

City of Miami

Title VI/Nondiscrimination Program Plan

Revised June 2018

The City of Miami (City) commits that no person shall be excluded from participation in, or denied the benefits of, or subjected to discrimination on the basis of race, color, religious or family status, sex, national origin, age or disability pursuant to Title VI of the Civil Rights Act of 1964, the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities, in any City affiliated program, service, or activity.

The City forbids discrimination against anyone on the basis of race, color, religious or family status, sex, national origin, age, disability or any other protected class and commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities affiliated with the City.

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City of Miami Title VI/Nondiscrimination Program Plan

POLICY STATEMENT

The City of Miami (City) commits that no person shall be excluded from participation in, or denied the benefits of, or subjected to discrimination on the basis of race, color, religious or family status, sex, national origin, age or disability pursuant to Title VI of the Civil Rights Act of 1964 (Title VI), the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities, in any City affiliated program, service, or activity.

The City forbids discrimination against anyone on the basis of race, color, religious or family status, sex, national origin, age, or disability and commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities affiliated with the City.

Purpose. This City of Miami Title VI/Nondiscrimination Program Plan (Title VI Plan) was developed to demonstrate the City's compliance with Federal and State nondiscrimination authorities, and serves as a guide to the general public on the City's method for the processing of complaints alleging discriminatory actions incurred by way of a City affiliated program, service, or activity.

Administration and Responsibility. The Office of Equal Opportunity and Diversity Programs is responsible for the investigation of any complaints alleging discrimination with any City affiliated program, service, or activity as defined in this Title VI Plan.

Any questions regarding this Title VI Plan are to be directed to:

Asseline Hyppolite
Title VI Liaison
Office of Equal Opportunity and Diversity Programs
444 S.W. 2nd Avenue, 6th Floor, Suite #642
Miami, FL 33130
Phone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-1735

ORGANIZATION AND STAFFING

Equal Opportunity and Diversity Programs ("EODP")

EODP Administrator

Asseline Hyppolite

Administrative Assistant II

Shellande Janvier

EODP Specialist

Nirva Pierre-Louis

City Organization FY 2017-18

Francis X. Suarez
Executive Mayor

Administrator / City Manager
Emilio T. González, Ph.D.

Deputy City Manager
Joseph F. Napoli

CITY COMMISSION

Chairman:
Keon Hardemon
District 5

Vice-Chairman:
Ken Russell
District 2

Commissioner:
Wifredo "Willy" Gort
District 1

Commissioner:
Joe Carollo
District 3

Commissioner:
Manolo Reyes
District 4

City Attorney
Victoria Méndez

City Clerk

Todd B. Hannon

Independent Auditor General

Theodore Guba, CPA

Assistant City Manager Chief of Operations

Fernando Casamayor

Code Compliance

James Bernat

Innovation and Technology

Michael Sarasti

Neighborhood Enhancement Team

vonCarol Y. Kinchens

Real Estate and Asset Management

Daniel Rotenberg

Solid Waste

Mario F. Nuñez

Veteran Affairs and Homeless Services

Sergio Torres

Coconut Grove BID

Nicole Singletray

Downtown Development Authority

Alyce Robertson

Liberty City Trust

Elaine Black

Miami Sports and Exhibition Authority

Lourdes Blanco

Wynwood BID
Manny Gonzalez

Assistant City Manager Chief Financial Officer
Sandra Bridgeman

Finance
Erica T. Paschal-Darling, CPA

General Services Administration
Ricardo Falero

Grants Administration
Lillian P. Blondet
Community and Economic Development
George Mensah

Management and Budget
Christopher Rose

Procurement
Annie Perez, CPPO

Risk Management
Ann-Marie Sharpe, ARMP, CPPT

Fire Fighters' and Police Officers' Retirement Trust
Dania L. Orta

General Employees' and Sanitation Employees' Retirement Trust
Edgard Hernandez

Midtown CRA
Pieter Bockweg

Omni CRA
Jason Walker

Southeast Overtown Park West CRA
Niel Shiver

Assistant City Manager
Chief of Infrastructure
Nzeribe Ihekwaba, Ph.D., PE

Building
Jose S. Camero, RA

Capital Improvements
Steven C. Williamson

Film and Entertainment
Vicente Betancourt

Parks and Recreation
Kevin M. Kirwin

Planning
Francisco J. Garcia

Resilience and Public Works
Alan M. Dodd, P.E.

Resilience and Sustainability
Jane Gilbert

Zoning
Devin M. Cejas

Bayfront Park Management Trust
Jose Gell, Acting

Civilian Investigative Panel
Cristina Beamud

Miami Parking Authority

Arthur Noriega

Virginia Key Beach Park Trust

Guy Forchion

Agenda Coordination

Miriam M. Arcia

Communications

Eugene Ramirez

Equal Opportunity and Diversity Programs

Asseline Hyppolite

Fire-Rescue

Joseph F. Zahralban

Human Resources

Angela Roberts

Police

Jorge R. Colina

Civil Service

Tishria L.Mindingal

COMPLAINT PROCEDURES

The City has established a discrimination complaint procedure and shall take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she, or any specific class of persons has been subjected to discrimination or retaliation based upon race, color, religious or family status, sex, national origin, age or disability in connection with any City of Miami affiliated program, service or activity may file a complaint for discrimination under Title VI with the City's Title VI Liaison.

The City of Miami adopts the following Complaint Procedures to ensure uniformity and a clear understanding of the process involved in addressing complaints received from the public detailing possible discriminatory actions taken against any person or groups of persons in connection with City affiliated programs, services and/or activities.

Complaints Involving Pedestrian or Transportation Facilities

All discrimination complaints submitted to the City that directly involves a Florida Department of Transportation (FDOT) Local Agency Program (LAP) funded capital project of the City will be handled by the Office of Equal Opportunity/Diversity Programs.

However, if at any time a discrimination complaint involving pedestrian or transportation facilities cannot be satisfactorily resolved by the City, the entire complaint and investigative file will be forwarded to the appropriate Federal or State authority for further processing.

How to file a Title VI Complaint?

The Complainant may file a complaint with the Title VI Liaison no later than 180 days after the date of the alleged discrimination. If possible, the complaint should be submitted in writing and contain the following information:

- A. Full name and contact information of the Complainant;
- B. Names(s) and contact information of the official(s) alleged to have discriminated, if applicable;
- C. Basis for the allegations (i.e., race, color, national origin, sex, age, disability, religion, family status);
- D. Description of the alleged discrimination with the date of occurrence;
- E. Other agencies (state, local or Federal) where the complaint has been filed, if applicable; and
- F. The names and contact information of any witnesses, if applicable.

If the complaint cannot be submitted in writing, the Complainant should contact the Title VI Liaison for assistance.

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahyppolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995

A Complainant's failure to respond to requests by the Title VI Liaison for additional information necessary to investigate the discrimination complaint may result in a delay in investigation of the complaint and may possibly result in the administrative closure of the complaint due to a lack of information to properly conduct an investigation of the complaint.

The City's Title VI Liaison has 'easy access' to the City Manager and is not required to obtain management or other approval to discuss discrimination issues with the City Manager. However, should the Complainant be unable or unwilling to complain to the City, the Complainant may submit a written complaint directly to the Florida Department of Transportation ("FDOT") at the address below:

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

The Title VI Complaint Form [\[Form E\]](#) may be used to submit the discrimination complaint. The complaint may be filed verbally or in writing to the City at the following contact information:

NOTE: The City encourages all Complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. Complaints must be mailed to the Title VI Liaison no later than 180 days after the date of the alleged discrimination.

What happens to the complaint once it is submitted?

All discrimination complaints received by the City will be directly addressed by the Title VI Liaison in accordance with the process below:

1. Within seven (7) business days, the City's Title VI Liaison shall provide a written letter of acknowledgement of receipt [\[Appendix F\]](#) of the discrimination complaint received by Complainant and shall inform the Complainant of the procedures to be undertaken to process the complaint and of all other means of redress available to the Complainant.
2. Within thirty (30) calendar days, the Title VI Liaison shall officiate the investigation of the complaint.

3. Upon the City's investigation of the information collected and compiled pertaining to the complaint, a written determination response will be prepared for review by the City Attorney, including, if applicable, an explanation of the actions the City has taken or is proposing to take to resolve the complaint.
4. Within sixty (60) calendar days of receipt of the verbal or written discrimination complaint, the Title VI Liaison shall notify the Complainant in writing of the final decision reached by the City, including the proposed disposition of the original filing of discrimination. The final decision letter will advise the Complainant of his or her right to file a formal complaint with the FDOT's Equal Opportunity Office (EOO), if they are dissatisfied with the final decision rendered by the City.

How will Complainant be notified of outcome of the complaint?

The Title VI Liaison will deliver by US Postal Mail service a written determination letter [\[Form G\]](#) to the Complainant explaining the actions the City has taken or is proposing to take to resolve the complaint. If the outcome of the investigation of the complaint of discrimination is found to be unsubstantiated, the Complainant will be notified of such in writing [Form H] and advised of his or her right to: 1) appeal the City's decision within seven (7) calendar days of receipt of the written determination letter from the City; and/or 2) file a complaint with the U.S. Department of Transportation and/or the U.S. Department of Justice and the contact information below.

In addition to the complaint process described above, a Complainant may file a Title VI/Nondiscrimination complaint with the following offices:

U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Ave.
Washington D.C. 20590 202-366-4648
<https://www.civilrights.dot.gov/about-docr/contact-us>

U.S. Department of Justice
Office of Civil Rights
Federal Coordination and Compliance Section,
NWB 950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
<http://www.justice.gov/crt/about/cor/coord/titlevi.php>

ADA/504 STATEMENT:

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

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

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City shall provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least ten (10) calendar days prior to the need for accommodation.

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

Attention: Gloria Carvajal
Safety Officer, City of Miami
Department of Risk Management
444 SW 2 Avenue, 9th Floor
Miami, FL 33130
Email: gcarvajal@miamigov.com
Telephone: 305-416-1790
Fax: 305-416-1710
Hearing Impaired: 305-416-1735

SUB-RECIPIENT REVIEW PROCEDURES

The City of Miami, as a sub-recipient of Federal funds, must comply with Federal and State nondiscrimination authorities, including the statutes. The City must also take steps to prevent discrimination and to ensure nondiscrimination in all programs, services and activities of the City, and further, to enforce this Title VI/Nondiscrimination Plan policy with all vendors, consultants, and contractors (collectively, "Vendors") doing business with the City of Miami to ensure compliance with such nondiscrimination authorities.

As mandated by FDOT, the City shall require all Vendors doing business with the City to acknowledge that it shall comply with Federal, State and local government nondiscrimination statutes and laws. Further, the City, through its Purchasing Department, shall ensure that all procuring contracts involving a City Vendor incorporate the Title VI/Nondiscrimination "Appendices A and E" contract clauses, as may be updated from time to time, at [\[Appendices A and E\]](#).

The City, through its Purchasing Department, shall regularly conduct pre-award and post-award compliance reviews of all Vendors to ensure compliance with the Title VI requirements and shall immediately refer any manner of deviation from the Title VI requirements to the Title VI Liaison for review and investigation.

COMPLIANCE AND ENFORCEMENT PROCEDURES

The City shall submit, on an annual basis, a report documenting all Title VI complaints of discrimination or retaliation received by the City in connection with any City affiliated program, service or activity, even if the complaints are received verbally or anonymously; and a findings report on the racial and ethnic data of any person or persons impacted due to an act of discrimination in connection with a City affiliated program, service or activity.

The City is mandated to maintain a log of all Title VI complaints filed with the City.

DISSEMINATION OF TITLE VI INFORMATION

Title VI information posters shall be prominently and publicly displayed in public facilities frequented by the public, including buildings and service vehicles. The name and contact information of the Title VI Liaison is available on the City's website, at www.miamigov.com. Additional information relating to the City's nondiscrimination obligation is provided in the Appendices of this document. The City's Notification of Title VI and related authority rights statement is available in [Appendix A](#). Further information can be obtained directly from the City Title VI Liaison.

Title VI Liaison contact information

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahyppolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

According to the 2010 Decennial Census, Miami has an approximate total population of 400,000 residents. Approximately 23 percent of the City's population speaks only English, and 77 percent speaks a language other than English, with Spanish being the other predominant language. Of the population that speaks a language other than English, 70 percent speak Spanish. Nearly half of City residents - 44 percent - speak English less than very well.

Because of the large number of Spanish speaking residents, the City regularly provides information in both predominant languages - English and Spanish. Information regarding essential programs, services and activities are provided on the City's website and in City facilities open to the public. Residents can request translations of documents to other commonly spoken languages. A large portion of the City's employees are bilingual and competently speak Spanish and English and other languages who are willing to provide translation and/or interpretation services. In all other cases, City information can be conveyed in other languages as may be necessary. The City regularly disseminates information via its website at www.miamigov.com, and its television station, Channel 77, in both English and Spanish.

The City recognizes the need to accommodate residents with limited English proficiency and is committed to providing programs and services that are accessible to all persons regardless of potential language barriers. The City understands that its community profile is changing and that future analysis of the City LEP Plan may reveal the need for more or varied LEP services in the future.

The following guidelines are presently used to assist persons with Limited English Proficiency:

1. Meetings, hearings and other public involvement event include bilingual interpreters and written information, as appropriate.
2. The City Title VI/Nondiscrimination Program Policy and Complaint Procedures are available on the City's main website at www.miamigov.com in both English and Spanish, and can be made available in other languages as requested.

The City will review its LEP procedures annually to determine if modifications are needed to meet language assistance deficiencies. Persons requiring special language services should contact the City's Title VI Liaison.

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Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
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Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

PUBLIC PARTICIPATION ELEMENT

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the City must have input of its public. The City actively seeks to engage the public in its planning and decision-making processes. Members of the public may make statements at Commission meetings, which occur on alternating Thursdays, twice a month. City Commission agendas are available for review by the public no less than five (5) days before Commission meetings. Notices of select resolutions or ordinances proposed to be considered by the City Commission are announced in print in local newspapers as public hearing items allowing the public to voice their input.

The City continuously seeks innovative methods to engage the public in its planning and decision-making processes, and most often City officials and staff members coordinate outreach activities to solicit public input. The City also adheres to the following outreach activities:

- Social media communication on the City's official Facebook and Twitter feeds--o @CityofMiami for general City news, @MiamiTrolley for Transit announcements or @MiamiCITP for news and announcements on capital projects;
- Engaging the community through educational and promotional marketing activities in connection with transit services;
- The City's Title VI/Nondiscrimination Complaint Procedure is available to the public online at www.miamigov.com;
- Utilizing partner institutions and departments including the Miami Downtown Development Authority, the affiliated Community Redevelopment Agencies of the City, the Neighborhood Enhancement Team, Miami-Dade Transit, South Florida Commuter Services, the Florida Department of Transportation,

etc. to extend the area of dissemination of City programmatic information materials and publications;

- Inviting public inquiries about all programs, services and activities through general meeting announcements resulting from notice of funding availability from City funding agencies, Commission District community meetings held within specific communities; and
- The City maintains an online database of City Commission action on legislative matters and all such records are available and accessible to the public via the City's main website at www.miamigov.com. Resolutions adopted by the City to apply for and utilize Federal and State grant funding are posted on the public hearing/meeting agenda web page and are subject to public notice and comment procedures.

The City spends extensive staff and financial resources in furtherance of the goal of obtaining public involvement and continues to strongly encourage the participation of the entire community. The City holds a number of transportation meetings, workshops and other events designed to gather public input on project planning and construction. Further, the City attends and participates in other community events to promote its services to the public. Finally, the City is constantly seeking ways of measuring the effectiveness of its public involvement.

Persons wishing to request special presentations by the City; volunteer in any of its activities or offer suggestions for improvement of city/county public involvement may contact:

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahyppolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

DATA COLLECTION/REPORTING ANALYSIS

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The City accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, its Community Development Planning Departments and other methods. From time

to time, the City may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the City with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the City will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the federal regulations.

The Title VI Liaison compiles and maintains the official records of the Title VI Program for the City of Miami. At a minimum, records maintained shall include:

1. notice of all lawsuits and complaints filed against the City;
2. a description of assistance applications that the City has pending in other agencies and of other Federal assistance being provided;
3. a description of any civil rights compliance reviews of the applicant during the preceding two years; and
4. a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.

City of Miami
Title VI /Nondiscrimination Program

FORMS

TITLE VI / NONDISCRIMINATION ASSURANCES

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

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

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

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

Dated _____

by _____, Chief Executive Officer

APPENDICES A and E

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

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

- a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
- b. cancellation, termination or suspension of the contract, in whole or in part.

(6.) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the *Florida Department of Transportation*, the *Federal Highway Administration*, *Federal Transit Administration*, *Federal Aviation Administration*, and/or the *Federal Motor Carrier Safety Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the *Florida Department of Transportation* to enter into such litigation to protect the interests of the *Florida Department of Transportation*, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix A
Public Notice – City of Miami Title VI/ Nondiscrimination Plan

The City of Miami (City) commits that no person shall be excluded from participation in, or denied the benefits of or subjected to discrimination on any City affiliated programs, services, and activities on the basis of race, color, religious or family status, sex, national origin, age or disability as provided by Title VI of the Civil Rights Act of 1964 (Title VI), the Federal Highway Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and the Florida Civil Rights Act of 1992 and other nondiscrimination authorities.

The City commits to take all steps necessary to prevent discrimination and ensure nondiscrimination in all programs, services and activities of City.

For information on the City of Miami’s Title VI/Nondiscrimination Plan or to file a Title VI discrimination or retaliation complaint, please contact the City’s Title VI Liaison at the following contact:

Name: Asseline Hyppolite
Phone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD
Email: ahyppolite@miamigov.com
In person: 444 SW 2nd Avenue
6th Floor, Suite 642
Miami, FL 33130
Online: www.miamigov.com

A Complainant may opt to file a complaint directly with the U.S. Department of Transportation or U.S. Department of Justice by contacting either agencies at the following addresses:

U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Ave.
Washington D.C. 20590
202-366-4648
<https://www.civilrights.dot.gov/about-docr/contact-us>

U.S. Department of Justice
Office of Civil Rights

Federal Coordination and Compliance Section,
NWB 950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
<http://www.justice.gov/crt/about/cor/coord/titlevi.php>

If you require information in a language other than English, please contact 305-416-1990.

Si usted requiere información en español, por favor llame 305-416-1990.

Si ou bezwen enfòmasyon sa a nan yon lòt lang ke angle, tanpri kontakte 305-416-1990.

Exhibit B

Acknowledgement of Receipt of Title VI/Nondiscrimination Plan

I hereby acknowledge the receipt of the City of Miami Title VI/Nondiscrimination Plan. I have read the plan and I commit to comply with the plan to ensure that no person is excluded from participation in, or denied the benefits of access to any City program or service benefit on the basis of race, color, or national origin, as protected by Title VI, or on the basis of sex, age, disability, religion and family status, as required by other Federal and State nondiscrimination authorities.

Recipient signature

Print your name

Print name of Vendor or Contractor

Date

Exhibit D
Title VI/Nondiscrimination Complaint Procedures

Any person who believes they have been discriminated or retaliated against on the basis of race, color, national origin, sex, age, disability, religion or family status while participating in a City of Miami affiliated program, service or activity may file a discrimination complaint with the City's Title VI Liaison by completing and submitting the agency's Title VI/Nondiscrimination Complaint Form. *A complaint may be filed no later than 180 days after the date of the alleged discrimination.* The City or its designated Title VI Liaison will process complaints that are complete.

Once the complaint is received, the Title VI Liaison will review it to determine if our office has jurisdiction. The Complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

The City has 60 days to investigate the complaint. If more information is needed to resolve the case, the City's Title VI Liaison may contact the Complainant. The Complainant will have 10 business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the Complainant or does not receive the additional information within 10 business days, the Title VI Liaison can administratively close the case. A case can also be administratively closed if the Complainant no longer wishes to pursue their case.

After the case is investigated he/she will issue one of two letters to the Complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a discrimination violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the Complainant wishes to appeal the decision, he/she has ten (10) business days after the date of the LOF to do so. A person may also file a complaint directly with one or both of the following:

U.S. Department of Transportation

Office of Civil Rights
1200 New Jersey Avenue
Washington D.C. 20590
Phone: 202-366-4648

U.S. Department of Justice

Office of Civil Rights
Federal Corodination & Compliance
Section, NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

www.civilrights.dot.gov

www.justice.gov

City of Miami
Title VI/Nondiscrimination Program – Form A
Discrimination Complaint Form

If you feel you have been discriminated against, please provide the following information in order to assist us in processing your complaint. Please print clearly.

Name: _____

Address: _____

City, State, Zip Code:

Telephone Number: _____ (home) _____ (cell)

Person discriminated against:

Address of person discriminated against:

City, State, Zip Code:

Please indicate why you believe the discrimination occurred:

- _____ race
- _____ color
- _____ national origin
- _____ sex
- _____ age
- _____ disability
- _____ religion
- _____ family status
- _____ other

What was the date of the alleged discrimination?

Where did the alleged discrimination take place?

Please describe the circumstances as you saw it:

Please list any and all witnesses' names and phone numbers:

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Please attach any documents which support the allegation. Then date and sign this form and send to the Title VI Liaison at:

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahypolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

Your signature

Print your name

Date

City of Miami
Title VI/Nondiscrimination Program – Form ??

Letter Acknowledging Receipt of Complaint

Date

Complainant's Name
Complainant's Address

Dear (Mr. /Ms.):

This letter is to acknowledge receipt of your complaint against the City of Miami alleging _____
_____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 305-416-1990, or write to me at the address below.

Sincerely,

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahypolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

City of Miami
Title VI/Nondiscrimination Program – Form G

Letter Notifying Complainant that the Complaint Is Substantiated

Date

Complainant's Name
Complainant's Address

Dear (Mr. /Ms.):

The matter referenced in your letter of _____ (date) against the City of Miami alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of _____ (list all applicable nondiscrimination authorities) including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for bringing this important matter to our attention. You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahypolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

City of Miami
Title VI/Nondiscrimination Program – Form H

Letter Notifying Complainant of Unsubstantiated Complaint

Date

Complainant's Name
Complainant's Address

Subject:

Dear (Mr. /Ms.)

The City of Miami has concluded its investigation into the complaint dated _____(date) ("Complaint") submitted against the City of Miami ("City") by (name)_____ as identified victim or complainant ("Complainant") claiming discrimination on the basis of _____ ("Racial Basis").

The City has reviewed the information and evidence of Racial Bias, submitted by Complainant, has analyzed the materials and facts pertaining to the Complaint and conducted an independent investigation into the Complaint, and has found no evidence of discrimination as to the Racial Basis presented by Complainant for investigation.

The City's Title VI /Nondiscrimination Program Policy prohibits discrimination and provides that no persons shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity of the City of Miami on the basis of race, color, sex, age, national origin, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities.

The Complaint has not been substantiated and therefore, this investigation into the Complaint has been closed.

You, as Complainant, have the right to appeal this decision by the City within seven (7) calendar days of receipt of this written determination letter by the City by submitting a letter of appeal to the City Attorney Office at :

Alternatively, as Complainant, you also have the right to file a complaint externally with the United States Department of Justice at:

U.S. Department of Justice
Office of Civil Rights
Federal Coordination and
Compliance Section, NWB 950
Pennsylvania Avenue, N.W.
Washington, D.C. 20530
<http://www.justice.gov/crt/about/cor/coord/titlevi.php>

Cordially,

Attention: Asseline Hyppolite
Title VI Liaison, City of Miami
Equal Opportunity and Diversity Programs
444 SW 2 Avenue, #642
Miami, FL 33130
Email: Ahyppolite@miamigov.com
Telephone: 305-416-1990
Fax: 305-416-1995
Hearing Impaired: 305-416-TBD

City of Miami
Title VI/Nondiscrimination Program - Exhibit I

**List of Title VI and Other Discrimination Investigations, Complaints, and
Lawsuits**

The City of Miami does not have any active investigations, complaints, or lawsuits to disclose at this time. Any future disclosures will be listed under this appendix in the Title VI/Nondiscrimination Program Plan.