy of the Jacksonville Metropolitan Planning Organization to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Date

For more information contact:

Title VI/EO Coordinator
Jacksonville MPO
815 New Bridge Street
PO Box 128
Jacksonville, NC 28541-0128
910-938-5200
jumpo@ci.jacksonville.nc.us

Título VI Declaración de Política – Jacksonville MPO

Es política del Jacksonville MPO garantizar que ninguna persona, por motivos de raza, color, sexo, edad, origen nacional, o discapacidad, sea excluido de participar en, sea negado los beneficios de, o ser sujeto de otra manera a discriminación bajo cualquier programa o actividad a lo dispuesto en el Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, y cualquier otra relacionada con la no discriminación, derecho civil y las autoridades.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Fecha

Para más información contactar:

Titulo VI/EO Coordinador
Jacksonville MPO
815 New Bridge Street
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910-938-5200
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Standard Jacksonville MPO Title VI Assurances

The Jacksonville MPO (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and the North Carolina Department of Transportation it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin or disability 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 the Departments of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway Program:

1. That the Recipient agrees that each “program” and each “facility” as defined in subsections 21.23 (b) and 21.23 (e) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and, in adapted form in all proposals for negotiated agreements:

The NCDOT in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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. That the Recipient shall insert the clauses of Supplement A of this assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Supplement B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall 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 shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Supplement C of this assurance, as a covenant running with land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway 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 shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, 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 Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient Departments of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Michael Lazzara,
TAC Chairperson, Jacksonville MPO

Date

Supplement 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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, “DOT”) 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 contract.

(2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, age, sex, color, disability, or national origin 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 Supplement B of the Regulations.

(3) **Solicitations for Subcontractors, 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 shall be notified by the contractor of the contractor’s obligations under this contract and the Regulations relative to nondiscrimination on grounds of race, color, or national origin.

(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 Jacksonville MPO, North Carolina Department of Transportation or the Federal Highway 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 Jacksonville MPO, the North Carolina Department of Transportation, or the Federal Highway 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 Jacksonville MPO and North Carolina Department of Transportation shall impose such contract sanctions as it or the Federal Highway 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 paragraph (1) through (6) 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 North Carolina Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Jacksonville MPO, City of Jacksonville and North Carolina Department of Transportation to enter into such litigation to protect the interests of the City of Jacksonville, North Carolina 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.

Supplement B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Jacksonville MPO, as authorized by law, and upon the condition that the North Carolina Department of Transportation will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal-Aid for Highways and the policies and procedures prescribed by Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) 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 state of North Carolina all the right, title and interest of the 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 state of North Carolina 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 shall be binding on the state of North Carolina, its successors and assigns.

The state of North Carolina, in consideration or 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 shall on the grounds of race, age, sex, color, disability, 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 state of North Carolina shall 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, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

Supplement C

The following clauses shall be included in all deeds, licenses, leases, permits or similar instruments entered into by the Jacksonville MPO pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Jacksonville MPO -Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to terminate the {license, lease, permit, etc.} and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of North Carolina and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the North Carolina Department of Transportation pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his 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, sex, age, color, disability, or national origin shall 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, sex, age, color, disability, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of

Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the State of North Carolina shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of North Carolina and its assigns.

Supplement D

Jacksonville MPO's Title VI Notice to Public

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast program information in the news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by transportation projects.

The Jacksonville MPO hereby gives public notice that it's the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, Executive Order 13166 *Improving Access to Services for Persons with Limited English Proficiency*, and related nondiscrimination statutes and regulations in all programs and services. It is the Department's policy that no person in the United States shall, on the grounds of race, color, sex, age, income status, national origin, or disabilities be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, activities, or services for which Jacksonville MPO receives Federal financial assistance.

Any person who believes they have been mistreated by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the Jacksonville MPO. Any such complaint must be in writing or in person with **Jacksonville MPO, Title VI Coordinator, PO Box 128, Jacksonville, NC 28541**, within one hundred eighty (180) days following the date of the alleged discrimination occurrence. Title VI Discrimination Complaint forms may be obtained from the Office of Civil Rights at no cost by calling **910-938-5200**, or via internet at jumpo@ci.jacksonville.nc.us.

Jacksonville MPO's Título VI Comunicación Pública

El Departamento de Justicia de regulaciones de EU, Código 28 de Regulaciones Federales, Sección 42.405, Difusión Pública del Título VI de la información, exigen que el beneficiario de la ayuda financiera del gobierno federal publique o difunda la información del programa a los medios de comunicación. Los anuncios deben indicar que el programa es un programa de igualdad de oportunidades y / o indicar que la ley federal prohíbe la discriminación. Además, deben tomarse pasos razonables para publicar la información en los idiomas de la población a la cual servirán, o que puedan ser directamente afectadas por los proyectos de transporte.

El Jacksonville MPO notifica públicamente que es política del Departamento asegurar el pleno cumplimiento del Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, la Orden Ejecutiva 12898 Dirección Federal de Acciones para la Justicia Ambiental en Poblaciones minoritarias y poblaciones de bajos ingresos, la Orden Ejecutiva 13166 Mejorar el acceso a los Servicios para Personas con Inglés Limitado, y de los estatutos y reglamentos relacionados con la no discriminación en todos los programas y servicios. El Departamento está comprometido a ofrecer oportunidades de participación significativa en sus programas, servicios y actividades a las minorías, poblaciones de bajos recursos y personas que no dominan bien el idioma Inglés. Además, reconocemos la necesidad de evaluar el potencial de impactos a estos grupos a través del proceso de toma de decisiones, así como la obligación de evitar, minimizar y mitigar impactos adversos en los que son desproporcionadamente altos. Es política del Departamento que ninguna persona en los Estados Unidos, por motivos de raza, color, sexo, edad, nivel de ingresos, origen nacional o discapacidad sea excluido de la participación en, sea negado los beneficios de, o sea de otra manera sujeto a discriminación bajo cualquier programa, actividades o servicios para los que Jacksonville MPO recibe asistencia financiera federal.

Cualquier persona que crea haber sido maltratada por una práctica discriminatoria ilegal en virtud del Título VI tiene derecho a presentar una queja formal con JACKSONVILLE MPO. Cualquier queja debe ser por escrito o en persona con **Jacksonville MPO, Title VI Coordinador, PO Box 128, Jacksonville, NC 28541**, dentro de los ciento ochenta (180) días siguientes a la fecha en que ocurrió la supuesta discriminación. Los formatos de quejas por discriminación del Título VI pueden obtenerse en la Oficina de Derechos Civiles sin costo alguno o llamando al **910-938-5200**, o a través de Internet en jumpo@ci.jacksonville.nc.us.

Supplement E

Title VI Voluntary Public Involvement Form – Jacksonville MPO

Completing this form is **completely** voluntary. You are not required to provide the information requested in order to participate in this meeting.

Meeting Type: Location:	Date:
TIP No.: Project Description:	

In accordance with Title VI of the Civil Rights Act of 1964 and related authorities, the Jacksonville MPO assures that no person(s) shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any of the organization’s programs, policies, or activities, based on their race, color, national origin, disability, age, income, or gender.

Completing this form helps meet our data collection and public involvement obligations under Title VI and NEPA, and will improve how we serve the public. Please hand the completed form to a Jacksonville MPO staff person or mail it to the City of Jacksonville MPO, Title VI Coordinator at PO Box 128, Jacksonville, NC 28541-0128.

All forms will remain on file at the Jacksonville MPO as part of the public record.

Zip Code: _____	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Street Name: (i.e. Main Street) _____	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Total Household Income: <input type="checkbox"/> Less than \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 or greater	Disabled: <input type="checkbox"/> Yes <input type="checkbox"/> No
Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____

For more information regarding Title VI or this request, please contact the Jacksonville MPO, Title VI Coordinator at (910) 938-5200 or by email at jumpe@ci.jacksonville.nc.us.

Thank you for your participation!

Título VI Encuesta De Participación Pública – Jacksonville MPO

El llenado de este formato es completamente voluntario. Usted no está obligado a proporcionar la información solicitada con el fin de participar en esta reunión.

Tipo de Reunión:	Fecha:
Lugar de la Reunión:	
TIP No.:	
Descripción del Proyecto:	

De conformidad con el Título VI del Acta de Derechos Civiles de 1964 y otras disposiciones de derechos civiles de la ley Federal estatutaria, el Jacksonville MPO asegura que ninguna persona(s) afectada por sus programas, políticas o actividades, quedarán excluidos de su participación en, negada de los beneficios de, o sometidos a la discriminación por motivos de raza, color, origen nacional, discapacidad, edad, ingresos o género.

Cumpla con sus obligaciones legales para la recopilación de datos y la participación del público en virtud del Título VI y NEPA. Por favor deposite el formato llenado en la casilla designada en la mesa de registro o envíe por correo a Jacksonville MPO, Title VI Coordinador at PO Box 128, Jacksonville, NC 28541-0128.

Los formatos completados serán guardados en los archivos de Jacksonville MPO como parte del registro público.

Código Postal: _____	Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Nombre de la Calle: (ej. Main Street) _____	Edad: <input type="checkbox"/> Menor de 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 o Mayor <input type="checkbox"/> 30-44
Ingreso Total del Hogar: <input type="checkbox"/> Menos de \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 o Mayor	Discapacidad: <input type="checkbox"/> Si <input type="checkbox"/> No
Raza/Etnicidad: <input type="checkbox"/> Blanco <input type="checkbox"/> Afro Americano <input type="checkbox"/> Asiático <input type="checkbox"/> Indio Americano/Nativo de Alaska <input type="checkbox"/> Nativo de Hawaii/Islas del Pacífico <input type="checkbox"/> Hispano/Latino <input type="checkbox"/> Otra (por favor especifique): _____	Nacionalidad de Origen: (Si nació fuera de los EU) <input type="checkbox"/> Mexicano <input type="checkbox"/> Centro Americano: _____ <input type="checkbox"/> Sudamericano: _____ <input type="checkbox"/> Puertorriqueño <input type="checkbox"/> Chino <input type="checkbox"/> Vietnamita <input type="checkbox"/> Coreano <input type="checkbox"/> Otro (por favor especifique): _____

Para más información relacionada con el Título VI o este proceso, por favor contacte a Jacksonville MPO Título VI al teléfono (910) 938-5200o por correo electrónico jumpo@ci.jacksonville.nc.us.
¡Gracias por su cooperación!

Supplement F

Discrimination Complaint Process

INTRODUCTION

The complaint procedures outlined herein apply to the Jacksonville MPO and other primary recipients and sub-recipients of Federal financial assistance. These procedures cover discrimination complaints filed under Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, and other nondiscrimination authorities relating to any program, services, or activities administered by the JACKSONVILLE MPO and its sub-recipients, consultants, and contractors.

The Jacksonville MPO will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority. The option of informal mediation meeting(s) between the affected parties and the OCR staff may be utilized for resolution. Upon completion of each investigation, the OCR staff will inform every complainant of all avenues of appeal.

PURPOSE

The purpose of the discrimination complaint procedures is to describe the process used by the Jacksonville MPO for processing complaints under Title VI of the Civil Rights Act of 1964, related statutes and authorities.

FILING OF COMPLAINTS

1. **Applicability** – The complaint procedures apply to the beneficiaries of the JACKSONVILLE MPO’s programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint with JACKSONVILLE MPO's Civil Rights Office. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Title VI complaints may be submitted to the following entities:

- **Jacksonville MPO**, Title VI Coordinator, 815 New Bridge Street, PO Box 128, Jacksonville, NC 28541-0128, 910-938-5200
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing (see **“Complaint Form” in Appendix G**). Complaints will be accepted in other languages including Braille.
5. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White
Color	Color of skin, including shade of skin within a racial group	Black, White, light brown, dark brown, etc.
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and Men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic

INTERNAL COMPLAINT PROCESS

1. **Initial Contact** – As resources, OCR will provide complainants with an explanation of the filing options, information concerning the discrimination complaint process and a Title VI Discrimination Complaint Form.
2. **The Complaint Review Process**
 - a. The Title VI Section will review complaints upon receipt to ensure that relevant information is provided, the complaint is timely, and satisfies jurisdictional requirements.
 - b. All complaints shall be investigated unless:
 - The complaint is withdrawn;
 - The complainant fails to provide required information in a timely manner;
 - The complaint is not filed timely; and
 - Any issues that do not involve discrimination, or are not based on a protected basis will be directed to the appropriate entity. Under no circumstances will complainants be discouraged from filing a complaint.
 - c. The Title VI Section will investigate all complaints filed against Jacksonville MPO's contractors, subcontractors, consultants, and other sub-recipients.
 - d. Complaints filed against the JACKSONVILLE MPO will be forwarded to the appropriate federal agency for processing and investigation.
 - e. Upon determination that the complaint warrants an investigation, the complainant is sent a certified letter acknowledging receipt of the complaint within 10 days of receipt of the complaint. The name of the investigator is provided as well as the complainant's rights under Title VI and related statutes.
 - f. The respondent is notified by certified mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter identifies the investigator's name and informs the respondent that he/she will be contacted for an interview.

- g. A letter is sent to the Division Engineer when the complainant(s) or respondent(s) are located in a division office. If the parties are located in Headquarters, the manager will be informed that a complaint was filed; the letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.

INVESTIGATION

1. Investigative Plan

The investigator shall prepare an investigative plan that includes, but is not limited to the following:

- Complainant(s) name and address;
- Respondent(s) name and address;
- Applicable law(s);
- Basis for the complaint;
- Allegations, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Appropriate information needed to address the issue;
- Name of persons to be interviewed and issues of which they have first-hand knowledge;
- Questions for the complainant, respondent, and witness(es);
- Evidence to be obtained during the investigation; and
- Remedy sought by the complainant.

2. Conducting the Investigation

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained to the fullest extent possible.
- Interviews will be conducted to obtain the facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case that the witness can provide firsthand information.
- Interviews are taped/recorded with the interviewee's consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- The investigation working papers are completed, cross-referenced and indexed.
- The interviewee may have representation of his/her choice at the interview.

3. Informal Resolution

The Alternative Dispute Resolution (ADR) process is offered as an alternative for resolving Title VI complaints. During the investigative process, the investigator will make every effort to assist the parties with reaching a voluntary, negotiated resolution. During the initial interviews with the complainant and respondent, the investigator will request information regarding specifically requested relief and settlement opportunities. The attempts to resolve complaints using ADR are required by the Alternative Dispute Resolution Act of 1998.

4. Investigation Reporting Process

- Within 60 days of conducting the investigation, the investigator will prepare an investigative report and submit the report and supporting documentation to the Title VI Manager for review. The investigative report should include recommended decisions.
- The investigative report should outline the following complaint details: Date of written complaint, contract number, contractor and/or subcontractor name, and the complaint basis (race, color, national origin, etc).
- The Title VI Manager will review the file and investigative report. Subsequent to the review, the Title VI Manager will submit the investigative reports, investigative files, and recommended decisions to the Director of OCR.
- Upon the Director's approval, the investigative report and recommended decisions shall be forwarded to FHWA for a final agency decision.

RECORDS

All records and investigative working files will be maintained in a confidential area within the OCR. Records are kept for four years internally, and then archived for a period of ten years at the State Records Center.

Proceso de Quejas por Discriminación

INTRODUCCIÓN

Los procedimientos de quejas presentadas en este documento se aplican al JACKSONVILLE MPO y otros destinatarios principales y los sub-receptores que reciben ayuda Federal. Estos procedimientos se aplicarán a las quejas por discriminación presentadas en virtud del Título VI del Acta de Derechos Civiles de 1964, Ley de Restauración de Derechos Civiles de 1987, la Sección 504 del Acta de Rehabilitación de 1973, y autoridades de la no discriminación en relación con cualquier otro actividades, programa, o servicios administrados por el JACKSONVILLE MPO y sus sub-receptores, consultores y contratistas.

JACKSONVILLE MPO hará todo lo posible para obtener pronta resolución de las quejas en el nivel más bajo posible de administración. Denuncias de presunta discriminación serán investigadas por las autoridades competentes. La opción de reunión(es) de mediación informal entre las partes afectadas y el personal de OCR puede ser utilizada para su resolución. Al término de cada investigación, el personal de la OCR informará a cada demandante todas las vías de recurso.

PROPÓSITO

El propósito de los procedimientos de denuncia por discriminación es describir el proceso utilizado por la JACKSONVILLE MPO para tramitar las quejas en virtud del Título VI del Acta de Derechos Civiles de 1964, relacionados con los estatutos y las autoridades.

PRESENTACIÓN DE QUEJAS

1. **Aplicación** – Los procedimientos de queja aplican a los beneficiarios de los programas de la JACKSONVILLE MPO, actividades y servicios, incluyendo pero no limitando a la opinión pública, contratistas, subcontratistas, consultores y otros sub-receptores de fondos federales y estatales.
2. **Eligibilidad** – Cualquier persona o grupo de personas que crea haber sido objeto de discriminación o represalia prohibida por alguna de las autoridades de Derechos Civiles, basada en la raza, color, sexo, edad, origen nacional o discapacidad, puede presentar una queja por escrito a la Oficina de Derechos Civiles de la JACKSONVILLE MPO. La ley prohíbe la intimidación o represalias de ningún tipo. La denuncia podrá ser presentada por la persona afectada o un representante y debe ser por escrito.
3. **Plazos y opciones de presentación** – La queja debe ser presentada a más tardar 180 días naturales después de lo siguiente:
 - La fecha del supuesto acto de discriminación; o
 - La fecha en que la persona(s) se dió cuenta de la supuesta discriminación; o
 - Cuando ha sido un curso continuo de conducta, la fecha en que dicho comportamiento se interrumpió o en el último ejemplo de dicha conducta.

Título VI las quejas podrán presentarse a las siguientes entidades:

- **Jacksonville MPO**, Title VI Coordinator, 815 New Bridge Street, PO Box 128, Jacksonville, NC 28541-0128, 910-938-5200
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

Federal Aviation Administration, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. Formato de Quejas – Las denuncias deberán ser **por escrito** y **firmadas** por el denunciante (s) o un representante, e incluir el nombre del autor, dirección y número de teléfono. Las denuncias recibidas por fax o correo electrónico serán confirmadas y procesadas. Las denuncias recibidas por teléfono serán transcritas y proporcionadas al denunciante para la confirmación o su revisión antes de ser procesadas.

(Se consulte Appendix G). Quejas serán aceptadas en otros lenguajes, incluyendo Braille.

5. Fundamento de la Queja– Las denuncias deberán basarse en cuestiones relacionadas con la raza, color, origen nacional, sexo, edad o discapacidad. El término "fundamento" se refiere a la pertenencia del autor de la queja en una categoría del grupo protegido.

Grupo Protegido	Definición	Ejemplos
Raza	Un individuo perteneciente a uno de los grupos raciales aceptados; o la percepción, basada generalmente en las características físicas de que una persona es miembro de un grupo racial.	Afro Americano, Hispano/Latino, Asiático, Indio Americano/Nativo de Alaska, Nativo de Hawai/Islas del Pacífico, Blanco.
Color	Color de piel, incluyendo tono de piel dentro de un grupo racial.	Negro, blanco, moreno claro, moreno oscuro, etc.
Origen Nacional	Lugar de Nacimiento. La ciudadanía no es un factor. La discriminación basada en el idioma o acento de una persona también está cubierta por el origen nacional.	Mexicanos, cubanos, japoneses, vietnamitas, chinos.
Sexo	Género.	Mujer y hombre.
Edad	Personas de cualquier edad.	Personas de 21 años
Discapacidad	Disabilidad física o mental, permanente o temporal, o percibida.	Ciego, alcohólico, para- amputado, epilépticos, diabéticos, artríticos



Jacksonville MPO
DISCRIMINATION COMPLAINT FORM

Last Name:		First Name:		<input type="checkbox"/> Male
				<input type="checkbox"/> Female
Mailing Address:		City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address		
Identify the Category of Discrimination: <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> RELIGION <input type="checkbox"/> DISABILITY <input type="checkbox"/> SEX/GENDER				
Identify the Race of the Complainant <input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American <input type="checkbox"/> American Indian <input type="checkbox"/> Alaskan Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other _____				
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
Names of individuals responsible for the discriminatory action(s):				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation				
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).				
Name Address Telephone				
1.				
2.				
3.				
4.				

DISCRIMINATION COMPLAINT FORM

Page 2

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

US Equal Employment Opportunity Commission _____

Federal Highway Administration _____

US Department of Transportation _____

North Carolina Department of Transportation _____

Federal or State Court _____

Other _____

Have you discussed the complaint with any JACKSONVILLE MPO representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

<p>_____</p> <p>COMPLAINANT'S SIGNATURE</p>	<p>_____</p> <p>DATE</p>
--	---------------------------------

MAIL COMPLAINT FORM TO:
 Jacksonville MPO
 TITLE VI/EO CONTRACT COORDINATOR
 PO Box 128
 City Hall 815 New Bridge Street
 JACKSONVILLE, NC 28541-0128
 or call
 910-938-5200

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: NCDOT Date Referred: _____



Jacksonville MPO
FORMATO DE QUEJAS POR DISCRIMINACIÓN

Apellido:		Nombre:		<input type="checkbox"/> Hombre
				<input type="checkbox"/> Mujer
Dirección:		Ciudad	Estado	Código Postal
Teléfono de Casa:	Teléfono de Trabajo:	Dirección de correo electrónico		
Identificar la categoría de la Discriminación:				
<input type="checkbox"/> RAZA	<input type="checkbox"/> COLOR	<input type="checkbox"/> ORIGEN NACIONAL	<input type="checkbox"/> EDAD	
<input type="checkbox"/> RELIGIÓN	<input type="checkbox"/> DISCAPACIDAD	<input type="checkbox"/> SEXO/GÉNERO		
Identificar la Raza del Demandante				
<input type="checkbox"/> Afro Americano	<input type="checkbox"/> Blanco	<input type="checkbox"/> Hispano	<input type="checkbox"/> Asiático Americano	
<input type="checkbox"/> Indio Americano	<input type="checkbox"/> Nativo de Alaska	<input type="checkbox"/> Islas del Pacífico	<input type="checkbox"/> Otra _____	
Fecha y lugar de la acción discriminatoria alegada(s). Por favor, incluya la fecha más antigua de la discriminación y la fecha más reciente de la discriminación.				
Nombre de las personas responsables de la acción discriminatoria (s):				
¿Cómo fué discriminado? Describir la naturaleza de la acción, decisión, o condiciones de la supuesta discriminación. Explicar lo más claramente posible lo que ocurrió y por qué usted cree que su condición de protección (fundamento) fué un factor en la discriminación. Incluya de qué manera otras personas fueron tratadas de manera diferente a usted. (Si es necesario adjunte páginas adicional (es)).				
La ley prohíbe la intimidación o represalias contra cualquier persona porque él o ella ha tomado medidas, o ha participado activamente, para garantizar los derechos protegidos por estas leyes. Si usted siente que ha sido víctima de represalias, además de la supuesta discriminación, por favor explique las circunstancias a continuación. Explique qué medidas tomó usted que cree que fueron la causa de las supuestas represalias.				
Nombre de las personas (testigos, compañeros de trabajo, supervisores, u otros) que podemos contactar para obtener información adicional y apoyar o aclarar su queja: (Adjuntar pagina(s) adicional(es), si es necesario).				
	Nombre	Dirección	Teléfono	
1.				
2.				
3.				
4.				

FORMATO DE QUEJAS POR DISCRIMINACIÓN

Página 2

<p>¿Ha presentado o tiene intenciones de presentar una queja con respecto a cualquiera de las siguientes cuestiones planteadas? En caso afirmativo, indique la fecha de presentación. Marque todas las que aplican.</p> <p style="margin-left: 40px;"> <input type="checkbox"/> US Comisión de Igualdad de Oportunidades de empleo _____ <input type="checkbox"/> Administración de Carreteras Federales _____ <input type="checkbox"/> US Departamento de Transporte _____ <input type="checkbox"/> North Carolina Departamento de Transporte _____ <input type="checkbox"/> Corte Federal o Estatal _____ <input type="checkbox"/> Otros _____ </p>	
<p>¿Ha discutido la denuncia con algún representante de JACKSONVILLE MPO? En caso afirmativo, indique el nombre, puesto, y fecha de la discusión.</p>	
<p>Por favor proporcione cualquier información adicional que considere usted pueda ayudar a una investigación.</p>	
<p>Explique brevemente qué remedio, o acción, está usted buscando debido a la supuesta discriminación.</p>	
<p>** NO PODEMOS ACEPTAR QUEJAS SIN FIRMAR. POR FAVOR INCLUYA SU FIRMA Y FECHA EN EL SIGUIENTE FORMATO.</p>	
<p>_____</p> <p>FIRMA DEL SOLICITANTE</p>	<p>_____</p> <p>FECHA</p>
<p>ENVÍE SU FORMATO DE QUEJA A:</p> <p>Jacksonville MPO TITLE VI/EO CONTRACT COORDINATOR PO Box 128 City Hall 815 New Bridge Street JACKSONVILLE, NC 28541-0128 or call 910-938-5200</p>	
<p>FOR OFFICE USE ONLY</p> <p>Date Complaint Received: _____</p> <p>Processed by: _____</p> <p>Case #: _____</p> <p>Referred to: <input type="checkbox"/> NCDOT Date Referred: _____</p>	



Jacksonville Urban Area
Metropolitan Planning Organization

Title VI JACKSONVILLE MPO Complaint Log

Date/ Time	Name	Contact Info	Complaint Date/Time	Nature of Complaint	Investigation Completion Date

Supplement G

JACKSONVILLE URBAN AREA METROPOLITAN PLANNING ORGANIZATION LIMITED ENGLISH PROFICIENCY PLAN

Jacksonville MPO focuses on making it easy and convenient for our clients to overcome any language barrier by receiving immediate response to their communications requirements. Jacksonville MPO believes in providing the most qualified, reliable, dependable and professional services available for our Non-English Speaking clients.

Jacksonville MPO has contracted with Fluent Language Solutions for the following services:

- Foreign Language Interpreting
- Sign Language (ASL) Interpreting
- Telephone Interpreting (Connected in 30 seconds or less)
- Video Interpreting for Deaf Communication
- Document Translating (Medical, Legal, Technical, Business)
- Services available in more than 190 difference languages
- Immediate Need 24 hours per day – 7 days a week – 365 days per week
- Licensed Interpreters

Quick service for telephone interpreting:

- DIAL 800-821-3420:
- Provide the operator with the access code: 230574
- On-Demand Foreign Language Interpreting
- Have the Non-English speaking person with you (or on another line)
- Foreign Language required and an interpreter will be connected

On-Site Interpreting

To schedule on-site interpreting services for Foreign or Sign Language contact Fluent Language Solutions and they will provide the services

Document Translation

To schedule document translation services or receive a free quote we contact the translations department at 704-532-7446 or 888-225-6056.

Jacksonville MPO

LEP Plan

Jacksonville MPO se centra en lo hacer fácil y conveniente para nuestros clientes para vencer cualquier barrera del idioma por respuesta inmediata recipiente a sus requisitos de comunicaciones. Jacksonville MPO cree en proporcionar el más calificado, seguro, fiable y profesional atiende a disponible para nuestro No-inglés que Habla a clientes.

Jacksonville MPO ha contratado con Soluciones con soltura de Idioma para los servicios siguientes:

- El Idioma Extranjero que Interpreta
- Firme el Idioma (ASL) Interpretando
- Telefonee Interpretar (Conectado en treinta segundos o menos)
- El video que Interpreta para la Comunicación Sorda
- Documente Traducir (Médico, Legal, Técnico, el Negocio)
- Los servicios disponibles en más de ciento noventa idiomas de diferencia
- La necesidad inmediata veinte cuatro horas por día – siete días por semana – trescientos sesenta cinco días a la semana
- Intérpretes licenciados

El servicio rápido para interpretar de teléfono:

LLAME 800-821-3420:

- Proporciona al operario con el código de acceso: 230574
- A solicitud el Idioma Extranjero que Interpreta
- Tenga el No-inglés que habla a persona con usted (o en otra línea)
- El Idioma extranjero requirió y un intérprete será conectado

Interpretar Local

Para planificar interpretar local los servicios para Extranjero o lenguaje por señas contacta Soluciones con soltura de Idioma y ellos proporcionarán los servicios

Document Translation

Para planificar los servicios de traducción de documento o recibir una cita libre que contactamos el departamento de traducciones en 704-532-7446 o 888-225-6056.

Supplement H

Title VI Data Collection Process – Jacksonville MPO

The Jacksonville Metropolitan Planning Organization will collect and maintain data pertaining to race, color, sex, age, national origin and/or disability to ensure that no particular group is excluded from participation in, denied the benefits of and/or inordinarily impacted by the metropolitan transportation planning processes. Only regularly updated reputable sources of demographic data will be used to evaluate Title VI compliance. Collection, evaluation and display of demographic data will occur following the process outlined below:

1. Base year demographic data will come from the U.S. Decennial Census, collected by the Jacksonville MPO staff in ArcGIS and/or Microsoft Excel format.
2. Thematic base maps will be prepared showing the geographic distributions of race, age, sex, national origin and disability trends within the metropolitan area. Data represented on the base maps will also be available in tabular format to facilitate detailed analysis as needed.
3. Base maps will be updated biannually using American Community Survey data from the U.S. Census Bureau, supplemented by data from the North Carolina State Office of Budget and Management as needed.
4. Printed copies of each base map will be displayed in Jacksonville City Hall and available on the Jacksonville MPO web page for download.
5. More detailed base mapping and data collection may be needed to support specific transportation planning initiatives. The need for supplemental base mapping and data collection will be determined by the Jacksonville MPO Administrator in consultation with the NCDOT Office of Civil Rights.

Appendix D

Jacksonville Transit

Jacksonville Transit, a public transit system currently operated by the City of Jacksonville, North Carolina, is a recipient of Federal Transit Administration funds, specifically Section 5307. As such, Jacksonville Transit is required to have a Public Participation Plan in place to ensure that all interested parties have an opportunity to review and offer comments on federally funded transportation projects. FTA Circular 9030.1D encourages transit systems to rely on their local MPO's Public Participation Plan for the development of the Programming of Projects (POP) if the transit system operator has coordinated with the MPO to ensure that the public is aware that the MTIP development process is being used to satisfy the POP requirements. Consequently, it has been determined that JUMPO's Public Participation Plan satisfies Jacksonville Transit's public participation requirements if all public notices for MTIP development contain an explicit statement that associated public involvement activities and comment periods fulfill FTA POP requirements.