



## NOTICE OF MEETING OF THE CARSON CITY REGIONAL TRANSPORTATION COMMISSION (RTC)

**Day:** Wednesday  
**Date:** August 12, 2020  
**Time:** Begins immediately after the adjournment of the Carson Area Metropolitan Planning Organization meeting that begins at 4:30 p.m.  
**Location:** Community Center, Sierra Room, 851 East William Street, Carson City, Nevada

### AGENDA

**NOTICE TO PUBLIC:** The State of Nevada and Carson City are currently in a declared State of Emergency in response to the global pandemic caused by the coronavirus (COVID-19) infectious disease outbreak. In accordance with the Governor's Declaration of Emergency Directive 006, which has suspended the provisions of NRS 241.020 requiring the designation of a physical location for meetings of public bodies where members of the public are permitted to attend and participate, public meetings of Carson City will NOT have a physical location open to the public until such time this Directive is removed.

Members of the public who wish only to view the meeting but do NOT plan to make public comment may watch the livestream of the RTC meeting at:

<https://www.carson.org/transparency/meeting-agendas-minutes-and-recordings>

The public may provide public comment in advance of a meeting by written submission to the following email address: [lmaloney@carson.org](mailto:lmaloney@carson.org). For inclusion or reference in the minutes of the meeting, your public comment must include your full name and be submitted via email by not later than 3:00 p.m. the day before the meeting.

Members of the public who wish to provide live public comment may do so during the designated public comment periods, indicated on the agenda, via telephonic appearance by dialing the numbers listed below. Please do NOT join by phone if you do not wish to make public comment. To join by telephone, you must dial the following number: +1-408-418-9388 (Meeting ID: 146 024 4596).

To videoconference, you must have access to an Internet connection and a computer equipped with a camera and microphone with which you can join a meeting at the following link:

<https://carsoncity.webex.com/carsoncity/onstage/g.php?MTID=e02f5be0b84af047f18c073c2eca7f42e>

AGENDA NOTES: The Carson City Regional Transportation Commission (RTC) is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting via video conference or telephonic appearance, or who wish to make written submissions to RTC. If special arrangements are necessary, please notify RTC staff in writing at 3505 Butti Way, Carson City, Nevada, 89701, or [LMaloney@carson.org](mailto:LMaloney@carson.org), or call Lucia Maloney at (775) 887-2355 at least 24 hours in advance of the meeting.

For more information or for copies of the supporting material regarding any of the items listed on the agenda, please contact Lucia Maloney, Transportation Manager, at (775) 887-2355. Additionally, the agenda with all supporting material is posted under the RTC at [www.carson.org/agendas](http://www.carson.org/agendas), or is available upon request at 3505 Butti Way, Carson City, Nevada, 89701.

## **1. ROLL CALL AND DETERMINATION OF A QUORUM**

**2. AGENDA MANAGEMENT NOTICE:** The Chair may take items on the agenda out of order; combine two or more agenda items for consideration; and/or remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

**3. DISCLOSURES:** Any member of the RTC Board may inform the Chair of his or her intent to make a disclosure of a conflict of interest on any item appearing on the agenda or on any matter relating to the RTC's official business. Such disclosures must also be made at such time the specific agenda item is introduced.

**4. PUBLIC COMMENT\*\*:** The public is invited at this time to comment on and discuss any topic that is relevant to, or within the authority of this public body. Comments are limited to three minutes per person per topic. If your item requires extended discussion, please request the Chair to calendar the matter for a future RTC meeting. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an Agenda as an item upon which action may be taken.

## **5. APPROVAL OF MINUTES:**

**5-A For Possible Corrective Action** – Discussion and possible approval of the June 10, 2020 draft minutes.

**5-B For Possible Action** – Discussion and possible approval of the July 8, 2020 draft minutes.

## **6. PUBLIC MEETING ITEM(S):**

**6-A For Possible Action** – Discussion and possible action regarding, and authorization for the RTC Chair to sign, the Carson Area Metropolitan Planning Organization and Carson City Regional Transportation Commission joint Title VI Plan and RTC's required assurances.

**Staff Summary:** The Title VI Plan is designed to aid the Nevada Department of Transportation (NDOT) Civil Rights Office in its ability to provide oversight and ensure the RTC, as a sub recipient, is in compliance with Title VI requirements.

**7. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - Non-Action Items:**

- 7-A Transportation Manager's Report
- 7-B Street Operations Activity Report
- 7-C Transportation Projects Status Report

**8. BOARD COMMENTS: For Information Only** – Status reports and comments from the members of the RTC Board.

**9. The Next Meeting is Tentatively Scheduled** – 4:30 p.m., Wednesday, September 9, 2020, at the Sierra Room - Community Center, 851 East William Street, immediately after the meeting of the Carson Area Metropolitan Planning Organization.

**10. PUBLIC COMMENT\*\*:** The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda. Comments are limited to three minutes per person per topic. If your item requires extended discussion, please request the Chair to calendar the matter for a future RTC meeting. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an Agenda as an item upon which action may be taken.

**11. ADJOURNMENT: For Possible Action**

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**\*\*PUBLIC COMMENT LIMITATIONS - Although the RTC often provides an opportunity for additional public comment during each specific item designated for possible action on the agenda, public comment will be temporarily limited to the beginning of the agenda before any action is taken and again at the end before adjournment. This policy will remain effective during the period of time the State of Nevada is under a State of Emergency as declared by the Governor due to the COVID-19 pandemic, and is intended to achieve the efficient conduct of meetings while facilitating public participation via videoconference and telephonic means.**

**NOTICE TO PUBLIC: In accordance with the Governor's Emergency Declaration Directive 006 suspending state law provisions requiring the posting of public meeting agendas at physical locations, this agenda was posted electronically at the following Internet websites:**

This notice has been posted at the following locations:

[www.carson.org/agendas](http://www.carson.org/agendas)  
<http://notice.nv.gov>

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**CARSON CITY REGIONAL TRANSPORTATION COMMISSION**  
**Minutes of the June 10, 2020 Meeting**  
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A regular meeting of the Carson City Regional Transportation Commission (RTC) was scheduled to begin following adjournment of the Carson Area Metropolitan Planning Organization (CAMPO) meeting on Wednesday, June 10, 2020, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Brad Bonkowski  
 Vice Chairperson Mark Kimbrough  
 Commissioner Lori Bagwell  
 Commissioner Chas Macquarie (via WebEx)  
 Commissioner Greg Stedfield

**STAFF:** Dan Stucky, Public Works Deputy Director  
 Lucia Maloney, Transportation Manager  
 Dirk Goering, Sr. Transportation Planner  
 Chris Martinovich, Transportation/Traffic Engineer  
 Todd Reese, Deputy District Attorney  
 Tamar Warren, Senior Deputy Clerk

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours. All approved meeting minutes are available on [carson.org/minutes](http://carson.org/minutes).

**1. CALL TO ORDER AND DETERMINATION OF A QUORUM**

(5:25:15) – Chairperson Bonkowski called the meeting to order at 5:25 p.m. and noted that in addition to the public comments scheduled for agenda items 4 and 10, members of the public will also have the opportunity to comment on agenda item 6-A. Chairperson Bonkowski read into the record a Notice to the Public relating to meeting procedures during the COVID-19 pandemic, incorporated into the agenda. Roll was called, and a quorum was present.

**2. AGENDA MANAGEMENT NOTICE**

(5:27:00) – Ms. Maloney and the Commissioners indicated that they had no modifications to the agenda. Chairperson Bonkowski considered the agenda adopted as published.

**3. DISCLOSURES**

(5:27:21) – Chairperson Bonkowski entertained Commissioner disclosures; however, none were forthcoming.

**4. PUBLIC COMMENT**

(5:27:35) – Chairperson Bonkowski entertained public comments; however, none were forthcoming.

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**5. APPROVAL OF MINUTES**

**5-A FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE APPROVAL OF THE MAY 13, 2020 DRAFT MINUTES.**

(5:28:06) – Chairperson Bonkowski introduced the item and entertained comments, changes, corrections, or a motion.

(5:28:19) – Vice Chair Kimbrough moved to approve the minutes of the May 13, 2020 RTC meeting. The motion was seconded by Commissioner Stedfield and carried 5-0-0.

**6. PUBLIC MEETING ITEMS**

**6-A FOR INFORMATION ONLY - TO PROVIDE A STATUS UPDATE AND SOLICIT COMMENTS ON THE KINGS CANYON ROAD AND TRAILHEAD PROJECT. THIS IS A FEDERAL LANDS ACCESS PROGRAM (FLAP) GRANT PROJECT FOR TRAILHEAD, ROADWAY, AND STORM WATER IMPROVEMENTS BETWEEN THE KINGS CANYON TRAILHEAD AND JUST EAST OF THE CANYON DRIVE AND KINGS CANYON ROAD INTERSECTION.**

(5:28:45) – Chairperson Bonkowski introduced the item. Mr. Goering reviewed the Staff Report which included the project background, grant and public input timelines. Both he and Mr. Martinovich provided a PowerPoint presentation, incorporated into the record, which included a project map, design elements, concerns, plans, and written public comments. They also responded to clarifying questions by the Commissioners.

(5:56:41) – Commissioner Macquarie believed that 30 parking spaces were not an increase; however, they were “better controlled and better managed.” He also was in favor of adding the restrooms but was concerned that additional mitigation was needed for erosion control. Commissioner Macquarie believed that the new trail beginning at the location of the restrooms and eventually realigning with the current Waterfall Trail showed a steep connection “and it’s in the wrong location...Federal Lands need to look at relocating that.” He was in support of the bicycle lane and the striping but not of the reduction of the pavement width.

(6:03:56) – Vice Chair Kimbrough expressed concern that the written public comments contained “a lot of misinformation.” He clarified that a half-mile trail would not be available as they would be longer, and that the restrooms would not smell. Vice Chair Kimbrough also provided a history of the trails and noted that he would provide information at the Open Space Advisory Committee.

(6:11:15) – Commissioner Bagwell explained that most of the public comments were about fire concerns and wished to see if those concerns could be alleviated. She also recommended looking into the safety recommendations such as a tow zone, if necessary.

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(6:13:25) – Chairperson Bonkowski also believed that looking into a water tank “makes sense” because there are other areas that have them to mitigate fires. He also recommended signage such as ones for tow zones and trailer parking and increased park ranger patrol.

(6:16:15) – Mr. Martinovich explained that plans were underway to post no-parking and tow zone signs in addition to fencing and other ways to prevent vehicles from parking in certain areas. He also noted that the Open Space Department was working with the Forest Service to determine slope treatments and erosion control methods. Mr. Martinovich explained that consideration was being given to having “a one-way loop” and the possibility of gating the parking lot. Mr. Goering stated that the requested fire tank was not currently budgeted; however, he stated that Staff will work with the Fire Department.

(6:19:32) – Open Space Trails Coordinator Gregg Berggren explained that the trail would be on Forest Service land and that they would enter into a Management Agreement with the Forest Service to ensure the City’s control in managing the parking lot. Mr. Goering believed that gating would improve the quality of life of the residents, because of the current nighttime activities. Vice Chair Kimbrough was opposed to towing vehicles based on past experience but was in favor of the signs. Chairperson Bonkowski entertained public comments.

(6:23:48) – Scott Kulla introduced himself as an area resident and noted the positive “brainstorming” that had taken place in the past several minutes and inquired about future public comment opportunities. Mr. Kulla had already submitted written public comment.

(6:27:59) – Juan Guzman introduced himself and provided information on trail connectivity. He recommended having enough parking spaces to support future trail connectivity plans. He was also in favor of creating separation between hikers, bicyclists, and equestrians by utilizing sidewalks and different surfaces. Mr. Guzman recommended widening the last mile of road because everyone is most tired on that stretch.

(6:34:10) – Vicki Preston introduced herself and noted that the 70 percent design shows more encroachment on her property than what was reflected on the 30 percent design. She also wished to see access to water in case of a fire and was in favor of speed mitigation. Ms. Preston praised the City employees she had worked with and was interested in having input as a resident of Kings Canyon.

(6:38:20) – Charles Clemmensen introduced himself and noted the narrow trail to the last part of the waterfall which he believed was a safety issue. He also believed that the water quality was compromised by the degraded soil getting into the creek and recommended cars and trailers “park on the side of the Forest Service Road.” Mr. Clemmensen cited statistics that indicated drivers on striped center lanes were less likely to give bicyclists as much passing space, increasing collisions.

(6:46:18) – Chairperson Bonkowski entertained additional public comments and when none were forthcoming, he suggested that each Board member provide direction to Staff.

(6:46:35) – Commissioner Macquarie recommended having a water tank for fire mitigation and looking into a one-way loop. He was in favor of the thirty parking spaces and considered the restrooms a key

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component of the project. Commissioners Stedfield and Macquarie also wished to meet with the residents to discuss design issues; however, Vice Chair Kimbrough reminded the Commission that they were at the 70 percent design stage and did not wish to see the project not completed. Commissioner Bagwell recommended focusing on some of the valid points, such as parking on the side of the road, to come to a consensus with residents and wished to see the water tank. Chairperson Bonkowski thanked the residents for their participation and invited them to participate in future public meetings such as the upcoming Parks and Recreation Commission meeting. He also believed that a consensus might be difficult; however, he believed that a plan may be implemented once the design is completed. Ms. Maloney indicated that “now is the perfect time for public comment” and clarified that a public hearing had occurred at the 30 percent design phase. She encouraged residents to stay in touch with Staff and received confirmation from the Commission to keep the roadway width at 28 feet. No action was required for this item.

**6-B FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE ACTION REGARDING COOPERATIVE AGREEMENT NO. PR232-20-063, BETWEEN THE CARSON CITY RTC AND THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) FOR THE NORTHRIDGE DRIVE RECONSTRUCTION PROJECT FOR A TOTAL OF \$1,041,748.00, TO AUTHORIZE THE TRANSPORTATION MANAGER TO EXECUTE THE AGREEMENT, AND TO AUTHORIZE THE RTC CHAIR TO EXECUTE FUTURE AMENDMENTS TO THIS AGREEMENT REGARDING TIME EXTENSIONS OR A CHANGE IN THE VALUE OF FUNDING UP TO 10% OF THE INITIAL FUNDING AMOUNT.**

(6:56:25) – Chairperson Bonkowski introduced the item. Mr. Martinovich reviewed the agenda materials which are incorporated into the record. Chairperson Bonkowski entertained comments and when none were forthcoming, a motion.

**(6:57:55) – Vice Chair Kimbrough moved to authorize the Transportation Manager to execute the agreement as presented, and to authorize the RTC Chair to execute future amendments to the agreement regarding time extensions and changes in funding up to 10% of the initial funding amount. The motion was seconded by Commissioner Bagwell and carried 5-0-0.**

**6-C FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE ACTION REGARDING THE INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE CARSON AREA METROPOLITAN PLANNING ORGANIZATION, RTC, AND THE CARSON CITY BOARD OF SUPERVISORS.**

(6:58:28) – Chairperson Bonkowski introduced the item and referenced the discussion and approval of this item (6-D) that had taken place in the Carson Area Metropolitan Planning Organization (CAMPO) as follows:

From the CAMPO June 10, 2020 meeting minutes:

*(5:00:42) – Chairperson Kimbrough introduced the item. Ms. Maloney presented the Staff Report and attachments. She also noted a recommended change by a Board member which was to incorporate the*

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*“also other funds...” section of item 3 of the “Regional Transportation Commission Agrees” section (packet page 38) into item 2 of the “City Agrees” section (packet page 39) to clarify that “the City agrees to delegate that authority back to [the] RTC.” Discussion ensued and Member Bagwell recommended adding “stormwater” to the aforementioned section to read: “including but not limited to water, sewer, and stormwater funds...” Mr. Reese also clarified for Member Macquarie that pandemics would be covered in item 9 of the “All Parties Agree” section (packet page 41) as “an act of God.” Ms. Maloney recapped the above edits for the Board prior to a motion.*

There were no additional comments for Ms. Maloney; therefore, Chairperson Bonkowski entertained a motion.

**(6:59:27) – Commissioner Bagwell moved to approve the amendment as presented under the CAMPO motion which was to incorporate the Transportation Manager’s comments into a motion and for the District Attorney’s Office to conform the language. The motion was seconded by Commissioner Stedfield and carried 5-0-0.**

**6-D FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT INTERMOUNTAIN SLURRY SEAL, INC., IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 338 AND TO AWARD CONTRACT NO. 19300180, 2020 LONG LINE PROGRAM, TO INTERMOUNTAIN SLURRY SEAL, INC., FOR A TOTAL NOT TO EXCEED AMOUNT OF \$211,411.20 TO BE FUNDED WITH STREET MAINTENANCE FUNDS.**

(7:01:07) – Chairperson Bonkowski introduced the item. Mr. Martinovich presented the agenda materials, incorporated into the record, and recommended approval. Chairperson Bonkowski entertained comments and when none were forthcoming, a motion.

**(7:02:16) – Commissioner Stedfield moved to award the contract as presented. The motion was seconded by Commissioner Bagwell and carried 5-0-0.**

**6-E FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF AVAILABLE FISCAL YEAR (FY) 2020 GRANT FUNDING FROM THE NEVADA AGING AND DISABILITY SERVICES DIVISION (ADSD) IN THE AMOUNT OF \$16,350 FOR THE PERIOD JULY 1, 2019 TO JUNE 30, 2020, AND IN THE AMOUNT OF \$96,750 FOR THE PERIOD JULY 1, 2020 TO JUNE 30, 2021, AND TO AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE REQUIRED AWARD MATERIALS.**

(7:02:35) – Chairperson Bonkowski introduced the item. Ms. Maloney presented the Staff Report and accompanying documentation. There were no Commissioner comments. Chairperson Bonkowski entertained a motion.

**(7:06:34) – Commissioner Bagwell moved to accept the grant funding as presented, and to authorize the Public Works Director to execute the required award materials. The motion was**

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**seconded by Commissioner Stedfield.** Supervisor Bonkowski reminded everyone to call (775) 841-RIDE for the senior bus passes. **Motion carried 5-0-0.**

**7. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - NON-ACTION ITEMS:**

**7-A TRANSPORTATION MANAGER’S REPORT**

(7:07:19) – Ms. Maloney reminded the Commission of the Board of Supervisors’ action to approve the five cent per gallon diesel tax effective August 1, 2020 and to sunset at the end of 2022. She also indicated that Staff was working “to wrap up our various professional services contracts budgeted under fiscal year 2020.”

**7-B STREET OPERATIONS ACTIVITY REPORT**

(7:10:32) – Ms. Maloney reviewed the Street Operations Activity Report, incorporated into the record, and highlighted the shoulder work done as a result of a slowdown due to COVID-19.

**7-C TRANSPORTATION PROJECTS STATUS REPORT**

(7:11:33) – Mr. Martinovich presented the Transportation Projects Status Report, incorporated into the record, and responded to clarifying questions.

**8. BOARD COMMENTS: FOR INFORMATION ONLY – STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE RTC BOARD.**

(7:17:03) – Chairperson Bonkowski entertained Board comments. Commissioners Macquarie and Stedfield thanked Staff for their efforts on the Kings Canyon project.

**9. THE NEXT MEETING IS TENTATIVELY SCHEDULED – 4:30 P.M., WEDNESDAY, JULY 8, 2020, AT THE SIERRA ROOM - COMMUNITY CENTER, 851 EAST WILLIAM STREET, IMMEDIATELY AFTER THE MEETING OF THE CARSON AREA METROPOLITAN PLANNING ORGANIZATION.**

(7:18:03) – Chairperson Bonkowski read the agenda item into the record and clarified that the RTC meeting will immediately follow the Carson Area Metropolitan Planning Organization meeting which starts at 4:30 p.m.

**10. PUBLIC COMMENT**

(7:18:18) – Chairperson Bonkowski entertained public comments. Mr. Kulla thanked the Board for hearing his public comments earlier and noted that a petition with over 150 signatures is being circulated. He also recommended having 25 parking spaces and clarified that they are not “demanding consensus” but would like to air their issues and reach a compromise. Mr. Kulla specifically addressed having tow

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zones which he called a life or death matter, especially in case of a fire. Chairperson Bonkowski informed Mr. Kulla that the Commission had received copies of the previously mentioned petition.

(7:21:39) – Mr. Clemmensen thanked Staff for their cooperation, adding that he did not anticipate reaching full consensus. Chairperson Bonkowski reminded callers of the public comment process which allowed members of the public to voice their input; however, the Commission could not engage in a dialogue with members of the public.

**11. ADJOURNMENT: FOR POSSIBLE ACTION**

(7:23:37) – Chairperson Bonkowski adjourned the meeting at 7:23 p.m.

The Minutes of the June 10, 2020 Carson City Regional Transportation Commission meeting are so approved this 12<sup>th</sup> day of August 2020.

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**CARSON CITY REGIONAL TRANSPORTATION COMMISSION**  
**Minutes of the July 8, 2020 Meeting**  
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A regular meeting of the Carson City Regional Transportation Commission (RTC) was scheduled to begin following adjournment of the Carson Area Metropolitan Planning Organization (CAMPO) meeting on Wednesday, July 8, 2020, in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Brad Bonkowski  
 Vice Chairperson Mark Kimbrough  
 Commissioner Lori Bagwell  
 Commissioner Chas Macquarie (via WebEx)  
 Commissioner Greg Stedfield

**STAFF:** Darren Schulz, Public Works Director  
 Dan Stucky, Public Works Deputy Director  
 Lucia Maloney, Transportation Manager (via WebEx)  
 Todd Reese, Deputy District Attorney (Via WebEx)  
 Dirk Goering, Senior Transportation Planner  
 Chris Martinovich, Transportation/Traffic Engineer  
 Kelly Norman, Transportation Planner/Analyst  
 Tamar Warren, Senior Public Meetings Clerk

**NOTE:** A recording of these proceedings, the commission's agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours. All approved meeting minutes are available on [carson.org/minutes](http://carson.org/minutes).

**1. CALL TO ORDER AND DETERMINATION OF A QUORUM**

(5:18:01) – Chairperson Bonkowski called the meeting to order at 5:18 p.m. and read into the record the *Notice to the Public* incorporated into the agenda outlining the temporary public comment guidelines established during the Governor's COVID 19 Emergency Directive, incorporated into the agenda. Roll was called, and a quorum was present.

**2. AGENDA MANAGEMENT NOTICE**

(5:19:22) – Mr. Goering and the Commissioners indicated that they had no modifications to the agenda. Chairperson Bonkowski considered the agenda adopted as published.

**3. DISCLOSURES**

(5:19:34) – Chairperson Bonkowski entertained Commissioner disclosures; however, none were forthcoming.

**4. PUBLIC COMMENT**

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(5:19:47) – Chairperson Bonkowski entertained public comments; however, none were forthcoming.

**5. APPROVAL OF MINUTES**

**5-A FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE APPROVAL OF THE MAY 13, 2020 [SIC] DRAFT MINUTES.**

(5:19:57) – Chairperson Bonkowski introduced the item and entertained comments, changes, corrections, or a motion. Vice Chair Kimbrough noted a clarification to his comments during the item 6-A discussion. He noted that “there’s more than just the one-half-mile trail...there are several trails that come out of that trailhead.”

**(5:20:40) – Commissioner Bagwell moved to approve the minutes of the June 10, 2020 RTC meeting [as clarified]. The motion was seconded Vice Chair Kimbrough and carried 5-0-0.**

**6. PUBLIC MEETING ITEMS**

**6-A FOR INFORMATION ONLY – PRESENTATION AND DISCUSSION OF THE 2019 CARSON CITY DOWNTOWN PARKING ANALYSIS.**

(5:21:18) – Chairperson Bonkowski introduced the item. Ms. Maloney provided background and noted that even though the project was funded by the RTC, the Community Development Department had led the effort to define the study area and the trends in the Downtown Area. She also invited Community Development Director Lee Plemel to present the agenda Materials, incorporated into the record.

(5:22:52) – Mr. Plemel reviewed the study titled *2019 Carson City Downtown Parking Analysis Final Report*, a study conducted by LSC Transportation Consultants, Inc. and incorporated into the record. He also responded to clarifying questions by the Commissioners. This item was not agendized for action.

**6-B FOR POSSIBLE ACTION – DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION THAT COONS CONSTRUCTION LLC, IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO NRS CHAPTER 338 AND TO AWARD CONTRACT NO. 20300007, CDBG AIRPORT ROAD ADA IMPROVEMENT PROJECT, TO COONS CONSTRUCTION LLC, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$177,619.20 TO BE FUNDED FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND, CAPITAL IMPROVEMENTS ACCOUNT.**

(5:33:51) – Chairperson Bonkowski introduced the item. Mr. Martinovich presented the Staff Report, incorporated into the record, and recommended approval. There were no additional comments; therefore, Chairperson Bonkowski entertained a motion.

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**(5:35:28) – Commissioner Bagwell moved to award Contract No. 20300007 as presented. The motion was seconded by Vice Chair Kimbrough and carried 5-0-0.**

**6-C FOR INFORMATION ONLY – INFORMATION AND PRESENTATION ON THE SOUTHWEST CARSON CIRCULATION STUDY.**

(5:35:58) – Chairperson Bonkowski introduced the item. Ms. Maloney gave background on the item and noted that the project had been initiated by the Redevelopment Authority Citizens Committee. She stated that her expectation was to receive ‘technical feedback’ in this meeting.

(5:37:39) – Loren Chilson, Founder and Principal Engineer of Headway Transportation, LLC reviewed two presentations, both of which are incorporated into the record. The first presentation titled *Snyder/Appion Alternatives Analysis* evaluated options, opportunities, and constraints “for improvements to manage anticipated traffic from recently approved developments near the S. Carson Street/ Appion Way intersection.” The goal of the second presentation, *S. Carson Street Parallel Route Assessment Silver Sage Drive/S. Roop Street and S. Curry Street/Cochise Street*, was to “to identify long-term roadway and intersection improvements that will enhance overall circulation and business success.” He also provided a summary PowerPoint presentation which is incorporated into the record as well. Mr. Chilson responded to clarifying questions by the Commissioners.

(5:54:33) – Vice Chair Kimbrough noted his appreciation of how Mr. Chilson had broken the studies down “into something understandable.” Commissioner Macquarie recommended adding the improvement of “Curry Street, between the Stewart connection and Rhodes” to the consideration list in the report. Mr. Chilson listed several challenges such as right-of-way and easement issues and Mr. Goering noted that the project was listed in the 2040 and the 2050 Regional Transportation Plans (RTPs), adding that it could be added to the report indicating that. This item was informational only; therefore, no action was needed. Chairperson Bonkowski thanked Mr. Chilson for the detailed reports and helpful information, calling them valuable tools moving forward.

**6-D FOR INFORMATION ONLY – PRESENTATION AND DISCUSSION OF THE DRAFT CARSON CITY SAFE ROUTES TO SCHOOL MASTER PLAN.**

(6:04:04) – Chairperson Bonkowski introduced the item. Ms. Norman gave background and provided the timeline for the Safe Routes to School Master Plan, including a presentation to the Carson City School Board Members on July 14th, 2020. She also noted that the final Carson City Safe Routes to School Master Plan will be presented to the RTC for approval at the August 2020 Meeting.

(6:06:36) – Headway Transportation, LLC Senior Planner Cole Peiffer and Alta Planning and Design Principal Sam Corbett presented the Master Plan overview, recommendations, and next steps, incorporated into the record, and responded to clarifying questions by the Commissioners. Ms. Norman informed Commissioner Macquarie that the current Safe Route to School Program was funded through non-infrastructure Transportation Alternatives Program (TAP) grant, adding that they anticipate using infrastructure TAP grants as well. Chairperson Bonkowski recommended editing typographical and other errors prior to the final approval. This item was not agendaized for action.

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**6-E FOR INFORMATION ONLY – PRESENTATION AND DISCUSSION OF SHORT- AND LONG-TERM TRANSPORTATION PROJECTS FOR THE 2050 REGIONAL TRANSPORTATION PLAN (RTP).**

(6:29:40) – Chairperson Bonkowski introduced the item. Mr. Goering presented the Staff Report and reviewed the short-term and long-term list of projects for Carson City for the 2050 Regional Transportation Plan (RTP), both of which are incorporated into the record. He also responded to Commissioner questions. Ms. Maloney indicated that a draft of the RTP will be reviewed at the September Carson Area Metropolitan Planning Organization (CAMPO) meeting and the final changes will be presented to the RTC in the Commission’s October meeting. This item was not agendized for action.

**6-F FOR INFORMATION ONLY – PRESENTATION AND DISCUSSION OF THE RECENTLY RE-DESIGNATED SCHOOL ZONES WITHIN CARSON CITY, AND RESULTING UPDATES TO THE SPEED LIMIT POLICY ESTABLISHING GUIDELINES FOR SCHOOL ZONE SIGNAGE POSTED WITHIN DESIGNATED CARSON CITY SCHOOL ZONES.**

(6:44:38) – Chairperson Bonkowski introduced the item. Ms. Maloney gave background and presented the agenda materials. She also stressed the need for consistent and legible school zone signage which she believed would result in better student safety. Ms. Maloney noted that both the Carson City School District and the Carson City Sheriff’s Office were supportive of the implementation. Chairperson Bonkowski recommended utilizing the most current school zone maps. No action was necessary for this item.

**7. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - NON-ACTION ITEMS:**

**7-A TRANSPORTATION MANAGER’S REPORT**

(6:48:55) – Ms. Maloney updated the Commission on the Kings Canyon Federal Lands Access Program (FLAP) project, noting that the comments received from this Board, the Open Space Advisory Committee, and the Parks and Recreation Commission had been submitted to Central Federal Lands. She also stated that Central Federal Lands had expedited the schedule; therefore, 100 percent design should be reached prior to October 1, 2020. Ms. Maloney expected 90 or 100 percent designs to be reviewed at the August 12, 2020 RTC meeting. Additionally, she noted the full closure of South Carson Street for the roundabout project in August, 2020 for possibly six weeks, and stated that Staff were working to minimize the duration of the closure and to provide access to area businesses. She added that they had completed the water line project, and that the stormwater and wastewater projects should be completed soon. Ms. Maloney credited not receiving many complaints to the public outreach by the Carson Proud and Public Works teams and to Information Management Officer, Rachael Schneider. She provided updates on the slurry activities along Roop Street and the Airport Road sewer rehabilitation project and noted a potential road closure in August.

**CARSON CITY REGIONAL TRANSPORTATION COMMISSION**

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**7-B STREET OPERATIONS ACTIVITY REPORT**

(6:53:05) – Mr. Goering reviewed the Street Operations Activity Report, incorporated into the record and responded to clarifying questions.

**8. BOARD COMMENTS: FOR INFORMATION ONLY – STATUS REPORTS AND COMMENTS FROM THE MEMBERS OF THE RTC BOARD.**

(6:54:15) – Chairperson Bonkowski entertained Board comments; however, none were forthcoming.

**9. THE NEXT MEETING IS TENTATIVELY SCHEDULED – 4:30 P.M., WEDNESDAY, AUGUST 12, 2020, AT THE SIERRA ROOM - COMMUNITY CENTER, 851 EAST WILLIAM STREET, IMMEDIATELY AFTER THE MEETING OF THE CARSON AREA METROPOLITAN PLANNING ORGANIZATION.**

(6:54:32) – Chairperson Bonkowski read the agenda item into the record and clarified that the RTC meeting will immediately follow the Carson Area Metropolitan Planning Organization meeting which starts at 4:30 p.m.

**10. PUBLIC COMMENT**

(6:54:45) – Chairperson Bonkowski entertained public comments; however, none were forthcoming.

**11. ADJOURNMENT: FOR POSSIBLE ACTION**

(6:55:00) – Chairperson Bonkowski adjourned the meeting at 6:55 p.m.

The Minutes of the July 8, 2020 Carson City Regional Transportation Commission meeting are so approved this 12<sup>th</sup> day of August 2020.

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## STAFF REPORT

**Report To:** The Carson City Regional Transportation Commission (RTC)

**Meeting Date:** August 12, 2020

**Staff Contact:** Dirk Goering, Senior Transportation Planner

**Agenda Title: For Possible Action** – Discussion and possible action regarding, and authorization for the RTC Chair to sign, the Carson Area Metropolitan Planning Organization and Carson City Regional Transportation Commission joint Title VI Plan and RTC’s required assurances.

**Staff Summary:** The Title VI Plan is designed to aid the Nevada Department of Transportation (NDOT) Civil Rights Office in its ability to provide oversight and ensure the RTC, as a sub recipient, is in compliance with Title VI requirements.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 10 minutes

### **Proposed Motion**

I move to authorize the Chair to sign the Title VI Plan and RTC’s required assurances as presented.

### **Background/Issues & Analysis**

Title VI federal regulations prohibit discrimination based on race, color, or national origin. The attached Title VI Plan documents the RTC’s commitment and efforts 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 Federal Highway Administration."*

### **Applicable Statute, Code, Policy, Rule or Regulation**

Title VI of the Civil Rights Act of 1964, codified as 42 USC § 2000d et seq.;  
23 Code of Federal Regulation (CFR) Part 200; 49 CFR Part 21.

**Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number: CAMPO fund, Unified Planning Work Program account / Task 3.4 - Updates to Supporting Regional Planning Documents / G302820001.

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact: This work, performed in FY 2020, was performed by CAMPO staff and budgeted under Task 3.4 Updates to Supporting Regional Planning Documents and Policies of CAMPO's 2019/2020 Unified Planning Work Program (UPWP) (\$36,234).

**Alternatives**

Decline to approve the plan and provide alternative direction to staff.

**Supporting Material**

-Exhibit-1: Title VI Plan

-Exhibit-2: CAMPO's Unified Planning Work Program Cost/Funding Summary Table

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)



**Title VI Plan  
for  
Carson City  
Regional Transportation Commission  
(RTC)**

**&**

**Carson Area  
Metropolitan Planning Organization  
(CAMPO)**

Approved date: TBD

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## Attachments

1	Signed Assurances for Title VI of the Civil Rights Act of 1964
1.A	Title VI Assurances for Carson City Regional Transportation Commission
1.B	Title VI Assurances for Carson Area Metropolitan Planning Organization
2	Form 1273 Provisions for Federal-Aid Construction Contracts
3	Carson City Public Works Organization Chart
4	Complaint Procedures and Forms (English and Spanish)

## **1.0 Title VI Program Overview**

The Title VI Plan is designed to aid the Nevada Department of Transportation (NDOT) Civil Rights Office in its ability to provide oversight and ensure there is Title VI compliance as a sub recipient. This document will be updated as needed to reflect changes in law, administration, regulations, and/or policy. This document is intended to provide guidance to department personnel and other interested entities and is not intended to, does not, and may not be relied upon to create any right or benefit enforceable by law, by a party against the Carson City Regional Transportation Commission (RTC) or the Carson Area Metropolitan Planning Organization (CAMPO).

### **1.1 Non-Discrimination Policy Statement**

It is the policy of the RTC and CAMPO that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the RTC or CAMPO as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of RTC and/or CAMPO, including its contractors and anyone who acts on their behalf. This policy also applies to the operations of any department or agency to which the RTC or CAMPO extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual of any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

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Brad Bonkowski, Chair  
Carson City Regional Transportation Commission

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Date

---

Mark Kimbrough, Chair  
Carson Area Metropolitan Planning Organization

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Date

## 1.2 Title VI/Non-Discrimination Assurances

Per federal regulations, the RTC and CAMPO as a recipient of federal funds is required to sign assurances that pledge:

*"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 Federal Highway Administration.*

Attachment 1 includes assurances pursuant to the provisions of Title VI of the Civil Rights Act of 1964. Attachment 2 includes Form 1273 pursuant to Title 23. Brief descriptions of the assurances and Form 1273 are provided below for quick reference:

- Attachment 1.A and 1.B – DOT Order No. 1050.2A – Assurance signed by the RTC and CAMPO, respectively, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation (DOT), through the federal Highway Administration will comply with Title VI of the Civil Rights Act of 1964
  - Appendix A – Clauses to be included in all contracts and agreements with the RTC or CAMPO, requiring a contractor or consultant to comply with Title VI non-discrimination requirements for federally-assisted programs of the U.S. Department of Transportation
  - Appendix B – Clauses, related to non-discrimination, to be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States
  - Appendix C – Clauses, related to non-discrimination, to be included in deeds, licenses, leases, permits, or similar instruments entered into by the RTC or CAMPO related to the transfer of real property acquired or improved
  - Appendix D – Clauses, related to non-discrimination, to be included in deeds, licenses, permits, or similar instruments/agreements entered into by the RTC or CAMPO related to construction/use/access to real property
  - Appendix E – The RTC and CAMPO are required to insert clauses pertaining to non-discrimination into every contract or agreement
- Attachment 2 – Form 1273 includes contract provisions for federal-Aid construction contracts which is required to be included in all construction contracts

### **1.3 Organization, Staffing, and Structure**

The Director of Public Works is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21. Neither the RTC or CAMPO can investigate Title VI complaints.

A Title VI Coordinator has been established for the RTC and CAMPO to ensure implementation of the Title VI Program.

The Title VI Coordinator is responsible for:

- Maintaining the Title VI Plan and submitting updates
- Processing and disposition of complaints
- Collecting and analyzing demographics related to race, color, and national origin
- Conducting updates to the Title VI assessments of pertinent program areas
- Ensuring Title VI information is readily available for dissemination
- Resolving deficiencies or matters of noncompliance regarding subrecipients

CAMPO is a regional special purpose agency designated in 2003 by the Governor of Nevada. CAMPO is responsible for federal regulations regarding regional transportation. The boundary of CAMPO includes Carson City, excluding the area near Lake Tahoe, and an area of northern Douglas County and western Lyon County. The CAMPO Board is the official governing body that approves and directs recommendations to staff. The Board is comprised of seven voting members from Carson City, Douglas County and Lyon County, and one Nevada Department of Transportation non-voting ex officio member. Each voting Board member is appointed by their respective county.

The RTC is comprised of five commissioners who establish priorities and recommend appropriate funding for transportation improvement projects within Carson City.

Per the Nevada Revised Statutes (NRS) and an interlocal agreement between the RTC, CAMPO, and Carson City, the RTC and CAMPO acting as special purpose organizations are independent agencies which are housed within the Carson Public Works Department within the City of Carson City. As such, the duties and responsibilities imposed on RTC and CAMPO for use of federal funds through the requirements of Title VI apply solely to the special purpose organizations of the RTC and CAMPO, who are responsible for implementation.

The Title VI Coordinator has full and easy access to the Public Works Director. Furthermore, the Title VI Coordinator has access to the Title VI liaisons who are responsible for implementing elements of the Title VI Program. An organization chart is provided in Attachment 3 for reference.

Below are key staff positions responsible for implementing elements of the Title VI Program:

- Transportation Manager, Title VI Coordinator for Oversight and Administration
- Document Control Specialist, Title VI Liaison for Construction
- Senior Transportation Planner, Title VI Liaison for Planning, Right-of-Way, Environmental, and Research

RTC and CAMPO staff is housed at the following location and can be reached at the following phone number:

Carson City Regional Transportation Commission/  
Carson Area Metropolitan Planning Organization  
3505 Butti Way, Carson City, NV 89701  
Phone: 775-887-2355

## **1.4 Training**

Annual training is provided to RTC and CAMPO staff through required reading. Staff will be required to read the Title VI Plan, which will circulate the policy statement and raise awareness for the requirements of Title VI annually. Additional training will be pursued when available.

## **1.5 Review of Local Governmental Directives**

The Title VI Coordinator is responsible for reviewing internal plans, policies, procedures, and directives for implications to Title VI requirements.

## **2.0 Program Area Descriptions and Review Procedures**

The RTC and CAMPO engages in the following program areas:

### **2.1 Transportation Planning**

CAMPO and RTC staff performs transportation planning activities, which include corridor planning, short and long-range planning, ADA Transition Planning, pavement management, multi-modal planning, research, environmental assessment, and transit planning. Planning activities ensure existing and future expenditures for transportation projects and programs are based on a continuing, cooperative, and comprehensive (3-C) planning process.

**Standards** - Planners lead department efforts to prioritize, coordinate, and obtain consensus for the planning and programming of funds. The process of prioritization takes into account multiple factors, including but not limited to equity, environmental assessment, performance, and safety. Staff uses a variety of analytics and factors to help prioritize investments. Analytics and factors commonly used include census data, vehicle volumes, crash data, roadway functional classification, bicycle and pedestrian volumes, land use, network connectivity, pavement condition, and historical distribution of transportation investments. Framework from the National Environmental Policy Act (NEPA) is also used to ensure no person, because of race, color, or national origin, be excluded from participating in, or denied benefits of, or be subject to discrimination under any administrative program or capital project.

In effort to ensure and promote non-discrimination, the RTC and CAMPO have adopted and routinely monitor the following metrics and standards to distribute and program investments fairly and avoid disproportionately high or adverse impacts to underserved communities:

- **Pavement Management Plan:** In 2018, the RTC approved a Pavement Management Plan. It provides a distribution method, a 5-year schedule, and criteria for selecting annual capital projects. The plan created five performance districts based on common geography and miles of roadway. The plan allocates 80% of the annual budget to one district every five years. The plan includes criteria to consistently and equitably prioritize roadway projects.
- **ADA Transition Plan:** In April of 2020, the 2020 ADA Transition Plan for public facilities in Carson City's right-of-way was supported by CAMPO and approved by RTC. This document ensures reasonable access for persons with disabilities, within the public right-of-way, is provided and maintained. Pedestrian facilities within the public right-of-way include sidewalks, curb ramps, pedestrian crossings, transit stops, paved shared use paths, and pedestrian activated signal systems. This plan prioritizes barriers that pose significant safety issues, such as missing curb ramps and narrow access, due to their ability to force pedestrians off of the sidewalk network and into the roadway.
- **Safety Performance Measures:** The U.S. Department of Transportation Federal Highway Administration Safety Performance Measure Final Rule establishes requirements for the purpose of assessing fatalities and serious injuries on public roads. These statistics are reviewed annually to help channel investments fairly to areas with a high frequency of crashes.
- **Functional Classification Map:** The classification of roadways is a joint effort between local, regional, state, and federal agencies. To be eligible for federal funding, federal regulations require a roadway to be classified as a Collector or greater. Roads with higher classifications serve the mobility needs of a greater number of people and typically carry more traffic. Roads with lower classifications tend to provide access more to individual properties than serve the mobility needs of a greater number of people. As part of the project selection process, roadways with a higher classification are prioritized.

**Environmental Justice Process** - In 1994, Executive Order (EO) 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations was issued. EO 12898 emphasized a federal agency's responsibility to make environmental justice a goal by identifying and addressing the effects of programs, policies and activities on minority and low-income populations. This is accomplished by involving the public in developing transportation projects that fit within their communities without sacrificing equity, environmental justice, and safety.

Planning staff for RTC and CAMPO fulfills this requirement by adopting standards that distribute transportation investment dollars transparently and equitably. RTC and CAMPO promotes public participation through monthly public meetings and through the use of public outreach strategies discussed in Section 4.0 of this plan.

Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means (1) that all persons share in the benefits of our investments; and (2) that no person (including racial, ethnic, or low income groups) should bear a disproportionate share of the negative consequences resulting from the execution of federal, state, and local programs and policies.

Based on the guidance of the USDOT Order on Environmental Justice as cited in “An Overview of Transportation and Environmental Justice” there are three fundamental principles of environmental justice, and they are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects on minority populations and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

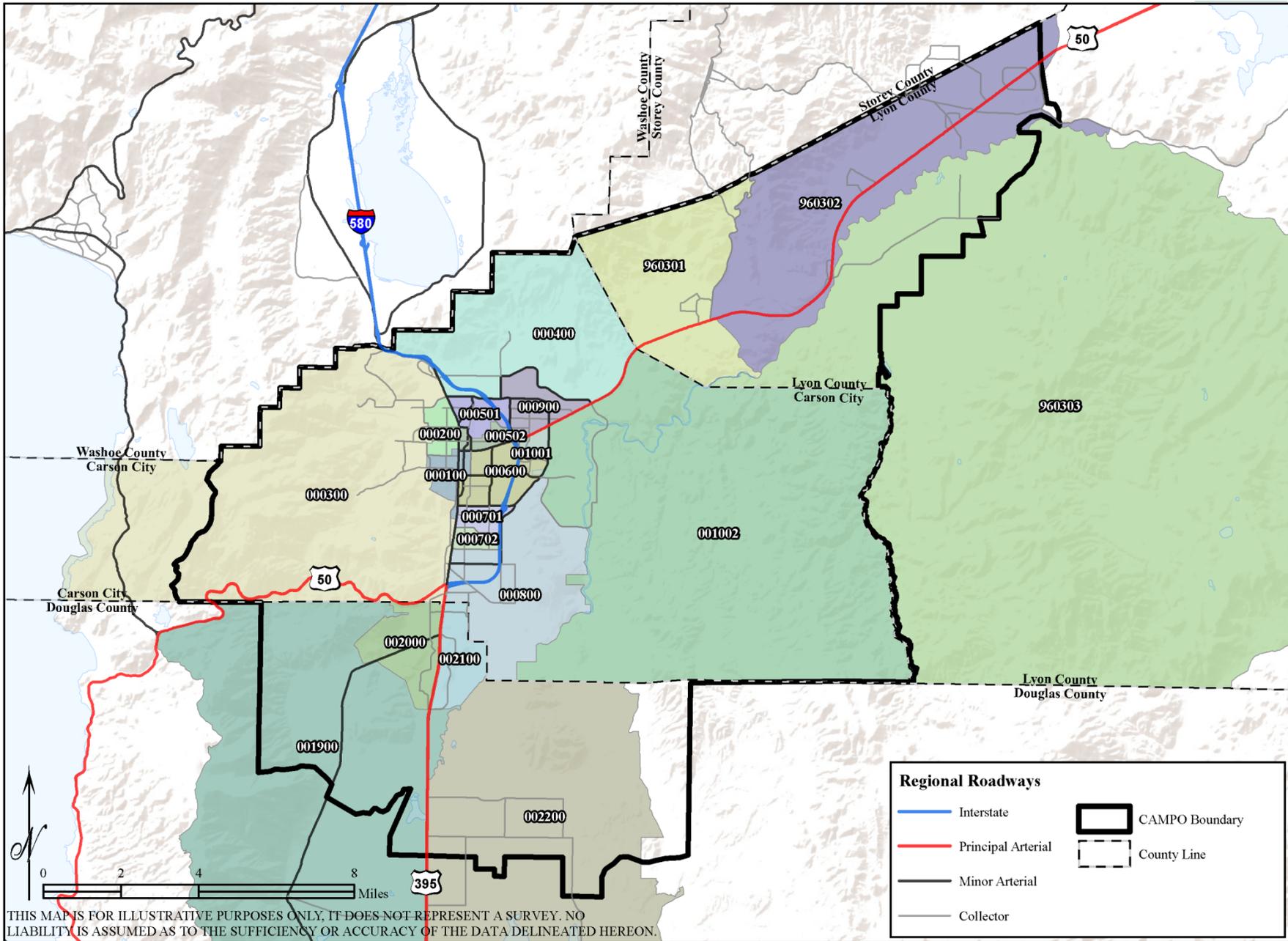
In accordance with Executive Order 12898 on EJ and the related US DOT and FHWA Orders, the RTC and CAMPO advances the principles of EJ in all programs, services and activities through the adoption of standards and by screening programs and projects at public meetings which aim to distribute investments fairly and to identify, avoid, minimize or mitigate disproportionately high and adverse impacts.

CAMPO and RTC collects and analyzes U.S. Census data on race, color, income, and national origin to ensure low-income or minority persons are not disproportionately adversely impacted or denied benefits of federal, state, or local funding. Based on an analysis of the census data and distribution of corridor plans and capital transportation projects, staff has not identified any disproportionate adverse impact or denial of benefits to census tracts with higher rates of minorities, of lower income, or are disproportionate to any one race or population of color.

Figures 1 through 8 provide data on demographics for both the CAMPO planning area and the Carson City RTC service area.

- Figure 1: Map of CAMPO and Carson City Census Tracts
- Figure 2: Table of Demographics on Ethnicity by Census Tract
- Figure 3: Table of Demographics on Race and Color by Census Tract
- Figure 4: Table of Demographics on Minorities by Census Tract
- Figure 5: Map of Census Tracts with Above Average Concentration of Minorities
- Figure 6: Table of Demographics on Household Income by Census Tract
- Figure 7: Map of Capital Projects with Census Tracts
- Figure 8: Map of Capital Projects with Census Tracts Below Average Median Household Income

Figure 1 - CAMPO and Carson City RTC Census Tracts



THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE DATA DELINEATED HEREON.

Figure 2 - 2017 Demographics on Ethnicity by Census Tract for CAMPO and RTC

<b>Geographic Area Census Tract (CT)</b>	<b>Total Population</b>	<b>Hispanic or Latino</b>	<b>Percentage</b>	<b>Not Hispanic or Latino All Races</b>
Nevada	2,887,725	814,305	28%	2,073,420
<b>Carson Area MPA</b>	<b>83,441</b>	<b>16,914</b>	<b>20%</b>	<b>66,527</b>
CT 19, Douglas Cty	1,349	63	5%	1,286
CT 20, Douglas Cty	3,367	854	25%	2,513
CT 21, Douglas Cty	2,179	365	17%	1,814
CT 22, Douglas Cty	6,379	402	6%	5,977
CT 9603.01, Lyon Cty	1,689	543	32%	1,146
CT 9603.02, Lyon Cty	9,678	1,209	12%	8,469
CT 9603.03, Lyon Cty	4,581	813	18%	3,768
<b>Carson City</b>	<b>54,219</b>	<b>12,665</b>	<b>23%</b>	<b>41,554</b>
CT 1, Carson City	3,015	503	17%	2,512
CT 2, Carson City	3,451	246	7%	3,205
CT 3, Carson City,	3,708	242	7%	3,466
CT 4, Carson City	3,653	782	21%	2,871
CT 5.01, Carson City	6,027	1,727	29%	4,300
CT 5.02, Carson City	3,512	715	20%	2,797
CT 6, Carson City	6,529	1,769	27%	4,760
CT 7.01, Carson City	3,718	775	21%	2,943
CT 7.02, Carson City	3,268	521	16%	2,747
CT 8, Carson City	4,413	615	14%	3,798
CT 9, Carson City	5,142	1,720	33%	3,422
CT 10.01, Carson City	4,140	2,287	55%	1,853
CT 10.02, Carson City	3,643	763	21%	2,880

Figure 3 - 2017 Demographics on Race and Color by Census Tract for CAMPO and RTC

Geographic Area Census Tract (CT)	Total Population	Not Hispanic or Latino By Race											
		White	%	Black or African American	%	American Indian and Alaska Native	%	Asian	%	Native Hawaiian & Pacific Islander	%	Other races and Two or more races	%
Nevada	2,887,725	1,457,272	50%	242,682	8%	24,402	1%	228,268	8%	17,510	1%	103,286	4%
<b>Carson Area MPA</b>	<b>83,441</b>	<b>60,053</b>	<b>72%</b>	<b>1,068</b>	<b>1%</b>	<b>1,510</b>	<b>2%</b>	<b>1,564</b>	<b>2%</b>	<b>99</b>	<b>0%</b>	<b>2,233</b>	<b>3%</b>
CT 19, Douglas Cty	1,349	1,242	92%	0	0%	31	2%	0	0%	0	0%	13	1%
CT 20, Douglas Cty	3,367	2,329	69%	5	<1%	66	2%	50	1%	0	0%	63	2%
CT 21, Douglas Cty	2,179	1,676	77%	13	1%	0	0%	25	1%	0	0%	100	5%
CT 22, Douglas Cty	6,379	5,808	91%	82	1%	38	1%	0	0%	0	0%	49	1%
CT 9603.01, Lyon Cty	1,689	1,105	65%	0	0%	0	0%	31	2%	0	0%	10	1%
CT 9603.02, Lyon Cty	9,678	7,426	77%	107	1%	262	3%	135	1%	40	<1%	499	5%
CT 9603.03, Lyon Cty	4,581	3,563	78%	8	<1%	50	1%	30	1%	0	0%	117	3%
<b>Carson City</b>	<b>54,219</b>	<b>36,904</b>	<b>68%</b>	<b>853</b>	<b>2%</b>	<b>1,063</b>	<b>2%</b>	<b>1,293</b>	<b>2%</b>	<b>59</b>	<b>&lt;1%</b>	<b>1,382</b>	<b>3%</b>
CT 1, Carson City	3,015	2,323	77%	88	3%	43	1%	58	2%	0	0%	0	0%
CT 2, Carson City	3,451	2,739	79%	1	<1%	0	0%	369	11%	26	<1%	70	2%
CT 3, Carson City	3,708	3,011	81%	53	1%	225	6%	76	2%	0	0%	101	3%
CT 4, Carson City	3,653	2,545	70%	0	0%	125	3%	103	3%	0	0%	98	3%
CT 5.01, Carson City	6,027	3,812	63%	154	3%	34	1%	199	3%	0	0%	101	2%
CT 5.02, Carson City	3,512	2,548	73%	91	3%	27	1%	45	1%	0	0%	86	2%
CT 6, Carson City	6,529	4,082	63%	87	1%	203	3%	49	1%	29	<1%	310	5%
CT 7.01, Carson City	3,718	2,721	73%	26	1%	17	<1%	108	3%	0	0%	71	2%
CT 7.02, Carson City	3,268	2,435	75%	34	1%	38	1%	25	1%	0	0%	215	7%
CT 8, Carson City	4,413	3,081	70%	262	6%	213	5%	112	3%	4	<1%	126	3%
CT 9, Carson City	5,142	3,313	64%	0	0%	60	1%	26	1%	0	0%	23	<1%
CT 10.01, Carson City	4,140	1,548	37%	25	1%	74	2%	44	1%	0	0%	162	4%
CT 10.02, Carson City	3,643	2,746	75%	32	1%	4	<1%	79	2%	0	0%	19	1%

\*ACS Demographic and Housing Estimates, 2017 5-Year Estimates, Table DP05

Figure 4 - 2017 Demographics on Minorities by Census Tract for CAMPO and RTC

Geographic Area Census Tract = CT	Total Population	Majority Race (White)		Aggregate of Minorities	
		#	%	#	%
State of Nevada	2,887,725	1,457,272	50%	-	-
Carson Area MPO	83,441	60,053	72%	23,388	28%
CT 19, Douglas County	1,349	1,242	92%	107	8%
CT 20, Douglas County	3,367	2,329	69%	1,038	31%
CT 21, Douglas County	2,179	1,676	77%	503	23%
CT 22, Douglas County	6,379	5,808	91%	571	9%
CT 9603.01, Lyon County	1,689	1,105	65%	584	35%
CT 9603.02, Lyon County	9,678	7,426	77%	2,252	23%
CT 9603.03, Lyon County	4,581	3,563	78%	1,018	22%
Carson City	54,219	36,904	68%	17,315	32%
CT 1, Carson City	3,015	2,323	77%	692	23%
CT 2, Carson City	3,451	2,739	79%	712	21%
CT 3, Carson City,	3,708	3,011	81%	697	19%
CT 4, Carson City	3,653	2,545	70%	1,108	30%
CT 5.01, Carson City	6,027	3,812	63%	2,215	37%
CT 5.02, Carson City	3,512	2,548	73%	964	27%
CT 6, Carson City	6,529	4,082	63%	2,447	37%
CT 7.01, Carson City	3,718	2,721	73%	997	27%
CT 7.02, Carson City	3,268	2,435	75%	833	25%
CT 8, Carson City	4,413	3,081	70%	1,332	30%
CT 9, Carson City	5,142	3,313	64%	1,829	36%
CT 10.01, Carson City	4,140	1,548	37%	2,592	63%
CT 10.02, Carson City	3,643	2,746	75%	897	25%

\*Source: ACS Demographic and Housing, 2017 5-Year Estimates, Table DP05

\*\*Aggregate defined as all other races

Figure 5 - 2017 Map of Census Tracts with Above Average Concentration of Minorities for CAMPO and RTC

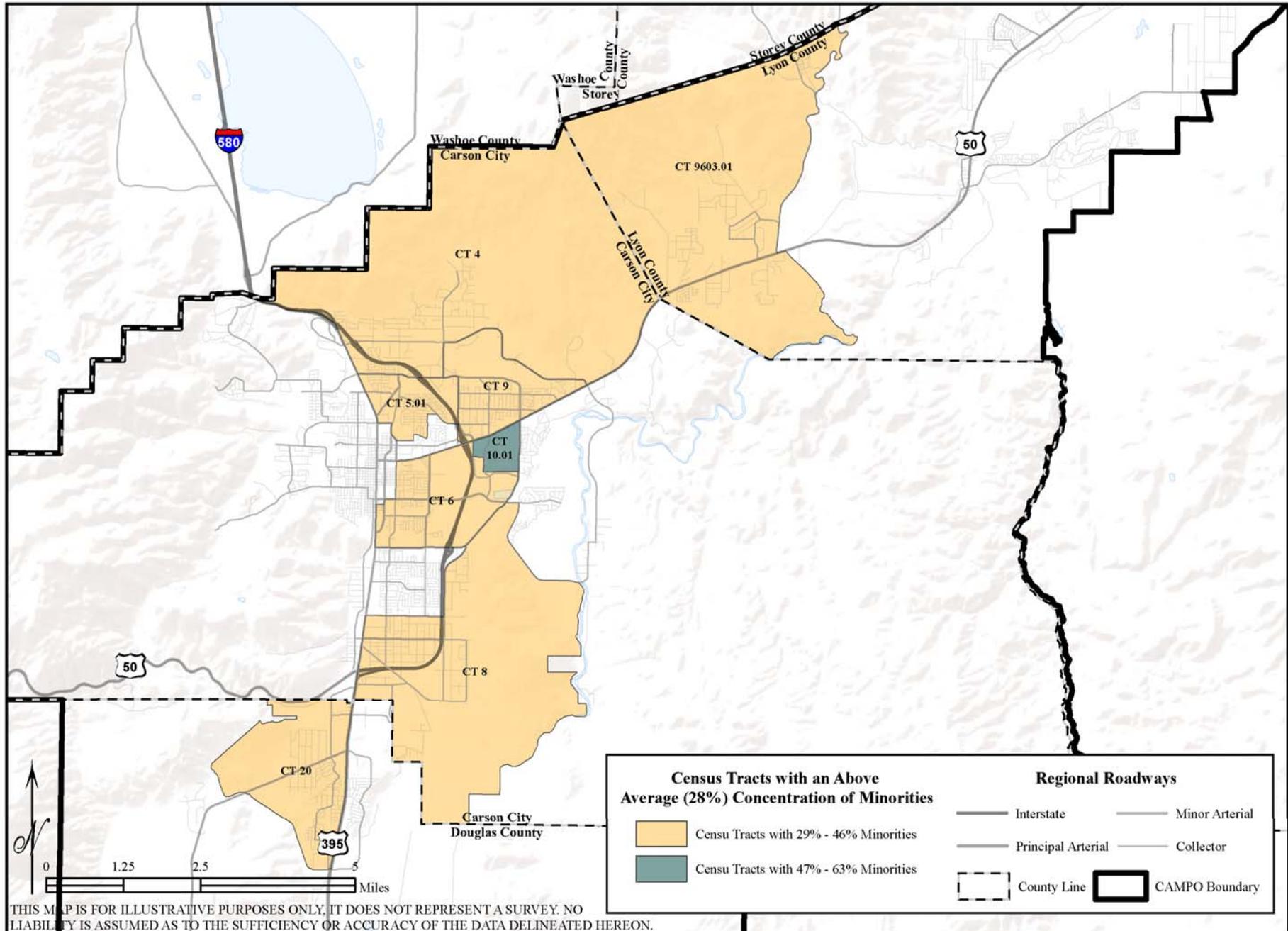


Figure 6 - 2017 Demographics on Household Income by Census Tract for CAMPO and RTC

Geographic Area Census Tract (CT)	Total households	Less than \$24,999		\$25,00 to \$49,999		\$50,000 to \$99,999		\$100,000 or more		Median Household Income
	# of Households	# of Households	%	# of Households	%	# of Households	%	# of Households	%	
Nevada	1,052,249	213,535	20%	261,426	25%	342,735	33%	234,553	22%	\$55,434
<b>CAMPO</b>	<b>33,695</b>	<b>7,124</b>	<b>21%</b>	<b>8,361</b>	<b>25%</b>	<b>11,011</b>	<b>33%</b>	<b>7,199</b>	<b>21%</b>	<b>\$60,109</b>
CT 19, Douglas Cty	526	33	6%	66	13%	132	25%	295	56%	\$135,764
CT 20, Douglas Cty	1,317	247	19%	293	22%	551	42%	226	17%	\$57,325
CT 21, Douglas Cty	869	72	8%	141	16%	407	47%	249	29%	\$71,653
CT 22, Douglas Cty	2,688	280	10%	429	16%	1,021	38%	958	36%	\$81,441
CT9603.01, Lyon Cty	721	291	40%	113	16%	235	33%	82	11%	\$41,971
CT9603.02, Lyon Cty	3,607	642	18%	877	24%	1,446	40%	642	18%	\$53,472
CT9603.03, Lyon Cty	1,809	316	17%	450	25%	630	35%	413	23%	\$58,634
<b>Carson City</b>	<b>22,158</b>	<b>5,243</b>	<b>24%</b>	<b>5,992</b>	<b>27%</b>	<b>6,589</b>	<b>30%</b>	<b>4,334</b>	<b>20%</b>	<b>\$49,341</b>
CT 1, Carson City	1,483	399	27%	342	23%	493	33%	249	17%	\$50,036
CT 2, Carson City	1,603	268	17%	399	25%	603	38%	333	21%	\$60,823
CT 3, Carson City	1,653	219	13%	280	17%	498	30%	656	40%	\$84,543
CT 4, Carson City	1,640	383	23%	446	27%	442	27%	369	23%	\$49,619
CT 5.01, Carson City	2,541	592	23%	547	22%	753	30%	649	26%	\$57,597
CT 5.02, Carson City	1,666	695	42%	507	30%	333	20%	131	8%	\$30,478
CT 6, Carson City	2,302	658	29%	762	33%	633	27%	249	11%	\$40,495
CT 7.01, Carson City	1,561	322	21%	334	21%	619	40%	286	18%	\$54,926
CT 7.02, Carson City	1,404	232	17%	371	26%	461	33%	340	24%	\$57,390
CT 8, Carson City	1,127	124	11%	293	26%	321	28%	389	35%	\$67,684
CT 9, Carson City	2,155	805	37%	665	31%	557	26%	128	6%	\$34,435
CT 10.01, Carson City	1,587	360	23%	725	46%	414	26%	88	6%	\$39,151
CT 10.02, Carson City	1,436	186	13%	321	22%	462	32%	467	33%	\$74,750
*Income Estimates in 2017 Inflation-Adjusted Dollars										
**Source: ACS Economic Characteristics, 2017 5-Year Estimates, Table DP03										
***Shaded boxes denote census tracts below the median income										

Figure 7 - Map of Capital Projects with Census Tracts for RTC

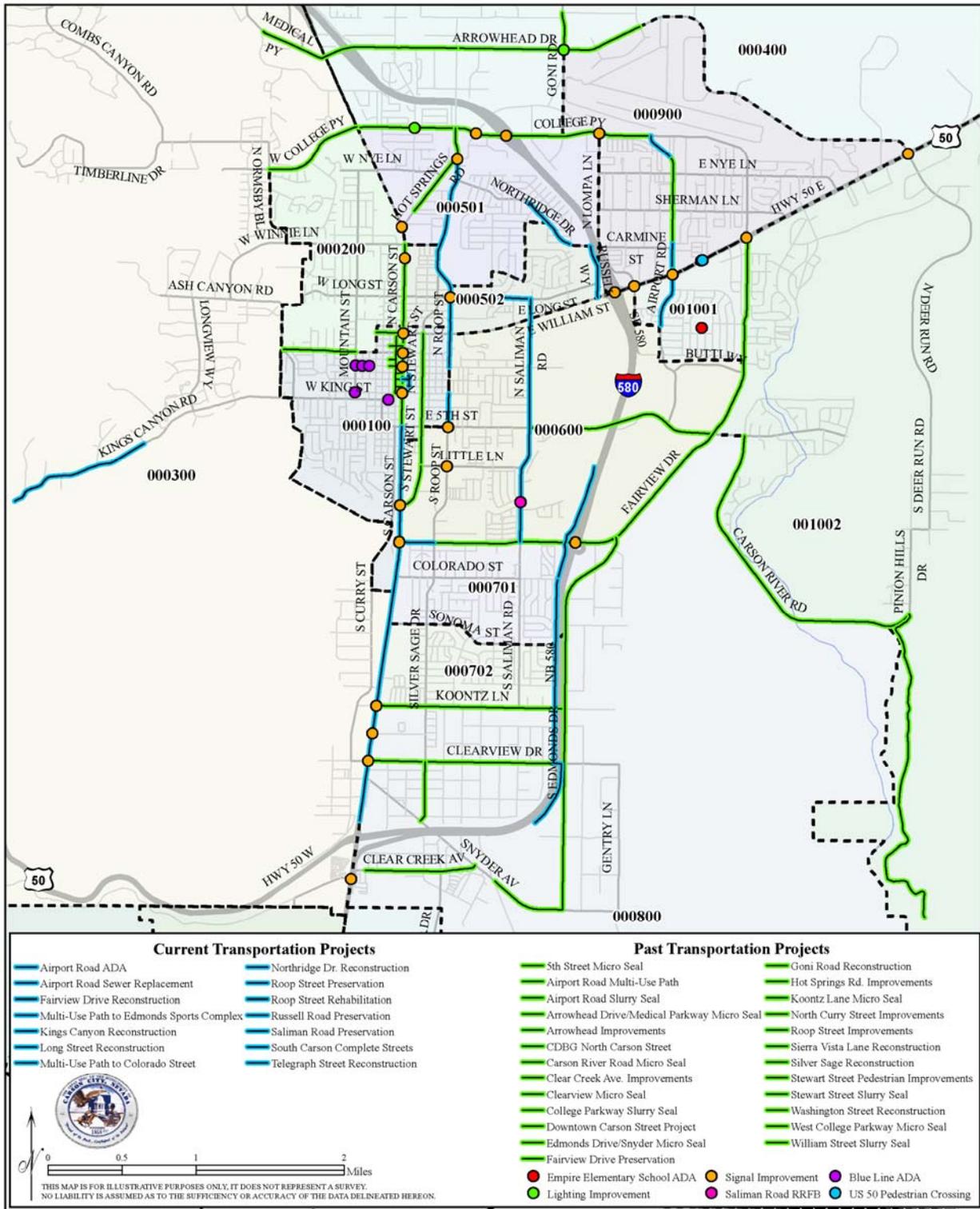
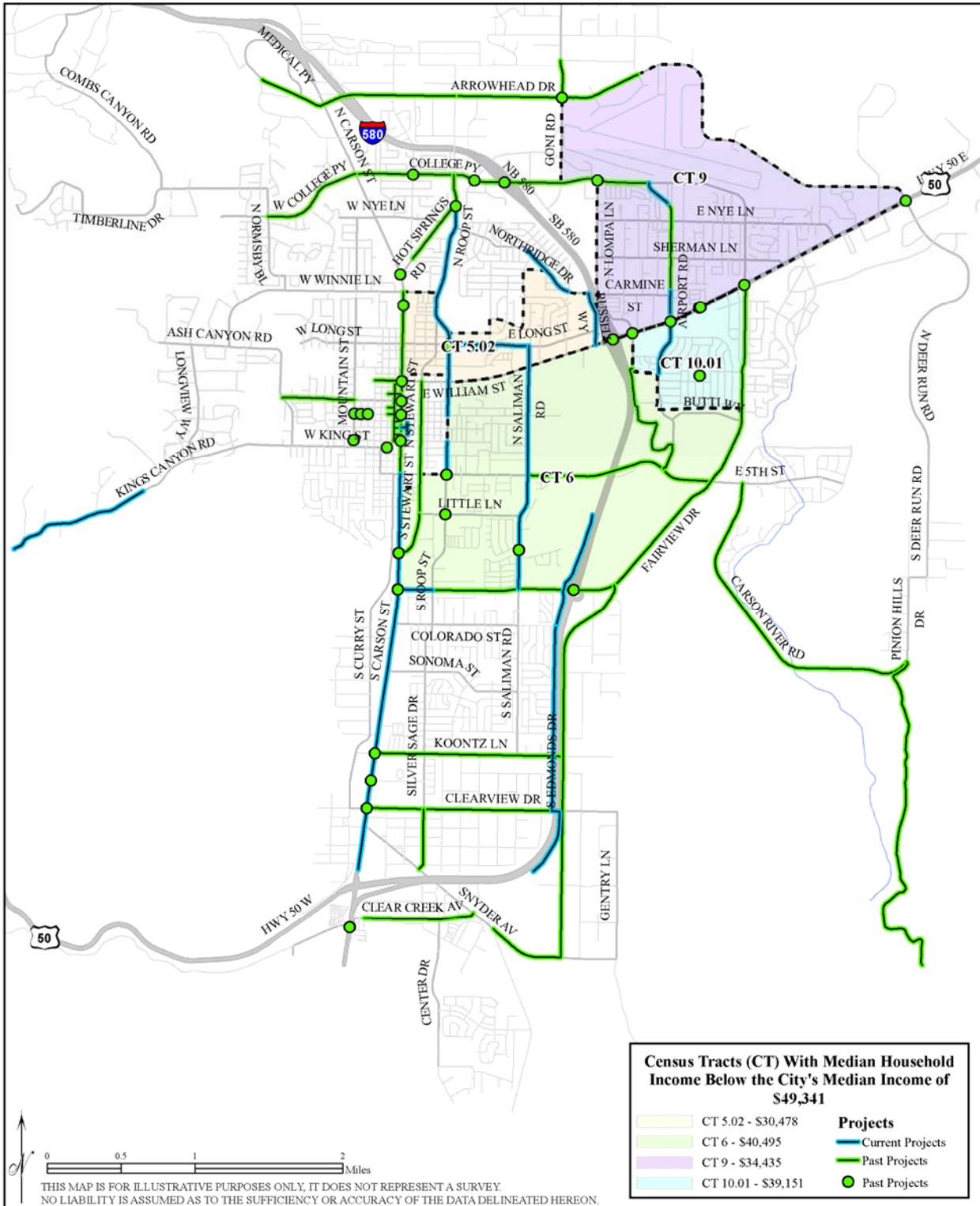


Figure 8 - Map of Capital Projects with Census Tracts Below Average Median Household Income for RTC



## **2.2 Design**

The RTC utilizes both in-house and external design services. The majority of projects are designed in house from start to finish. In an effort to design projects consistently, fairly, and properly, design standards are utilized. CAMPO staff does not provide design services.

The following is a list of design standards used to deliver transportation projects: the Manual on Uniform Traffic Control Devices (MUTCD), the Green Book (A Policy on Geometric Design of Highways and Streets), the Nevada Department of Transportation Access Standards, the 2010 ADA Accessibility Guidelines, the Carson City Municipal Code, the Orange Book (Standards Specification for Public Works Construction), and Carson City Standard Details for Public Works Construction.

## **2.3 Right-of-Way Acquisition**

Right-of-way in the form of temporary easements, permanent easements, and through deeds is acquired by the RTC periodically. CAMPO does not acquire right-of-way. The most common type of acquisition is for temporary easements to allow for construction. RTC projects are commonly funded in part by local, state, and federal funds. RTC complies with all applicable federal and state regulations regarding right-of-way acquisitions, including but not limited to compliance with the Uniform Act.

The RTC employs a Real Property Manager to facilitate right-of-way acquisitions. Furthermore, NDOT staff is consulted to ensure compliance with the Uniform Act. The acquisition of property is based on need and related to transportation projects. All transportation projects are prioritized and selected based on a variety of analytics and factors, which were discussed in Section 2.1 of this program document. Additionally, Section 2.2 provides design standards which are used to establish right-of-way needs.

## **2.4 Construction of Transportation Projects**

Transportation projects are undertaken by the RTC based on an assessment of needs and availability of resources. Information about capital improvement project selection and design is discussed in Sections 2.1 and 2.2 of this document. CAMPO does not construct projects.

RTC makes every effort to provide quality, responsive, and customer service-oriented purchasing, contracting, and related services in accordance with the Nevada Revised Statutes; and to insure that all bid processes are fair and equitable affording vendors an equal opportunity of doing business with the RTC. All construction contracts are required to comply with Executive Order 11246, which requires affirmative action and prohibits federal contractors from discriminating on the basis of race, color, or national origin. Contractors are prohibited from discriminating against applicants or employees because they inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations. All federal construction contracts include the appropriate non-discrimination clauses, contained in attachments 1 (Title Vi Assurances) and 2 (Form 1273).

All Projects are subject to competitive bidding processes. The RTC uses the [Nevada Government Electronic Marketplace \(NGEM\)](#) to facilitate bidder registration, solicitation publishing, and to transact solicitations electronically.

## **2.5 Special Emphasis Program Areas**

FHWA has not yet identified or designated Special Emphasis Program Areas.

## **3.0 Limited English Proficiency (LEP)**

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

- It is the policy of the RTC and CAMPO to take reasonable steps to provide Limited English Proficient individuals with meaningful access to all programs, services or activities
- The RTC and CAMPO shall take reasonable steps to effectively inform the public of the availability of language accessible programs, services, and activities

In line with federal guidance, a “four factor analysis” has been completed to understand language assistant needs and allocate resources appropriately.

Factor 1 - Number and Proportion of LEP Population: An analysis on limited English-speaking households has been conducted to meet the requirements under Title VI of the Civil Rights Act of 1964, which seeks to improve access to services for persons identified as LEP. The purpose is to ensure that no person shall, on the basis of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

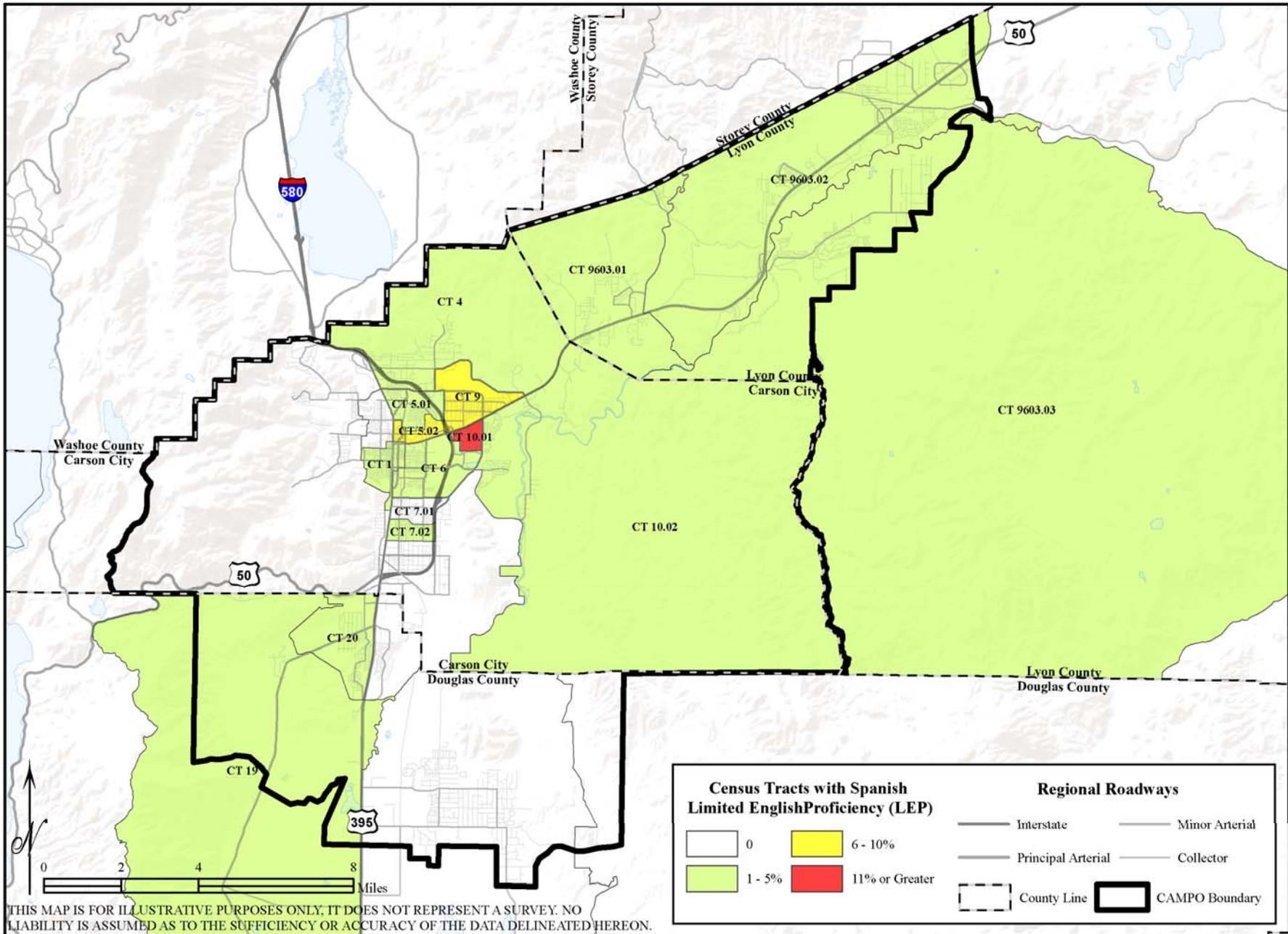
CAMPO and the RTC serve a largely English-speaking community; however, the region has experienced growth in the Spanish-speaking population over recent years. As part of the research for this Title VI Plan, the *2017 American Community Survey (ACS) Block Group 5-Year Estimates* were used to obtain household language data for the Metropolitan Area and Carson City.

Figure 9 below summarize the findings. Limited English-speaking households by origin range between 3.9% and 0.01% of the total number of households for both the CAMPO and Carson City areas. In general, the limited English speaking households are similar between the CAMPO and Carson City areas. This program will continue to track this statistic with future updates to understand translation needs.

<b>Figure 9 - Number of Households and Percent of Limited English Speaking Households</b>				
	CAMPO		Carson City	
Total Service Area Households	33,695	100%	22,158	100%
English Only	27,623	82.0%	17,650	79.7%
Language other than English	6,072	18.0%	4,508	20.3%
Limited English Speaking	1,295	3.8%	1,075	4.9%
Spanish	4,498	13.3%	3,362	15.2%
-Limited English Speaking	1,042	3.1%	868	3.9%
Other Indo-European languages	785	2.3%	573	2.6%
-Limited English Speaking	148	0.4%	141	0.6%
Asian and Pacific Islander languages	606	1.8%	476	2.1%
-Limited English Speaking	77	0.2%	44	0.2%
Other languages	183	0.5%	97	0.4%
-Limited English Speaking	28	0.1%	22	0.1%
<i>*Source: 2017 American Community Survey Block Group 5-Year Estimates, Table C16002</i>				

Figure 10 on the following page displays the physical distribution of Spanish Households (based on Figure 9 data) with limited English speaking individuals in Carson City and the CAMPO area. A concentration of Spanish LEP households is prevalent in the northeastern area of Carson City.

Figure 10 – 2017 LEP Household Distribution in Carson City and CAMPO Area



Factor 2 - Frequency of Contact: Contact with LEP individuals is limited. However, both RTC and CAMPO make continued efforts to engage with all portions of the population.

The most frequent point of contact with LEP individuals is at construction sites when prevailing wage interviews are conducted as part of a RTC construction project. Typically, the construction site foreman has other workers available to translate if needed. If not, translation services are procured.

The second most frequent point of contact with LEP individuals would include public outreach efforts. The frequency of contact differs depending on the subject. Public outreach related to transit route planning, non-motorized transportation planning, and upcoming construction projects would typically have a higher frequency of contact with LEP individuals.

Factor 3 - Nature and Importance of Programs, Services, and Activities: Transportation significantly impacts an individual's quality of life, as such, programs, services, and activities that influence ones transportation habits are important.

Factor 4 - Resources Available: Spanish speaking individuals represent between 13% and 15% of the total population for CAMPO and the Carson City Area, respectively. Spanish speaking LEP individuals represent fewer than four percent of the total population, with other language LEP individuals representing between 0.1-0.6 percent of the population. As a result, public outreach efforts in languages other than English only include Spanish.

As resources allow, the translation of public outreach efforts into Spanish are prioritized for transit route planning, non-motorized transportation planning, and upcoming construction projects. Recently, an online survey for CAMPO's 2050 Regional Transportation Plan was translated into Spanish.

## 4.0 Public Participation

The RTC and CAMPO are committed to compliance with all federal laws and regulation throughout the public participation process including adherence to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990. The following is a list of objectives that CAMPO has committed to achieve through the Public Participation Plan:

1. Notification of the Public and Targeted Groups
2. Solicited Input
3. Demonstrated Consideration
4. Continued Evaluation

Both RTC and CAMPO meet the second Wednesday of every month in the Sierra Room of the Carson City Community Center. All individuals from the public are welcome to attend these meetings, except during emergencies.

The following is a list of efforts for public meetings, employed by RTC and CAMPO to engage all individuals of the public.

- Written notice of all meetings will be given at least three (3) working days before the meeting
- Agendas shall include the time and location of meetings, will be posted in multiple locations, and will be made available upon request. This policy is in accordance with the Nevada open meetings laws (NRS: Chapter 241 – Meetings of State and Local Agencies)
- All agendas/meeting notices and, to the extent possible, all other technical information will be made electronically available on the website at:  
<https://www.carson.org/government/departments-g-z/public-works/transportation/rtc-agendas>
- All agenda materials will be written in a concise manner that can be easily understood by the general public
- A diverse mailing list of interested parties including various federal, state and local agencies, organizations, private providers, and local media is maintained. Meeting agendas are electronically mailed to every individual on the distribution list
- All meetings will be open and public, all persons shall be permitted to attend, except in an emergency
- Reasonable efforts will be made to assist and accommodate persons with physical disabilities desiring to attend
- Meetings will be held at convenient and accessible locations in close proximity to public transportation with consideration and accommodation made for individuals covered under the Americans with Disabilities Act (ADA)

- Except in an emergency, all agendas are posted a minimum of three (3) working days prior to the meeting (as per NRS 241) at the following locations:
  - City Hall, 201 North Carson Street
  - Community Center, Sierra Room, 851 East William Street
  - Carson City Library, Carson City Library, 900 North Roop Street
  - Carson City Public Works, 3505 Butti Way
  - Carson City Planning Division, 108 E. Proctor Street
  - Douglas County Executive Offices, 1594 Esmeralda Ave., Minden (CAMPO only)
  - Lyon County Manager's Office, 27 South Main Street, Yerington (CAMPO only)
  - Nevada Department of Transportation, 1263 S. Stewart Street, Carson City
  - Carson City Website: [www.carson.org/agendas](http://www.carson.org/agendas)
  - Official State Website: <https://notice.nv.gov>
- An effort will be made to meet translation or enlargement requests for documents made by Limited English Proficient (LEP) individuals and persons with visual impairments. Services for an interpreter/translator will be acquired as needed

Required by federal regulations, CAMPO has a public participation plan, which is available online: <https://www.carson.org/home/showdocument?id=67564>

Staff will produce and distribute information periodically across the following outlets:

- The *Nevada Appeal* Newspaper
- Online news platforms, such as Carsonnow.org and the Nevadaappeal.com
- Electronic newsletters
- Websites, such as Carson.org and CarsonProud.com, CarsonAreaMPO.com
- Social Media, including Carson City and Public Works Facebook pages

## **5.0 Contractor Consultant and Vendor Review Procedures**

CAMPO and RTC makes every effort to provide quality, responsive, and customer service-oriented purchasing, contracting, and related services in accordance with the Nevada Revised Statutes and federal regulations; and to insure that all bid processes are fair and equitable affording vendors an equal opportunity of doing business.

In all federal procurements requiring a written contract or Purchase Order (PO), the RTC and CAMPO include the following non-discrimination language:

“CONSULTANT agrees not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, sexual orientation, gender identity, or age, including, without limitation, with regard to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including without limitation, apprenticeship... CONSULTANT further agrees to insert this provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.”

All construction contracts are required to comply with Executive Order 11246, which requires affirmative action and prohibits federal contractors from discriminating on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin. Contractors are prohibited from discriminating against applicants or employees because they inquire about, discuss, or disclose their compensation or that of others, subject to certain limitations. All federal construction contracts and Purchase Orders will include Title VI Assurances (Attachment 1) and FHWA Form 1273 (Attachment 2).

All construction projects over \$100,000 are subject to competitive bidding processes. The RTC uses the [Nevada Government Electronic Marketplace \(NGEM\)](#) to facilitate bidder registration, solicitation publishing, and to transact solicitations electronically.

## 6.0 Data Collection

The RTC and CAMPO is required by federal regulation to collect statistical data on the race, color, and national origin of participants in and beneficiaries of its programs. The following is a brief description of data collection efforts conducted by RTC and CAMPO:

- Right-of-Way: Race and ethnicity of appraisers used for right of way acquisition and of residents / business owners who have been relocated through the Right of Way acquisition process for capital projects. This information will be reported as part of Title VI Plan updates.
- Planning and Environmental: As part of the Planning Process and this Title VI Plan, staff analyzes demographic maps which include:
  - Demographics on race, color, and national origin by Census Tract
  - Demographics on Household Income
  - Distribution of Capital Projects as it relates to national origin, race, color, and income
- RTC and CAMPO Public Meetings: Sign-in sheets will include space for participants to note race, color, and national origin. This information will be retained for a minimum of three years.

## 7.0 Compliance and Enforcement Procedures

The RTC and CAMPO is a subrecipient of federal financial assistance and is committed to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 (Title VI). RTC, CAMPO, and its subrecipients of federal-aid funds are committed to ensuring all of its programs and activities are operated in a nondiscriminatory manner. Activities to ensure nondiscrimination compliance:

- Ensure project information is adequately distributed to stakeholders and the public
- Carefully review project activities to avoid disproportionately high or adverse impacts to underserved communities during the construction phases
- Carefully review the distribution of transportation investment dollars to ensure equitable distribution
- Regularly check all contracts and random subcontracts to ensure appropriate nondiscrimination language and required contract inclusions
- Manage all ADA complaints
- Monitor current policies and practices for implementing ADA requirements

## 8.0 Title VI Notice of Rights and Complaint Procedures

### **\*\* Rights Against Discrimination under Title VI of the Civil Rights Act of 1964\*\***

**The RTC and CAMPO operate programs and services without regard to race, color, and national origin. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any RTC or CAMPO program or activity because of their race, color, or national origin may file a discrimination complaint.**

**Federal law prohibits discrimination on the basis of race, color, or national origin in any RTC or CAMPO programs or activities. This prohibition applies to all branches of RTC and CAMPO, its contractors, consultants, and anyone else who acts on their behalf. Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the RTC or CAMPO may file a Title VI complaint by completing and submitting the Title VI Complaint Form. CAMPO and RTC have established complaint procedures and a form to facilitate the complaint process. Complaints are encouraged to be filed with CAMPO and RTC initially to allow for the quickest resolution.

Complaint procedures and forms are available online or can be picked up at the Carson City Public Works Department. Attachment 4 of this document contains both the English and Spanish versions of the complaint procedures and forms. Complaints maybe submitted via mail, email, fax or in person.

- English Complaint Procedures
- English Complaint Form
- Spanish Complaint Procedures
- Spanish Complaint Form

These will be hyperlinked once the plan is approved.

Complaints will be forwarded to the Nevada Department of Transportation within seven business days. All formal complaints are investigated by NDOT or FHWA, not the RTC or CAMPO. All complaints submitted to NDOT will follow their Title VI Implementation Plan, available online here: <https://www.nevadadot.com/home/showdocument?id=13978#:~:text=The%20Title%20VI%20Implementation%20Plan,regulations%2C%20and%2For%20policy.>

If assistance is needed to file a complaint or if interpretation services are needed, please contact:

Lucia Maloney  
 FHWA Title VI Coordinator  
 3505 Butti Way  
 Carson City, NV 89701  
 Phone: 775-887-2355  
 E-mail: [lmaloney@carson.org](mailto:lmaloney@carson.org)

Complaints can also be filed with the NDOT or FHWA. For questions or to file a complaint, please contact either:

Sonnie Braih, Civil Rights Officer,  
 Nevada Department of Transportation (NDOT)  
 3014 W. Charleston Blvd., Ste. 150, Las Vegas NV 89102  
 Main: (702) 730-3301 Fax: (702) 486-0487

Rhonda Motley, Civil Rights Program Manager  
 U.S. Department of Transportation, Federal Highway Administration, Nevada Division  
 705 N. Plaza Street #220, Ste. 220, Carson City, NV 89701  
 Main: (775) 687-1204 Fax: (775) 687-3803  
 Office email: [nevada.fhwa@fhwa.dot.gov](mailto:nevada.fhwa@fhwa.dot.gov)

Federal law dictates that neither CAMPO nor RTC can investigate complaints. However, are required to track and report discrimination complaints. At this time, neither CAMPO or RTC have active or closed Title VI investigations, complaints, or lawsuits. CAMPO and RTC acknowledges, all recipients are required to prepare and maintain a list of any of active investigations, lawsuits, and complaints naming the recipient that allege discrimination on the basis of race, color, or national origin.

Below is the list used for tracking investigations, complaints, and lawsuits in the event such action is brought to CAMPO or RTC:

**Investigations, Complaints, and Lawsuits**

	<b>Date (month, day, year)</b>	<b>Summary (include basis of complaint: race, color, or national origin)</b>	<b>Status</b>	<b>Action(s) taken</b>
<b>Investigations</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				

**The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination**

**Assurances**

**DOT Order No. 1050.2A**

The Carson City Regional Transportation Commission (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 the Federal Highway Administration, 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 (entitled Non-discrimination In Federally Assisted Programs Of The Department Of Transportation-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 Federal Highway Administration.*

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), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes 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 Title VI 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 Title VI and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

" The Carson City Regional Transportation Commission, 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 effecting 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 Acts, 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 Carson City Regional Transportation Commission 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 Federal Highway Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Carson City Regional Transportation Commission 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 Title VI Program. This ASSURANCE is binding on Nevada, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Title VI Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Carson City Regional Transportation Commission

by \_\_\_\_\_  
Brad Bonkowski, Chair

DATED \_\_\_\_\_

## APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The

contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Carson City Regional Transportation Commission will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, U.S.C, the Regulations for the Administration of Title VI Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Carson City Regional Transportation Commission all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

#### (HABENDUM CLAUSE)

**TO HAVE AND TO HOLD** said lands and interests therein unto the Carson City Regional Transportation Commission and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Carson City Regional Transportation Commission, its successors and assigns.

The Carson City Regional Transportation Commission, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the Carson City Regional Transportation Commission will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Agency Name Here will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

## APPENDIX C

### CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Carson City Regional Transportation Commission pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Agency Name Here will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Agency Name Here and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

## APPENDIX D

### CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Agency Name Here pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will there upon revert to and vest in and become the absolute property of Agency Name Here and its assigns. \*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

## APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

### **Pertinent Non-Discrimination 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).

**The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination**

**Assurances**

**DOT Order No. 1050.2A**

The Carson Area Metropolitan Planning Organization (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 the Federal Highway Administration, 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 (entitled Non-discrimination In Federally Assisted Programs Of The Department Of Transportation-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 Federal Highway Administration.*

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), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes 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 Title VI 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 Title VI and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

" The Carson Area Metropolitan Planning Organization, 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 effecting 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 Acts, 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 Carson Area Metropolitan Planning Organization 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 Federal Highway Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Carson Area Metropolitan Planning Organization 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 Title VI Program. This ASSURANCE is binding on Nevada, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Title VI Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Carson Area Metropolitan Planning Organization

by \_\_\_\_\_  
 Mark Kimbrough, Chair

DATED \_\_\_\_\_

## APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The

contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Carson Area Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, U.S.C, the Regulations for the Administration of Title VI Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Carson Area Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

#### (HABENDUM CLAUSE)

**TO HAVE AND TO HOLD** said lands and interests therein unto the Carson Area Metropolitan Planning Organization and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Carson Area Metropolitan Planning Organization, its successors and assigns.

The Carson Area Metropolitan Planning Organization, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the Carson Area Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Agency Name Here will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

## APPENDIX C

### CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Carson Area Metropolitan Planning Organization pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Agency Name Here will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Agency Name Here and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

## APPENDIX D

### CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Agency Name Here pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Agency Name Here will there upon revert to and vest in and become the absolute property of Agency Name Here and its assigns. \*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

## APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

### **Pertinent Non-Discrimination 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).

**REQUIRED CONTRACT PROVISIONS  
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

**ATTACHMENTS**

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

**I. GENERAL**

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

**II. NONDISCRIMINATION**

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

**1. Equal Employment Opportunity:** Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

**2. EEO Officer:** The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

**3. Dissemination of Policy:** All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

**4. Recruitment:** When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

**5. Personnel Actions:** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

**6. Training and Promotion:**

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

**7. Unions:** If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

**8. Reasonable Accommodation for Applicants / Employees with Disabilities:** The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

**9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment:** The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

**10. Assurance Required by 49 CFR 26.13(b):**

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

**11. Records and Reports:** The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

### III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

### IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

#### 1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

## 2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

## 3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b.(1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

#### 4. Apprentices and trainees

##### a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

##### b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

**5. Compliance with Copeland Act requirements.** The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

**6. Subcontracts.** The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

**7. Contract termination: debarment.** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

**8. Compliance with Davis-Bacon and Related Act requirements.** All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

**9. Disputes concerning labor standards.** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

**10. Certification of eligibility.**

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

**V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

**1. Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

**2. Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

**3. Withholding for unpaid wages and liquidated damages.** The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

**4. Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

## VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

## VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

## VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

#### **IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

#### **X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

##### **1. Instructions for Certification – First Tier Participants:**

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

\* \* \* \* \*

**2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:**

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**2. Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

\* \* \* \* \*

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\* \* \* \* \*

**XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING**

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS  
PREFERENCE FOR APPALACHIAN DEVELOPMENT  
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS  
ROAD CONTRACTS**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

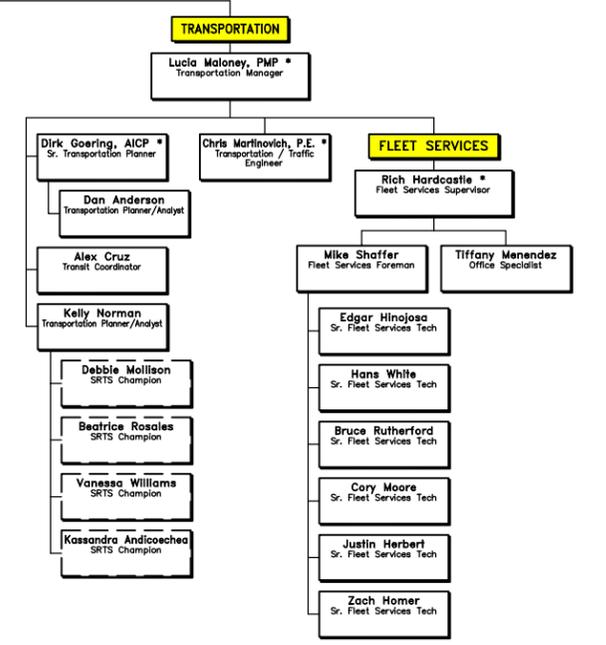
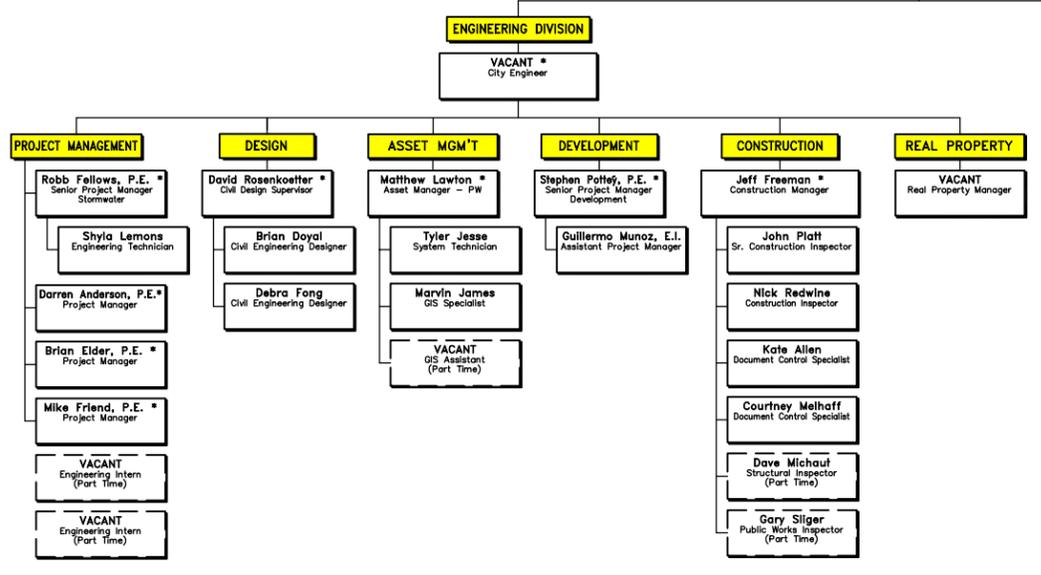
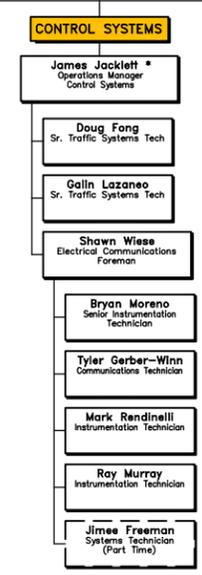
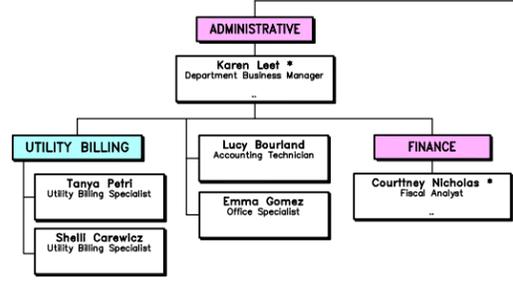
5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

**Public Works Department**

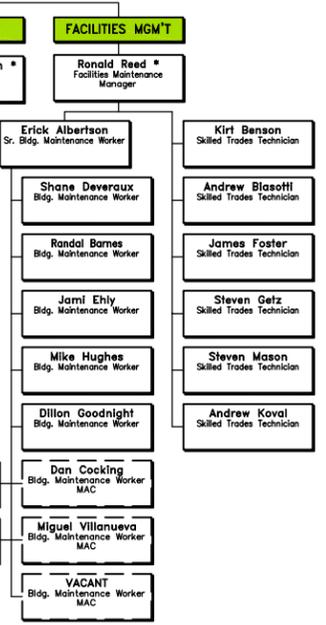
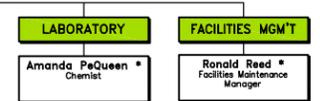
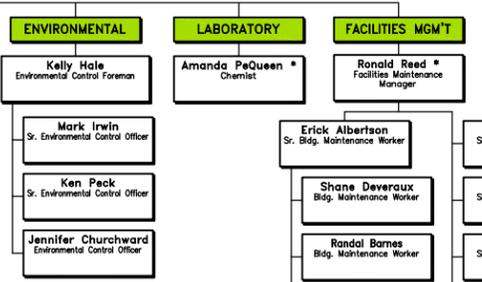
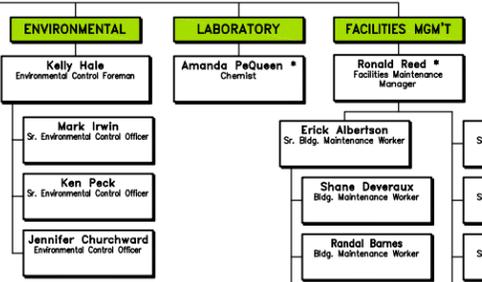
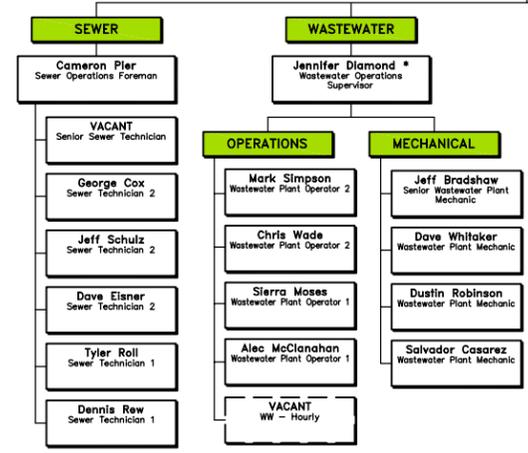
Darren Schulz, P.E. \*  
Director of Public Works

Dan Stucky, P.E. \*  
Deputy Public Works Director



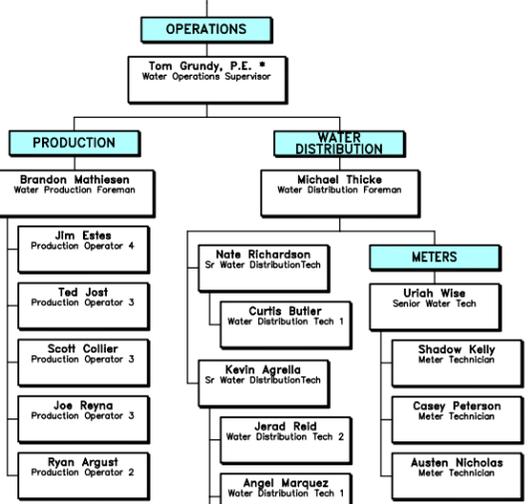
**WASTEWATER**

Andy Hummel, P.E. \*  
Wastewater Manager



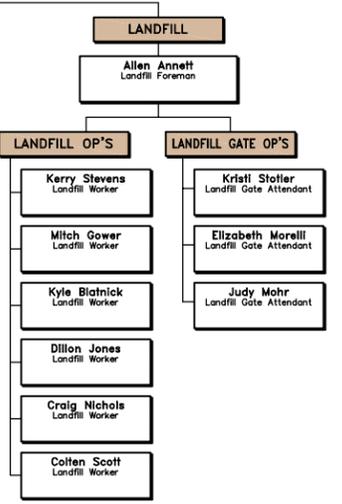
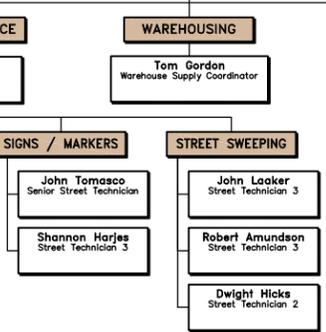
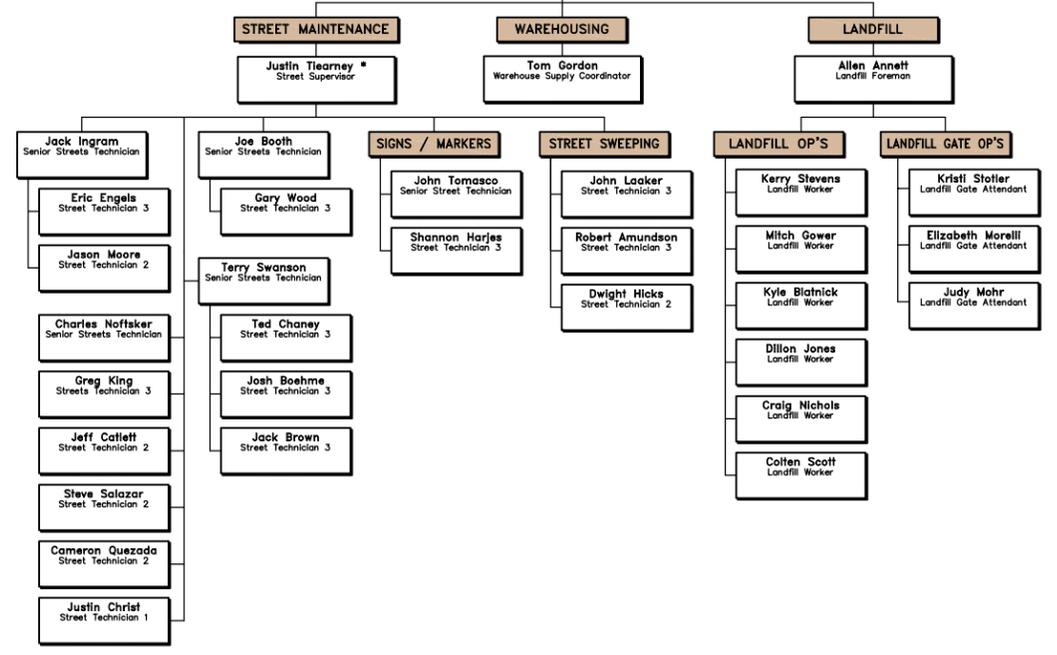
**WATER**

Eddy Quaglieri, P.E. \*  
Water Manager



**OPERATIONS**

Rick Cooley, P.E. \*  
Operations Manager



Total:  
135 Full Time Employees  
4 Part Time Employees

\* DENOTES FLSA "EXEMPT"

REVISED 6/2/2020

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## **Attachment 4**

- English Complaint Procedures
- English Complaint Form
- Spanish Complaint Procedures
- Spanish Complaint Form



## TITLE VI COMPLAINT PROCEDURES

Federal law prohibits discrimination on the basis of race, color, or national origin in any Carson City Regional Transportation Commission (RTC) or Carson Area Metropolitan Planning Organization (CAMPO) programs or activities. This prohibition applies to all branches of the RTC and CAMPO, its contractors, consultants, and anyone else who acts on behalf of RTC and CAMPO.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the RTC, CAMPO, or its affiliates may file a Title VI complaint by completing and submitting a Title VI Complaint Form.

Any such complaint may be submitted via mail, email, fax or in person within 180 days following the date of the alleged discriminatory occurrence.

The complaint form may be downloaded from the Links and Resources page at:

<https://www.carson.org/government/departments-g-z/public-works/campo-carson-area-metropolitan-planning-organization-7358>, or by contacting the Title VI Coordinator below.

Complaints should be submitted to:

Attn: Lucia Maloney  
FHWA Title VI Coordinator  
3505 Butti Way, Carson City, NV 89701  
Phone: 775-887-2355 Fax: 775-887-2122  
E-mail: [lmaloney@carson.org](mailto:lmaloney@carson.org)

Title VI complaints shall be documented by the representative receiving the complaint on a form provided for this purpose. Documentation shall include the name of the person filing the complaint, the time, date and place the alleged incident occurred, as well as any other information necessary to fully explain the situation. The complaint shall be dated and assigned a control number for tracking purposes.

Complaints will be forwarded to the Nevada Department of Transportation within seven business days. All formal complaints are investigated by NDOT or FHWA, not the RTC or CAMPO. All complaints submitted to NDOT will follow their Title VI Implementation Plan, available online here:

<https://www.nevadadot.com/home/showdocument?id=13978#:~:text=The%20Title%20VI%20Implementation%20Plan,regulations%2C%20and%2For%20policy>.

Complaints can also be filed with the NDOT or FHWA. For questions or to file a complaint, please contact:

Sonnie Braih, Civil Rights Officer,  
Nevada Department of Transportation (NDOT)  
3014 W. Charleston Blvd., Ste. 150, Las Vegas NV 89102  
Main: (702) 730-3301 Fax: (702) 486-0487

Rhonda Motley, Civil Rights Program Manager  
U.S. Department of Transportation, Federal Highway Administration, Nevada Division  
705 N. Plaza Street #220, Ste. 220, Carson City, NV 89701  
Main: (775) 687-1204 Fax: (775) 687-3803  
Office email: [nevada.fhwa@fhwa.dot.gov](mailto:nevada.fhwa@fhwa.dot.gov)



# TITLE VI COMPLAINT FORM



**Staff Use Only**

Date of Complaint Received: \_\_\_\_\_ Tracking No. \_\_\_\_\_

All Title VI complaints shall be forwarded to the Nevada Department of Transportation (NDOT) within seven business days.

---Additional Information available in Title VI Complaint Procedures---

**Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by CAMPO or the RTC may file a Title VI complaint by completing and submitting this Title VI Complaint Form. The RTC nor CAMPO investigates complaints. All formal complaints are investigated by NDOT or FHWA.**

1. Name of Complainant \_\_\_\_\_
2. Address \_\_\_\_\_
3. City: \_\_\_\_\_ State: \_\_\_\_\_
4. Phone No. \_\_\_\_\_ E-mail: \_\_\_\_\_
5. Person Discriminated Against (if other than Complainant): \_\_\_\_\_
  - a. Address \_\_\_\_\_
  - b. Phone No. \_\_\_\_\_
  - c. Email Address \_\_\_\_\_
  - d. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party: Yes  No
6. Date, Time & Place Incident Occurred: \_\_\_\_\_
7. Nature of Complaint:     Race     Color     National Origin
8. Details of Complaint: please describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known).
   
\_\_\_\_\_
   
\_\_\_\_\_
   
\_\_\_\_\_
9. Where did the discrimination occur? \_\_\_\_\_
10. Dates and times discrimination occurred? \_\_\_\_\_

11. Were there any other witnesses to the discrimination?

Name	Organization/Title	Telephone

12. How would you like to see this situation resolved?

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13. Have you filed your complaint, grievance, or lawsuit with any other agency or court?

- a. Who \_\_\_\_\_
- b. When \_\_\_\_\_
- c. Status (pending, resolved, etc.) \_\_\_\_\_
- d. Result, if known \_\_\_\_\_
- e. Complaint number, if known \_\_\_\_\_

You may attach any written materials or other information that you think is relevant to your complaint.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person, or mail to:

Lucia Maloney  
FHWA Title VI Coordinator  
3505 Butti Way  
Carson City, NV 89701  
Phone: 775-887-2355



## TÍTULO VI PROCEDIMIENTOS DE RECLAMACIÓN

La ley federal prohíbe la discriminación por motivos de raza, color, o origen nacional en cualquier programa o actividad de la Comisión de Transporte Regional de Carson City (RTC) o de la Organización de Planificación Metropolitana del Área de Carson (CAMPO). Esta prohibición se aplica a todas las sucursales de RTC y CAMPO, sus contratistas, consultores y cualquier otra persona que actúe en nombre de RTC y CAMPO.

Cualquier persona que crea que él o ella ha sido discriminada por motivos de raza, color, o origen nacional por el RTC, CAMPO o sus afiliados puede presentar una queja del Título VI completando y presentando un Formulario de Queja del Título VI.

Cualquier queja de este tipo puede ser presentada por correo, correo electrónico, fax o en persona dentro de los 180 días posteriores a la fecha del supuesto hecho discriminatorio.

El formulario de queja se puede descargar desde la página de Enlaces y Recursos en:

<https://www.carson.org/government/departments-g-z/public-works/campo-carson-area-metropolitan-planning-organization-7358>, o contactando al Coordinador del Título VI a continuación.

Las quejas deben enviarse a:

Attn: Lucia Maloney  
FHWA Coordinador del Título VI  
3505 Butti Way, Carson City, NV 89701  
Teléfono: 775-887-2355 Fax: 775-887-2122  
Correo electrónico: [lmaloney@carson.org](mailto:lmaloney@carson.org)

Las quejas del Título VI deben ser documentadas por el representante que recibe la queja en un formulario provisto para este propósito. La documentación debe incluir el nombre de la persona que presenta la queja, la hora, la fecha y el lugar donde ocurrió el supuesto incidente, así como cualquier otra información necesaria para explicar completamente la situación. La queja deberá tener fecha y se le asignará un número de control para fines de seguimiento.

Las quejas serán enviadas al Departamento de Transporte de Nevada dentro de los siete días hábiles. Todas las quejas formales son investigadas por NDOT o FHWA, no por RTC o CAMPO. Todas las quejas enviadas a NDOT seguirán su Plan de Implementación del Título VI, disponible en línea aquí:

<https://www.nevadadot.com/home/showdocument?id=13978#:~:text=The%20Title%20VI%20Implementation%20Plan,regulations%2C%20and%2For%20policy>.

Las quejas también se pueden presentar ante el NDOT o FHWA. Para preguntas o presentar una queja, comuníquese con:

Sonnie Braih, Oficial de Derechos Civiles,  
Departamento de Transporte de Nevada (NDOT)  
3014 W. Charleston Blvd., Ste. 150, Las Vegas NV 89102  
Principal: (702) 730-3301 Fax: (702) 486-0487

Rhonda Motley, Gerente del Programa de Derechos Civiles  
Departamento de Transporte de EE. UU., Administración Federal de Carreteras, División de Nevada  
705 N. Plaza Street #220, Ste. 220, Carson City, NV 89701  
Principal: (775) 687-1204 Fax: (775) 687-3803  
Correo electrónico: [nevada.fhwa@fhwa.dot.gov](mailto:nevada.fhwa@fhwa.dot.gov)



TITLE VI FORMULARIO DE RECLAMACIÓN



**Staff Use Only**

Date of Complaint Received: \_\_\_\_\_ Tracking No. \_\_\_\_\_

All Title VI complaints shall be forwarded to the Nevada Department of Transportation (NDOT) within seven business days.

---Additional Information available in Title VI Complaint Procedures---

**Cualquier persona que crea que ella o él ha sido discriminado por motivos de raza, color, o origen nacional por CAMPO o el RTC puede presentar una queja de Título VI completando y presentando este Formulario de queja de Título VI. El RTC ni CAMPO investiga las quejas. Todas las quejas formales son investigadas por NDOT o FHWA.**

1. Nombre del Delmandante \_\_\_\_\_
2. Dirección \_\_\_\_\_
3. Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_
4. Numero de Teléfono \_\_\_\_\_ Correo Electronico: \_\_\_\_\_
5. Persona Discriminada (si no es el demandante): \_\_\_\_\_
  - a. Direccion \_\_\_\_\_
  - b. Numero de Teléfono. \_\_\_\_\_
  - c. Correo Electronico \_\_\_\_\_
  - d. Confirme que ha obtenido el permiso de la parte perjudicada si está presentando una solicitud en nombre de un tercero: Si  No
6. Fecha, Hora & Lugar del Incidente Ocurrido: \_\_\_\_\_
7. Naturaleza de la Queja:     Raza         Color         Origen Nacional
8. Detalles de la Queja: describa a todas las personas involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que lo discriminaron (si se sabe).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
9. Donde ocurrió la discriminación? \_\_\_\_\_
10. Fechas y Horas en que ocurrió la discriminación? \_\_\_\_\_

11. Hubo otros testigos de la discriminación?

Nombre	Organización/Título	Teléfono

12. Como le gustaría ver resuelta esta situación?

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13. Ha presentado su queja, reclamo, o demanda ante cualquier otra agencia o tribunal?

- a. Quien \_\_\_\_\_
- b. Cuando \_\_\_\_\_
- c. Estado (pendiente, resuelto, etc.) \_\_\_\_\_
- d. Resultado, si se sabe \_\_\_\_\_
- e. Numero de Queja, si se sabe \_\_\_\_\_

Puede adjuntar cualquier material escrito o otra información que considere relevante para su queja.

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

Envíe este formulario en persona o envíelo por correo a:

Lucia Maloney  
FHWA Coordinadora del Título VI  
3505 Butti Way  
Carson City, NV 89701  
Teléfono: 775-887-2355

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## Exhibit-2: CAMPO's Unified Planning Work Program Cost/Funding Summary Table

**The attached Cost/Funding Summary Table is an excerpt from:**

**The Carson Area Metropolitan Planning Organization's**

**Unified Planning Work Program**

**Last amended February 12, 2020**

**Full document available here: <https://www.carson.org/home/showdocument?id=69358>**

**Table 5.1 CAMPO FY 2019 and FY 2020 UPWP Cost/Funding Summary  
Amended 02/12/2020**

Major Work Element	Work Task		Funding Breakdown		
	Task #	Description	CPG	Local Match	Total Cost
1.0 MPO Administration	1.1	General Administration and Work Program Oversight	\$149,743	\$7,881	\$157,624
	1.2	UPWP Development and Administration	\$16,466	\$867	\$17,333
	1.3	MPO Representation	\$56,375	\$2,967	\$59,342
	1.4	Professional Development	\$49,020	\$2,580	\$51,600
2.0 Regional Coordination and Engagement	2.1	Public Participation	\$19,000	\$1,000	\$20,000
	2.2	Regional Transit Coordination and Engagement	\$12,360	\$651	\$13,010
3.0 Regional Multimodal Planning	3.1	2040 Regional Transportation Plan (RTP)*	\$32,259	\$1,698	\$33,957
	3.2	Transit Planning*	\$74,670	\$3,930	\$78,600
	3.3	ITS Planning	\$13,348	\$703	\$14,050
	3.4	Updates to Supporting Regional Planning Documents and Policies*	\$34,422	\$1,812	\$36,234
	3.5	Regional Consistency Review	\$23,767	\$1,251	\$25,018
4.0 Transportation Performance Management	4.1	MAP-21/FAST Act Implementation and Performance Measures	\$37,145	\$1,955	\$39,100
	4.2	Update and Maintain the Transportation Improvement Program	\$24,751	\$1,303	\$26,054
	4.3	Maintain Travel Demand Model*	\$40,565	\$2,135	\$42,700
	4.4	Data Management, Collection, and Performance Measurement	\$43,736	\$2,302	\$46,038
5.0 Asset Planning and Management	5.1	Maintain Pavement Management System*	\$42,706	\$2,248	\$44,954
	5.2	Roadway Asset Management	\$28,671	\$1,509	\$30,180
	5.3	Non-Motorized Asset Management*	\$25,365	\$1,335	\$26,700
	5.4	Transit Asset Management	\$11,590	\$610	\$12,200
Total Funding			\$735,959	\$38,735	\$774,694

\*Consultant involvement is expected



Carson City Regional Transportation Commission  
Item for Commission Information

**RTC Meeting Date:** August 12, 2020  
**To:** Regional Transportation Commission  
**From:** Justin Tiarney, Street Supervisor  
**Date Prepared:** July 28, 2020  
**Subject Title:** Street Operations Activity Report  
**Staff Summary:** Monthly Status Report for the Commission’s Information

**Carson City Public Works, Street Operations Division  
Status Report to RTC: Activities of June 2020**

**Street Repair and Maintenance**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Crack Seal Operation (blocks of sealant used)	0	2,709
Street Patching Operation (tons of asphalt)	101	541
Pot Holes Repaired	2	72

**Tree Care and Maintenance**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Tree Pruning Operations	7	682
Tree Removal	3	20
Tree Replacement	0	3
Tree Care Chemical Treatment	0	4,460
Tree Work for Other Departments	0	31
Weed Abatement Chemical Sprayed (gallons applied)	1,747	9,497

**Concrete Repair and Maintenance**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Concrete Poured (yards)	51	443
Curb & Gutter (linear feet)	330	3,257
Sidewalk & Flat Work (sq/ft)	1,779	13,980
Wheel Chair Ramps	0	2
Misc.	0	245

**Grading and Shoulder Maintenance**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Dirt Road Work/Misc	0	2,550
Shoulder Work on Asphalt Roads	1,095	17,917
Debris Cleaned	0	1,652

**Storm Water**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Sediment Removed from Ditches (yards)	0	7,251
Lineal foot of ditch cleared	0	8,877
Pipe Hydro Flushed (linear feet)	0	1,299
Drainage Inlets Cleaned	0	411

**Sweeper Operations**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Curb Miles Swept	758	6,843
Material Picked Up (yards)	285	3,696
City Parking Lots Swept	0	11

**Trucking Bins**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Bins Hauled for Waste Water Treatment Plant (yards)	43	412
Bins Hauled for Sweeping Operation (yards)	43	483
Equipment Transported for other Departments	0	0

**Banner and Decorations Activities**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Banner Operations Carson Street	4	48
Changed Lamp Post Banners	0	0
Installed Christmas Decorations	0	141
Removed Christmas Decorations	0	141

**Signs and Markings**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Signs Made	20	250
Signs Replaced	9	277
Sign Post Replaced	4	39
Signs Replaced due to Graffiti Damage	5	81
Delineators Replaced	0	120
Cross Walks Painted	44	270
Stop Bars Painted	34	215
Yield Bars Painted	33	158
Right Arrows Painted	26	69
Left Arrows Painted	54	234
Straight Arrows Painted	7	31
Stop (word) Painted	0	10
Only (word) Painted	0	11
Bike Symbol & Arrow	0	0
Install Street, bicycle, and pedestrian counters	14	71
Curb Painted (linear feet)	0	78

**Weather Events**

ACTIVITIES	QUANTITIES/COMMENTS	FYTD
Snow and Ice Control	0	25
Rain Event/Flood Control	0	3
Wind	1	1



# Project Status Report

7-C

## Carson City Regional Transportation Commission Capital Project Information

Meeting Date: August 12, 2020

Time Requested: 10 Minutes

To: Regional Transportation Commission

From: Chris Martinovich, Transportation/Traffic Engineer

Subject: Monthly Capital Project Status Report for the Commission's Information

Project Name	*Project Cost to Date	Page #
P303518001 - South Carson Street Complete Streets Project	\$5,955,949	2
P303518003 - Freeway Multi-Use Path to Colorado Street	\$214,731	3
P303518008 - Freeway Multi-Use Path to Edmonds Sports Complex	\$26,102	4
P303519006 - Kings Canyon Trailhead & Road Reconstruction Project	\$6,481	5
P303519009 - Roop Street Rehabilitation Project	\$15,428	6
P303519010 - Fairview Drive Rehabilitation Project	\$200,845	7
P320118065 - Airport Road Utility Replacement Project	\$777,899	8
P303519011 - Airport Road CDBG ADA Project	\$18,384	9
P303519013 - FY 2020 District 2 Roop Street Pavement Preservation	\$9,325	10
P303519015 & P303519016 - FY 2020 District 2 Saliman Road /Russell Way	\$21,890	11
P303519014 - FY 2020 District 2 Northridge Dr. Pavement Reconstruction	\$43,640	12
P303520001 - FY 2020 District 2 Long Street Project	\$8,542	13
P303520002 - FY 2020 District 2 Telegraph Street Project	\$24,491	14
P320121001 - FY 2021 Robinson Area Sewer Rehabilitation Project	\$3,164	15
	<b>\$7,326,869</b>	

\*As of August 3, 2020; includes design, construction management, and construction costs to date.

**Project Name:** South Carson Street Complete Streets Project  
**Project Number:** P303518001 & P303517037  
**Department Lead:** Public Works

Project Cost to Date	\$5,955,949	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$21,366,993
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
5053705	507010	Stormwater Fund	19/20	\$3,610,811
5203502	507010	Water Fund	19/20	\$557,000
5103205	507010	Wastewater Fund	19/20	\$231,000
2503035	507010	RT Fund (State/TIGER)	19/20	\$14,188,384
6037510	507010	Redevelopment Fund	19	\$205,000
3100615	507010	Infrastructure Fund	19/20	\$2,574,798

**Project Description**

This project includes roadway resurfacing and the addition of Complete Streets improvements on South Carson Street corridor between Fifth Street & Appion Way (includes a portion of the Frontage Road). The contractor building the project is Sierra Nevada Construction (SNC).

**Project Justification**

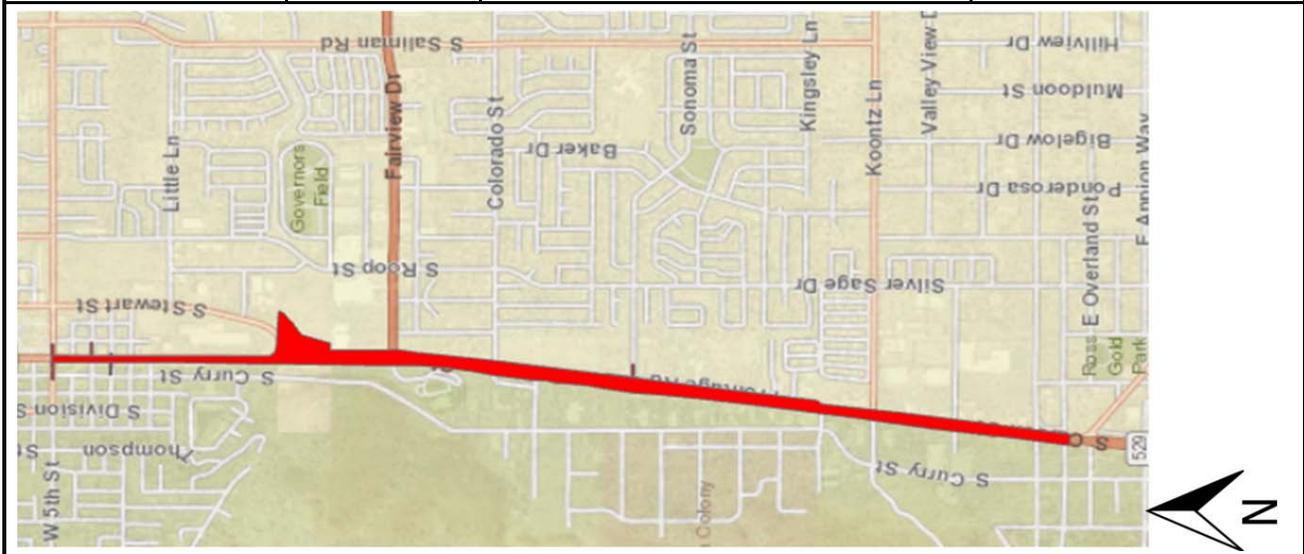
Per an agreement between Carson City and the Nevada Department of Transportation (NDOT), pavement and Complete Street improvements to the corridor are required in exchange for \$5.1 million from NDOT. Competitive grant funds have been awarded, which include a TAP grant in the amount of \$750,000, a TIGER grant in the amount of \$7,570,202, and STBG grant funds in the amount of \$372,372.

**Project Status**

Construction began on March 3, 2020. Most of the underground work has now been completed. Construction is continuing on the sidewalk, roadway base and pavement, including for the segment between Stewart Street and 5th Street. The roundabout at Stewart Street is now under construction. SNC crews are constructing half the roundabout at a time. Stewart Street will remain closed until construction of the first half is completed. The full roundabout should be completed this fall.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed
Design	Aug-18	Oct-19	N/A
Construction	Mar-20	Dec-20	12/27/2019



**Project Name:** Freeway Multi-Use Path to Colorado Street  
**Project Number:** P303518003  
**Department Lead:** Public Works

Project Cost to Date	\$214,731	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$1,141,771
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund (Federal-TAP)	FY20	\$1,084,682
2503035	507010	RT Fund	FY20	\$57,089

**Project Description**

This project will construct 4,200 feet of multi-use path and associate improvements. The project is located on the west side of I-580 between the existing linear ditch path and Colorado Street.

**Project Justification**

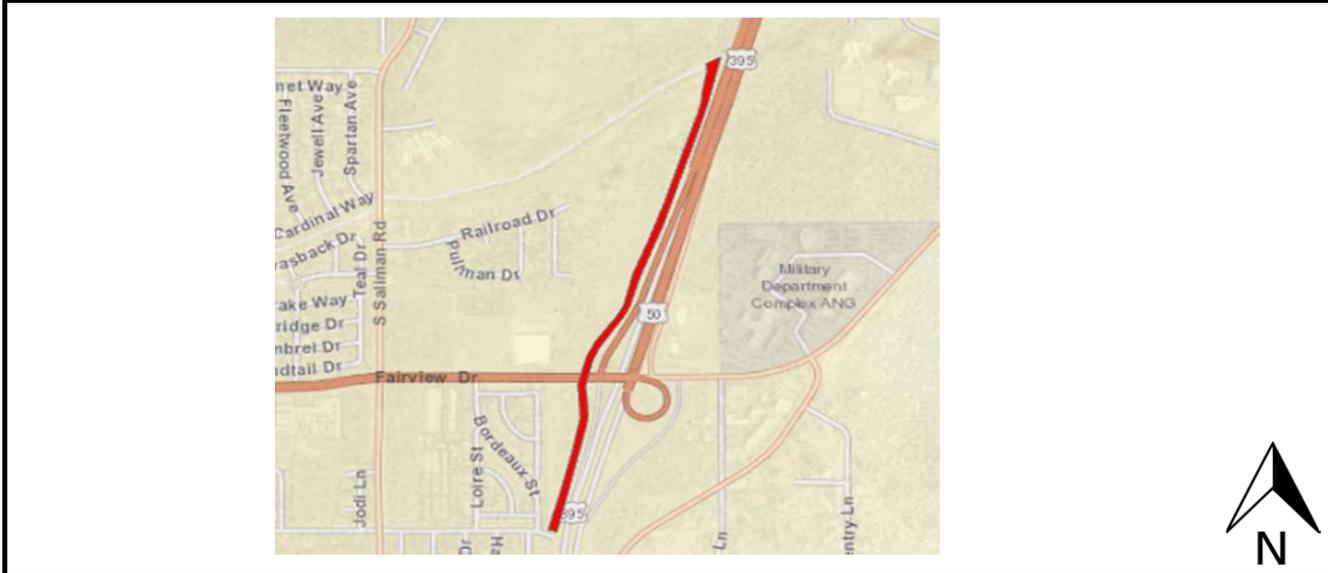
This project is in line with the City’s Unified Pathways Master Plan and goals from the CAMPO 2040 Regional Transportation Plan. The project is 95% funded through a competitive TAP grant, awarded by NDOT.

**Project Status**

The Contractor, A & K Earthmovers, is continuing to make progress. Work is expected to continue into September.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Feb-19	Sep-19	18-Feb-19
Construction	May-20	Sep-20	23-Sep-19



**Project Name:** Freeway Multi-Use Path to Edmonds Sports Complex  
**Project Number:** P303518008  
**Department Lead:** Public Works

Project Cost to Date	\$26,102	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$1,618,000
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund (Federal-TAP)	FY20	\$1,537,100
2503035	507010	RT Fund	FY20	\$80,900

**Project Description**  
 This project will construct a 2.3 mile multi-use path between Colorado Street and the Edmonds Sports Complex. The path will be located along the freeway.

**Project Justification**  
 This project is in line with the City’s Unified Pathways Master Plan and goals from the CAMPO 2040 Regional Transportation Plan. The project is 95% funded through a competitive TAP grant, awarded by NDOT.

**Project Status**  
 This project is currently in the design phase. 30% Design has been completed and submitted to NDOT for review.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Jan-20	Dec-20	23-Sep-19
Construction	Mar-21	Oct-21	TBD



**Project Name:** Kings Canyon Trailhead Improvements and Roadway Reconstruction Project  
**Project Number:** P303519006  
**Department Lead:** Public Works

Project Cost to Date	\$6,481	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$3,757,000
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund (Open Space)	FY19	\$35,350
2503035	507010	RT Fund	FY20	\$118,200
2503035	507010	RT Fund	FY21	\$81,800
2503035	507010	RT Fund (Federal-FLAP)	FY21	\$3,521,650

**Project Description**

This project will reconstruct and widen Kings Canyon Road between Canyon Drive (just east of) and the existing trailhead parking area to the west. The improvements will include wider travel lanes, stormwater enhancements, roadway shoulders, and the incorporation of general safety improvements to the road's geometry. The project includes improvements to the trailhead parking area, which will include restroom facilities and additional capacity.

**Project Justification**

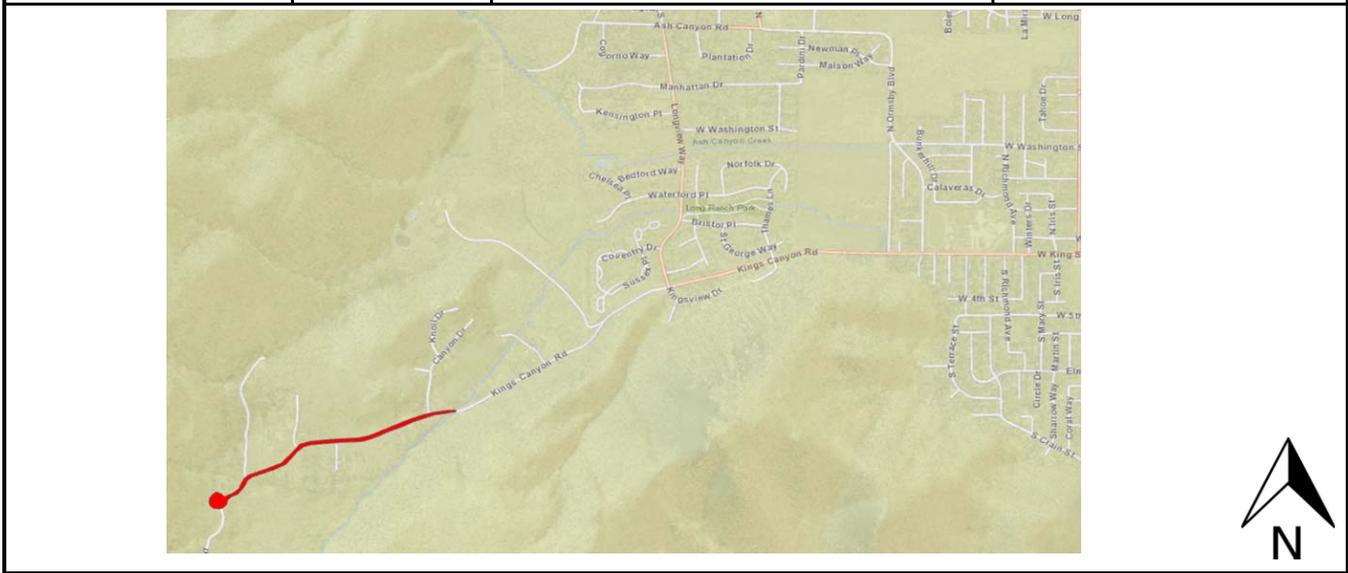
The RTC was awarded a grant through the Federal Lands Access Program (FLAP) from the Federal Highway Administration (FHWA) for a project totaling \$3,707,000. The grant requires a 5% local match. The City's Open Space Division has transferred \$35,350 to the RTC Fund to contribute to the local match. Additional local funding is budgeted to cover project administration costs.

**Project Status**

FHWA is updating the plan sheets based on City comments. Revised 95% plans are expected in October/November. The City is also coordinating with adjacent property owners regarding driveway reconstruction as well as with NV Energy related to relocation of power poles.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Oct-18	Oct-20	N/A
Construction	Feb-21	Nov-21	N/A



**Project Name:** Roop Street Rehabilitation Project  
**Project Number:** P303519009  
**Department Lead:** Public Works

Project Cost to Date	\$15,428	As of Date	Grant Funded	Total Budget
		August 2020	No	\$641,000
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2535005	507010	V&T Infrastructure Fund	FY19	\$79,000
2535005	507010	V&T Infrastructure Fund	FY20	\$562,000

**Project Description**

This project includes the rehabilitation of Roop Street, between East 5th Street and East Musser Street. The project improvements include the repair and construction of sidewalk infrastructure to improve connectivity and meet Federal Americans with Disabilities (ADA) standards.

**Project Justification**

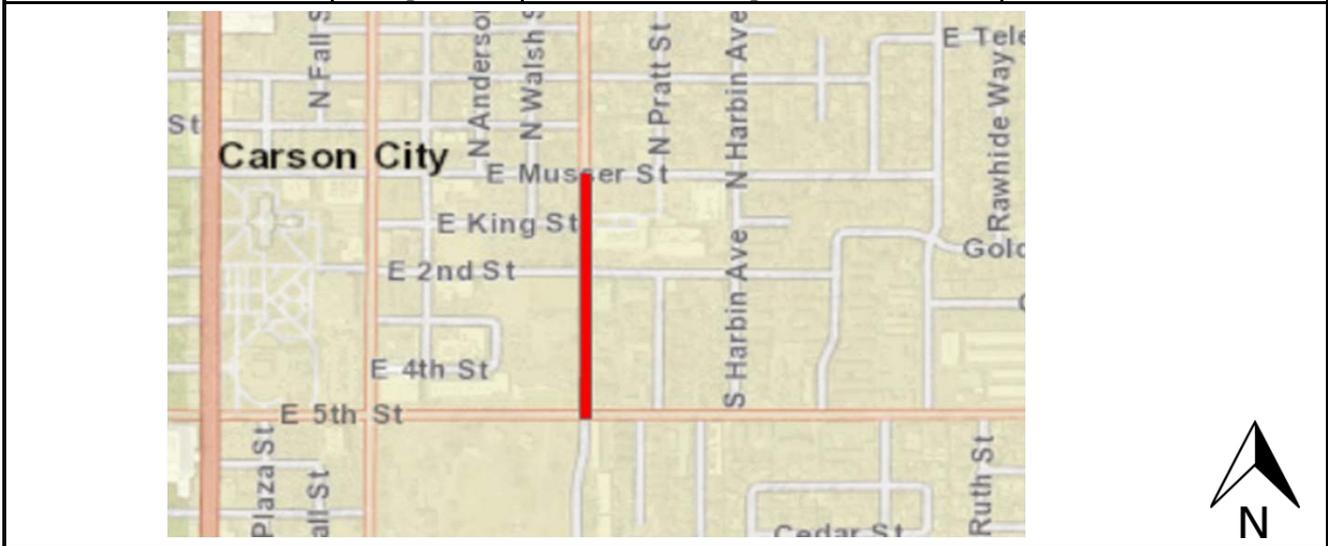
This route provides a critical north-south access connection to the Carson City Public Safety Complex. The pavement is in very poor condition and pedestrian facilities do not meet ADA standards.

**Project Status**

This project is currently in the design phase. A survey of the project area has been completed, and right-of-way information has been compiled. City staff are investigating options for the roadway typical section.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Aug-19	Mar-21	N/A
Construction	Apr-21	Sep-21	N/A



**Project Name:** Fairview Drive Rehabilitation Project  
**Project Number:** P303519010  
**Department Lead:** Public Works

Project Cost to Date	\$200,845	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$994,256
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund (Federal-STBG)	FY19/20	\$589,278
2503035	507010	RT Fund	FY19/20	\$31,015
5203505	507010	Water Utility Fund	FY20	\$373,963

**Project Description**

This project includes the rehabilitation of Fairview Drive between Carson Street and Roop Street. The project includes a partial reconstruction and a partial mill and overlay with patching of the roadway. Other project improvements include the construction of new sidewalk, repair of existing sidewalk, stormwater enhancements, and ADA improvements to existing curb ramps and pedestrian push buttons.

**Project Justification**

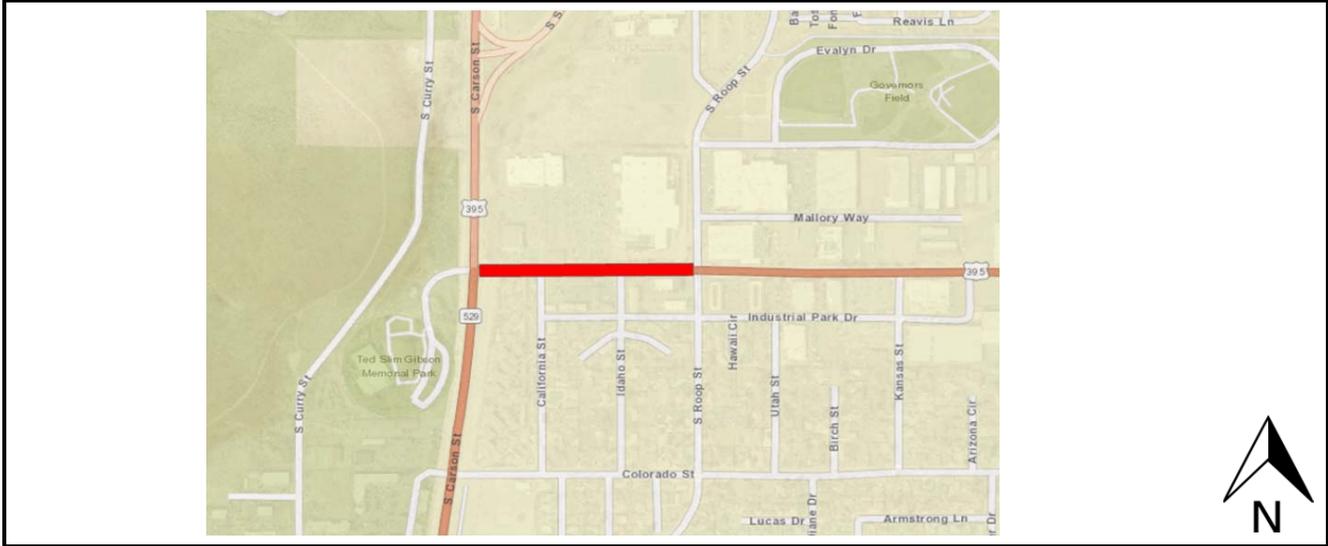
Fairview Drive needs reconstruction due to the high amounts of traffic over the years. With the completion of the I-580 bypass, Fairview Drive has seen a significant reduction in traffic. Federal Surface Transportation Block Grant (STBG) funds are being used on this project.

**Project Status**

The contractor, SNC, has started construction. The majority of the waterline has been installed. Construction is anticipated to continue into September and be coordinated with work on South Carson Street.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Apr-19	Aug-19	N/A
Construction	Apr-20	Sep-20	21-Aug-19



**Project Name:** Airport Road Utility Replacement Project  
**Project Number:** P320118065  
**Department Lead:** Public Works

<b>Project Cost to Date</b>	\$777,899	<b>As of Date</b>	<b>Grant Funded</b>	<b>Total Budget</b>
		August 2020	Yes	\$2,466,000
<b>ORG #</b>	<b>OBJ #</b>	<b>Account Description</b>	<b>Fiscal Year</b>	<b>Project Budget</b>
5103205	507010	Waste Water Fund	FY19	\$1,690,000
2503035	507010	RT Fund (Federal-STBG)	FY19	\$176,000
5203505	507010	Water Fund	FY20	\$600,000

**Project Description**

This project includes the replacement of sewer and water infrastructure and the reconstruction of the Airport Road between Highway 50 and Minonee Lane.

**Project Justification**

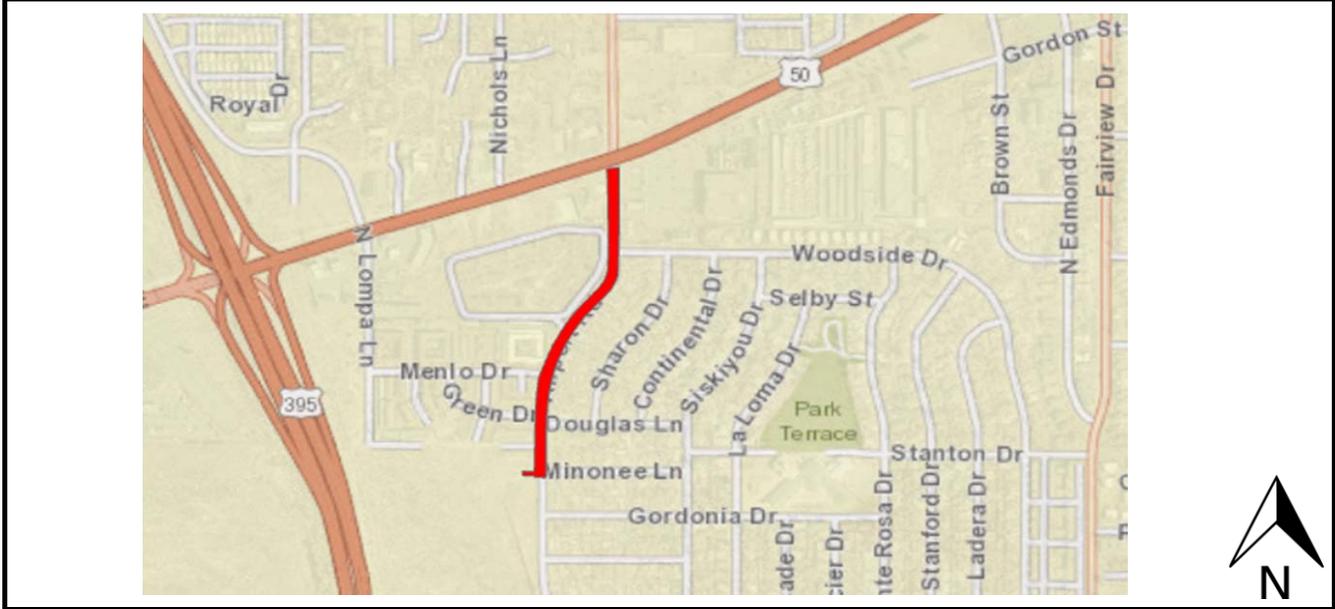
The sewer and water mains located in Airport Road are planned to be replaced due to capacity and condition. Due to poor pavement condition the road is to be reconstructed along with the sewer replacement. Federal Surface Transportation Block Grant (STBG) funds are being used on this project.

**Project Status**

The contractor, A&K Earthmovers, is progressing with construction. Most of the sewer pipe installation has been completed. Waterline installation on the south end of the project has started. The Contractor recently completed a marathon weekend to install the sewer across US 50. Another marathon weekend is anticipated for the waterline.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Dec-18	Aug-19	N/A
Construction	Mar-20	Sep-20	17-Sep-19



**Project Name:** Airport Road CDBG ADA Project  
**Project Number:** P303519011  
**Department Lead:** Public Works

Project Cost to Date	\$18,384	As of Date	Grant Funded	Total Budget
		August 2020	Yes	\$227,979
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2750620	507010	RT Fund (Federal-CDBG)	FY20	\$227,979

**Project Description**

This Project includes installation and replacement of ADA ramps, sidewalk repairs, and a new crosswalk along Airport Road near Champion Street.

**Project Justification**

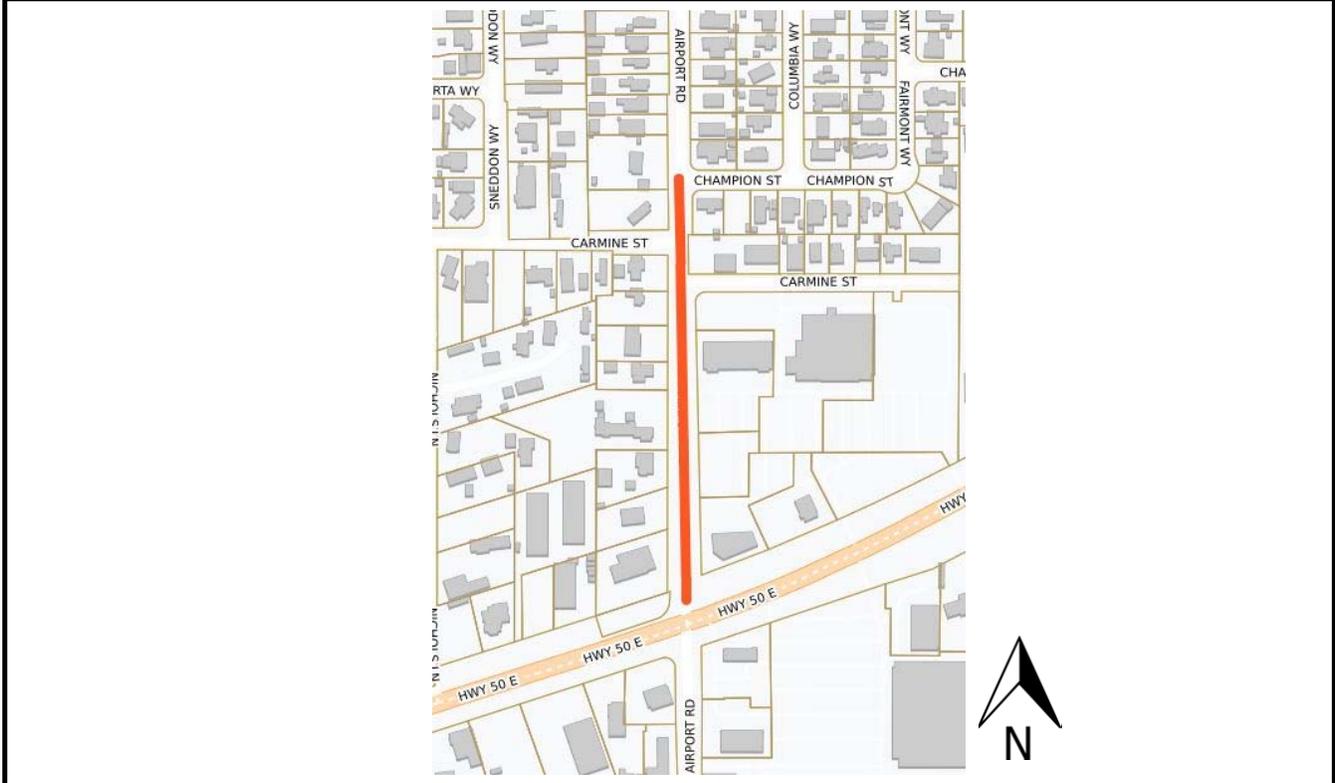
This project is in line with the City’s ADA Transition Plan. The project is 100% funded through a competitive Community Development Block Grant (CDBG), awarded by the Governor's Office of Economic Development.

**Project Status**

The project was recently awarded to Coons Construction. Construction is anticipated to begin late summer to minimize conflict with the Airport Road Utility Project.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Jan-20	Jun-20	N/A
Construction	Sep-20	Dec-20	N/A



**Project Name:** FY 2020 District 2 Roop Street Pavement Preservation  
**Project Number:** P303519013  
**Department Lead:** Public Works

<b>Project Cost to Date</b>	\$9,325	<b>As of Date</b>	<b>Grant Funded</b>	<b>Total Budget</b>
		August 2020	No	\$310,700
<b>ORG #</b>	<b>OBJ #</b>	<b>Account Description</b>	<b>Fiscal Year</b>	<b>Project Budget</b>
2535005	507010	V&T Infrastructure Fund	FY20	\$310,700

**Project Description**

This is a pavement preservation project (Type 3 Modified Slurry Seal) of Roop Street between Robinson Street and Hot Springs Road. Pavement patching is included for the segment between Northridge Drive and Hot Springs Road.

**Project Justification**

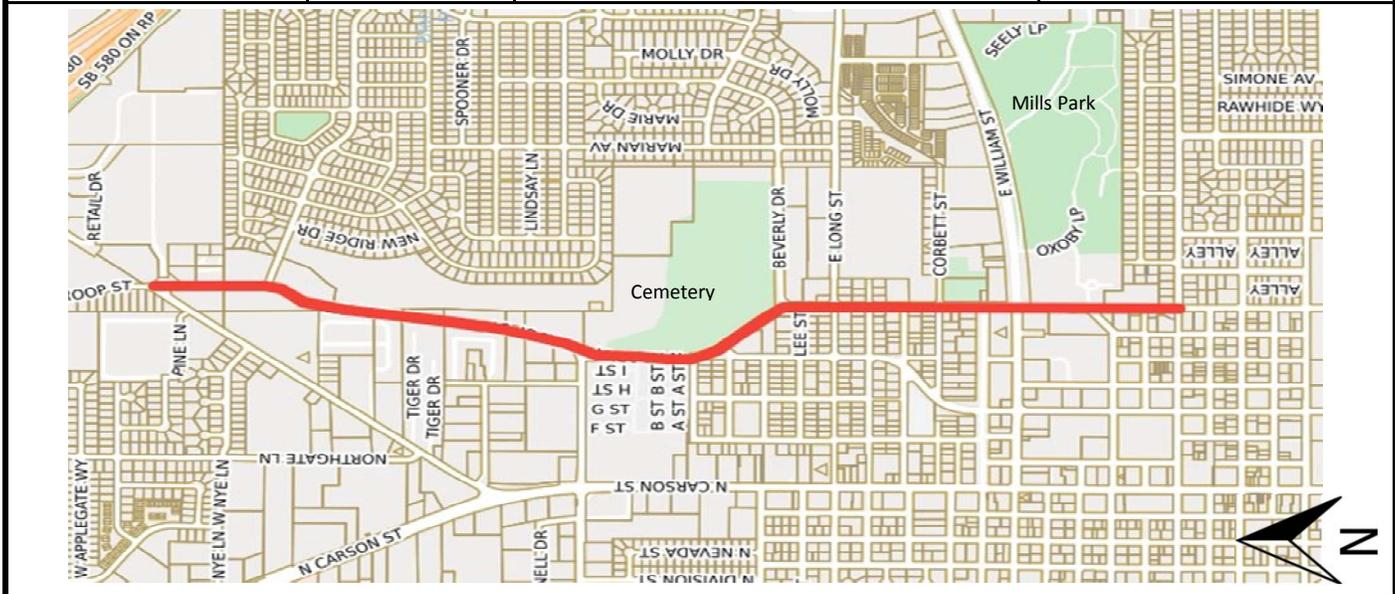
This route is a critical north-south route in Carson City. Completing a pavement preservation treatment will maintain existing pavement life and avoid rapid deterioration.

**Project Status**

Construction has been completed. Only punch list items remain.

**The City has held a construction kickoff meeting with the Contractor. The City is reviewing**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Nov-20	Apr-20	N/A
Construction	Jun-20	Aug-20	N/A



**Project Name:** FY 2020 District 2 Saliman Road / Russell Way Pavement Preservation  
**Project Number:** P303519016 P303519015  
**Department Lead:** Public Works

Project Cost to Date	\$21,890	As of Date	Grant Funded	Total Budget
		August 2020	No	\$544,500
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund	FY20	\$451,380
5203505	507010	Water Utility Fund	FY20	\$93,120

**Project Description**

This is a pavement preservation project (Type 3 Modified Slurry Seal) of Saliman Road between Fairview Drive and Long Street and Russell Way between William Street and Northridge Drive. It includes waterline trench repairs at the intersection of Robinson Street and ADA improvements at the intersection of Long Street and Russell Way. The project also includes installation of an Rectangular Rapid Flashing Beacon (RRFB) at the existing crosswalk at the Linear Ditch Pathway near Fremont Elementary.

**Project Justification**

The pavement condition along Saliman Road and Russell Way necessitates a pavement preservation treatment to maintain existing pavement life and avoid rapid deterioration along this important north/south arterial. The RRFB will provide enhanced crosswalk awareness in the area of the school zone.

**Project Status**

The Slurry Seal portion of the project has been completed. The RRFB at the Linear Ditch crossing is pending. The poles have been ordered by the contractor, but they have not yet arrived.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Nov-19	Mar-20	N/A
Construction	Jun-20	Sep-20	N/A



**Project Name:** FY 2020 District 2 - Northridge Drive Pavement Reconstruct  
**Project Number:** P303519014  
**Department Lead:** Public Works

<b>Project Cost to Date</b>	\$43,640	<b>As of Date</b>	<b>Grant Funded</b>	<b>Total Budget</b>
		August 2020	Yes	\$1,135,000
<b>ORG #</b>	<b>OBJ #</b>	<b>Account Description</b>	<b>Fiscal Year</b>	<b>Project Budget</b>
2503035	507010	RT Fund (Federal - STBG)	FY20/21	\$989,660
2503035	507010	RT Fund	FY20/21	\$145,340

**Project Description**

Roadway reconstruction of Northridge Drive between Carriage Crest Drive and Eastridge Lane. The project includes full depth pavement reconstruction, ADA upgrades to curb ramps, and groundwater mitigation.

**Project Justification**

The pavement condition along this segment necessitated reconstruction. There are ADA deficient curb ramps along the road. Federal Surface Transportation Block Grant (STBG) funds are being used on this project.

**Project Status**

Design has reached 90% and plans have been submitted to NDOT for review. The project should bid this fall for construction next summer, 2021. The LPA agreement with NDOT for construction has been executed.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Mar-20	Sep-20	NA
Construction	May-21	Aug-21	TBD



**Project Name:** FY 2020 District 2 Long Street Project  
**Project Number:** P303520001  
**Department Lead:** Public Works

Project Cost to Date	\$8,542	As of Date	Grant Funded	Total Budget
		August 2020	No	\$1,797,507
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund	FY20	\$226,000
2535005	507010	V&T Infrastructure Fund	FY20	\$465,662
5203505	507010	Water Fund	FY20	\$898,305
5103205	507010	Wastewater Utility Fund	FY20	\$207,540

**Project Description**

The scope of the project will be the installation of approximately 2,900 feet of 8” water main between Roop Street and Saliman Road, sewer replacement between Marian Avenue and Molly Drive, storm drainage improvements at Rand Ave, and reconstruction of the Long Street pavement between Roop Street and Saliman Road.

**Project Justification**

The existing water main from Roop Street to Saliman Road has been determined to be high risk and is in need of replacement. The sewer main between Marian Avenue and Molly Drive is also in need of replacement. There are existing stormwater issues at the intersection of Rand Ave. Since the project includes trenching for both the water and sewer, a full depth reconstruct of the road for the full length of the project is proposed.

**Project Status**

Design is underway. It is currently at about a 30% level of design.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Feb-20	Nov-20	NA
Construction	Apr-21	Jul-21	TBD



**Project Name:** FY 2020 District 2 - Telegraph Pavement Reconstruct  
**Project Number:** P303520002  
**Department Lead:** Public Works

Project Cost to Date	\$24,491	As of Date	Grant Funded	Total Budget
		August 2020	No	\$591,872
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund	FY20	\$132,179
5203505	507010	Water Utility Fund	FY20	\$92,074
5103205	507010	Wastewater Utility Fund	FY20	\$107,619
6037510	507010	Redevelopment Fund	FY20	\$260,000

**Project Description**

Roadway reconstruction of Telegraph St between Carson and Plaza. District 2 FY20 project. This project includes replacement of water and sewer in Telegraph St between Carson and Plaza.

**Project Justification**

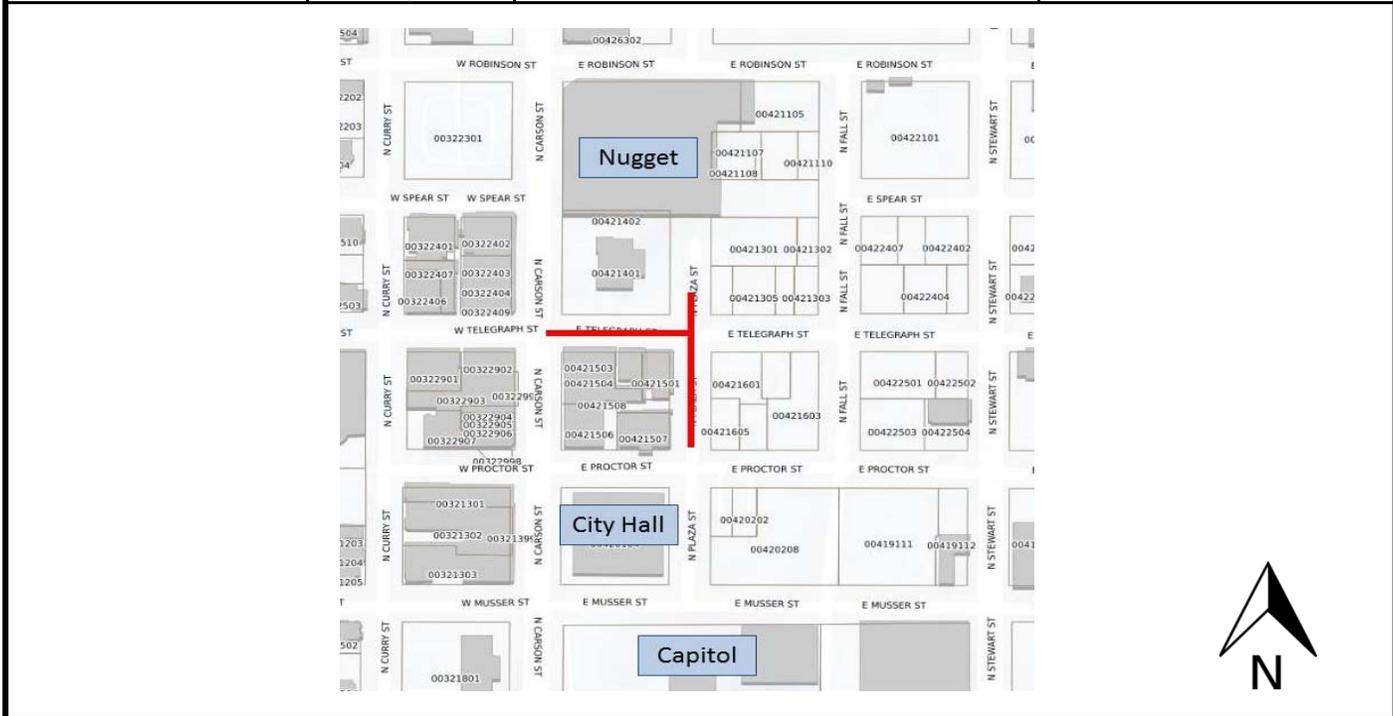
The existing pavement and utility conditions necessitate reconstruction. There are also ADA deficiencies along the sidewalk and a lack of curb ramps at crosswalk locations. This project will tie into the Downtown Carson Street Improvements.

**Project Status**

The construction contract was recently awarded to Aspen Developers Corp. Construction has begun. The road will be closed during the day to allow for sewer and water pipe installation.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	Feb-20	Jun-20	NA
Construction	Aug-20	Nov-20	NA



**Project Name:** Robinson Area Sewer Replacement Project  
**Project Number:** P320121001  
**Department Lead:** Public Works

Project Cost to Date	\$3,164	As of Date	Grant Funded	Total Budget
		August 2020	No	\$2,285,504
ORG #	OBJ #	Account Description	Fiscal Year	Project Budget
2503035	507010	RT Fund	FY21	\$75,000
5103205	507010	Wastewater Utility Fund	FY21	\$2,210,504

**Project Description**

The project consists of replacing the sewer mains and manholes along Caroline Street, Robinson Street, Spear Street, and Telegraph Street in the area generally bounded by Mountain Street and Nevada Street.

**Project Justification**

The existing sewer mains in the project limits were constructed in the 1950s and are at the end of their useful service life. They are undersized and are in need of replacement. Regional Transportation funds are being used to assist with the roadway reconstruction.

**Project Status**

Design has started. Survey is ongoing.

**Project Schedule**

Phase	Start Date	Completion Date	Notice to Proceed Date
Design	May-20	Dec-20	NA
Construction	Mar-21	Sep-21	NA

