



LOUISIANA DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

Title VI Plan 2020

Louisiana Department of Transportation and Development
Compliance, Title VI (Civil Rights)
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Website Link:

http://wwwsp.dotd.la.gov/Inside_LADOTD/Divisions/Administration/Compliance/Title%20VI/2018%20Title%20VI%20Program/Title%20VI%202018.pdf

The Louisiana Department of Transportation and Development (DOTD) ensures that no person or group of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by DOTD, it's recipients, sub-recipient's, and contractors. To request an accommodation, please contact the Title VI/ADA Program Manager at (225)379-1923.

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John Bel Edwards, Governor
Shawn D. Wilson, Ph.D., Secretary

Title VI Policy Statement

The Louisiana Department of Transportation and Development (LADOTD) assures that no person shall on the grounds of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs or activities. LADOTD assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not (inclusive of additional Title VI Authorities and citations).

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractor/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988.)

LADOTD will be responsible for initiating and monitoring Title VI activities, preparing required reports and other LADOTD responsibilities as required by 23 Code of Federal Regulation, (CFR) 200 and 49 Code of Federal Regulation 21.

In the event the LADOTD distributes federal aid funds to sub-recipient, the recipient will include Title VI language in all written agreements/contracts and will monitor for compliance.


Shawn Wilson, Secretary
Louisiana Department of
Transportation and Development

12/16/19
Date

Any individual, group of individuals or entity that believes they have been discriminated against on the basis of race, color or national origin by the **Louisiana Department of Transportation and Development** may file a Title VI complaint by submitting the agency's Title VI Complaint Form.

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THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) STANDARD TITLE VI/NON-DISCRIMINATION ASSURANCES

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Federal-Aid Highway Program:

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

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

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

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

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

Department of Transportation and Development

by 
Eric Kalivoda, Deputy Secretary

DATED 12/18/19



Office of the Secretary
PO Box 94245 | Baton Rouge, LA 70804-9245
ph: 225-379-1200 | fx: 225-379-1851

John Bel Edwards, Governor
Shawn D. Wilson, Ph.D., Secretary

Notification of Rights

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The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractor/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988.)

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Shawn D. Wilson, Ph.D.
Secretary, Louisiana Department of
Transportation and Development

12/16/19
Date

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Declaración de política del Título VI

El Departamento de Transporte y Desarrollo de Louisiana (LADOTD) asegura que ninguna persona deberá hacerlo por motivos de raza, color u origen nacional según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964 y la Ley de Restauración de Derechos Civiles de 1987 (PL 100.259) quedar excluido de la participación, negar los beneficios o estar sujeto a discriminación en virtud de cualquier programa o actividad. LADOTD asegura que se hará todo lo posible para garantizar la no discriminación en todos sus programas y actividades, ya sea que dichos programas y actividades estén financiados por el gobierno federal o no (incluidas las Autoridades y citas adicionales del Título VI).

La Ley de Restauración de los Derechos Civiles de 1987 amplió el alcance de la cobertura del Título VI al ampliar la definición de los términos "programas o actividades" para incluir todos los programas o actividades de los beneficiarios, sub-receptores y contratistas / consultores de la Ayuda Federal, ya sea que tales programas y las actividades reciben asistencia federal o no (Ley Pública 100259 [S.557] 22 de marzo de 1988).

LADOTD será responsable de iniciar y monitorear las actividades del Título VI, preparar los informes requeridos y otras responsabilidades de LADOTD según lo requerido por 23 Código de Regulación Federal, (CFR) 200 y 49 Código de Regulación Federal 21.

En el caso de que LADOTD distribuya fondos de ayuda federal al sub-receptor, el receptor incluirá el lenguaje del Título VI en todos los acuerdos / contratos escritos y supervisará el cumplimiento.


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Louisiana Department of
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TITLE VI AUTHORITIES

Title VI of the 1964 Civil Rights Act 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 otherwise subjected to discrimination under any programs or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

Environmental justice (EJ) (Executive Order 12898) addresses disproportionate adverse environmental, social and economic impacts that may exist in communities, specifically minority and low-income populations.

Limited English Proficiency (LEP) (Executive Order 13166) addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak or understand English.

The 1970 Uniform Act (42 U.S.C. 4601) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of Federal financially assisted programs or activities.

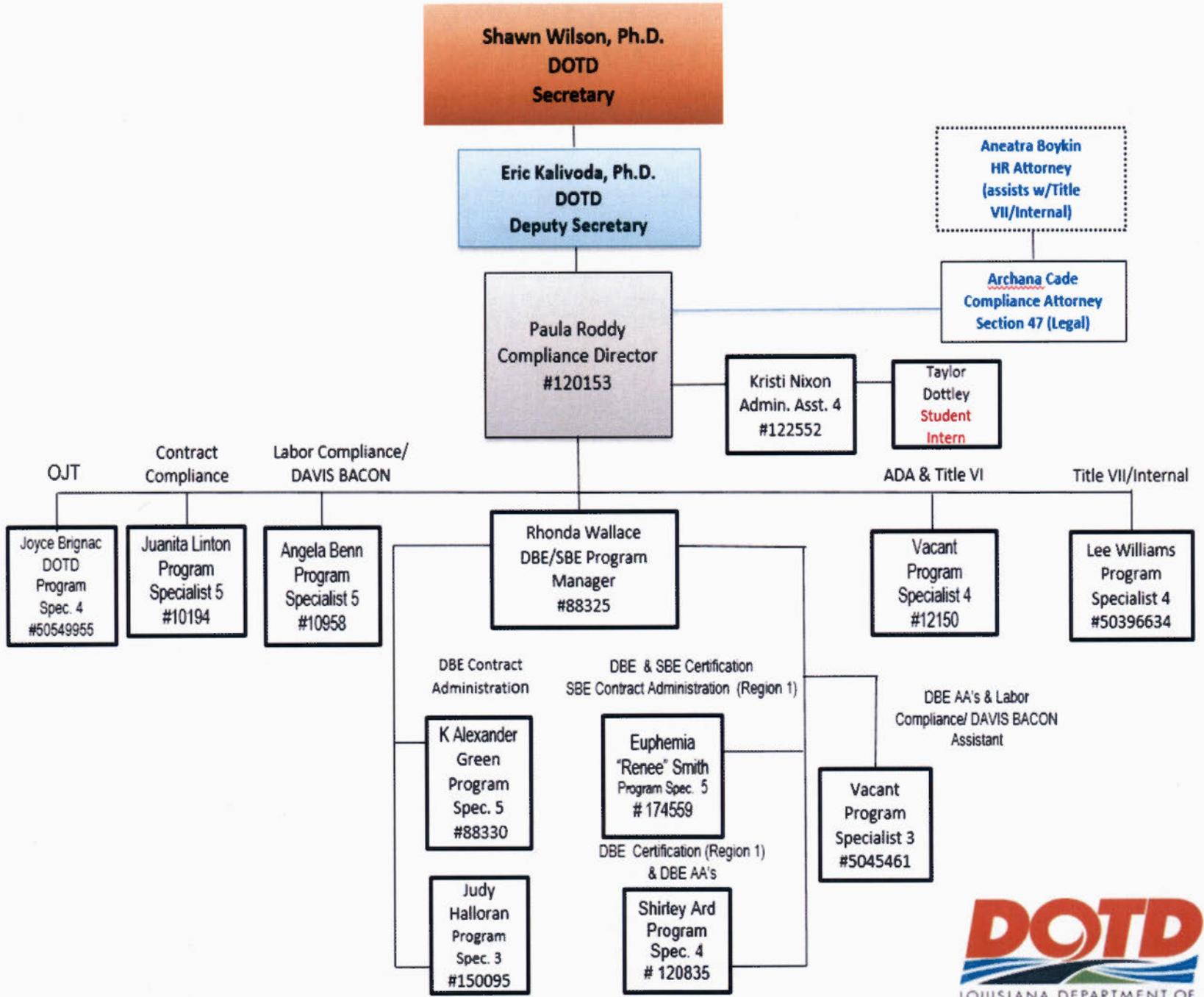
ADA/Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 790) prohibits discrimination based on a handicap/disability.

The Federal Aid Highway Act of 1973 (23 U.S.C. 324) prohibits discrimination based on gender. The Age Discrimination Act of 1975 (42 U.S.C. 6101) prohibits discrimination based on age. *Additional Title VI Authorities and Citations Include:*

Title VI of the Civil Rights Act of 1964, 42 United States Code 2000d to 2000-4; 42 United States Code 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; 28 Code of Federal Regulations 50.3 (see also, Authorities and Citations Hand Book for additional information)

PROGRAM ADMINISTRATION

The Secretary of the Louisiana State Department of Transportation and Development (LADOTD) is responsible for ensuring the implementation of the Department's Title VI Program. The Deputy Secretary, on behalf of the Secretary, is responsible for the overall management of the Title VI Program. The day-to-day administration of the programs lies with the Title VI Program Manager under the direct supervision of the DOTD Program Director in the Compliance Programs Section.



TITLE VI PROGRAM DUTIES AND RESPONSIBILITIES

The Title VI Program Manager is charged with the responsibility for implementing, monitoring, and ensuring LADOTD's compliance with Title VI regulations. Title VI responsibilities are as follows:

- Process the disposition of Title VI complaints received by LADOTD.
- Review statistical data collected (race, color, national origin, age, gender, LEP, disabilities, and income levels) of participants in, and beneficiaries of state highway programs, i.e., relocates impacted citizens and affected communities. Review Environmental Impact Statements for Title VI and Environmental Justice compliance.
- Conduct and/or assist in annual Title VI process reviews of program areas, cities, parishes, consultants, contractors, suppliers, universities, planning agencies, and other sub recipients of USDOT federal funds.
- Review state programs directives in coordination with Title VI Liaisons for program areas and include Title VI language and related requirements.
- Conduct training programs on Title VI and related statutes for state program officers, civil rights officials, and LADOTD sub recipients of federal funds.
- Prepare the Title VI Annual Summation Report presenting the accomplishments for the past year and goals for the next year.
- Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
- Conduct post-grant approval reviews of state programs and applicants for compliance with Title VI requirements; i.e., highway location, design and relocation, and persons seeking contracts with the state.
- Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 days.
- Provide technical assistance to sub recipients in the development of their Title VI Plan and assurances.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Planning

Transportation Planning Section

A. Transportation Planning Section

The Transportation Section is responsible for the development of the Long Range Statewide Transportation Plan and the periodic updates of this plan. In addition, this office also develops the Statewide Transportation Improvement Program as required by the Federal Highway Administration. This office also develops the Highway Priority Program as required by the Louisiana Legislature.

B. Operational Guidelines:

23 CFR 450
State Statutes
Guidelines developed by the LADOTD

C. Planning Process

A comprehensive planning process is used which incorporated input from the public, Metropolitan Planning Organizations, Regional Transportation Planning Organizations, and other shareholders. The process also entails the monitoring and collection of data pertaining to transportation issues.

D. Title VI Responsibilities

- Ensure that all aspects of the planning process comply with the provisions of Title VI.
- Ensure public involvement in the development of the plan in compliance with Title VI.
- Assist the Title VI Program Unit in gathering and organizing the Planning portion of the Annual Title VI Update Report.
- Review the Transportation Planning Office's work program, MPO Procedures and other directives to ensure compliance with Title VI.
- Attend MPO public meeting to verify the level of participation of Title VI protected group members.
- Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Public Transportation Planning Process

The statewide public transportation planning process includes the development, administration, and update of transit plans and programs in accordance with federal and state laws, regulations, and policies. The process relies heavily on cyclical and ongoing public involvement efforts to involve stakeholders, the public, and other state, tribal and local agencies and governments in the decision-making process. Products include plans, reports, and studies that guide LADOTD decision makers in carrying out LADOTD's statutory responsibilities as the Louisiana agency responsible for comprehensive statewide transportation planning and policy. FTA regulations governing Section 5310 funds (elderly and disabled transportation), Section 5311 funds (non-urban transportation) require that the state management plan include:

- A description of the process by which the state develops the annual program of project submitted to FTA as part of its Section 5311 grant application, especially the method used to ensure fair and equitable distribution of funds, including to Native American tribes where present.
- A description of the state's efforts to assist sub-recipients in applying for Section 5311 funds, especially any efforts made to assist minority applicants.
- A description of the state's criteria for selecting transit providers to participate in the program, especially its efforts to include sub-recipients serving significant minority populations.
- A description of the state's ongoing process to monitor sub-recipient's compliance with Title VI, such as ongoing site visits to each sub-recipient, review checklists, etc.

In addition, for LADOTD to assess compliance requirements, applicants must provide the following information in their application:

- A description of how the transportation needs of minorities will be served if the proposed project is approved for funding.
- A description of the special efforts taken to serve minority communities and address minority transit needs.
- The Percentage of minorities in service area population and the percentage of minority users of the agency's transportation system.

Each applicant which receives \$100,000 of Section 5311 funds per year and whose minority population expressed as a percentage of total population equals or exceeds the state's average minority population of 33% must provide the total population of the service area, the percentage which are minority, a map of the service area which shows routes and distribution of minority groups (if demand-response service, the estimation of beneficiaries served by minority group category) and special efforts taken to serve minority communities and address minority transit needs.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Contract Services

A. Contract Services Section

The Contract Services Section is located within the Office of Engineering of the Louisiana DOTD, and is made up of administrative staff and three groups or “gangs”, each with specific program areas and responsibilities. The three groups are Consultant Contract Services, Contracts and Specifications, and Project Control. The Contract Services Section is responsible for:

- Maintenance of the Standard Specifications for Roads and Bridges used by the Louisiana DOTD.
- The production, advertisement and distribution of engineering and construction bidding and contract documents.
- Consultant selection and construction bidding, and
- Engineering and construction contract execution.

B. Operational Guidelines

The specific guidelines used by each group of the Contract Services Section are listed in the Operational Guidelines section for that group.

C. Contract Services Processes

A summary of the processes used by each group of the Contract Services Section is listed in the process section for that group.

D. Title VI Responsibilities

The specific responsibilities of each group of the Contract Services Section are listed in the Title VI Responsibilities section for that group. All groups under the Section in addition to their listed Title VI responsibilities will assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of their sub recipients.

Consultant Contract Services

A. Consultant Contract Services Group

Consultant Contract Services (CCS) administers the procurement of all professional engineering consultant services contracts for DOTD. CCS prepares contracts for those services and processes all related contract actions and contract amendments. CCS is part of the Contract Services Section of the Louisiana DOTD.

B. Operational Guidelines

Consultant Contract Services Manual
23 CFR 172
LA R.S. 48:285 *et seq.*

C. Consultant Selection Process

The selection of consultants for engineering and related services is governed under LA R.S. 48:285-294 and 23 CFR 172.

D. Title VI Responsibilities

- Ensure that all federally funded engineering and related services contracts administered by CCS have the appropriate Title VI provisions included.

Contracts and Specifications

A. Contracts and Specifications Group

Contracts and Specifications is responsible for the preparation of construction bid proposals, addenda, and contract documents. Advertisement for construction bids is also coordinated by this group, as well as publication and maintenance of the *Louisiana Standard Specifications for Roads and Bridges, as amended*. Contracts and Specifications is part of the Contract Services Section of the Louisiana DOTD.

B. Operational Guidelines

23 CFR, Chapter 1
49 CFR, Part 26
FHWA Form 1273
LA R.S. 48:1 *et. Seq.*
Louisiana Standard Specifications for Roads and Bridges

C. Contracts and Specifications Process

Contracts and Specifications operates primarily under 23 CFR, LA R.S. 48:1, *et seq.* and *Louisiana Standard Specifications for Roads and Bridges, as amended*, to ensure that all applicable federal and state laws and department specifications are followed for construction advertisement, and bidding/contract documents.

D. Title VI Responsibilities

- Coordinate DBE Goal Committee meetings to establish project specific DBE goals on Federal-Aid projects.
- Ensure that all standard Federal-Aid Construction Contract Provisions (which includes EEO, DBE, Davis-Bacon, etc.) are contained in bidding and contracting documents.

Project Control

A. Project Control Group

Project Control is responsible for the distribution of construction proposals and addenda, construction bidding, and construction contract execution. Project Control is part of the Contract Services Section of the Louisiana DOTD.

B. Operational Guidelines

23 CFR, Chapter 1

LA R.S. 48:1, *et. Seq.*

Louisiana Standard Specifications for Roads and Bridges

LA R.S. 37:2150-2173, Contractor Licensing Law

Louisiana State Licensing Board for Contractors Rules and Regulations

C. Project Control Process

Project Control operates primarily under 23 CFR, LA R.S. 48:1, *et seq.*, and *Louisiana Standard Specifications for Roads and Bridges, as amended*, to ensure that all applicable federal and state laws and department specifications are strictly observed so that a fair and competitive public bid process is used to determine and award to the lowest bidder on construction contracts.

D. Title VI Responsibilities

- Ensure that the construction public bid process is based solely on low bid, and is therefore nondiscriminatory.
- Ensure that all applicable laws and specifications in the public bid process are applied uniformly, exactly and without variation.
- Provide multiple methods for receipt of proposal requests, and for proposal, addenda and contract delivery to accommodate individual bidder needs and requirements, including telephone requests, walk-in service, facsimile and email transmission, internet posting, courier service delivery, and certified U.S. mail.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

LA Transportation and Research Center / Training (LTRC)

A. The Louisiana Transportation Research Center (LTRC) is a cooperative research, technology transfer, and training center administered jointly by the Louisiana Department of Transportation and Development (DOTD) and Louisiana State University (LSU). The primary goal of LTRC is to improve the transportation system in both Louisiana and the nation by conducting research, disseminating information, and assisting state and local transportation agencies. DOTD's LTRC's Technology Transfer and Training Office oversees the majority of training in the department and is responsible for the development of research projects which include not only engineering. The training office plans, develops, and coordinates training activities for staff leadership and supervisory development as well as technical skills development.

B. Operational Guidelines

The DOTD's Secretary's Policy and Procedure Manual (PPM) Number 59, Workforce Development, was issued on March 20, 2001 and revised on January 1, 2007. The purpose of this policy was to establish DOTD's philosophy regarding workforce development, create uniform policies and procedures for the training, and define the training programs required for the DOTD staff. The DOTD's Secretary's Policy and Procedure Manual (PPM) Number 47, LTRC Transportation Curriculum Council, was issued on May 1, 1989 and revised on January 15, 2012. This directive was to establish the LTRC Transportation Curriculum Council (LTRC-TCC) and related subcommittees for the purpose of advising and assisting the Louisiana Transportation Research Center (LTRC) in the identification, prioritization, development, evaluation, and implementation of transportation related technology transfer, training, work development and educational services for the Department of Transportation and Development (DOTD), and its public and private transportation industry partners. LTRC Research Manual 2003 Edition.

C. Training Process

DOTD recognizes that developing a workforce through structured training, professional development, continuing education, and on-the-job training is essential to maximize employee potential and provide qualified personnel crucial to the effective management of the transportation system. Training programs are designed to ensure workforce proficiency and knowledge, not to penalize career employees or hinder department operations. The department promotes an environment of continual learning and strives to improve and strengthen the basic skills of employees, as well as enhance worker preparedness to meet the future challenges of a more technical work environment. The department provides training and related materials at no cost to the individual employee and whenever possible, allows for the completion of training during work hours. The department also realizes that on-the-job training is an essential component of all departmental activities and encourages all employees and supervisors to share their knowledge and experiences with others. The department further recognizes that the training programs defined in this policy are the minimum training required of DOTD employees. This policy also empowers administrators and supervisors to effectively direct the training of their staff and require additional training where necessary to improve employee performance and departmental operations.

D. Title VI Responsibilities

- The LTRC Workforce Development Administrator and the training staff work with the DOTD Executive Staff, District Administrative Staff and DOTD Subject Matter Experts to determine the need for and adequacy of the department's training program.
- Ensure adherence with DBE program requirements in the granting of research contracts and nondiscrimination in the selection grant recipients.
- Develop procedures to promote the participation of minorities and women in all aspects of a research project.
- Verify that Title VI requirements are incorporated in all contracts and agreements.
- Gather reporting data for the Annual Title VI Update Report.
- Review internal operational procedures, guidelines, directives and policies to ensure compliance with Title VI requirements.
- Monitor accomplishments and promptly correct program area deficiencies.
- In conjunction with managers and executives, ensure that all employees have equal access to training.
- Ensure accessibility to M/W/DBE consulting/training firms to compete for contracts.
- Review directives and manuals to ensure the adherence with Title VI requirements
- Maintain program administration documentation and data necessary for preparation of Annual Title VI Update, including attendance data for NHI, and Louisiana Management courses
- Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Environmental

A. The Environmental Section, with the assistance of the District offices and various other Sections, is responsible for the assessment of environmental impact as it relates to the transportation decision-making process. This evaluation is carried out through the required preparation, development, and circulation of environmental documentation. For Federal-aid highway projects, this documentation is prepared for the Federal Highway Administration's (FTA/FHWA) approval prior to proceeding with the design, construction and/or maintenance of the transportation facility.

B. Operational Guidelines

For Federal-aid projects, regulations and procedures maintained by the Environmental Section are intended to meet the requirements of the National Environmental Policy Act (NEPA) and its associated regulations, as well as Executive Order 12898 on Environmental Justice. All regulations are administered by the lead federal agency, which is usually the FTA/FHWA whose regulations can be found in Title 23 CFR Part 771.

C. Environmental Process

A systematic process is used to study and evaluate all environmental aspects of a proposed project including social, economic and environmental impacts. Depending on the complexity, impacts, and scope of the project, the Environmental Section will complete the NEPA process by preparing a Categorical Exclusion (CE), Environmental Assessment (EA) or Environmental Impact Statement (EIS). These assessments are performed with regards to the interest and input of state and federal agencies, local officials, and the public.

D. Title VI Responsibilities

The Environmental Section is responsible for ensuring compliance with Title VI requirements with respect to environmental activities.

1. For projects that have the potential to adversely impact communities, the Environmental Section, or its consultants, collects data regarding the racial, ethnic, and income level of the project area to identify the presence of Limited English Proficiency communities, minority, and/or low-income populations.
2. When a Limited English Proficiency community or a minority or low income population is identified within the project area, the Environmental Section monitors compliance with Executive Order 13166 (Limited English Proficiency) and Executive Order 12898 (Environmental Justice) with input and assistance from the Project Team, the DOTD Compliance Program Director, and the FTA/FHWA.
3. Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

Environmental Public Involvement

- A. Early coordination and public involvement is a major objective of project development. Public involvement and conflict resolution through public meetings, hearings, small group meetings, individual contacts, advertisements and other means are encouraged and practiced.
- B. The Environmental Section is responsible for assisting the DOTD Compliance Program Director in efforts to disseminate Title VI information to the general public.
- C. In accordance with the associated impacts and complexities of the project, the Environmental Section makes certain that pertinent information about a federal-aid activity is disseminated to the general public, including minority groups. Based on the nature and location of the activities, informal meetings (small group or neighborhood meetings) may be held with the minority communities impacted by the project.

Environmental Public Hearings

- A. The Environmental Section advertises public hearings in accordance with established procedures approved by FTA/FHWA. The scheduling of locations and times of public hearings will be reasonably convenient for persons affected by the project.
- B. All persons in attendance at public hearing are given an opportunity to express themselves either in written form or verbally. Oral comments made during the recorded comment period or at the designated recording station will be transcribed and made a part of the hearing transcript. Written comments can be submitted at the hearing or sent to the person on the project team designated to receive written comments. Written comments received within 10 days of the hearing are included in the transcript. A written transcript of the hearing is provided to the Chief Engineer, the DOTD Compliance Program Director, various Section Heads, the applicable District Administrator and FTA/FHWA for review. The transcript reflects the questions, suggestions and objections posed during the Hearing as well as submitted in writing at and after the Hearing.
- C. The Environmental Section will work to ensure and record, when applicable, minority participation and involvement in Public Hearings.
- D. Minority newspapers and publications, where practical, will be used in advertising public hearings.
- E. All public meetings and hearing advertisements will identify the individual to contact for reasonable accommodation assistance and will carry the following or similar statement: *Should anyone require special assistance due to a disability to participate in this Public Hearing/Meeting, please contact [insert name] by mail at [address], or by telephone at [insert phone number], at least five working days prior to the Public Hearing/Meeting.*
- F. The Environmental Section will assure that public meetings and hearings are held in locations that are ADA compliant.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Project Development

- A. The Project Development Division is responsible for the major activities which take place prior to construction of a project. The Division consists of the Real Estate Section, Road Design Section, Bridge Design, Pavement and Geotechnical Design, Project Management and Location and Survey Section.
- B. Operational Guidelines
- CFR Titles 23 and 49
 - Louisiana Revised Statutes Chapter 48
 - LADOTD Engineering Directives, Policies and Procedures Memorandums, Guidelines, etc.
 - Road Design Manual
 - AASHTO Guidelines
 - Bridge Design Manual
 - ASTM
 - ACI
- C. The Road Design Section entails the geometric design of highways and structural design of pavements to provide our transportation network. The Bridge Design Section entails the structural, mechanical and electrical design of fixed and movable bridges and other structures spanning highways and natural obstructions (i.e., rivers, canals, etc.). The Location and Survey Section follows numerous protocols developed for the precise location of a proposed highway and its layout in relation to other landmarks, property and/or terrain.
- D. Title VI Responsibilities:
- All personnel actions shall assure equal opportunity regardless of race, gender, color, national origin, age, disability, or any other non-merit factor, and applies to all employment practices, including recruitment, employment, compensation, training, promotions, transfers or assignments, recognition, disciplinary actions, layoffs, other terminations, and benefits.
 - All designs of highways, bridges and their appurtenances shall provide accommodation in accordance with the Accessibility in Federally Assisted programs (49 CFR Part 37).
 - Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Real Estate

- A. The Real Estate Section's primary purpose is to acquire and clear the necessary properties to construct and maintain the State Transportation System.

B. Operational Guidelines

Real Estate Standard Operating Policies and Procedures
Real Estate Manual
23 CFR 130
49 CFR 24
Title 38
Title 48
Title 70

C. Right Of Way Process

Right of Way acquisition follows the Real Estate Manual and all applicable laws and regulations, including Title VI/Environmental Justice. The Right of Way Process entails appraisal and appraisal review of property, negotiation of terms and conditions for acquisition and assistance in the relocation of displaced individuals, businesses, farm operations and nonprofit organizations as well as property management.

D. Title VI Responsibilities

The DOTD Title VI Liaison will review policies, rules, and standard operating procedures to ensure compliance with Title VI/Environmental Justice in all phases of right of way activities.

- Ensure participation by Minority/Women/Disadvantaged Business Enterprises as identified by the Office of Minority and Women's Business Enterprises (OMWBE) in Personal Services Contracts. The contracts are typically appraisal contracts but can cover all services of real estate including negotiation, relocation, and property management.
- Ensure participation by MIW/DBE appraisers by updates to fee appraiser directories identifying minority and female appraisers.
- Apprise affected property owners, tenants, and others involved of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process.
- Conduct annual implementation reviews of Title VI provisions within the entire real estate acquisition process.
- Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business.

- Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
- Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
- Coordinate the preparation of deeds, permits and leases to ensure the inclusion of the appropriate Title VI clauses (Appendices 2 and 3 to Title VI Assurances).
- Gather the statistical data required for completion of Department's Title VI Annual Summation Report including award to minority and female appraisers, number of relocations, etc.
- Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

E. Appraisal Review, Acquisition, Title Work, Consultant Coordination and Relocation Assistance

- The Real Estate Section enters into an agreement with independent real estate consultants on a contract basis or utilizes staff depending upon availability. Each consultant or staff person is required to have on file in the Real Estate Section a list of his/her qualifications, education and experience. Title VI provisions, including UASFLA and USPAP guidelines and procedures, in all fee appraiser and fee review appraiser contracts are required.
- The DOTD Compliance Programs Office will receive copies of all new Real Estate consultant contracts to ensure equal participation by minority/women disadvantaged business enterprises (DBE's); and that employment of Real Estate consultants is carried out without restrictions as to race, color, national origin, gender, age, or disability. Employment is based on professional training, education, experience, evaluation of previous work, (if any), availability to complete assignments within project schedule time limits, and effectiveness as a witness in court.
- The responsibility for selecting and employing Real Estate consultants is that the appropriate Real Estate Manager makes his/her recommendation on the consultants to be used to the Real Estate Selection Committee, subject to the final approval of the Real Estate Administrator. The consultants are required to comply with regulations relative to non-discrimination in all transportation programs.
- All consultant services and services by staff will be done without distinction as to race, color, national origin, gender, age or disability. The consultants are aware that no discriminatory statement is to be made in appraisal reports and in any acquisition and/or relocation assistance activity report.
- All consultants and staff will be instructed to be on the alert for any indication of discrimination. If discriminatory statements are discovered, the work will be returned for correction before final acceptance.
- All assignments are made objectively, without regard to race, color, national origin, gender, age, or disability.
- Using the State and Federal appraisal, appraisal review, and acquisition procedures, a properly prepared and reviewed appraisal of fair market value of property for acquisition does not allow discrimination on account of race, color, national origin, gender, age or disability.

- Monitor compliance with Executive Order 13166, Limited English Proficiency, to improve access and understanding of transportation planning processes for those in the population confronted with language barriers through the language translation services administered by the Compliance Programs Section.
- The acquisition procedures and required documentation as set forth insures that all property owners in Louisiana are treated and dealt with fairly regardless of race, color, national origin, gender, age or disability.
- Employment of real estate professionals is based upon professional training, education, experience, licensing (if applicable) and evaluation of previous work, if any, and the ability to complete assignments within project scheduled time limits without restrictions as to race, color, national origin, gender, age, or disability.
- Abstractors are used for performing title research and title report preparation for the entire state. The hiring and assignment process for abstractors is carried out without restrictions as to race, color, national origin, gender, age, or disability.
- Relocation Assistance is provided without discrimination in accordance with Title VI requirements. Relocation services and payments, including searching activities for comparable and replacement properties, are conducted in a manner which adheres to applicable Federal and State laws.
- The Real Estate Section provides pertinent information during various stages of a highway project. The Environmental Section is furnished certain data from the Real Estate Section and/or environmental consultant for environmental impact statements (EIS). Similarly, a "Relocation Assistance Plan" is provided by the Real Estate Section and/or consultant at the "conceptual stage" of a project. This plan includes a description of the social and economic impacts of a proposed project, a projection of the number and type of displacements to occur, and a replacement housing study. This information is updated for the requisite project public hearing.
- Eligibility for relocation advisory and payment benefits are explained at design public hearings. The Department's brochure entitled "Acquisition of Right of Way and Relocation Assistance" is also provided to attendees at these hearings. Informal public meetings are held with certain individuals including neighborhood and minority groups when necessary to address any problems a community or group may be experiencing. The "Acquisition of Right of Way and Relocation Assistance" brochure is made available at the informal meetings and attendees are assured that relocation assistance services are provided to displacees consistently, uniformly, equitably and without discrimination.
- Assistance is provided to residents in relocating to decent, safe, and sanitary replacement housing. Efforts are made to use the best available comparable housing to compute the payments for replacement dwelling for displacees. Displacees are given the opportunity to view and inspect areas to which to relocate, and displacees also have the opportunity to request assistance from the Department in this regard. Assistance is provided without restrictions as to the race, color, national origin, gender, age, or disability in the population of the selected areas. The selection process for replacement properties is overseen, and assistance given by the relocation assistance agent. The agent works closely with each displacee in a uniform manner and gives special attention to those in special need, i.e., elderly and disabled displacees. Residential displacees with physical disabilities are offered replacement housing free of physical barriers. All displaced businesses have the opportunity to utilize the "Business Reestablishment Expense Payment" program for assistance to remove physical barriers at replacement properties. Owners and occupants of displaced businesses, farms, and non-profit entities are provided assistance in securing suitable replacement properties.

F. Expropriation

1. After the Location & Survey Section provides the legal description and plat for a subject property, a staff or contract attorney signs and files the Petition, the Order of Expropriation along with the Just Compensation amount and obtains the Receipt in the appropriate court and returns the documents to the Real Estate Section.
2. Fee attorneys and expert witnesses are assigned through the contracting process by the Legal Section. The selection process is done without restrictions as to race, color, national origin, gender, age, or disability.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Construction/District Operations

A. Construction Section

The Construction Section is located in the Office of Engineering. It is made up of two groups 1) System and Fabrication, and 2) Audit and Estimate.

Systems and Fabrication

Monitors projects, plans, specifications, and contracts for uniformity and consistent requirements with all Standards and LADOTD Guidelines as well as Contracts and Specifications to assure compliance with plans.

Audit and Estimate

Reviews project records for payment and compliance with LADOTD Standards and Contracts. Checks and compiles project records from the field for DBE Contract Plans and Standard specification requirements.

Construction Section: Construction Audit

Reviews project records for payment and compliance with LADOTD Standards and Contracts. Checks and compiles project records from the field for DBE Contract Plans and Standard specification requirements.

B. Operational Guidelines

Louisiana Standard Specifications for Roads and Bridges
23 CFR Guidelines developed by the LADOTD

C. Title VI Responsibilities

- Review DBE/WBE program requirements for compliance.
- Ensure that all Standard Specifications and Contracts are uniformly administered.
- Review contracts to ensure Title VI documentation is in accordance with the requirements of the specifications.
- Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients.

PROGRAM AREAS APPOINTING AUTHORITIES DUTIES AND RESPONSIBILITIES

Public Transportation

A. Public Transportation Section

The Public Transportation Section is located within the Office of Planning of the Louisiana DOTD. The mission of the Public Transportation program is to improve public transit in all areas of the State so that Louisiana's citizens may enjoy an adequate level of personal mobility regardless of geographical location, physical limitation or economic status.

The Public Transportation Section is responsible for the administration of the following transit programs:

- Elderly Individuals and Individuals with Disabilities Program - Section 5310 (49 USC 5310)
- Job Access/Reverse Commute - Section 5316 (49 USC 5316)
- Metropolitan Planning Transit Program – Section 5303 (49 USC 5303)
- Rural Public Transportation Program - Section 5311 (49 USC 5311) Rural Technical Assistance Program – Section 5311(b)
- State Planning and Research Program – Section 5313 (49 USC 5313{b})
- Urbanized Area Formula Grants Program – Section 5307 (49 USC 5307)
- New Freedom Program – Section 5317 (49 USC 5317)
- Capital Investments Grant Program – Section 5309 (49 USC 5309)

Each program has its own administrator and administrative guidelines under the Public Transportation Section.

B. Operational Guidelines

- FTA Circular 4702.1 “Title VI and Title VI – Dependent Guidelines for FTA Recipients
- FTA Circular 4704.1 “Equal Employment Opportunity Program Guidelines for Grant Recipients
- FTA Circular 4715.1A “Human Resource Programs (Section 20) Application and Project Management Guidelines
- FTA Circular 9030.1C “Urbanized Area Formula Program: Grant Application Instructions”
- FTA Circular 9040.1F “Nonurbanized Area Formula Program Guidance and Grant Application Instructions
- FTA Circular 9045.1 “New Freedom Program Guidance and Application Instructions”
- FTA Circular 9050.1 “The Job Access and Reverse Commute (JARC) Program Guidance and Application Instructions”
- FTA Circular 9070.1F “Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions”
- 49 CFR Part 42, Nondiscrimination in Federally Assisted Programs of the Department of Transportation
- Americans with Disabilities Act (ADA) of 1990
- Rehabilitation Act of 1973, 29 USC 794 Section 504

- 49 CFR Parts 27, 37 and 38, implementing ADA and amending Section 504
- 49 CFR 23

Operational Guidelines - Appropriate sections of:

- Section 601 of Title VI of the Civil Rights Act of 1964
- Executive Order 11246
- The Americans with Disability Act; Sections 504 and 503 of the Rehabilitation Act of 1973
- The Age Discrimination in Employment Act of 1967
- 28 CFR Part 42
- 49 CFR Part 21

Operational Guidelines for the Elderly and Persons with Disabilities Program – LA DOTD Elderly Individuals and Individuals with Disabilities Program Procedures Manual

Operational Guidelines for the Job Access/Reverse Commute Program – LA DOTD Job Access/Reverse Commute Program Procedures Manual

Operational Guidelines for the Section 5311 Rural Public Transportation Program – LA DOTD Rural Transportation Program Procedures Manual

Operational Guidelines for the Section 5317 New Freedom Program – LA DOTD New Freedom Program Procedures Manual

C. Planning Process

A coordinated transit planning process is used which incorporates input from the public, nonprofit advocacy agencies, transit service providers, Metropolitan Planning Organizations, Regional Transit Authorities, health and human services agencies, and other stakeholders / interested parties. The process also entails the monitoring and collection of data pertaining to: clients served, ridership, and transit needs.

D. Consultant Selection Process

The selection of consultants for engineering and related services is governed under RS 48:285-294 and 23 CFR 172. The selection of non-engineering professional and consulting services is governed under RS 39:1481-1526 and LAC, Title 34, Part V.

E. Contract Services Process

Contracts and specifications operate under 23 CFR, RS 48, and LAC, Titles 34 and 70

F. Procurement Process

The Procurement Process operates under 23 CFR, RS 48, and LAC, Title 34, Part I and LAC Title 70 Part XXIII

G. Title VI Responsibilities

- Ensure that all aspects of the planning process comply with the provisions of Title VI.
- Ensure public involvement in the development of the plan in compliance with Title VI.
- Assist the Title VI Coordinator in gathering and organizing the Planning portion of the Annual Title VI Update Report.
- Monitor compliance with Title VI provisions by service providers.
- Ensure that all aspects of the procurement process comply with the provisions of Title VI.
- Ensure that all aspects of the project selection process are in compliance with Title VI.
- Ensure that the quality and quantity of service provided by funded agencies is in compliance with Title VI.
- Provide information to the public on Title VI compliance by funded agencies.
- Ensure that all contracts through the Public Transportation Section have the appropriate Title VI provisions included.
- Monitor compliance with DBE program requirements in all contracts with service providers.
- Ensure that all applicable laws and specifications in the public bid process are applied uniformly, exactly and without variation.
- Assist the Title VI Program Unit in technical assistance, reviews, complaints, dissemination of Title VI information, and training of sub recipients

MONITORING PROCEDURES

It is the responsibility of the Title VI Program Unit to develop and implement monitoring procedures within the Department's program areas, and their sub recipients to monitor Title VI activities. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to issues of accessibility of National Highway Institute (NHI) training to all qualified LADOTD employees, utilization of Disadvantaged Business Enterprises (DBE) contractors, public involvement, and property acquisition.

LADOTD program areas and sub recipients will be sent an Annual Review Form by the Title VI Program Unit to assure effectiveness in their compliance of Title VI provisions (see Addendums A, B and C). The Appointing Authority of the program area or agency will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The reviews will entail examination of the recipients' adherence to all program requirements, including DBE responsibilities.

The Title VI Unit will conduct an on-site review on the Department's program areas and sub recipients on a three year rotational basis.

REMEDIAL ACTION

LADOTD will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements, both within LADOTD and its sub recipients of federal highway and transit funds. When irregularities occur in the administration of the federal-aid highway program's operation, corrective action will be taken to resolve Title VI issues. When conducting Title VI compliance reviews on its sub recipients, LADOTD will reduce to writing a remedial action agreed upon by LADOTD and FTA/FHWA to be necessary all within a period not to exceed 90 days.

LADOTD will seek the cooperation of the sub recipient in correcting deficiencies found during the review. LADOTD will also provide the technical assistance and guidance needed to aid the sub recipient to comply voluntarily.

Sub recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

When a sub recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the LADOTD will submit to the FTA/FHWA two copies of the case file and a recommendation that the sub recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the sub recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub recipient refuses to comply, LADOTD may, with FTA/FHWA's concurrence, initiate sanctions per 49 CFR 21.

TITLE VI ON-SITE REVIEW PROCESS

A Title VI on-site review will be performed on DOTD's program areas and sub recipients, on a three year rotational basis beginning July 1 of each year. The Title VI Program Manager will also participate in FHWA reviews of the Department's sub recipients, as scheduled.

Process

1. The Title VI Program Manager will determine when to schedule the review. Reviews are scheduled on a three year rotation, unless indicated otherwise through involvement, participation in, or complaints.
2. Notify program official of the review. Include date, time, and place. If personnel are to be interviewed, inform program official at this time.
3. Inform program official of data/records to be reviewed. This information will be based on the annual review questionnaire. For example; reporting, training for staff and outreach, environmental justice statistics and geographical data collected, LEP, ADA, etc.
4. Conduct the review and closeout meeting. Discuss review findings, deficiencies, and recommendations. Be sure to note pro-active activities.
5. Prepare the Title VI Review Report. Include an itemized listing of deficiencies, with specific recommendations for the correction and timeframes for corrections to be completed. The Title VI Program Unit will provide technical assistance and guidance needed to aid the program official and staff in correcting deficiencies.
6. Perform a follow-up review within 60 days after deficiency corrections found in the initial review have been made to determine compliance with the Title VI Program requirements.
7. A copy of the initial review and 60 day follow-up meeting determinations will be sent to the Louisiana Division of the Federal Highway Administration within 30 days of completion of the follow-up meeting.
8. If program official does not correct the deficiencies within the time required, the Title VI Program Manager will involve the Compliance Programs Director for resolution. If resolution cannot be achieved within 15 days, the Compliance Programs Director will involve the Secretary of the DOTD.

Sub-recipients are required to submit an Annual Compliance Review Questionnaire to the LADOTD Public Transportation Section annually November 1st which includes Title VI Programs, notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Sub-recipients shall develop and submit to the LADOTD Public Transportation Section a list of complaints, investigations, or lawsuits. Sub-recipients that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the sub-recipient, must

provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

New applicants are required to submit, with their applications, the Title VI Programs, notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Applicants shall develop and submit to the LADOTD Public Transportation Section a list of complaints, investigations, or lawsuits. Applicants that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the applicant, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

Equity Analysis

Determination of Site or Location of Facilities: LADOTD follows the NEPA process to determine if any adverse impacts might result from federally funded transportation projects, LADOTD will follow the appropriate Title VI Analysis on projects. (Addendum N)

NONDISCRIMINATION COMPLAINT PROCEDURES AND COMPLAINT FORM

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, The Federal Aid Highway Act of 1973 (23 U.S.C. 324) Civil Rights Restoration Act of 1987, The 1970 Uniform Act (42 U.S.C. 4601), and the Americans with Disabilities Act of 1990, Executive Order 12898 Environmental Justice, and Executive Order 13166 Limited English Proficiency relating to any program or activity administered by LADOTD as to sub recipients, consultants, and contractors.

Intimidation or retaliation of any kind is prohibited by law. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Specialist may be utilized for resolution.

LIMITED ENGLISH PROFICIENCY (LEP) PROGRAM

The Title VI Unit is responsible for developing and implementing a LEP Plan. The LEP Plan is disseminated to the Department's program areas and sub recipients and used in monitoring programs and activities to ensure meaningful access for LEP persons. (refer to: LA DOTD's Limited English Proficiency Plan)

The Title VI Manager is the Department's Language Access Coordinator (LAC). The duties include:

- Ensure identification and securing of existing and needed resources (in-house, new hires contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services;
- Identify and develop or recommend guidelines to implement the Plan;
- Identify criteria for designation of languages for initial round of translation, based on demographic data;
- Create systems to distribute translated documents, post electronically, and maintain supply;
- Identify training needs and provide for training to LEP Monitors, staff, and managers needing to use language services, as well as language service providers on staff;
- Establish protocols for ensuring quality, timeliness, cost-effectiveness, and appropriate levels of confidentiality in translations, interpretation, and bilingual staff communications;
- Identify and implement a system for receiving and responding to complaints;
- Exchange promising practices information with divisions, districts and residencies;
- Review the progress of LA DOTD on an annual basis in providing meaningful access to LEP persons, develop reports, and modify [recommending modification to] LEP Guidelines as appropriate;

LEP Monitors

In addition, the Compliance Programs Director, the Title VI Unit and Title VI Interdisciplinary Team will serve as LEP Monitors for sections and districts.

LEP Monitor duties include:

- Work with the LEP Coordinator to identify needs and strategies for meeting those needs so that staff will have access to appropriate language services;
- Ensure the facility's compliance with the LEP Guidelines, including any implementation;
- Provide training to facility staff on implementation of LEP Guidelines;
- Establish and maintain the facility's language assistance resource list, ensuring competency; revise the list as needed;
- Maintain data on requests from LEP persons and provide reports to management and the LEP Coordinator on an annual basis;

Approximately 10 years ago LA DOTD conducted a survey to determine the level of internal resources we have for language services. This survey will be conducted again to find out what languages are spoken by staff in addition to English; whether the individual can read, write and/or speak the language; and the level of fluency. The results of this assessment will be made available to all LA DOTD sections and district offices.

Training

LA DOTD staff members and sub recipients should know their obligations to provide meaningful access to information and services for LEP persons, and all persons in public contact positions should be properly trained. An effective training objective will include training to ensure that:

- LA DOTD staff and sub recipients know about LEP policies and procedures;
- LA DOTD and sub recipients will include this training as part of the orientation provided for new employees.

Management staff, even if they do not interact regularly with LEP persons, should be fully aware of and understand the plan so they can reinforce its importance and ensure its implementation by staff. As mentioned above, training will be provided by the Title VI Unit and the Compliance Programs Director.

ENVIRONMENTAL JUSTICE REQUIREMENTS

Data Collection

Statistical data on race, color, national origin, income, language spoken in household, and gender of participants in, and beneficiaries of LADOTD programs, e.g., relocatees, impacted citizens, and affected communities, will be gathered and maintained by the Title VI Liaison in the affected program areas, and the data will be incorporated in the Title VI Annual Update. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI Program administration.

Public Dissemination

The Compliance Programs Office will disseminate Title VI Program information to LADOTD program areas, sub recipients, as well as the general public. Public dissemination will include the LADOTD Website, posting of public statements, inclusion of Title VI language in contracts, and publishing annually the Title VI Policy Statement in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications (see Addendum G).

LA DOTD Title VI Notice to Public

LADOTD hereby gives public notice that it is the policy of the department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, Limited English Proficiency (LEP), age, disability/handicap, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which LADOTD receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the LADOTD. Any such complaint must be in writing and filed with the LADOTD Title VI Program Manager within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the Compliance Programs Office by calling (225) 379-1382.

Operational Guidelines

All operational guidelines to regions, contractors, sub recipients, and program areas will be reviewed to include Title VI language, provisions, and related requirements where applicable.

Training Program

Title VI training will be made available bi-annually to sub recipients, and the Department's program areas and regions. The training will provide comprehensive information on Title VI provisions, its application to program operations, and identification of Title VI issues and resolution of complaints. A summary of training conducted will be reported in the annual summation report.

Annual Reports

An Annual Summation Report will be submitted to the Director of Compliance Program Office reviewing Title VI accomplishments achieved during the year and the FTA/FHWA. The Report will also include updates for each of the program areas (if any). The Title VI Program Manager will be responsible for coordination and preparation of the report.

A summary of the annual reviews will be included in the annual summation report to FTA/FHWA.

Post-grant Reviews

Post-grant Title VI Compliance reviews will be conducted annually on consultants and other contractors seeking contracts with LADOTD. The reviews will determine the contractor's compliance with Title VI contractual provisions. Post-grant reviews are conducted on those sub recipients that have already received LADOTD federal funds.