



Tahoe Transportation DISTRICT

Tahoe Transportation District
TITLE VI FHWA Implementation Plan
for Nevada Department of Transportation
Approved by the Board of Directors: August 2, 2023

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Executive Summary

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients and or contractors, whether those programs and activities are Federally funded or not.

Executive Order 13166 placed renewed emphasis on Title VI issues, to ensure meaningful and equal access in programs and activities to persons with Limited English Proficiency (LEP).

Recipients of federal-aid funding from the Federal Highway Administration (FHWA) and Nevada Department of Transportation (NDOT) are required to develop policies, programs, and practices that ensure federal dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how the Tahoe Transportation District incorporates nondiscrimination policies and practices in all its programs and activities.

1. Jurisdiction and Authorities

The Tahoe Transportation District (TTD) is a recipient of US Department of Transportation (USDOT) funding through the Nevada Department of Transportation (NDOT) funding assistance and is, therefore, subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

NONDISCRIMINATION STATUTES

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq);
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324);
- Age Discrimination Act of 1975;
- Section 504 of the Rehabilitation Act of 1973;
- Americans With Disabilities Act of 1990;
- Civil Rights Restoration Act of 1987;
- 49 CFR Part 21;
- 23 CFR Part 200;
- USDOT Order 1050.2;
- Executive Order #12898 (Environmental Justice);
- Executive Order #13166 (Limited-English-Proficiency);
- The Americans with Disabilities Act (42 USC 126)
- Title II of the Americans with Disabilities Act Implementing Regulation (28 CFR 35)
- Section 504 of the Rehabilitation Act of 1973 (29 USC 794, et seq).
- Section 504 of the Rehabilitation Act of 1973 Implementing Regulation 49 CFR 27
- Americans with Disabilities Act Accessibility Guidelines (ADAAG)
- Public Rights-of-Way (PROWAG) Notice of Proposed Rule Making, July 26, 2011
- Uniform Federal Accessibility Standards (UFAS)
- Title VII of the Civil Rights Act of 1964, as amended (<http://www.eeoc.gov/laws/statutes/titlevii.cfm>)
- The Age Discrimination in Employment Act of 1967, as amended (<http://www.eeoc.gov/laws/statutes/adea.cfm>)
- The Equal Pay Act of 1963 (<http://www.eeoc.gov/laws/statutes/epa.cfm>)
- Sections 501 and 505 of the Rehabilitation Act of 1973, as amended (<http://www.eeoc.gov/laws/statutes/rehab.cfm>)
- The Genetic Information Nondiscrimination Act of 2008 (<http://www.eeoc.gov/laws/statutes/gina.cfm>)
- The Civil Rights Act of 1991 (<http://www.eeoc.gov/laws/statutes/cra-1991.cfm>)
- Title 29, Code of Federal Regulations, Part 1614 (<http://www.eeoc.gov/federal/directives/1614-final.cfm>)
- No Fear Act (<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/no-fear-act>)
- 23 CFR 230, Subpart C

2. Introduction to Tahoe Transportation District

The Tahoe Transportation District (TTD) was established in 1980. TTD is a bi-state, special purpose transportation district that delivers capital projects in the Lake Tahoe basin. Examples of TTD projects include road realignments, bridges, roundabouts, complete streets, parking, shared use paths, and transit facilities. All of TTD's projects serve transportation purposes and help to accomplish regional transportation goals. At the same time, some of TTD's projects also create development opportunities that further other public purposes and goals.

TTD is represented by twelve (12) appointed Board of Directors. The Board members are appointed by their respective jurisdictions.

The Board of Directors:

Seat 1	City of South Lake Tahoe	Seat 7	Tahoe North Truckee Transportation Management Assoc.
Seat 2	Carson City, NV	Seat 8	South Shore Transportation Management Assoc.
Seat 3	Douglas County, NV	Seat 9	Nevada Governor Appointee
Seat 4	El Dorado County, CA	Seat 10	California Governor Appointee
Seat 5	Washoe County, NV	Seat 11	Tahoe Regional Planning Agency Appointee
Seat 6	Placer County, CA	Seat 12	Member at Large

The Board of Directors established the vision, strategic plan, policies, and goals for the District. As the representative body, the Board is responsible for establishing the policies and guideline under which TTD operates and approving how funds will be expended. The District Manager is responsible for implementing the policies adopted by the TTD Board.

The District Manager reports to the TTD Board and has primary responsible for providing leadership and policy guidance and ensuring that vision, strategic plan and goals of TTD are implemented and met. The District Manager performs the professional and administrative processes necessary to achieve the efficient and economic operation of the Board.

TTD has designated the Title VI Coordinator to develop and oversee the TTD's Title VI plan, ensure the plan meets federal requirements, update the plan as regulations change, monitor compliance, receive complaints, and submit appropriate reports.

TTD's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations ("CFR") Part 200, and Title 49 CFR Part 21.

3. General Reporting Requirements

3.1 Annual Title VI Certification and Assurance

Requirement

Federally assisted subrecipients must submit annual their Title VI certification and assurance as part of their Annual Certifications and Assurances submission to NDOT 23 CFR § 200.9 (a).

Reporting

TTD has submitted the required annual Title VI certification and assurance. (Attachment A)

3.2 Title VI Program Plan

Requirement

Subrecipients must document their compliance with DOT's Title VI regulations by submitting a Title VI Program Plan to NDOT annually, and/or upon request. For all recipients (including subrecipients), the Title VI Program Plan must be approved by the recipient's Board of Directors, appropriate governing entity, or officials responsible for policy decisions prior to submission.

Reporting

TTD has completed the required elements and documentation for the Title VI Program, has formalized the plan, included all attachments, and submitted it to NDOT.

3.2.1. Policy Statement

Requirement

Subrecipients must include a Title VI policy statement as part of their Title VI Plan.

Reporting

TTD has submitted the required Title VI Policy Statement as part of their plan. (Attachment B)

3.2.2. Organization & Staffing

Requirement

Subrecipients must include a description of their staffing and reporting structure and an organizational chart as part of their Title VI Plan.

Reporting

Under the authority of TTD's District Manager, Judi Allen, Executive Assistant, will serve as the Title VI Coordinator and be responsible for ensuring implementation of the TTD's Title VI program.

The Title VI Coordinator and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, internal education, and oversight of the day-to-day administrative requirements of TTD's Title VI Program.

The Title VI Coordinator's responsibilities include, but are not limited to:

- Process the disposition of Title VI complaints received.
- Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs (e.g., affected citizens and impacted communities).
- Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.

- Conduct training programs on Title VI and other related statutes for agency employees.
- Prepare a yearly report of Title VI accomplishments and goals, as required.
- Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
- Identify and eliminate discrimination.
- Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

The organizational chart (Attachment C) shows the Title VI Coordinator's access to the agency's highest authority.

3.2.3. Program Area Reviews

Requirement

Subrecipients must include a description of their review/oversight process as part of their Title VI Plan.

Reporting

The Title VI Coordinator will review the agency's Title VI program annually to ensure implementation of the Title VI plan in all areas of the organization to ensure nondiscrimination. In addition, agency operational guidelines and publications, including those for contractors, will be reviewed to verify that Title VI language and provisions are incorporated, as appropriate.

3.2.4. Special Emphasis Program Areas

Requirement

Subrecipients must include a statement that all Special Emphasis Program Areas are designated by a USDOT Modal Agency as part of their Title VI Plan.

Reporting

Special Emphasis Program Areas are identified by FHWA. No such Special Emphasis Program Area has been identified by TTD.

3.2.5. Contractor, Consultant, and Vendor Reviews

Requirement

Subrecipients must include a process to review their contractors, consultants, or vendors as part of their Title VI Plan.

Reporting

TTD is committed to nondiscrimination in all forms. Supervisors in each service area are responsible for familiarizing themselves with the requirements of Title VI, E.O. 12898, and E.O. 13166; and for ensuring that departmental contractors, consultants, and vendors are complying with the requirements of TTD's Title VI Program. The supervisors are responsible to promptly report issues or complaints concerning Title VI and related statutes to the Title VI Coordinator and for assisting the Title VI Coordinator in the efforts to implement all requirements, internally and externally. The supervisors are also responsible for coordinating with the Title VI Coordinator on any proposed changes to operating procedures, instructional memoranda, policies, and manuals, etc. that relate to Title VI.

3.2.6. Data Collection

Requirement

Federally assisted recipients, including subrecipients, are required to collect and maintain statistical data by race, color, national origin, and sex of affected communities, and participants and beneficiaries of federal aid. (49CFR 21.9 and 23 CFR 200.9)

Reporting

TTD is guided by the Federal regulations to collect statistical data on the race, color, and national origin of participants in and beneficiaries of its programs. As required, TTD will provide sign-in sheets during public meetings and will include a space or participants to note race, color, and national origin. This information will be retained for one (1) year and made available to authorizing agencies during reviews.

3.2.7. Training

Requirement

23 CFR 200.9 (b) (9) states that the Title VI Coordinator shall be responsible for conducting training programs on Title VI and related statutes. NDOT provides training in Title VI and related programs annually.

NDOT requires all subrecipients to have an approved Title VI Staff Awareness training program in place and given annually. The training must cover Title VI regulations, Title VI elements, and Title VI authorities.

Reporting

TTD's Title VI Staff Awareness training program, by means of in-person, electronic, and/or a combination, was approved by NDOT. Supporting data of Title VI Staff Awareness annual training, such as sign-in sheets, handouts, and content will be submitted to NDOT. Title VI Staff Awareness training will be held annually.

3.2.8. Complaint Procedures

Requirement

Federally assisted recipients and subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the subrecipient's website.

Reporting

TTD is committed to ensuring all its programs and activities are operated in a nondiscriminatory manner and uses a complaint form which covers the Title VI requirements of race, color, and national origin. TTD did not have any Title VI complaints or lawsuits during the reporting period.

Any person who believes that they have been discriminated against on the basis of race, color, or national origin by TTD, may file a Title VI complaint with the TTD, NDOT, or the FHWA by completing and submitting the Title VI Complaint Form. The Complaint Form is available at **www.tahoetransportation.org** or at TTD's Admin office and are available in English and Spanish. Complaint Procedures and Complaint Forms are attached to this document as Attachment D.

All Title VI complaints are forwarded to NDOT or to FHWA for investigation within twenty-one (21) days of receipt of complaint.

Title VI Coordinator
TTD
PO Box 499
Zephyr Cove, NV 89448
(P) (775) 589-5502
(F) (775) 588-0917
jallen@tahoetransportation.org

Civil Rights Officer
NDOT
123 E. Washington Ave,
Bldg G
Las Vegas, NV 89101
(P) 702-730-3301
(F) 702-486-0487
jboyster@dot.nv.gov

Federal Highway Admin
U.S. Dept of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor, E81-105
Washington, DC 20590

3.2.9. Dissemination of Title VI Information

Requirement

Primary recipients must assist their subrecipients in complying with DOT's Title VI regulations, including public posting requirements.

All advertising policies and practices must assure free and open competition. This also relates to requirements and practices involving the following:

- Licensing, bonding, prequalification, and bidding
- Title VI and nondiscrimination assurances regarding race, color, and national origin

Reporting

Information on TTD's Title VI program will be disseminated on the agency's website, www.tahoetransportation.org, in the lobby of all of TTD's buildings open to the public, to agency employees, contractors, and beneficiaries, as well as to the public at large, according to federal and state laws/regulations. The Title VI program will be available in other languages when needed.

In addition to language access measures, other major components of the Public Participation Plan include public participation design factors; a range of public participation methods to provide information and to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time. Notice to the Public of their Title VI rights is attached as Attachment E.

3.2.10. Limited English Proficiency (LEP) and Language Assistance Plan (LAP)

Requirement

Federally assisted recipients must take responsible steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP). Recipients must use the information obtained in their Four-Factor Analysis to determine the specific language services that are appropriate to provide.

Reporting

TTD is committed to assisting people who do not speak English or do not speak English well. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are Limited English Proficient, or LEP. These individuals may be entitled to language assistance with respect to a particular type of program, service, or activity. This section outlines the LEP protections and plans for compliance. Title VI and Executive Order 13166 prohibit recipients of federal financial assistance from discrimination based on national origin.

It is the policy of TTD to take reasonable steps to provide LEP individuals with meaningful access to all programs, services, or activities. TTD shall take reasonable steps to effectively inform the public of the availability of language accessible programs, services, and activities.

Vital documents are translated into Spanish and other documents will be translated as needed.

Following federal guidance, Four Factor Analysis (Attachment F) has been completed to understand language need and allocate resources appropriately.

3.2.11. Environmental Justice (EJ)

Requirement

All subrecipients must include an Environmental Justice process as part of their Title VI Plan.

Reporting

In 1994, Executive Order (EO) 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations was issued. EO 12898 emphasized a federal agency's responsibility to make environmental justice a goal by identifying and addressing the effects of programs, policies and activities on minority and low-income populations. This is accomplished by involving the public in developing transportation projects that fit within their communities without sacrificing equity, environmental justice, and safety. TTD fulfills this requirement by following the NEPA process. TTD promotes public participation through ongoing outreach and event organization. In accordance with Executive Order 12898 on EJ and the related US DOT and FHWA Orders, TTD advances the principles of EJ in all programs, services and activities through a public involvement program and by screening programs and projects to identify, avoid, minimize or mitigate disproportionately high and adverse impacts. The transportation planning process requires TTD to identify planning assumptions under federal law—one of which is to use the most recently published U.S. Census Bureau data in the development of plans and programs.

3.2.12. Public Participation

Requirement

All subrecipients must include a public participation plan as part of their Title VI Plan.

Federally assisted recipients must also provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

At a minimum, recipients must disseminate this information to the public through measures, including but not limited to posting on its website and in public areas of the agency's office. Furthermore, notices will detail a subrecipient's Title VI obligations in languages other than English, as needed and consistent with the DOT LEP Guidance and the subrecipient's LAP.

Reporting

The public outreach strategies employed by TTD are often determined by the circumstances unique to individual projects and typically include a mix of public hearings and stakeholder meetings or as applicable. Information is distributed via the website or social media websites, surveys, advertising, media outreach, community events, and targeted presentations. TTD's commitment to public participation is based firmly on the belief that public involvement fosters an open decision-making process that elicits active participation from affected individuals, groups, communities, and other public agencies.

3.2.13. Review of Directives

Requirement

All subrecipients must include a process to review internal directives, policies, and procedures for potential Title VI impacts as part of their Title VI Plan.

Reporting

TTD has submitted a review of agency directives as part of their Title VI plan. This consisted of review logs outlining the directives the Title VI Coordinator reviewed, and took action, if necessary, to ensure that discriminatory language or implications were absent from any changes in policy, procedures, or new directives.

3.2.14. Compliance & Enforcement Procedures

Requirement

All subrecipients must include compliance and enforcement procedures as part of their Title VI Plan.

Reporting

TTD is committed to ensure the required Compliance and Enforcement Procedures. TTD does utilize contractors, vendors, or consultants. Managers and Supervisors in each service area are responsible for familiarizing themselves with the requirements of Title VI, E.O. 12898, and E.O. 13166 and for complying with the requirements of TTD's Title VI Program. They have promptly reported any issues or complaints concerning Title VI and related statutes to the Title VI Coordinator. As of this reporting period, no compliance or enforcement procedures have been enacted by TTD on any of its consultants, contractors, or vendors. TTD expects and addresses all nondiscrimination efforts in all business relations. Should noncompliance be found, TTD shall work with the contractor, consultant, or vendor to come into voluntary compliance. If that is unsuccessful, TTD shall take additional action to ensure compliance. All procedures for compliance and enforcement outline the agency's commitment to compliance in all Title VI and other non-discrimination areas, such as ADA, DBE, and Contract Compliance.

ATTACHMENTS

ATTACHMENT A

Fiscal Year 2023 Certifications and Assurances

Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision.

Text in italic is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.

All applicants must make the certifications in this category.

1.1. Standard Assurances.

The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
 - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
 - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
 - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
 - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
 - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
 - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
 - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
 - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - (2) Notification of violating facilities pursuant to EO 11738;
 - (3) Protection of wetlands pursuant to EO 11990;
 - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
 - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
 - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
 - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

animals held for research, teaching, or other activities supported by this award of assistance.

- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
- (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
- (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from:
 - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
 - (3) Using forced labor in the performance of the award or subawards under the award.

1.2. Standard Assurances: Additional Assurances for Construction Projects.

This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work confirms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

1.3. Procurement.

The Uniform Administrative Requirements, 2 CFR § 200.325, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.327 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

1.4. Suspension and Debarment.

Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.

The applicant certifies:

- (a) To the maximum extent possible, funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

1.6. American Rescue Plan Act Funding.

The applicant certifies:

- (a) Funds made available by Section 3401(a)(2)(A) of the American Rescue Plan Act of 2021 (Public Law 117-2) shall be directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a Public Transportation Agency Safety Plan on behalf of a Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) pursuant to 49 CFR § 673.11(d).

This certification is required by 49 U.S.C. § 5307(c)(1)(L), 49 U.S.C. § 5329(d)(1), and 49 CFR § 673.13. This certification is a condition of receipt of Urbanized Area Formula Grants Program (49 U.S.C. § 5307) funding.

This certification does not apply to any applicant that only receives financial assistance from FTA under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C.

§ 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs, unless it operates a rail fixed guideway public transportation system.

If the applicant is an operator, the applicant certifies that it has established a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673; including, specifically, that the board of directors (or equivalent entity) of the applicant has approved, or, in the case of an applicant that will apply for assistance under 49 U.S.C. § 5307 that is serving an urbanized area with a population of 200,000 or more, the safety committee of the entity established under 49 U.S.C. § 5329(d)(5), followed by the board of directors (or equivalent entity) of the applicant has approved, the Public Transportation Agency Safety Plan or any updates thereto; and, for each recipient serving an urbanized area with a population of fewer than 200,000, that the Public Transportation Agency Safety Plan has been developed in cooperation with frontline employee representatives.

If the applicant is a State that drafts and certifies a Public Transportation Agency Safety Plan on behalf of a public transportation operator, the applicant certifies that:

- (a) It has drafted and certified a Public Transportation Agency Safety Plan meeting the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR Part 673 for each Small Public Transportation Provider (as that term is defined at 49 CFR § 673.5) in the State, unless the Small Public Transportation Provider provided notification to the State that it was opting out of the State-drafted plan and drafting its own Public Transportation Agency Safety Plan; and
- (b) Each Small Public Transportation Provider within the State that opts to use a State-drafted Public Transportation Agency Safety Plan has a plan that has been approved by the provider's Accountable Executive (as that term is defined at 49 CFR § 673.5), Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5), and, if the Small Public Transportation Provider serves an urbanized area with a population of 200,000 or more, the safety committee of the Small Public Transportation Provider established under 49 U.S.C. § 5329(d)(5).

CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.

If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2023, Pub. L. 117-328, div. E, tit. VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT

Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

CATEGORY 4. LOBBYING.

If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant's lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.

This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.

4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) 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 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.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and

contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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 such failure.

4.2. Statement for Loan Guarantees and Loan Insurance.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement 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 statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CATEGORY 5. PRIVATE SECTOR PROTECTIONS.

If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.

5.1. Charter Service Agreement.

To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

5.2. School Bus Agreement.

To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
 - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
 - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
 - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
 - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
 - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
 - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.

If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).

The applicant certifies that it is in compliance with 49 CFR Part 625.

CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.

7.1. Rolling Stock Buy America Reviews.

If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

7.2. Bus Testing.

If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.

If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;

- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
 - (1) Senior;
 - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
 - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
 - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
 - (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.

If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
 - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
 - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
 - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
 - (2) It has determined that otherwise eligible local transit needs are being addressed.

CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.

If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.

If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants), subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants), subsection (b) (bus and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3), (b)(6), and (c)(3), respectively.

Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.

If the applicant will receive a competitive award under subsection (b) (buses and bus facilities competitive grants), or subsection (c) (low or no emissions grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) related to zero emissions vehicles or related infrastructure, it must make the following certification. This certification is required by 49 U.S.C. § 5339(d).

The applicant will use 5 percent of grants related to zero emissions vehicles (as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c) to fund workforce development training as described in section 49 U.S.C. § 5314(b)(2) (including registered apprenticeships and other labor-management training programs) under the recipient's plan to address the impact of the transition to zero emission vehicles on the applicant's current workforce; or the applicant certifies a smaller percentage is necessary to carry out that plan.

CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.

In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

CATEGORY 13. STATE OF GOOD REPAIR GRANTS.

If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, the asset management certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4). The certification with regard to acquiring restricted rail rolling stock is required by 49 U.S.C. § 5323(u)(4). Note that this certification is not limited to the use of Federal funds.

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

If the applicant operates a rail fixed guideway service, the applicant certifies that, in the fiscal year for which an award is available to the applicant under the State of Good Repair Grants Program, 49 U.S.C. § 5337, the applicant will not award any contract or subcontract for the procurement of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in 49 U.S.C. § 5323(u)(1).

CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.

If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).

Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.

CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.

If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 672.31 and 674.39.

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (b) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.

CATEGORY 17. DEMAND RESPONSIVE SERVICE.

If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

CATEGORY 18. INTEREST AND FINANCING COSTS.

If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

CATEGORY 19. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

CATEGORY 20. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).

Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing. Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
 - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost

- Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
- (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
 - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
- (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
 - (2) Category 06 (Transit Asset Management Plan),
 - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
 - (4) Category 09 (Formula Grants for Rural Areas),
 - (5) Category 15 (Alcohol and Controlled Substances Testing), and
 - (6) Category 17 (Demand Responsive Service).

CATEGORY 21. EMERGENCY RELIEF PROGRAM.

An applicant to the Public Transportation Emergency Relief Program, 49 U.S.C. § 5324, must make the following certification. The certification is required by 49 U.S.C. § 5324(f) and must be made before the applicant can receive a grant under the Emergency Relief program.

The applicant certifies that the applicant has insurance required under State law for all structures related to the emergency relief program grant application.

FEDERAL FISCAL YEAR 2023 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: Tahoe Transportation District

The Applicant certifies to the applicable provisions of all categories: (*check here*) X .

Or,

The Applicant certifies to the applicable provisions of the categories it has selected:

Category	Certification
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

- 12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs
- 13 State of Good Repair Grants
- 14 Infrastructure Finance Programs
- 15 Alcohol and Controlled Substances Testing
- 16 Rail Safety Training and Oversight
- 17 Demand Responsive Service
- 18 Interest and Financing Costs
- 19 Cybersecurity Certification for Rail Rolling Stock and Operations
- 20 Tribal Transit Programs
- 21 Emergency Relief Program

CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

AFFIRMATION OF APPLICANT

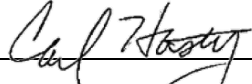
Name of the Applicant: Tahoe Transportation District

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 the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant’s behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

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: 5/25/2023

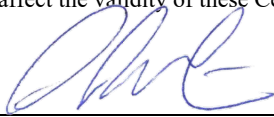
Name Carl Hasty Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): Tahoe Transportation District

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: 5/25/2023

Name Sergio Rudin 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.

ATTACHMENT B

Title VI Policy Statement - Título VI Declaración De Políticas

Title VI of the Civil Rights Act of 1964 states:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." TTD is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. For additional information about TTD's Title VI obligations, please call (775) 589-5502 or visit our website at www.tahoetransportation.org.

El Título VI de la Ley de Derechos Civiles de 1964 establece:

"Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de la participación, se le negarán los beneficios o será objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera federal". TTD se compromete a cumplir con los requisitos del Título VI en todos sus programas y actividades financiados con fondos federales. Para obtener información adicional sobre las obligaciones del Título VI de TTD, llame al (775) 589-5502 o visite nuestro sitio web en www.tahoetransportation.org.

Making a Title VI Complaint

Any person who believes he or she has been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint with TTD. Any such complaint must be in writing and filed with TTD within 180 days following the date of the alleged discriminatory occurrence. For information on how to file a complaint, please contact:

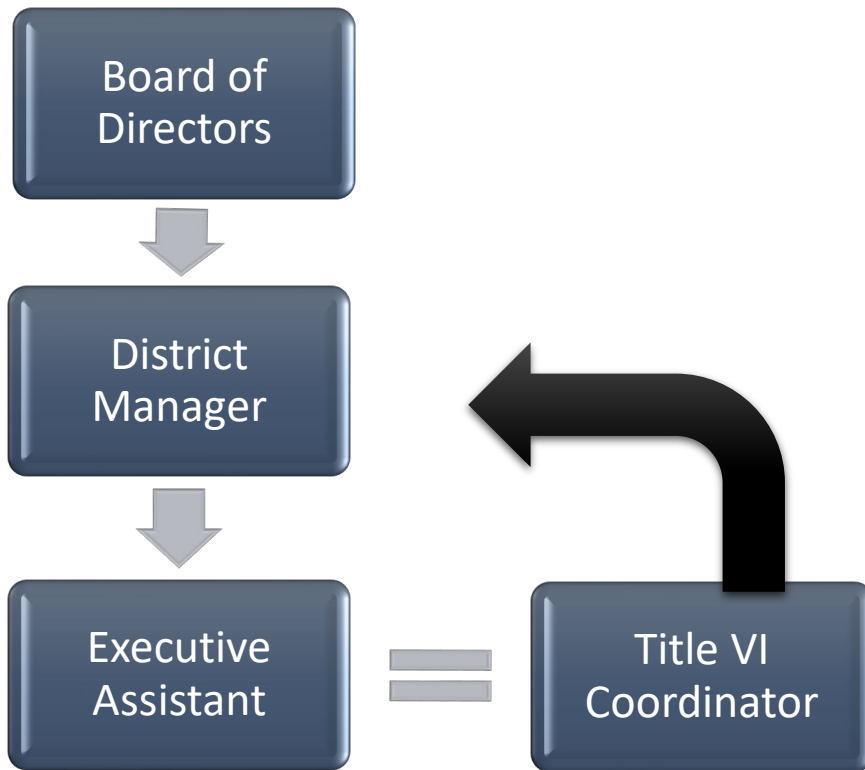
Title VI Coordinator
TTD
PO Box 499
Zephyr Cove, NV 89448
775 589-5502
www.tahoetransportation.org

Presentar una queja de Título VI

Cualquier persona que crea que ha sido agraviada por una práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante TTD. Cualquier queja de este tipo debe presentarse por escrito y presentarse ante TTD dentro de los 180 días siguientes a la fecha del supuesto hecho discriminatorio. Para obtener información sobre cómo presentar una queja, comuníquese con:

Coordinador de Título VI
TTD
PO Box 499
Zephyr Cove, NV 89448
775 589-5502
www.tahoetransportation.org

ATTACHMENT C
Organization Chart



ATTACHMENT D

Title VI Complaint Procedures

The complaint procedures are available on TTD's website and cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person, specific class of persons or entity that believes they have been subjected to discrimination as prohibited by the legal provisions of Title VI on the basis of race, color, or national origin status may file a formal complaint with TTD's Civil Rights Office. A copy of the Complaint Form is available on TTD's website and may be accessed electronically at: www.tahoetransportation.org

Title VI Complaint Reporting

The complaint must be filed within 180 days of the alleged discrimination and include the date the alleged discrimination became known to the complainant or the last date of the incident.

The complaint must be written and signed by the complainant and shall include:

- The complainant(s) name, address, and phone number;
- A detailed description of the alleged incident that led the complainant to believe discrimination occurred;
- The date of the alleged act of discrimination, the date when the complainant(s) became aware of the alleged discrimination, the last date of the conduct or the date when the conduct was discontinued;
- The names and job titles of those parties involved in the complaint;
- The facts and circumstances surrounding the alleged discrimination and the basis of the complaint (i.e., race, color, national origin, sex, age, disability, income status or retaliation);
- Names and contact information of persons whom the investigator can contact for additional information to support or clarify the allegations; and
- The corrective action being sought by the complainant. Complaints may be filed by one of the following methods:
 - By completing and signing the Complaint Form and delivering it in person or by mail;
 - By emailing or faxing the Complaint Form and sending the signed original; or
 - For the disabled, by calling where information obtained will be used to complete the Complaint Form and, subsequently, forwarded to the complainant for review, signature, and return.

Title VI Coordinator
TTD
PO Box 499
Zephyr Cove, NV 89448
(P) (775) 589-5502
(F) (775) 588-0917
jallen@tahoetransportation.org

Civil Rights Officer
NDOT
123 E. Washington Ave, Bldg G
Las Vegas, NV 89101
(P) (702) 730-3301
(F) (702) 486-0487
jboyster@dot.nv.gov

Civil Rights Program
Manager
U.S. DOT FTA
1200 New Jersey Ave., SE
Washington, DC
20590
(P) (202) 366-1783

Upon receipt of a completed complaint, the CRO will determine jurisdiction, acceptability or need for additional information and, within five days, acknowledge receipt of the complaint and the intended course of action.

- NDOT has sole authority for and will adjudicate all complaints filed against NDOT sub-recipients
- Complaints against TTD in USDOT funded programs will be referred to NDOT and/or USDOT for processing
- Complaints under all other federally funded programs fall under NDOT's authority and jurisdiction

For acceptance, a complaint must be:

- Timely filed
- Involve a covered basis (i.e., race, color, or national origin)

Complaints may be dismissed if the complainant:

- Requests the withdrawal of the complaint
- Fails to respond to repeated requests for additional information
- Fails to cooperate in the investigation, or
- Cannot be located after reasonable attempts to reach the complainant have been made

Complaints that fall under the jurisdiction of USDOT – NDOT Civil Rights Officer, will forward a copy of the complaint and preliminary finding to USDOT-HCR within 60 days. Once USDOT-HCR issues its final decision, it will notify NDOT and NDOT will notify all parties involved.

All allegations of discrimination will be taken seriously, and every effort will be made to provide a fair and unbiased determination. In instances where there is dissatisfaction with NDOT's determination, the complainant may file a complaint directly with the appropriate USDOT modality:

US Department of Transportation
Federal Highway Administration
Nevada Division
705 Plaza Street, Ste. 220
Carson City, NV 89701

US Department of Transportation
Federal Highway Administration
Office of Civil Rights
1200 New Jersey Ave. SE
Washington, DC 20590

US Department of Transportation
Federal Transit Administration
Office of Civil Rights
1200 New Jersey Ave. SE
Washington, DC 20590

TTD Title VI Complaint Form – English

Title VI of the Civil Rights Act of 1964 states "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Please provide the following information necessary in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to: TTD, Judi Allen, PO Box 499, Zephyr Cove, NV 89448.

Complainant's Name (please print): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. (Home): _____(Cell): _____

Person discriminated against (if other than complainant)

Name (please print): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. (Home): _____(Cell): _____

1. What was the discrimination based on? (Check all that apply):

Race Color National Origin

2. Date of incident resulting in discrimination: _____

3. Describe how you were discriminated against. What happened and who was responsible? For additional space, attach additional sheets of paper or use back of form.

4. Did you file this complaint with another federal, state or local agency, or with a federal or state court? (Check the appropriate space) Yes No

If your answer is yes, check each agency that a complaint was filed with:

Federal Agency Federal Court State Agency State Court

Local Agency Other

5. Provide the contact person information for the agency you also filed the complaint with:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date Filed: _____

Sign below and be sure to attach or provide any supporting information that you believe may support your claim.

Complainant's Signature

Date

TTD - Título Vi Denuncia Forma - Español

Título VI de la ley de derechos civiles de 1964 Estados "ninguna persona en los Estados Unidos, por razón de raza, color u origen nacional, excluida de la participación en, ser negada los beneficios de o ser objeto de discriminación bajo cualquier programa o actividad recibiendo asistencia financiera federal". Dos órdenes ejecutivas extender las protecciones del título VI a la justicia ambiental, que también protege a las personas de bajos ingresos y habilidad limitada de inglés (LEP). Por favor proporcione la siguiente información necesaria para procesar su queja. Asistencia está disponible a petición. Complete este formulario y correo o entregar: TTD, Judi Allen, PO Box 499, Zephyr Cove, NV 89448.

El nombre del Querellante (por favor imprima): _____

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Numero de telefono (Casa): _____ (Cell): _____

Persona discriminada (si no es querellante)

Nombre (por favor imprima): _____

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Numero de telefono (Casa): _____ (Cell): _____

1. ¿Qué se basa la discriminación? (Marque todas las que apliquen):

Raza Color de Piel Pais de Origen

2. Fecha de incidente dando lugar a la discriminación: _____

3. Describir cómo fueron discriminados. ¿Lo que pasó y quién fue el responsable? Para espacio adicional, adjuntar hojas adicionales de papel o la parte posterior del formulario.

4. ¿Presentó esta denuncia con otro federal, estatal o agencia local; o ante un tribunal federal o estatal. (Compruebe el espacio correspondiente) Si No

Si tu respuesta es Sí, compruebe cada agencia que una denuncia con:

- Agencia Federal Corte Federal Court Agencia Estatal
 Corte Estatal Agencia Local Otro

5. Proporcionar la información de contacto para la agencia que también presentó la denuncia ante:

Nombre: _____

Domicilio: _____

Ciudad: _____ Estado : _____Codigo Postal: _____

Fecha de archivo: _____

Firmar a continuación y asegúrese de fijar o proporcionar cualquier información de apoyo que usted cree puede apoyar su reclamo.

Firma del Querellante

Fecha

ATTACHMENT E

Notice to the Public

NONDISCRIMINATION NOTICE TO THE PUBLIC

The Tahoe Transportation District (TTD) hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities.

TTD's Title VI and ADA Programs require that no person shall, on the grounds of race, color, 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.

Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with TTD's Civil Rights Office within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

For additional information about TTD's Civil Rights programs and the procedures to file a complaint contact the TTD's Civil Rights Office via the information listed below:

AVISO DE NO DISCRIMINACIÓN AL PÚBLICO

The Tahoe Transportation District (TTD) por la presente notifica al público que es política de la Agencia asegurar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, el Título II de la Ley de Estadounidenses con Discapacidades de 1990 (ADA) y otras autoridades relacionadas en todos sus programas y actividades.

Los programas Título VI y ADA de TTD requieren que ninguna persona, por motivos de raza, color, origen nacional o discapacidad, sea excluida de la participación, se le nieguen los beneficios o sea objeto de discriminación en cualquier programa o actividad. Cualquier persona que crea que se han violado sus derechos de Título VI o ADA, puede presentar una queja.

Cualquier queja de este tipo debe presentarse por escrito y presentarse ante la Oficina de Derechos Civiles de TTD dentro de los ciento ochenta (180) días siguientes a la fecha del presunto hecho discriminatorio.

Para obtener mas información sobre los programas de derechos civiles de TTD y los procedimientos para presentar una queja, comuníquese con la Oficina de derechos civiles de TTD a través de la información que se indica a continuación:

Title VI Coordinator
Tahoe Transportation District
PO Box 499
Zephyr Cove, NV 89448
775-589-5502
jallen@tahoetransportation.org

ATTACHMENT F

Four Factor Analysis

Factor 1 - The Number and Proportion of LEP Persons Served or Encountered in TTD’s Service Area

TTD provides year-round transportation on the South Shore of the Lake Tahoe basin, in the City of South Lake Tahoe, California and Stateline, Nevada. The service area population is approximately 30,940. There is also commuter bus service between Stateline, Carson City, and Minden/Gardnerville, Nevada. The population of that service area is 44,706.

TTD used the 2021 American Community Survey Five-Year Estimates to seek information on persons who speak languages other than English at home and who speak English less than very well.

Statistical Language Breakdown
Source: Census 2021

South Shore Service Area

Total Population: 30,940

	Number who Speak English Less Than Very Well	% Who Speak English Less Than Very Well
Spanish	2,120	6.9%
Tagalog	251	0.8%
Other Indo-European	109	0.3%

Express Service Area

Total Population: 44,706

	Number who Speak English Less Than Very Well	% Who Speak English Less Than Very Well
Spanish	1,357	3.04%
Tagalog	153	0.3%

A review of the above tables shows Spanish as the highest percentage of the total population who speak English less than very well in both service areas, with Tagalog as the second highest.

The California Department of Education report of English Learners by Language for the Lake Tahoe Unified School District confirms Spanish and Tagalog are the number one and two languages spoken at home.

Factor 2 - The Frequency with Which LEP Individuals Come into Contact with TTD Services

TTD serves LEP persons daily via the fixed route bus and complementary paratransit services. Approximately two out of every ten calls the dispatch office receives are Spanish speaking customers. The Lake Tahoe Basin has over 200,000 visitors a year who enjoy the winter, spring, fall and summer recreational activities. Visitors include international multi-lingual guests. TTD recognizes that the international visitors may be LEP and access TTD transit services during their temporary stay in the area.

Factor 3 - Nature and Importance of the Services Provided

TTD's transit services provide an important means of transportation for much of the public, including the LEP population, in South Lake Tahoe. TTD provides residents and visitors, including LEP persons, transportation services for commuting to work, shopping, recreational needs, school, health care, and other service needs. Transportation services provides a key role in connecting LEP persons to these essential services.

Factor 4 - Resources Available to TTD to Ensure Meaningful Access to Services by LEP Individuals

TTD continues to assess available resources in order to provide efficient, effective and meaningful LEP services. TTD has several dispatchers, bus operators, and a road supervisor who are fluent in Spanish and provide translation services when needed. Road supervisors have the Google Translate App on their company phones to assist with translations. TTD has the following documents translated to Spanish:

- Title VI policy statement, complaint procedure and form
- Paratransit service application and rider guide
- ADA complaint procedure and form
- Route notifications
- Service policy changes
- Transit project information and notices as necessary

When possible, TTD will:

- Share language assistance materials and services among and between other transit agencies and advocacy groups
- Share information through community groups who serve LEP persons
- Use telephonic and video conferencing interpretation services
- Use qualified translators and interpreters to ensure accuracy of translated documents
- Request and use qualified community volunteers in a formalized manner

Procedures will be in place to provide language assistance to LEP individuals as part of the standard business practices. The standard business practices to LEP individuals will include:

- Continued translation of vital bus service documents and notices to Spanish
- Appoint Spanish translators at public participation events, and if necessary, Tagalog translators
- Advise the public that TTD provides free LEP services to its programs and activities