

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF  
FORSYTH COUNTY, GEORGIA ADOPTING THE FORSYTH  
COUNTY TITLE VI PLAN**

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions and regulations; and

**WHEREAS**, the governing authority of the County is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives; and

**WHEREAS**, to demonstrate this commitment, the governing authority of the County previously adopted a Title VI Plan on a county-wide level in connection with its acceptance of federal highway funding, and a separate FTA Title VI Program in connection with its acceptance of federal transit funding; and

**WHEREAS**, the governing authority of the County now desires to update both its Title VI Plan and its FTA Title VI Program, and to adopt the FTA Title VI Program as an addendum to the Title VI Plan, to ensure compliance with certain Title VI requirements of the Federal Transit Administration and the Georgia Department of Transportation associated with funding received by Forsyth County's Public Transportation Department (a/k/a Forsyth County Dial-A-Ride);

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FORSYTH COUNTY, GEORGIA AS FOLLOWS:**

**Section 1. Adoption of Updated County-Wide Title VI Plan.**

The County hereby adopts the updated Title VI Plan attached hereto as Exhibit A, which Plan shall supersede all prior adopted Title VI Plans.

**Section 2. Adoption of the FTA Title VI Program as an Addendum to the County's Title VI Plan.**

The FTA Title VI Program, Appendix D to the attached Exhibit A, is hereby specifically adopted, incorporated as an addendum to the County's Title VI Plan, and deemed effective as to Forsyth County's Public Transportation Department (a/k/a Forsyth County Dial-A-Ride).

**Section 3. Repealer.**

Any other County policies in conflict with the attached Title VI Plan and FTA Title VI Program are hereby repealed.

**Section 4. Effective Date.**

The effective date of this Resolution shall be the date of adoption.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED this 9<sup>th</sup> day of July, 2019.

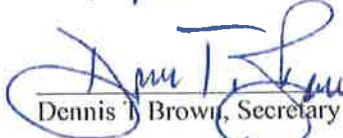
**FORSYTH COUNTY BOARD OF COMMISSIONERS**



Laura Semanson, Chairman



Cindy Jones Mills, Vice Chairman



Dennis T. Brown, Secretary



Todd Levent, Member



Molly Cooper, Member

Attest:

  
Clerk to the Board

**Exhibit A**

# **FORSYTH COUNTY, GEORGIA**

## **TITLE VI PLAN**

# **FORSYTH COUNTY**

## **Title VI Plan**

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## Section 1


### Policy Statement and Authorities

#### A. Policy Statement

The Forsyth County Board of Commissioners is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. Forsyth County assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Forsyth County further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities whether or not those programs and activities are federally funded. In addition, Forsyth County will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

When Forsyth County enters into a contract with another entity utilizing federal aid funds, Forsyth County will include Title VI language in all written agreements and will monitor for compliance.

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

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Laura Semanson, Chairman  
Forsyth County Board of Commissioners

## **B. Authorities**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. The Federal-Aid Highway Act of 1973 added sex to the list of prohibitive factors. Related statutes have broadened the grounds to include age, low income, and disability. The Civil Rights Restoration Act of 1987 broadened the scope of the Title VI coverage by expanding the definition of terms “program or activities” to include all programs or activities of federal aid recipients, sub-recipients, and contractors, whether such programs and activities are federally funded or not.

## Section 2

### Organization and Plan Administration

#### A. Organization

Forsyth County's organization is shown in Appendix A ("Organizational Chart"), attached hereto and incorporated herein by reference. The Finance Director, on behalf of the Forsyth County Board of Commissioners, is responsible for the overall management of the Title VI program. The day-to-day administration of the program lies with the County's Title VI Coordinator.

#### B. Plan Administration

The Forsyth County Finance Director shall serve as the Plan Administrator (the "Administrator") and shall implement the Plan and ensure compliance with provision of Forsyth County's policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. Grants compliance and Title VI coordination shall be performed under the authority of the Administrator.

The County's Title VI Coordinator shall act as the Plan Coordinator (the "Coordinator") and administer the Plan. The Coordinator reports directly to the Administrator. The Coordinator's duties and responsibilities are as follows:

1. **Program Administration** – Administer the Title VI program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations, as required, to the Administrator.
2. **Title VI Plan Update** – Review and update the Title VI Plan as needed or required for approval by the Administrator. Submit an amended Plan to the Georgia Department of Transportation (GDOT).
3. **Data Collection** – Ensure that statistical information is gathered and maintained on race, color, national origin and sex of participants in and beneficiaries of transportation programs (e.g., relocatees, impacted citizens, and affected communities). Review the statistical data gathering process periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.
4. **Public Dissemination** – Work with County staff to develop and disseminate Title VI program information to staff, recipients, sub-recipients, including contractors, sub-contractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the County's Title VI Policy Statement in newspapers(s) having a general circulation, and informational procures.



5. **Environmental Impact Statements** – Ensure that available census data are included as part of all Environmental Impact Statements/Assessments (EIS/EIA) when the County administers the design phase of any projects receiving Federal Highway Administration or other federal assistance.
6. **Elimination of Discrimination** – Establish procedures for promptly resolving deficiencies, as needed.
7. **Complaints** – Review written Title VI complaints that may be received by Forsyth County following the procedural guidelines in Section 5 (“Complaint Procedures”). Ensure every effort is made to resolve informally at the local or regional level.
8. **Training Programs** – Conduct or facilitate training programs on Title VI issues and regulations for Forsyth County employees, and facilitate Title VI training for appropriate staff, contractors and sub-recipients.
9. **Legislative and Procedural Information** – Maintain and update the Plan and Annual Accomplishment and Goal Report as necessary to comply with federal laws, rules and regulations, GDOT guidelines and other resource information pertaining to implementation and administration of Title VI. Make information available to other county departments or the public as requested or required.
10. **Annual Accomplishment and Goal Report** – Prepare a Title VI Annual Accomplishment and Goal Report for the preceding GDOT fiscal year. Identify accomplishments from the preceding GDOT fiscal year and goals and objectives for the upcoming year, as required, and submit by June 30 of each year.

### **Section 3**

#### **Forsyth County Title VI Activities Related to Transportation**

##### **A. Planning**

1. Invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning process by providing public service announcements for all local media, when forming citizen advisory committees, and requesting involvement.
2. Provide citizens with the opportunity to supply demographic data at community meetings and public hearings pertaining to the transportation design project and manage collection and retention of such data.
3. Ensure that public meetings concerning transportation projects are conducted to provide access to populations affected by the transportation project. Ensure translation services are available upon request.

##### **B. Research**

1. Complete research projects as necessary or required to evaluate appropriate materials, impacted communities, impacted species, etc. using County consultants and/or in coordination with GDOT based upon County needs and available funding. When using County consultants, the County will ensure diversification in the selection of such consultants.
2. Gather and maintain necessary data and documentation required for completion of the County's Title VI Update Annual Report.
3. Ensure that research contracts include the requirements in Exhibit 2 (Title VI Assurances) when required.

##### **C. Pre-Construction Environmental**

1. Recommend consultant firms for final selection, negotiation and award; administer awarded consultant contracts.
2. Request qualifications from consulting engineering firms specializing in various aspects of civil engineering which may relate to County projects and the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for County projects. Ensure consultant selection is from the County's approved list, is consistent with County vendor policies and adheres to GDOT regulations.

3. Comply with any applicable Disadvantaged Business Enterprise (DBE) goals when selecting consultants and contractors; include Title VI assurances and provision language in all federally funded consultant contracts and periodically review to ensure compliance with current laws and regulations. Maintain and update demographic data on the utilization of women and minority-owned consulting firms. Provide a copy of the award letter to the Coordinator for use in preparing the Annual Accomplishment and Goal Report.
4. When required, work with GDOT to perform studies to assess various environmental factors as they relate to implementation of Forsyth's transportation projects, including evaluating demographic data.
5. Adhere to the National Environmental Policy Act (NEPA) depending on the scope, complexity, and impacts of the project.
6. Complete NEPA Categorical Exclusion and NEPA Environmental Assessment as required. Monitor compliance with Title VI requirements in all aspects of conducting Environmental Impact Statements (EIS) or Assessments (EIA), as required, and provide a comprehensive summary of the demographic and environmental data elements to be considered by the EIS/EIA process to the Coordinator, including updated summary lists as applicable. Provide adequate time for the Coordinator to review and comment. Ensure there are no violations of the federal Civil Rights Act, as amended, as a result of County's federal aid projects.
7. Ensure dissemination of information, and foster participation from affected populations. Place public notices in applicable media; select accessible locations and times for public hearings or meetings, and arrange for translation services as needed, particularly in projects impacting predominately minority communities. Ensure the public has information pertaining to their rights to call or write the County to view plans and discuss environmental problems.
8. Obtain demographic data at community meetings and public hearings pertaining to the transportation design project as required. Coordinate with GDOT, as required, to generate a map of the federal-aid transportation projects and include demographic data of the neighborhoods affected by the projects.
9. Assist in incorporating environmental considerations and regulatory requirements into locally administered projects, as required.
10. Provide technical expertise for locally administered project analysis, as required, and utilize environmental policies, procedures, manuals and training.

11. Study and evaluate environmental impacts of proposed projects, including potential social and economic impacts, as required where the County administers such projects.

**D. Right-of-Way**

1. Manage and coordinate the appraisal and acquisition of real property and relocation assistance services for public works projects as necessary. Include appraisal of property, negotiation of terms and conditions for acquisition, and assistance in the relocation of displaced individuals, businesses, farm operations, nonprofit organizations, and property management as required.
2. Ensure equal opportunity in all aspects of procuring real estate services, contracting and appraisal agreements, and adhere to County vendor procurement policies in the acquisition of contracted services as required.
3. Utilize current GDOT directories for a list of certified fee appraisers when seeking services related to federally-funded GDOT projects, maintain data on awards to minority and female appraisers as required, and provide data to the Coordinator.
4. Follow the guidelines and applicable laws and regulations, including Title VI and Section 504 for property acquisition, as required.
5. Ensure affected property owners, tenants, and others involved in right-of-way acquisition related to GDOT projects are apprised of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process, and provide such affected individuals with copies of relocation assistance literature produced by GDOT when required.
6. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business when required. Coordinate the preparation of deeds, permits and leases to ensure the inclusion of the appropriate clauses, including Title VI Assurances, when required.
7. Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
8. Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process when required.
9. Maintain statistical data including race, color, national origin, and sex on all relocates affected by federally funded projects.

**E. Construction**

1. Locally administer certain new construction contracts. Locally administer and supervise certain transportation construction projects.
2. Coordinate the gathering of information using the voluntary Title VI Public Involvement Questionnaire provided in Appendix B as required.
3. Review all federally funded projects for application of DBE goals. As appropriate, include DBE provisions in those projects with designated goals. Include Title VI language in bid announcements and applicable construction documents, as stipulated in the Agency's Title VI Policy Statement and Assurances.
4. Award construction contracts on the basis of lowest responsive bidder, as well as meeting DBE requirements when required. Include Title VI language in prime contract award letters to encourage utilization of DBE subcontracts and vendors when required.
5. Ensure that prime contractors with DBE requirements award contracted work to qualified DBEs which perform commercially useful functions.
6. Monitor all construction to ensure nondiscrimination throughout all operations.
7. Coordinate the gathering of construction information regarding DBE participation, as required, for the Annual Title VI Report, and provide this information to the Coordinator.

## **Section 4**

### **Sub-Recipient Review and Remedial Action Procedures**

#### **A. Title VI Review of Sub-recipients of Federal Aid Highway Funds**

The Coordinator and County staff will assist GDOT to periodically conduct Title VI compliance reviews. The Coordinator and County staff will review select sub-recipients of federal aid highway or other federal funds to ensure adherence to Title VI requirements. Forsyth County will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

#### **B. Post-Grant Reviews**

The Coordinator and County staff will conduct periodic post grant reviews of select sub-recipients of federal highway funds or other federal funds, for roads, sidewalks, bridges, construction, etc. to ensure adherence to Title VI requirements. The Coordinator and County staff will periodically confirm that operational guidelines provided to consultants, contractors and sub-recipients include Title VI language and provisions and related requirements, where applicable.

#### **C. Remedial Action**

When irregularities occur in the administration of federal-aid highway programs at either Forsyth County or sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. Forsyth County will seek the cooperation of the consultant, contractor and other sub-recipient in correcting deficiencies found during periodic reviews. Forsyth County will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient. When conducting Title VI compliance reviews, Forsyth County will document and provide to GDOT any recommended remedial action agreed upon by Forsyth County and the sub-recipient within a period not to exceed forty-five (45) calendar days.

Sub-recipients placed in a deficiency status will be given a reasonable time, but not to exceed ninety (90) days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, Forsyth County will submit to GDOT copies of the case files and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within one hundred eighty (180) days of the initial review to ascertain if the sub-recipient has complied with the Title VI requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply,

Forsyth County and GDOT may, with FHWA's concurrence, initiate sanctions pursuant to 49 CFR 21, including but not limited to:

1. Withholding of payments to the contractor under the contract until the contractor complies; and/or
2. Cancellation, termination, or suspension of the contract in whole or in part.

## **Section 5**

### **Title VI Nondiscrimination Complaint Procedures**

#### **Overview**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, and the Civil Rights Restoration Act of 1987 relating to any program or activity administered by Forsyth County or its subrecipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

#### **Right to File Complaints**

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the recipient and subrecipient level. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution.

#### **Procedures**

1. Any individual, group of individuals, or entity that believes it has been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with Forsyth County's Title VI Coordinator using the Title VI Complaint Form attached hereto and incorporated herein by reference. A formal complaint must be filed in writing or in person by the complainant and/or his/her representative no later than 180 calendar days after the alleged discrimination occurred or after the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s).
  - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - c. Present a detailed description of the issues, including but not limited to names and job titles of those individuals perceived as parties in the complained-of incident.
  - d. Generally, the Title VI Coordinator will acknowledge receipt of a complaint within 10 days of it being submitted and inform the complainant of action taken or any possible action to process the complaint; provided that the complainant must first provide the identity(ies) of the complainant(s) and affirm its intent to proceed with the complaint.
  - e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to the Title VI Coordinator for processing.



Failure of the complainant to respond to requests for information may result in a dismissal of the complaint.

2. Upon receiving the written complaint, Forsyth County will determine its jurisdiction, acceptability of the complaint, need for additional information, and the investigative merit of the complaint. In some situations, Forsyth County may request GDOT's Office of Equal Employment Opportunity to conduct the investigation. In the event GDOT handles the investigation, GDOT will follow its adopted procedures for investigating discrimination complaints, per its current Title VI Plan.
3. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.
4. If the complaint is against a subrecipient, consultant, or contractor under contract with Forsyth County, the appropriate subrecipient, consultant, or contractor shall be notified of the complaint within fifteen (15) calendar days of the County receiving the complaint.
5. Once Forsyth County decides its course of action, the complainant and the respondent will be notified in writing of such determination within five (5) calendar days. The complaint will be logged in the Title VI Coordinator's records along with the basis for the allegation identified and the race, color, national origin, handicap/disability, age and gender of the complainant.
6. In cases where Forsyth County assumes the investigation of the complaint, the Title VI Coordinator will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days to furnish the Title VI Coordinator with his/her response to the allegations.
7. Within 60 calendar days of the acceptance of the complaint, the Title VI Coordinator (or GDOT investigator) will prepare an investigative report. Only qualified, well-trained investigators should conduct the investigations. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
8. The investigative report shall be reviewed by the Forsyth County Attorney's office (the "Attorney"). The Attorney may discuss the report and its recommendations with the Title VI Coordinator and other staff as appropriate. The report will be modified as needed and made final for its release to the complainant and respondent.

9. Once the investigative report becomes final, briefings will be scheduled with the complainant and respondent within fifteen (15) calendar days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
10. A copy of the final investigative report and a copy of the complaint will be forwarded to the Georgia Department of Transportation Office of Equal Employment Opportunity within sixty (60) calendar days of the completion of the briefings.
11. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s), he or she shall be advised of his/her rights to appeal Forsyth County's decision to GDOT, United States Department of Transportation (USDOT), United States Department of Justice (USDOJ), or other entity as appropriate. The complainant has one hundred eighty (180) calendar days after Forsyth County's briefing to appeal. Unless new facts not previously considered come to light, reconsideration of Forsyth County's opinion will not be available.
12. A Complaints Log shall be maintained annually by Forsyth County. The Complaints Log shall contain the following information for each complaint filed:
  - a. The name and address of the person filing the complaint
  - b. The date of the complaint
  - c. The basis of the complaint
  - d. The disposition of the complaint
13. Forsyth County shall not be allowed to investigate a complaint against itself.

## **Section 6**

### **Education and Training**

In keeping with the Forsyth County Policy of Nondiscrimination, County procedures will be established for Forsyth County employees to have equal access to applicable educational and training opportunities as warranted. The Title VI Coordinator will work with Forsyth County staff to maintain program administration documentation and data necessary for preparation of the Annual Accomplishment and Goal Report. County staff will routinely supply the necessary data to the Title VI Coordinator.

## **Exhibit 1**

### **Title VI Notice to the Public**

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

Forsyth County, Georgia hereby gives public notice that it is the policy of Forsyth County to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. It is our policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs or activities.

Any person who believes he/she has been subjected to unlawful discriminatory practice under Title VI has a right to file a formal complaint. The formal complaint must be filed in writing or in person with the Forsyth County Title VI Coordinator. Title VI Discrimination Complaint Forms may be obtained by going to the County's website or by calling the County Title VI Coordinator at (770) 205-4550, ext. 2751.

## **Exhibit 2**

### **Title VI Assurances**

#### **A. Title VI Assurances for Forsyth County Board of Commissioners**

The Forsyth County Board of Commissioners (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, 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 the Georgia Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Section 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its federal aid highway program.

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

"Forsyth County, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d-42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this

advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not discriminate against bidders on the grounds of race, color, sex, or national origin in consideration for an award.”

3. The Recipient shall insert the clauses of Section B of this Assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Section C of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient received federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, or under, such property.
7. That the Recipient shall include the appropriate clauses set forth in Section D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistances is extended to the program, or is in the form of personal property, or real property or interest thereon or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program by the Secretary of Transportation, or the official to whom is delegated specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

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

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Recipient)

By: \_\_\_\_\_  
(Signature of Authorized Official)

**B. Title VI Assurances for Consultants, Contractors, Subcontractors, Suppliers and Manufacturers**

The text below, in its entirety, shall be incorporated in all contracts entered into by Forsyth County related to transportation projects. All of the text, except the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any Forsyth County contractor related to transportation projects.

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

**1. Compliance with Regulations**

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as "DOT"), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made part of this contract.

**2. Nondiscrimination**

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

**3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

**4. Information and Reports**

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by Forsyth County or the Georgia Department of Transportation



(GDOT) or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to Forsyth County, GDOT, or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, Forsyth County and GDOT shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontractor or procurement as Forsyth County, GDOT, or the Federal Highway Administration may direct as a means of enforcing such provision, including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request Forsyth County to enter into such litigation to protect the interests of the County and, in addition, the Contractor may request GDOT to enter into such litigation to protect the interest of the State and/or the United States to enter into such litigation to protect the interest of the United States.

## **C. Granting and Habendum Clauses**

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

### **1. Granting Clause**

NOW, THEREFORE, Forsyth County is authorized by law, and upon the condition that the state of Georgia will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, and Regulations for the Administration of Federal Aid for Highways; the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation; and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC 2000d to 2000d-4) – does hereby remise, release, quitclaim, and convey unto Forsyth County all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

### **2. Habendum Clause**

TO HAVE AND TO HOLD said lands and interests therein unto Forsyth County, 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 the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on Forsyth County, its successors, and assigns.

Forsyth County, 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 shall, on the grounds of race, color, sex, disability, national origin, age, or religion, 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\*, (2) that Forsyth County shall use the lands, and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination of Federally

Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the agency shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and become absolute property of, the Department of Transportation and its assigns as such interest existed prior to this instruction.<sup>1</sup>

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<sup>1</sup> Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

**D. Lease/Deed Provisions**

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Forsyth County pursuant to the provisions of Assurance 6:

The (PURCHASER/LESSEE/PERMITTEE), for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (DEED/LEASE/PERMIT), for a purpose for which a Forsyth County program or activity is extended, or for another purpose involving the provision of similar services or benefits, the (PURCHASER/LESSEE/PERMITTEE) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, Forsyth County shall have the right to terminate this (DEED/LEASE/PERMIT), and to reenter and repossess said land and the facilities thereon, and hold the same as if said (DEED/LEASE/PERMIT) had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Forsyth County pursuant to the provisions of Assurance 6:

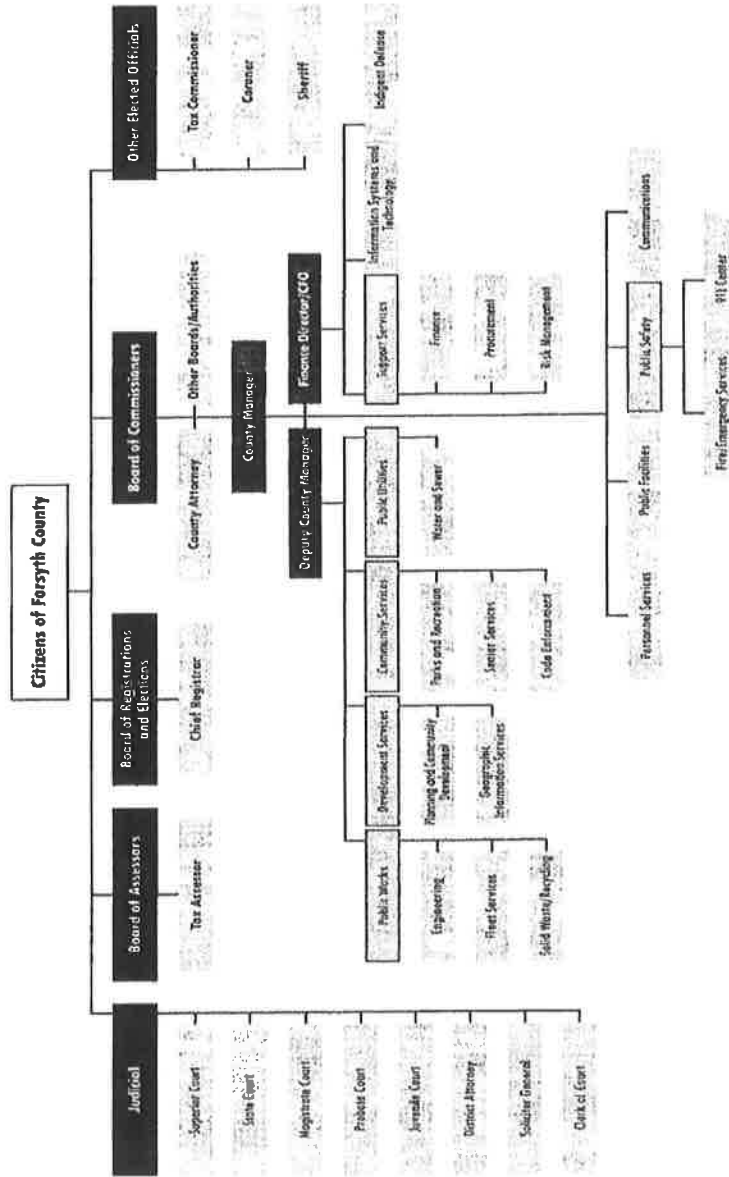
The (PURCHASER/LESSEE/PERMITTEE), for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (PURCHASER/LESSEE/PERMITTEE) shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code

of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, Forsyth County shall have the right to terminate the [LICENSE/LEASE/PERMIT] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [LICENSE/LEASE/PERMIT] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, Forsyth County shall have the right to reenter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Forsyth County and its assigns.

# Appendix A



**FORSYTHCOUNTY Organizational Chart**

## Appendix B

### TITLE VI PUBLIC INVOLVEMENT QUESTIONNAIRE

Title VI of the Civil Rights Act of 1964 requires Forsyth County to be sure that everyone in the affected project areas has a chance to be heard and to respond to programs and activities that may affect their community.

To help with that, we ask that you voluntarily provide us information about your race, ethnicity, gender, and/or disability. **You are not required to disclose the information requested in order to participate in this meeting. The completion of this questionnaire is strictly voluntary, and completion is not required by law.**

For further information regarding this process, please contact the Title VI Coordinator, Sandra Stevenson, by phone at (770) 205-4550, ext. 2751.

Please respond to the following questions:

Project Name		Date
Location of Public Meeting		
Name (Optional) (Please print)		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
General Ethnic Identification Categories (Check as many as apply)		
<input type="checkbox"/> African American <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander		
<input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Other _____		
Race and/or Color		National Origin
Any Disability? Circle:                      Yes              No Please explain:		

After you have completed this form, please place it inside the designated box on the registration table.

**Thank you for your participation!**

## Appendix C

### FORSYTH COUNTY, GEORGIA

#### Title VI Complaint Form

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

Note: The following information is necessary to assist the County in processing your complaint. Should you require any assistance in completing this form, please contact the Title VI Coordinator. Complete and return this form to Sandra Stevenson, Title VI Coordinator, Forsyth County, Georgia, 110 East Main Street, Suite 255, Cumming, Georgia 30040.

1. Complainant's Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. City, State and Zip Code \_\_\_\_\_
4. Telephone Number (home) \_\_\_\_\_ (business) \_\_\_\_\_
5. Person discriminated against (if someone other than the complainant)  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_
6. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:  
a. Race/Color \_\_\_\_\_  
b. National Origin \_\_\_\_\_  
c. Other \_\_\_\_\_
7. What date did the alleged discrimination take place? \_\_\_\_\_



8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

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9. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, check all that apply:

\_\_\_\_\_ Federal agency      \_\_\_\_\_ Federal court      \_\_\_\_\_ State agency  
\_\_\_\_\_ State court      \_\_\_\_\_ Local agency

10. Please provide information about a contact person at the agency/court where the complaint was filed.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, and Zip Code \_\_\_\_\_  
Telephone Number \_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

## **Appendix D**

### **Dial-A-Ride Title VI Plan**

# Forsyth County Public Transportation (a/k/a Forsyth County Dial-A-Ride)



## FTA Title VI Program

*Date Adopted: July 9, 2019 (Month/Day/Year)*



## Title VI Plan Activity Log

[illegible]

**Title VI Plan Activity Log  
(Continued)**

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Concerned Person (Signature)	Remarks

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## 1.0 Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

*49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted, or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].*

Forsyth County Public Transportation (a/k/a Forsyth County Dial-A-Ride) assures the Georgia Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, Federal Transit Laws, 49 CFR Part 21 Unlawful Discrimination, Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation and as per written guidance under FTA Circular 4702.1B, dated October 2012, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by Forsyth County Public Transportation.

Forsyth County Dial-A-Ride further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's governing authority or authorized representative.
2. Issue a policy statement, which statement is attached hereto, signed by the governing authority or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against Forsyth County Dial-A-Ride.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by GDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the GDOT (refer to Appendix A of this plan).

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

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Chairman, Forsyth County Board of Commissioners

Date: \_\_\_\_\_



**Policy Statement**

The Forsyth County Board of Commissioners and Forsyth County Dial-A-Ride are committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. Forsyth County Dial-A-Ride assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Forsyth County Dial-A-Ride further assures that every effort will be made to ensure nondiscrimination in all its programs and activities whether those programs and activities are federally funded. In addition, Forsyth County Dial-A-Ride will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

When Forsyth County, in connection with its Dial-A-Ride program, enters into a contract with another entity utilizing federal aid funds, it will include Title VI language in all written agreements and will monitor for compliance.

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



Laura Semanson, Chairman  
Forsyth County Board of Commissioners



## 2.0 Introduction & Description of Services

Forsyth County Dial-A-Ride submits this Title VI Plan in compliance with Title VI of the Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

Forsyth County Dial-A-Ride is a sub-recipient of FTA funds and provides service in Forsyth County. A description of the current Forsyth County Dial-A-Ride system is included in Appendix B.

### Title VI Liaison

David Gruen, Chief Financial Officer  
Forsyth County Finance Department  
770-781-3088  
110 East Main Street, Suite 255  
Cumming, GA 30040

### Alternate Title VI Contact

Sandra Stevenson, Title VI Coordinator/Budget/Grants Manager  
Forsyth County Finance Department  
770-205-4550 ext. 2751  
110 East Main Street, Suite 255  
Cumming, GA 30040

Forsyth County Dial-A-Ride must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by GDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.

## 2.1 First Time Applicant Requirements

*FTA Circular 4702.1B, Chapter III, Paragraph 3: Entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency.*

Forsyth County Dial-A-Ride is not a first-time applicant for FTA/GDOT funding. The following is a summary of Forsyth County Dial-A-Ride's current and pending federal and state funding.

### Current and Pending GDOT Funding

1. Transit Operating Assistance, July 1, 2018, \$170,671 Current

During the previous three years, FTA or GDOT did not complete a Title VI compliance review of Forsyth County Dial-A-Ride. Forsyth County Dial-A-Ride has not been found to be in noncompliance with any Civil Rights requirements.

## 2.2 Annual Certifications and Assurances

*FTA Circular 4702.1B, Chapter III, Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.*

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

Forsyth County Dial-A-Ride will remain in compliance with this requirement by annual submission of certifications and assurances as required by GDOT.

## 2.3 Title VI Plan Concurrence and Adoption

This Title VI Plan received GDOT concurrence on June 19, 2019. The Plan was approved and adopted by Forsyth County Board of Commissioners during a meeting held on July 9, 2019. A copy of the meeting minutes and GDOT concurrence letter is included in Appendix C of this Plan.

### 3.0 Title VI Notice to the Public

*FTA Circular 4702.1B, Chapter III, Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.*

#### 3.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee

A sample of the notice is included in Appendix D of this Plan and has been/will be translated into other languages, as necessary.

#### 3.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of Forsyth County Dial-A-Ride's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in the public areas of Forsyth County Dial-A-Ride's office(s) including and not limited to the reception desk and meeting rooms, and on the Forsyth County website under Departments/Offices at link: <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>. Additionally, Forsyth County's Dial-A-Ride Program will post the notice on transit vehicles. Currently, Forsyth County Dial-A-Ride does not have stations or stops.

A sample version of this notice is included in Appendix D of this Plan along with any translated versions of the notice, as necessary.

*FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to member of the public.*

## 4.0 Title VI Procedures and Compliance

### 4.1 Complaint Procedure

Any person who believes he or she has been discriminated against based on race, color or national origin by Forsyth County's Dial-A-Ride may file a Title VI Complaint (refer to Appendix E).

Any individual, group of individuals, or entity that believes they have been subjected to discrimination based on race, color or national origin by Forsyth County's Dial-A-Ride Program may file a Title VI Complaint Form (refer to Appendix E).

Complaint Procedure:

- 1 Retrieve a copy of the Title VI Complaint Form from our website at link: <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>.
- 2 Select Complaint Form and print appropriate language. There are currently five language translations available on website as follows: (English, Spanish, Korean, Simplified Chinese and Hindi).
- 3 Complaint shall be in writing and signed by the complainant(s).
  - Include the date of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct.
  - Present a detailed description of the issues, including but not limited to names and job titles of those individuals perceived as parties in the complained-of-incident.
  - Return completed Complaint Form to Title VI Coordinator at 110 E. Main St, Suite 255, Cumming, GA 30040
  - Any complaint received more than 180 days after the alleged event will not be investigated.

- Title VI Coordinator will acknowledge receipt of complaint within 10 days of it being submitted and inform the complainant of action taken or any possible action to process the complaint. Complainant(s) must affirm its intent to proceed with the complaint.
- 4 A complaint may be dismissed for the following reasons:
    - The complainant(s) requests the withdrawal of the complaint
    - The complainant(s) fail to respond to repeated requests for additional information needed to process the complaint.
    - The complainant(s) cannot be located after reasonable attempts.
  - 5 Any allegations received by telephone will be reduced to writing and provided to the complainant(s) for confirmation or revision before processing.
    - An official Complaint Form will be forwarded to the complainant(s) to complete, sign, and return to the Title VI Coordinator for processing.
    - Failure of the complainant(s) to respond to requests for information may result in dismissal of the complaint.
  - 6 The complaint will be reviewed to determine its jurisdiction, acceptability of the complaint, need for additional information, and the investigative merit of the complaint.
  - 7 Within sixty (60) calendar days of acceptance of the complaint, the Title VI Coordinator and/or (GDOT's investigator) will prepare a written investigative report. The report shall include a narrative description of the incident, identification of the persons interviewed, findings and recommendations of disposition.
  - 8 The investigative report shall be reviewed by the Forsyth County Attorney's office ("Attorney"). The Attorney may discuss the report and its recommendations with the Title VI Coordinator and other staff as appropriate. The report will be modified as needed and made final for its release to the complainant and respondent.
  - 9 Once the investigative report become finals, briefings will be scheduled with the complainant and respondent within fifteen (15) calendar days. Both the complainant and the respondent shall receive a copy of the investigation during the briefings and will be notified of their respective appeal rights.
  - 10 A copy of the final investigation report and a copy of the complaint will be forwarded to the Georgia Department of Transportation Office of Equal Employment Opportunity within sixty (60) calendar days of the completion of the briefings



- 11 A copy of the final investigative report and a copy of the complaint will be forwarded to the Georgia Department of Transportation Office of Equal Employment Opportunity within sixty (60) calendar days of the completion of the briefings.
- 12 If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s), he or she shall be advised of his/her rights to appeal Forsyth County's decision to GDOT, United States Department of Transportation (USDOT), United States Department of Justice (USDOJ), or other entity as appropriate. The complainant has one hundred eighty (180) calendar days after Forsyth County's briefing to appeal. Unless new facts not previously considered come to light, reconsideration of Forsyth County's opinion will not be available.
- 13 A Complaints Log shall be maintained annually by Forsyth County. The Complaints Log shall contain the following information for each complaint filed:
  - o The name and address of the person filing the complaint
  - o The date of the complaint
  - o The basis of the complaint
  - o The disposition of the complaint
- 14 Forsyth County shall not be allowed to investigate a complaint against itself.
- 15 The complaint procedure is made available to the public via "Title VI" Link: <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>

## 4.2 Complaint Form

A copy of the compliant form (See Appendix E) in English is located on the Forsyth County Dial-A-Ride website link: <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>.

In accordance with the Safe Harbor threshold (See Appendix G) the complaint forms are provided in other languages spoken by LEP population(s) in the following languages: Spanish, Korean, Simplified Chinese and Hindi.

## 4.3 Record Retention and Reporting

FTA requires that all direct and primary recipients (GDOT) document their compliance by submitting a Title VI Plan to their FTA Regional Civil Rights Officer once every three (3) years. Forsyth County Dial-A-Ride will submit Title VI Plans to GDOT to receive the concurrence letter to meet compliance regulations and/or on an annual basis anytime a major change in the Plan occurs.

*FTA Circular 4702.1B, Chapter III, Paragraph 11: Primary recipients should assist their sub-recipients in complying with DOT's Title VI regulations, including the general reporting requirements.*

#### 4.4 Sub-recipient Assistance and Monitoring

Forsyth County Dial-A-Ride does not have any sub-recipients to provide monitoring and assistance to. As a sub-recipient to GDOT Forsyth County Dial-A-Ride utilizes the sub-recipient assistance and monitoring provided by GDOT, as needed. In the future, if Forsyth County Dial-A-Ride has sub-recipients, it will provide assistance and monitoring as required by FTA Circular 4702.1B.

#### 4.5 Sub recipients and Subcontractors

Forsyth County Dial-A-Ride is responsible for ensuring that subcontractors (TPOs) are in compliance with Title VI requirements. Sub recipients may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. Forsyth County Dial-A-Ride, subcontractors, and/or TPOs may not discriminate in their employment practices in connection with federally assisted projects. Subcontractors and TPOs are not required to prepare or submit a Title VI Plan. However, the following nondiscrimination clauses will be inserted into every contract with contractors and subcontractors subject to Title VI regulations.

##### Nondiscrimination Clauses

During the performance of a contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") must agree to the following clauses:

1. **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the subcontractor's obligations under this contract and the



Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

4. **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Georgia Department of Transportation and/or the Federal Transit Administration*, to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Georgia Department of Transportation, and/or the Federal Transit Administration*, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, Forsyth County Dial-A-Ride shall impose contract sanctions as appropriate, including, but not limited to:
  - a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Forsyth County Dial-A-Ride, Georgia Department of Transportation, and/or the Federal Transit Administration, may direct as a means of enforcing such provisions including sanctions for noncompliance.

#### **Disadvantaged Business Enterprise (DBE) Policy**

As a condition of its agreement with GDOT, Forsyth County Dial-A-Ride and its contractors and subcontractors agree to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26, as amended, have the opportunity to participate in the performance of contracts funded with FTA funding received through GDOT as required. Forsyth County Dial-A-Ride and its contractor and subcontractors shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the performance of any contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of federally funded GDOT-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 the contract or such other remedy as the recipient deems appropriate.

#### **E-Verify**

As a condition of its agreement with GDOT, vendors and contractors of Forsyth County Dial-A-Ride shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the vendor or contractor while contracted with Forsyth County Dial-A-Ride. Additionally, vendors and contractors shall expressly require any subcontractors performing work or providing services pursuant to work for Forsyth County Dial-A-Ride shall likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor while working for Forsyth County Dial-A-Ride.

## 5.0 Title VI Investigations, Complaints, and Lawsuits

*FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.*

In accordance with 49 CFR 21.9(b), Forsyth County Dial-A-Ride must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by Forsyth County Dial-A-Ride in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to GDOT.

Forsyth County Dial-A-Ride has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

**Table 1: Summary of Investigations, Lawsuits, and Complaints**

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1.	n/a	n/a	n/a	n/a
2.				
<b>Lawsuits</b>				
1.	n/a	n/a	n/a	n/a
2.				
<b>Complaints</b>				
1.	n/a	n/a	n/a	n/a
2.				

## 6.0 Public Participation Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.4: Every Title VI Plan shall include the following information: A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Plan submission. A recipient's targeted public participation plan of minority populations may be part of efforts that extend more broadly to include constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.*

The Public Participation Plan (PPP) for Forsyth County Dial-A-Ride was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for Forsyth County Dial-A-Ride. The PPP is included as Appendix F to this Title VI Plan.

### Current Outreach Efforts

Forsyth County Dial-A-Ride is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of Forsyth County Dial-A-Ride's recent, current, and planned outreach activities.

- Activity 1: Currently provides brochures in (English, Spanish, Korean, Simplified Chinese, and Hindi).
- Activity 2: Brochures in all five (5) languages are placed in locations frequented by minority and LEP populations, including and not limited to retail establishments, churches, and public and private medical facilities. Brochures are available in all vehicles and upon request via dispatcher and/or at the Dial-A-Ride office.
- Activity 3: On occasion, Forsyth County Dial-A-Ride will submit an article for publication in the local newspaper explaining the agency's services.
- Activity 4: If there is a major change to service, a public meeting will be held to explain changes. Adequate notice of meeting will be placed in all vehicles, on the county website, and in local publications in all five (5) languages.
- Activity 5: No new transit facility will be constructed during this cycle.
- Activity 6: Forsyth County provides service to all areas of the county equally.

## 7.0 Language Assistance Plan

*FTA Circular 4702.1B, Chapter III, Paragraph 9: Recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).*

Forsyth County Dial-A-Ride operates a transit system within Forsyth County. The Language Assistance Plan (LAP) has been prepared to address Forsyth County Dial-A-Ride's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Forsyth County Dial-A-Ride's service area there are 11,986 or 7.06% of residents who describe themselves as not able to communicate in English very well (Source: US Census). Forsyth County Dial-A-Ride is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Forsyth County Dial-A-Ride has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP. The LAP is included in this Title VI Plan as Appendix G.

## 8.0 Transit Planning and Advisory Bodies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.*

Forsyth County Dial-A-Ride does not have a transit-related committee or board; therefore, this requirement does not apply.



## 9.0 Title VI Equity Analysis

*FTA Circular 4702.1B, Chapter III, Paragraph 4.a.8: If the recipient has constructed a facility, such as vehicle storage, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.*

Title 49 CFR, Appendix C, Section (3)(iv) requires that “the location of projects requiring land acquisition and the displacement of persons from their residences and business may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as they are considered transit amenities. It also does not include transit stations, power substations, or any other project evaluated by the National Environmental Policy Act (NEPA) process. Facilities included in the provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations, Forsyth County Dial-A-Ride will ensure the following:

1. Forsyth County Dial-A-Ride will complete a Title VI equity analysis for any facility during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Forsyth County Dial-A-Ride will engage in outreach to persons potentially impacted by the siting of the facility. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.
2. When evaluating locations of facilities, Forsyth County Dial-A-Ride will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group level where appropriate to ensure that proper perspective is given to localized impacts.
3. If Forsyth County Dial-A-Ride determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, Forsyth County Dial-A-Ride may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. Forsyth County Dial-A-Ride must demonstrate and document how both tests are met. Forsyth County Dial-A-Ride will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

Forsyth County Dial-A-Ride has not recently constructed any facilities, nor does it currently have any facilities in the planning stage. Therefore, Forsyth County Dial-A-Ride does not have any Title VI Equity Analysis reports to submit with this Plan.

## 10.0 System-Wide Service Standards and Service Policies

*FTA Circular 4702.1B, Chapter III, Paragraph 10: All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.*

Forsyth County Dial-A-Ride is not a fixed route service provider.

## 11.0 Appendices

APPENDIX A	FTA CIRCULAR 4702.1B REPORTING REQUIREMENTS FOR TRANSIT PROVIDERS
APPENDIX B	CURRENT SYSTEM DESCRIPTION
APPENDIX C	TITLE VI PLAN ADOPTION MEETING MINUTES AND GDOT CONCURRENCE LETTER
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX E	TITLE VI COMPLAINT FORM
APPENDIX F	PUBLIC PARTICIPATION PLAN
APPENDIX G	LANGUAGE ASSISTANCE PLAN
APPENDIX H	OPERATING AREA LANGUAGE DATA: FORSYTH COUNTY DIAL-A-RIDE SERVICE AREA
APPENDIX I	[OMITTED PURSUANT TO INSTRUCTION PROVIDED BY GDOT]
APPENDIX J	TITLE VI EQUITY ANALYSIS
APPENDIX K	TEXT FORMATTING PALETTE



# **Appendix A**

## **FTA Circular 4702.1B Reporting Requirements for Transit Providers**

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Sub-recipients shall submit the information below to their primary recipient (the entity from whom the sub-recipient receives funds directly), on a schedule to be determined by the primary recipient, which GDOT has set as annually.

#### General Requirements

*All recipients must submit:*

- ☐ Title VI Notice to the Public, including a list of locations where the notice is posted
- ☐ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ☐ Title VI Complaint Form
- ☐ List of transit-related Title VI investigations, complaints, and lawsuits
- ☐ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ☐ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ☐ A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- ☐ Primary recipients shall include a description of how the agency monitors its sub-recipients for compliance with Title VI, and a schedule of sub-recipient Title VI Program submissions
- ☐ **A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.**
- ☐ A copy of board meeting minutes, resolution, or other appropriate documentation showing the Board of Commissioners reviewed and approved the Title VI Program.
- ☐ Additional information as specified in Chapters IV, V, and VI, as applicable

## **Appendix B**

# **Current System Description**

### Current System Description

1. An overview of the organization including its mission, program goals and objectives.

Forsyth County Dial-A-Ride's current and long-term focus as a transportation provider is on maintaining the best-coordinated transportation system possible for this community. Our goal is to create a coordinated system with the objective of providing safe, reliable, timely and efficient transportation services to county residents.

2. Organizational structure, type of operation, number of employees, service hours, staffing plan and safety and security plan.

Forsyth County Dial-A-Ride is a government organization. Our organization is made up of 10 full-time employees, 3 part-time employees, and no volunteers. Our Transportation Manager is responsible for all day-to-day operations of our organization and reports directly to the Fleet Director. Our Board of Commissioners are committed to this program and has, therefore, incorporated our service within the County's Public Transportation Program. We will continue to operate at previous year (2018) service hours averaging 56 total fleet service hours per day or approximately 14,000 annual service hours (assuming 250 operating days).

3. Governing authority.

Forsyth County Dial-A-Ride operates as a government entity under the elected Board of Commissioners.

4. Responsibility for insurance, training and management, and administration of the agency's transportation programs.

Forsyth County Dial-A-Ride's Transportation Manager is responsible for training and management of our transportation program. All safety sensitive employees are required to complete GDOT approved safety and security training course as part of their new hire orientation. All new employees are also required to complete 40 hours of on-the-road drivers training, which includes riding with a training driver, behind-the-wheel training, and training on proper use of wheelchair lifts and securement devices. Forsyth County Risk Management is responsible for annual renewal of all liability insurance for both GDOT and agency owned vehicles. Forsyth County Fleet Services is responsible for vehicle registration renewal. It is the Transportation Manager's responsibility to administer all aspects of the transportation program and to control access and usage of all agency vehicles.

5. Responsibility for vehicle maintenance and record keeping.

Maintenance on all agency vehicles is provided by Forsyth County Fleet Services. Forsyth County Fleet Services employs only ASE certified technicians with experience in working on commercial passenger vehicles like the type our agency uses. All maintenance is performed using the Preventative Maintenance Plan, which conforms to the State Vehicle Maintenance Guidelines set forth in the GDOT Preventative Maintenance Guidelines document. All vehicle files and driver files are kept on-site at our operations base located at 4140 County Way Cumming, GA 30028 and are maintained by the Transportation Manager. All records are maintained and retained for a minimum of four (4) years.

6. Number of current transportation related employees.

Our transportation department has a total of 13 employees that include: 8 full-time drivers, 3 part-time drivers, 1 administrator and 1 support staff.

7. Driver qualification.

Only transportation employees who have completed all the required safety and drivers training requirements will be allowed to drive the agency vehicles. Our vehicles are less than 15 passengers, so our drivers do not require CDL's.

8. Description of service routes and ridership numbers.

Transportation services provided through our program are available to all Forsyth County residents. Our service incorporates public transportation. We provide a wide range of trip purposes that include medical, nutrition, shopping, social service, training, employment, social and recreation. Currently, we use eight (8) ten (10) passenger, lift equipped vehicles to provide passenger services. Our fleet includes eight (8) shuttle vans. Eight (8) (all) of our vehicles are equipped for wheelchair service. We prioritize grouping trips and multi-loading to the maximum extent possible. We make 90 passenger trips per day on average and leverage our fleet resources so that all vehicles are used in a responsible manner to provide full coverage and retire the vehicles at a consistent pace and appropriate age and mileage, as determined by Georgia DOT's schedule.

# **Appendix C**

## **Title VI Plan Adoption Meeting Minutes and GDOT Concurrence Letter**

## Summary

### MEETING SUMMARY

- All items that were approved as “Time Sensitive” are final.

### MEMBERS PRESENT:

Laura Semanson – Chairman

Dennis T. Brown – Secretary

Molly Cooper – Member

Todd Levent – (arrived at the Work Session at 2:02 p.m.)

### AGENDA

#### WORK SESSION

FORSYTH COUNTY BOARD OF COMMISSIONERS

TUESDAY, JULY 9, 2019 AT 2:00 P.M.

FORSYTH COUNTY ADMINISTRATION BUILDING

110 EAST MAIN STREET, SUITE 210

CUMMING, GEORGIA 30040

#### I. Call Meeting to Order

Chairman Semanson recognized a quorum and called the meeting to order at 2:00 p.m. with the following Board members present: Semanson, Brown, and Cooper.

#### II. Invocation and Pledge of Allegiance

The Invocation and Pledge of Allegiance were led by Secretary Dennis T. Brown.

Commissioner Levent arrived at the Work Session at 2:02 p.m.

#### III. Adoption of Agenda

The Board voted 4-0-1 (Mills absent) to adopt the Agenda as amended:

- Postpone Item (16) to the July 23, 2019 Work Session: Board consideration and approval of awarding Bid 19-51-3150 for the construction of a sidewalk on McFarland Road, Shiloh Road, and Shiloh Road East connecting to the Big Creek Greenway. Portion of funding is from Transportation

Enhancement Federal Funds, PI 0010678 \$500,000. Total Project Bid is \$938,114.01 - Director, Department of Procurement;



- Postpone Item (23) to the July 23, 2019 Work Session: Board consideration and approval of a conservation easement for the Parkstone Subdivision between Toll Southeast LP Company, Inc, Parkstone HOA, Inc., and Forsyth County – County Attorney;
- Move Item (28) to the July 23, 2019 Work Session: Board consideration of purchase agreements for the acquisition of right of way and easements needed for the Ronald Reagan Boulevard Extension Project within the Provence subdivision (Parcels 20, 30, 32-55) – County Attorney.

#### IV. Items for Consideration and Discussion

(1) Presentation by Kimley-Horn regarding proposed modifications related to the Tree Ordinance and Mass Grading within Ordinance 73 – Eric

Bosman, Kimley-Horn and Deputy Director, Department of Planning and Community Development

Eric Bosman, Kimley-Horn, was recognized and made a presentation to the Board regarding proposed modifications related to the Tree Ordinance

and Mass Grading within Forsyth County Ordinance 73. Vanessa Bernstein-Goldman, Department of Planning and Community Development Deputy

Director addressed the Board. The Board voted 4-0-1 (Mills absent) to authorize staff to proceed with the Public Hearing process, once all discussed modifications are incorporated within the Ordinance, regarding proposed modifications related to the Tree Ordinance and Mass Grading within

Forsyth County Ordinance 73 with the anticipation that the first Public Hearing will occur in September 2019.

(2) Presentation regarding the Chattahoochee River Greenway Study Project currently underway: Trust for Public Land (TPL) and Atlanta Regional

Commission (ARC) – Deputy Director, Department of Planning and Community Development

Walt Ray, Trust for Public Land (TPL), and Byron Rushing, Atlanta Regional Commission (ARC), were recognized and addressed the Board

regarding the Chattahoochee River Greenway Study Project currently underway. No formal Board action was taken.

(3) Board consideration and approval of the FY 2020 Area Agency on Aging / Legacy Link Grant Agreement. The 2020 Fiscal Year begins July 1,

2019. The Grant is \$443,566 with Forsyth County agreeing to supply a cash-match of \$93,234 and a non-cash-match of \$201,053 – Director, Department of Senior Services Ruthie Brew, Department of Senior



Services Director addressed the Board regarding the Fiscal Year 2020 Area Agency on Aging / Legacy Link Grant Agreement. The Board voted 4-0-1 (Mills absent) to approve the Fiscal Year 2020 Area Agency on Aging / Legacy Link Grant Agreement as presented. This Item was approved as "Time Sensitive".

(4) Board update on the Implementation of Planning and Community Development Software – Development Services Manager, Department of Planning and Community Development

Heather Sparkes, Department of Planning and Community Development Development Services Manager, made a presentation to the Board updating on the implementation of the Planning and Community Development Software. No formal Board action was taken.

(5) Presentation by Moreland Altobelli regarding update on transportation projects that are currently under construction – Director, Department of Engineering John Cunard, Department of Engineering Director, addressed the Board and introduced the new Capital Projects Manager for the Department of Engineering – Denise Farr. Jason McCook, Moreland Altobelli, was recognized and made a presentation to the Board updating on the transportation projects that are currently under construction. No formal Board action was taken.

(6) Board discussion and possible direction of Change Order for Pilgrim Mill Road Project in the amount of \$39,500 to upgrade to powder-coated guardrail on Pilgrim Mill Circle – Director, Department of Engineering John Cunard, Department of Engineering Director, addressed the Board regarding the proposed Change Order for the Pilgrim Mill Road Project. The Board voted 4-0-1 (Mills absent) to approve the Change Order with Vertical Earth for the Pilgrim Mill Road Project in the amount of \$39,500 to upgrade to powder-coated guardrail on Pilgrim Mill Circle as presented.

(7) Board discussion and possible direction regarding proposed Change Order for Pilgrim Mill Road Project regarding bridge upgrades – Assistant County Manager Garrin Coleman, Assistant County Manager, addressed the Board regarding the proposed Change Order for Pilgrim Mill Road Project. The Board voted 4-0-1 (Mills absent) to approve the Change Order in the not to exceed amount of \$124,990.25 for bridge aesthetic treatments for the Pilgrim Mill Road Project as presented.

(8) Board consideration and review of new options for conference room table in the Large Commissioners' Meeting Room – Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board regarding proposed options for a conference room table in the Large Commissioners' Meeting Room. The Board voted 4-0-1 (Mills absent) to accept the courtesy exchange of the 6' x 14' (60x168) table. This Item was approved as "Time Sensitive".

(9) Board consideration and approval to purchase three (3) International Dump Trucks in the amount of \$335,413 for the Department of Water and Sewer - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the purchase of three International Dump Trucks in the amount of \$335,413 for the

Department of Water and Sewer from Rush Truck Centers of GA. This Item was approved as "Time Sensitive".

(10) Board consideration and approval to purchase one (1) new Cues Hi-Cube Camera Truck in the amount of \$274,760 for the Department of Water and Sewer - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the purchase of one (1) new Cues Hi-Cube Camera Truck in the amount of \$274,760 for the Department of Water and Sewer from Cues. This Item was approved as "Time Sensitive".

(11) Board consideration and approval of North Georgia Fuel Co-Op Pricing Agreement(s) in the estimated amount of \$1,000,000 for gasoline and diesel shipments to County fuel sites - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the approve renewal of the annual pricing agreement to James River Solutions, LLC as the primary supplier and Mansfield Oil Company of Gainesville, Inc. as the secondary supplier.

(12) Board consideration and approval of a Task Order Amendment with American Engineers, Inc. in the amount of \$120,400 for the S.R. 369 Widening Project from S.R. 9 to S.R. 306 excluding the S.R. 400 / S.R. 369 Intersection - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the Task Order Amendment with American Engineers, Inc. in the amount of \$120,400 for the S.R. 369 Widening Project from S.R. 9 to S.R. 306 excluding the S.R. 400 / S.R. 369 Intersection.

(13) Board consideration and approval of a Supplemental Funding Request from Moreland Altobelli on the Union Hill Road / Bridge Construction Project in the amount of \$70,240 due to extended construction period - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the Supplemental Funding Request from Moreland Altobelli on the Union Hill Road / Bridge Construction Project in the amount of \$70,240.

(14) Board consideration and approval of a Task Order with Precision Planning, Inc. in the amount of \$55,810 for engineering services for the S.R. 9 at Oak Grove Circle Intersection Improvements as it relates to water and sewer main relocation design services - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to approve the Task Order with Precision Planning, Inc. in the amount of \$55,810 for engineering services for the S.R. 9 at Oak Grove Circle Intersection Improvements.

**(15) Board presentation and adoption of the updated Title VI Plan for Forsyth County. This update includes ratification of the FTA (Federal Transit Administration) Title VI Program as an Addendum to the**

County's Title VI Plan – Chief Financial Officer, Department of Finance (Postponed from the June 11, 2019 and June 25, 2019 Work Sessions.) David Gruen, Chief Financial Officer, and Rebecca Whitmire, Department of Finance Director, addressed the Board regarding the updated Title VI Plan for Forsyth County and Sandra Stevenson, Department of Finance Budget and Grants Manager, made a presentation. The Board voted 4-0-1 (Mills absent) to approve the Title VI Plan for Forsyth County as presented. This Item was approved as "Time Sensitive".

(16) Board consideration and approval of awarding Bid 19-51-3150 for the construction of a sidewalk on McFarland Road, Shiloh Road, and Shiloh Road East connecting to the Big Creek Greenway. Portion of funding is from Transportation Enhancement Federal Funds, PI 0010678 \$500,000. Total Project Bid is \$938,114.01 - Director, Department of Procurement (Postponed from the June 25, 2019 Work Session.) The Board voted 3-0-2 (Mills and Levent absent) [during adoption of the Agenda] to postpone this Item to the July 23, 2019 Work Session.

(17) Board consideration and approval to award RFP 19-13-1500 for the purchase and implementation of an Agenda Management Software Solution for Administration. Funding in the amount of \$39,750 to come from the 2019 Department of Administration Budget - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to award RFP 19-13-1500 to CivicPlus in the not to exceed amount of \$39,750, with a Budget Resolution, with permission to continue the annual software licensing and maintenance renewals (based upon business need) for the life of this software and to authorize the County Manager to sign the finalized Agreement

(18) Board consideration and approval to award RFP 19-48-3340 for a Control System Integrator for the Department of Water and Sewer. This is a Service Contract and no funding is requested at this time - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to award RFP 19-48-3340 to MR Systems, Inc. for a Control System Integrator for the Department of Water and Sewer on an as-needed basis.

(19) Board consideration and approval to award RFP 19-63-3150 in the amount of \$316,840 for Engineering Services for Design and Environmental on S.R. 9 at Jewell Bennett Road - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to award RFP 19-63-3150 to Pond & Company in the not to exceed amount of \$316,840 for Engineering Services for Design and Environmental on S.R. 9 at Jewell Bennett Road.

(20) Board consideration and approval to award RFP 19-81-3150 for a Regional Transportation Planning Study in the amount of \$386,500: S.R. 9 Corridor from S.R. 306 to S.R. 369, Federal Aid Project - Director, Department of Procurement

(20) Board consideration and approval to award RFP 19-81-3150 for a Regional Transportation Planning Study in the amount of \$386,500: S.R. 9 Corridor from S.R. 306 to S.R. 369, Federal Aid Project - Director, Department of Procurement Donna Kukarola, Department of Procurement Director, addressed the Board. The Board voted 4-0-1 (Mills absent) to award RFP 19-81-3150 to Pond & Company in the amount of \$386,500 for a Regional Transportation Planning Study and to approve a Budget Resolution as briefed.

(21) Board reappointment of Terry Smith as Elected Official Representative to the Forsyth County Civil Service Board to serve a four-year term beginning on July 20, 2019 and expiring on July 20, 2023 – Risk and Safety Manager, Department of Risk Management Charity Clark, Department of Risk Management Risk and Safety Manager, addressed the Board.

The Board voted 4-0-1 (Mills absent) to reappoint Terry Smith as the Elected Official Representative to the Forsyth County Civil Service Board to serve a four-year term beginning on July 20, 2019 and expiring on July 20, 2023.

(22) Board appointment / reappointment of the Social Services Delivery Community Representative position expiring on July 24, 2019. The two-year appointment will begin on July 25, 2019 and expire on July 24, 2021 – County Manager Eric Johnson, County Manager, addressed the Board.

The Board voted 4-0-1 (Mills absent) to reappoint Sarah Pedarré as the Social Services Delivery Community Representative to serve a two-term beginning on July 25, 2019 and expiring on July 24, 2021.

(23) Board consideration and approval of a conservation easement for the Parkstone Subdivision between Toll Southeast LP Company, Inc, Parkstone HOA, Inc., and Forsyth County – County Attorney (Postponed from the June 25, 2019 Work Session.)

The Board voted 4-0-1 (Mills absent) [during adoption of the Agenda] to postpone this Item to the July 23, 2019 Work Session.

The Board voted 4-0-1 (Mills absent) to move Items (24), (25), and (26) to be heard upon the arrival of Sarah VanVolkenburgh, Jarrard & Davis.

(27) Board discussion of City of Cumming Pilgrim Road Annexation – County Attorney Ken Jarrard, County Attorney, addressed the Board regarding the City of Cumming Pilgrim Road Annexation. The Item was approved as “Time Sensitive”.

Sarah VanVolkenburgh, Jarrard & Davis, arrived at the Work Session at 4:36 p.m. The Board returned to discussion of Items (24), (25), and (26).

(24) Board consideration of initiating proceedings for proposed abandonment of public right of way within Provence subdivision – County Attorney Sarah VanVolkenburgh, Jarrard & Davis, was recognized



and addressed the Board. The Board voted 4-0-1 (Mills absent) to authorize staff to proceed with the Public Hearing process regarding the abandonment of public right of way within Provence subdivision. This Item was approved as "Time Sensitive".

(25) Board consideration of initiating proceedings for proposed abandonment of public right of way within Parc at Creekstone subdivision – County Attorney Sarah VanVolkenburgh, Jarrard & Davis, was recognized and addressed the Board. The Board voted 4-0-1 (Mills absent) to authorize staff to proceed with the Public Hearing process regarding the abandonment of public right of way within Parc at Creekstone subdivision. This Item was approved as "Time Sensitive".

(26) Board authorization to retain panel of assessors in regard to condemnation action for Ronald Reagan Boulevard Parcel 18 (owner: Ecopark Properties, Inc.; Civil Action No. 19CV-0409-2 – County Attorney Sarah VanVolkenburgh, Jarrard & Davis, was recognized and addressed the Board. The Board voted 4-0-1 (Mills absent) to retain panel of assessors in regard to condemnation action for Ronald Reagan Boulevard Parcel 18 (Owner: Ecopark Properties, Inc.; Civil Action No. 19CV-0409-2) as presented.

(27) Board discussion of City of Cumming Pilgrim Road Annexation – County Attorney  
This Item was heard prior to Item (24) – see above.

(28) Board consideration of purchase agreements for the acquisition of right of way and easements needed for the Ronald Reagan Boulevard Extension Project within the Provence subdivision (Parcels 20, 30, 32-55) – County Attorney  
(Postponed from the April 23, 2019, May 7, 2019, May 21, 2019, and June 25, 2019 Work Sessions.)  
The Board voted 4-0-1 (Mills absent) [during adoption of the Agenda] to move this Item to the July 23, 2019 Work Session.

#### V. Recess Work Session

The Board voted 4-0-1 (Mills absent) to recess the Work Session at 4:47 p.m. for the purpose to enter an Executive Session to discuss Litigation, Land Acquisition, and/or Personnel.

The County Attorney advised the Board Open Session Items would follow the Executive Session.

#### VI. Executive Session

#### VII. Open Session Items following Executive Session

The Board voted 4-0-1 (Mills absent) to reconvene the Work Session at 6:13 p.m. with the following Board members present: Commissioners Semanson, Brown, Cooper, and Levent.

(1) Board consideration of proposed consent order and final judgement in regards to Civil Action File No. 17CV-0963-1 (Brookwood Road; Parcel 29) – County Attorney

The Board voted 4-0-1 (Mills absent) to approve the consent order and final judgement in regards to Civil Action File No. 17CV-0963-1 (Brookwood Road; Parcel 29).

(2) Board consideration and approval of Resolution to condemn 4.911 acres of fee simple right of way and 86,128.59 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 11; Owner: Astro Ventures, LLC) – County Attorney

The Board voted 4-0-1 (Mills absent) to approve the Resolution to condemn 4.911 acres of fee simple right of way and 86,128.59 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 11; Owner: Astro Ventures, LLC).

(3) Board consideration and approval of Resolution to condemn 2,071.76 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 57; Owner: Roy M. Conley and Janice L. Conley) – County Attorney

The Board voted 4-0-1 (Mills absent) to approve the Resolution to condemn 2,071.76 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 57; Owner: Roy M. Conley and Janice L. Conley).

(4) Board consideration and approval of Resolution to condemn 0.043 acres of fee simple right of way; 11,721.12 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 65; Owner: PAC Reserve at Summit Crossing, LLC) – County Attorney

The Board voted 4-0-1 (Mills absent) to approve the Resolution to condemn 0.043 acres of fee simple right of way; 11,721.12 square feet of Temporary Construction Easement (Ronald Reagan Boulevard Parcel 65; Owner: PAC Reserve at Summit Crossing, LLC).

(5) Board consideration of proposed consent order and final judgement in regards to Civil Action File No. 19CV-0454-2 (S.R. 369 at GA 400; Parcel 45) – County Attorney

The Board voted 4-0-1 (Mills absent) to approve the consent order and final judgement in regards to Civil Action File No. 19CV-0454-2 (S.R. 369 at GA 400; Parcel 45).

#### VIII. Adjournment

The Board voted 4-0-1 (Mills absent) to adjourn the Work Session at 6:17 p.m.



Russell R. McMurry, P.E., Commissioner  
One Georgia Center  
600 West Peachtree NW  
Atlanta, GA 30308  
(404) 631-1990 Main Office

**\*Via E-mail transmission\***

June 20, 2019

Ms. Sandra Stevenson  
Forsyth County Title VI Liaison  
Forsyth County Transit  
4140 County Way  
Cumming, GA 30028

Dear Ms. Stevenson,

The Department has completed its review of your Title VI Plan and has determined that it meets the requirements established in the Federal Transit Administration's (FTA) Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," effective October 1, 2012.

Should you need assistance or have any questions, please do not hesitate to contact Ms. Michele Nystrom, Transit Compliance and Asset Manager directly at (404) 631-1235 or at [mnystrom@dot.ga.gov](mailto:mnystrom@dot.ga.gov)

Sincerely,

A handwritten signature in blue ink, appearing to read "LA Trainer", is positioned above the printed name of the sender.

Leigh Ann Trainer, Transit Program Manager  
Division of Intermodal

cc: Avery Gravitt, Forsyth County Public Works Manager  
Michele Nystrom, Transit Compliance and Asset Manager  
Freida Black, Assistant Program Delivery Manager, District Six

## **Appendix D**

### **Title VI Sample Notice to Public**



**Notifying the Public of Rights Under Title VI****Forsyth County Dial-A-Ride**

- Forsyth County Dial-A-Ride operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Forsyth County Dial-A-Ride.
- For more information on Forsyth County Dial-A-Ride Civil Rights program, and the procedures to file a complaint, contact c. email [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com), or visit our administrative office at 110 East Main Street, Suite 255, Cumming, GA 30040. Persons with hearing disabilities can contact Forsyth County Dial-A-Ride by using the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135 and asking to connect to 770-205-4550, ext. 2751. For more information, visit the "Title VI" link on <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>.
- If information is needed in another language, contact 770-205-4550, ext. 2751; email [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com), or visit our administrative office at 110 East Main Street, Suite 255, Cumming, GA 30040.
- You may also file your complaint directly with the FTA at: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR 1200 New Jersey Ave., SE, Washington, DC 20590

## Spanish

### Notificación al Público acerca de los derechos bajo el Título VI

#### Dial-A-Ride del Condado de Forsyth

- Dial-A-Ride del Condado de Forsyth maneja sus programas y servicios sin considerar raza, color y nacionalidad según las leyes del Título VI de Derechos Civiles. Cualquier persona que crea que haya sido agraviado por alguna práctica discriminatoria e ilegal podrá presentar una queja con Dial-A-Ride del Condado de Forsyth.
- Para más información acerca del programa de derechos civiles de Dial-A-Ride del Condado de Forsyth y de los procedimientos a seguir para presentar una queja, comuníquese llamando al 770-205-4550 ext. 2751, correo electrónico: [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com), o visite nuestra oficina administrativa ubicada en 110 East Main Street, Suite 255, Cumming, GA 30040. Las personas que sufren de discapacidad auditiva se pueden contactar con Dial-A-Ride del Condado de Forsyth por medio de Georgia Relay Service (Servicio de transmisión de Georgia, en (TDD) 1-800-255-0056 ó (Voz) 1-800-255-0135, y solicitar que lo conecten con el 770-205-4550 ext. 2751. Para más información visite <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi>.
- Si necesita información en otro idioma, llame al 770-205-4550 ext. 2751; correo electrónico: [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com), o visite nuestra oficina administrativa ubicada en 110 East Main Street, Suite 255, Cumming, GA 30040.
- Usted también puede presentar su queja directamente con FTA (Oficina Federal de Administración de Tránsito) en: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR  
1200 New Jersey Ave., SE, Washington, DC 20590

## Korean

Title VI 에 따른 대중에게 대중에게 알리기

### 포 사이 스 카운티 다이얼 - 어 - 라이드

- Forsyth County Dial-A-Ride 는 민권법 Title 6 에 따라 인종, 피부색, 국적에 상관없이 프로그램과 서비스를 운영합니다. Title VI 에 따른 불법적인 차별 행위로 인해 불편을 겪은 사람은 Forsyth County Dial-A-Ride 에 불만을 제기 할 수 있습니다.
- Forsyth 카운티 Dial-A-Ride 시민권 프로그램에 대한 더 많은 정보와 불만 신고 절차에 대한 자세한 정보는 이메일 [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com) 이나 678-455-8476 으로 연락 하시거나, 110 East Main Street, suite 255, Cumming, Ga 30040 에 있는 관리 사무소를 방문하십시오. 청각 장애가있는 사람은 Georgia Relay Service TDD 1-800-225-0056 나 (음성) 1-800-255-0135 를 통해 678-455-8476 으로 연결 해 달라고 부탁 함으로서 Forsyth County Dial-A-Ride 로 연락 하실 수 있습니다. 더 자세한 정보는 <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi> 의 "Title VI" 링크를 방문하십시오.
- 다른 언어로 정보가 필요하면 678-455-8476 이나 이메일 [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com) 또는 저희 행정 사무소 110 East Main Street, Suite 255, Cumming, GA 30040 을 방문하십시오.
- 당신은 FTA 에 직접 불만을 제기 할 수도 있습니다 : 연방 교통 관리국 시민 권리 담당 : 타이틀 VI 프로그램 담당자, East Building, 5<sup>th</sup> floor – TCR 1200 New Jersey Ave., SE, Washington, DC 20590

## Simplified Chinese

公众根据第六章享有的权利通知

### 福赛思县电话约车服务

- 福赛思县电话约车服务根据《民权法案》第六章的规定运营其计划和服务，不会因种族、肤色和祖籍国而歧视任何人。如有人认为自己的合法权利因第六章列明的任何非法歧视性行为受到侵害，可以向福赛思县电话约车服务提出投诉。
- 如需福赛思县电话约车服务民权计划的更多信息，以及提交投诉的程序，请发送电子邮件至 [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com)，或来访我们的行政办公室，地址为 110 East Main Street, Suite 255, Cumming, GA 30040。听障人士可通过佐治亚州电话中转服务：（听障专线）1-800-255-0056 或（语音）1-800-255-0135，并要求转接 770-205-4550，分机号 2751，联系福赛思县电话约车服务。更多信息，请访问载于 <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride#256390-forsyth-transit-title-vi> 的 Title VI（第六章）链接。

- 如需其他语言版本，请致电 770-205-4550，分机号 2751；发送电子邮件至 [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com)，或来访我们的行政办公室，地址为 110 East Main Street, Suite 255, Cumming, GA 30040。
- 您亦可直接向联邦交通管理局提交投诉：

Federal Transit Administration Office of Civil Rights（联邦交通管理局民权办公室）

Attention: Title VI Program Coordinator（收件人：第六章计划协调员）

East Building, 5th Floor – TCR 1200 New Jersey Ave., SE, Washington, DC 20590

## Hindi

### 1.0 टाइटल VI के तहत आने वाले अधिकारों के बारे में जनता को सूचित करना

#### फोरसाइथ काउंटी डायल-ए-राइड

- फोरसाइथ काउंटी (डायल-ए-राइड) Dial-A-Ride नागरिक अधिकार अधिनियम के टाइटल VI के अनुसार जाति, रंग और राष्ट्रीय मूल के की परवाह किए बिना अपने कार्यक्रमों और सेवाओं का संचालन करती है। कोई भी ऐसा व्यक्ति जिसे लगता हो कि टाइटल VI के तहत आने वाले गैरकानूनी भेदभावपूर्ण व्यवहार से उसे दुःख पहुंचा है तो वह फोरसाइथ काउंटी Dial-A-Ride के साथ शिकायत दर्ज करवा सकता है।
- फोरसाइथ काउंटी (डायल-ए-राइड) Dial-A-Ride नागरिक अधिकार कार्यक्रम के बारे में अधिक जानकारी के लिए और शिकायत दर्ज करने की प्रक्रिया के बारे में जानने के लिए [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com), पर मेल करें या 110 East Main Street, Suite 255, Cumming, GA 30040 पर स्थित हमारे प्रशासनिक ऑफिस में जाएं। वे व्यक्ति जिन्हें सुनने में दिक्कत होती है, वे जॉर्जिया रिले सेवा, (TDD) 1-800-255- 0056 या (वॉयस) 1-800-255-0135 पर और फोरसाइथ काउंटी (डायल-ए-राइड) Dial-A-Ride से संपर्क कर सकते हैं और 770-205-4550 पर एक्सटेंशन 2751 से कनेक्ट करने के लिए कह सकते हैं। अधिक जानकारी के लिए, <https://www.forsythco.com/Departments-Offices/Fleet-Services/Dial-A-Ride/#256390-forsyth-transit-title-vi> पर "Title VI" लिंक पर जाएं।
- यदि आप को किसी दूसरी भाषा में जानकारी चाहिए तो 770-205-4550, एक्सटेंशन 2751 पर कॉल करें, या [SLStevenson@forsythco.com](mailto:SLStevenson@forsythco.com) पर ईमेल करें या 110 East Main Street, Suite 255, Cumming, GA 30040 पर स्थित हमारे प्रशासनिक ऑफिस में जाएं।
- आप सीधे अपनी शिकायत FTA के साथ सीधे भी दर्ज कर सकते हैं: Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator, East Building, 5th Floor - TCR1200 New Jersey Ave., SE, Washington, DC 20590

# **Appendix E**

## **Title VI Complaint Form**



# Forsyth County Dial-A-Ride

## Title VI Complaint Form

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Age	
<input type="checkbox"/> Disability	<input type="checkbox"/> Family or Religious Status	<input type="checkbox"/> Other (explain) _____		
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____				
_____				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No

**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

☐ Yes

☐ No

If yes, check all that apply:

☐ Federal Agency: \_\_\_\_\_

☐ Federal Court \_\_\_\_\_

☐ State Court \_\_\_\_\_

☐ State Agency \_\_\_\_\_

☐ Local Agency \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Section VI**

Name of agency complaint is against: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone number: \_\_\_\_\_

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

Signature and date required below

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:

Sandra Stevenson, Title VI Coordinator/Budget/Grants Manager  
Forsyth County Finance Department  
770-205-4550 ext. 2751  
110 East Main Street, Suite 255  
Cumming, GA 30040



# Dial-A-Ride del Condado de Forsyth

## Formulario de Quejas del Título VI

<b>Sección I</b>				
Nombre:				
Dirección:				
Teléfono (casa):			Teléfono (trabajo):	
Correo electrónico:				
¿Requiere usted de un formato accesible?	Letra grande		Audio casete	
	TDD [Dispositivo de telecomunicación para sordos]		Otro	
<b>Sección II</b>				
¿Está presentando esta queja de su parte?			Sí*	No
*Si contestó "sí" a esta pregunta, vaya a la sección III.				
Si contesto no, por favor proporcione el nombre y el parentesco con la persona para quien está presentando esta queja:				
Por favor explique la razón por la cual usted está presentado esta queja por un tercero:				
Si usted está presentando la queja en nombre de un tercero, por favor confirme que usted ha obtenido el permiso de la parte agraviada:			Sí	No
<b>Sección III</b>				
Yo creo que la discriminación que yo sufrí se basó en (marque todas las que correspondan):				
<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Nacionalidad <input type="checkbox"/> Edad <input type="checkbox"/> Discapacidad <input type="checkbox"/> Familia o religión <input type="checkbox"/> Otro (explique) _____				
Fecha en que ocurrió la discriminación alegada (mes, día y año): _____				
Explique tan claro como le sea posible lo que sucedió y porqué cree usted que se discriminó en su contra. Describa todas las personas involucradas. Incluya el nombre y la información de contacto de la persona o personas que discriminaron contra usted (sí lo sabe), al igual que los nombres y la información de contacto de cualquier testigo. Si necesita más espacio, por favor use el dorso de esta página.				
_____				
_____				
<b>Sección IV</b>				
¿Ha presentado usted una queja de Título VI con esta agencia anteriormente?			Sí	No

**Sección V**

¿Ha presentado usted esta queja con cualquier otra agencia federal, estatal, o local, o con cualquier tribunal federal o estatal?

☐ Sí ☐ No

Si contesto sí, marque todas las que correspondan:

☐ Agencia federal \_\_\_\_\_

☐ Tribunal federal: \_\_\_\_\_

☐ Tribunal estatal \_\_\_\_\_

☐ Agencia estatal \_\_\_\_\_

☐ Agencia local \_\_\_\_\_

Por favor de proveer información sobre una persona de contacto en la agencia o tribunal donde se presentó la queja.

**Nombre:** \_\_\_\_\_

**Título:** \_\_\_\_\_

**Agencia:** \_\_\_\_\_

**Dirección:** \_\_\_\_\_

**Teléfono:** \_\_\_\_\_

**Sección VI**

Nombre de la agencia contra la cual es la queja: \_\_\_\_\_

Persona de contacto: \_\_\_\_\_

Título: \_\_\_\_\_

Número de teléfono: \_\_\_\_\_

Usted puede anexar cualquier documento escrito u otra información que usted piense sea relevante a su queja.

La firma y fecha son requeridas a continuación.

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

Por favor de presentar este formulario personalmente a la siguiente dirección o envíe este formulario a:

Sandra Stevenson, Title VI Coordinator/Budget/Grants Manager  
Forsyth County Finance Department  
770-205-4550 ext. 2751  
110 East Main Street, Suite ~~225~~ 255  
Cumming, GA 30040

## Forsyth 카운티의 다이얼 어 라이드

## 타이틀 포 불만 신고 양식

<b>항목 1:</b>				
이름:				
주소:				
전화 (집):			전화 (직장):	
이메일 주소:				
필요한 사용 양식?	큰 활자		음성 테이프	
	TDD		그 외	
<b>항목 2:</b>				
당신은 본인을 위하여 이 불만서를 작성하십니까?			네*	아니요
*당신이 “네” 라고 이질문에 답 하셨다면 항목 3 으로 가십시오				
만약 아니라면, 당신이 불만신고를 해 주는 사람의 이름과 관계를 말씀해 주십시오				
왜 제 3 자를 위해서 이 양식을 작성 하시는지 설명 해 주십시오:				
만약 제 3 자를 위해 이 양식을 작성 하신다면, 피해 입은 사람의 허락을 받았다는 것을 확인 해 주십시오..			네	아니요
<b>항목 3:</b>				
내가 겪은 차별대우는 다음에 기반 한 것으로 믿는다 (해당되는 모든 것을 표시 해 주십시오):				
<input type="checkbox"/> 인종 <input type="checkbox"/> 피부색 <input type="checkbox"/> 국적 <input type="checkbox"/> 나이				
<input type="checkbox"/> 장애 <input type="checkbox"/> 가족 또는 종교적 입장 <input type="checkbox"/> 기타 (설명) _____				
차별대우가 발생 했다고 여기는 날짜 (월, 일, 년도): _____				
될 수 있는 한 정확하게 무슨 일이 있었는지, 왜 당신이 차별 대우를 당했다고 믿는지 설명 해 주십시오. 관련된 모든 사람을 알려 주십시오. 증인의 이름들과 연락처와 함께 (만약 아신다면) 당신을 차별 대우한 사람(들)의 이름과 연락처를 포함해 주십시오. 만약 지면이 더 필요 하시면 이 양식의 뒷면을 사용하십시오.				
_____				
_____				
<b>항목 4:</b>				

전에 이 기관에 타이틀 포를 제출하신 적이 있습니까?

네

아니요

#### 항목 5:

이 불만을 다른 연방정부, 주정부, 또는 지역 구 기관에, 또는 연방정부 주정부 법정에 제출 하신 적이 있습니까?

☐ 네 ☐ 아니요

만약 그랬다면, 해당하는 모든 것을 표시해 주십시오:

☐ 연방정부 기관: \_\_\_\_\_

☐ 연방정부 법정 \_\_\_\_\_ ☐ 주 정부 기관 \_\_\_\_\_

☐ 주정부 법정 \_\_\_\_\_ ☐ 지역구 기관 \_\_\_\_\_

당신이 불만을 제출 한 기관/법정 의 연락 인의 정보를 제공 해 주십시오.

이름:

직명:

기관:

주소:

전화:

#### 항목 6

불만의 대상 기관 이름:

연락 인:

직명:

전화 번호:

당신은 이 불만신고에 관련 된다고 생각하는 문서나 그 외의 정보를 첨부하실 수 있습니다.

아래에

서명과

날짜가

필요합니다.

서명

날짜

이 양식을 아래 주소로 직접 가져다 주시거나 이 양식을 우편으로 보내주십시오 :

Sandra Stevenson, Title VI Coordinator  
Forsyth County Finance Dept.

770-205-4550, ext. 2751  
 110 E. Main St. Ste. 255  
 Cumming, Georgia, 30040

## 福赛思县电话约车服务

### 第六章投诉表

<b>第一节:</b>				
姓名:				
地址:				
家庭电话:			工作电话:	
电子邮件地址:				
是否要求无障碍格式?	大号字体		录音带	
	听障专用		其他	
<b>第二节:</b>				
您是否代表自己提交本投诉?			是*	否
*如果您对本问题的回答为“是”，请转至第三节。				
如为否，请提供您代其投诉的人的姓名和与此人的关系:				
请解释您为何代表第三方提交投诉:				
如果您是代表第三方提交投诉，请确认您已获得受侵权方的许可。			是	否
<b>第三节:</b>				
我认为我基于以下各项受到歧视（请勾选所有适用项）:				
<input type="checkbox"/> 种族	<input type="checkbox"/> 肤色	<input type="checkbox"/> 祖籍国	<input type="checkbox"/> 年龄	
<input type="checkbox"/> 残疾	<input type="checkbox"/> 家庭状况或宗教信仰	<input type="checkbox"/> 其他（请解释）_____		
涉嫌歧视的日期（年月日）: _____				
请尽可能清楚说明发生了什么，以及您为何认为自己受到歧视。请列明牵涉其中的所有人。包括歧视您的人的姓名和联系信息（如知晓），以及任何见证人的姓名和联系信息。如地方不够，请在本表格背面填写。				
_____				
_____				
<b>第四节</b>				
您此前是否曾向本机构提交过第六章投诉?			是	否

## 第五节

您是否已向任何其他联邦、州或地方机构或任何联邦或州法院提交本投诉？

☐ 是 ☐ 否

如是，请勾选所有适用项：

☐ 联邦机构：\_\_\_\_\_

☐ 联邦法院 \_\_\_\_\_

☐ 州机构 \_\_\_\_\_

☐ 州法院 \_\_\_\_\_

☐ 地方机构 \_\_\_\_\_

请提供获提交投诉的机构 / 法院的联系人的相关信息。

姓名：

职衔：

机构：

地址：

电话：

## 第六节

所投诉的机构名称：

联系人：

职衔：

电话号码：

您可以随附您认为与投诉相关的任何书面材料或其他信息。

请务必在下方签名并注明日期

\_\_\_\_\_  
签名

\_\_\_\_\_  
日期

请亲自或通过邮寄将本表格递交至以下地址：

Sandra Stevenson, Title VI Coordinator (第六章协调员)  
Forsyth County Finance Dept. (福赛思县财务部)  
770-205-4550, ext. 2751 (分机号 2751)  
110 E. Main St. Ste. 255  
Cumming, Georgia, 30040



## फोरसाइथ काउंटी डायल-ए-राइड (Dial-A-Ride)

टाइटल VI शिकायत फॉर्म

<b>खंड 1:</b>				
नाम:				
पता:				
टेलीफोन (घर):			टेलीफोन (काम):	
ईमेल एड्रेस:				
सुलभ प्रारूप आवश्यकताएँ?	बड़ी छपाई		ऑडियो टेप	
	TDD		अन्य	
<b>खंड 2:</b>				
क्या आप यह शिकायत खुद अपनी ओर से दर्ज कर रहे हैं?			हाँ*	नहीं
*यदि आप ने "हाँ" में उत्तर दिया है तो खंड 3 पर जाएं।				
यदि नहीं, तो आप जिस व्यक्ति की ओर से शिकायत दर्ज करवा रहे हैं, उन का नाम और आप से संबंध बताएं:				
कारण बताएं कि आप तीसरे पक्ष की ओर से शिकायत क्यों दर्ज कर रहे हैं:				
कृपया पुष्टि करें कि अगर आप किसी तीसरे पक्ष की ओर से शिकायत दर्ज कर रहे हैं, तो आपने पीड़ित पक्ष से अनुमति ले ली है।			हाँ	नहीं
<b>खंड 3:</b>				
मुझे लगता है की मेरे साथ जो भेदभाव हुआ वह (वे सभी चुनें जो लागू होते हों) पर आधारित था:				
<input type="checkbox"/> जाति	<input type="checkbox"/> रंग	<input type="checkbox"/> राष्ट्रीयता	<input type="checkbox"/> उम्र	
<input type="checkbox"/> अक्षमता	<input type="checkbox"/> परिवार या धार्मिक स्थिति	<input type="checkbox"/> अन्य (विवरण दें) _____		
कथित भेदभाव की तारीख (महीना, दिन, साल): _____				
जितना संभव हो सके उतने स्पष्ट रूप से समझाएं और आप क्यों मानते हैं कि आपके साथ भेदभाव किया गया था। उन सभी व्यक्तियों का वर्णन करें जो शामिल थे। उस व्यक्ति (यों) का नाम और संपर्क जानकारी शामिल करें, जिस ने/जिन्होंने ने आप के साथ भेदभाव किया (यदि मालूम हो तो) और यदि कोई गवाह थे तो उन का नाम और संपर्क जानकारी भी शामिल करें। यदि आप को लिखने के लिए और अधिक जगह की ज़रूरत हो तो कृपया इस फॉर्म के पीछे के भाग का प्रयोग करें।				
_____				
_____				
<b>खंड 4</b>				
क्या आप ने इस एजेंसी के खिलाफ पहले भी कभी टाइटल VI शिकायत दर्ज की है?			हाँ	नहीं

## खंड 5

क्या आपने यह शिकायत किसी अन्य संघीय, राजकीय या स्थानीय एजेंसी, या किसी संघीय या राज्य अदालत के साथ दर्ज की है?

☐ हाँ

☐ नहीं

यदि हाँ, तो जो भी लागू होते हैं उन सब पर निशान लगाएं:

☐ संघीय एजेंसी: \_\_\_\_\_

☐ संघीय कोर्ट \_\_\_\_\_

☐ राजकीय एजेंसी \_\_\_\_\_

☐ राजकीय कोर्ट \_\_\_\_\_

☐ स्थानीय एजेंसी \_\_\_\_\_

जिस एजेंसी/कोर्ट में शिकायत दर्ज की गयी थी, वहाँ के किसी संपर्क व्यक्ति के बारे में जानकारी दें।

नाम:

उपाधि:

एजेंसी:

पता:

टेलीफोन:

## खंड 6

जिस एजेंसी के खिलाफ शिकायत है उस का नाम:

संपर्क व्यक्ति:

उपाधि:

टेलीफोन नंबर:

आप कोई भी लिखित सामग्री या अन्य जानकारी को संलग्न कर सकते हैं जो आप को लगता है कि आप की शिकायत के लिए प्रासंगिक है।

नीचे हस्ताक्षर और दिनांक अवश्य दें

हस्ताक्षर

तारीख

नीचे दिए हुए पते पर यह फॉर्म स्वयं जा कर जमा कराएं या इस पते पर डाक द्वारा भेजें:

Sandra Stevenson, Title VI Coordinator  
Forsyth County Finance Dept.  
770-205-4550, ext. 2751  
110 E. Main St. Ste. 255  
Cumming, Georgia, 30040



## **Appendix F**

# **Public Participation Plan (PPP)**

## Public Participation Plan (PPP)

### Introduction

The Public Participation Plan (PPP) for Forsyth County Dial-A-Ride was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision-making process for Forsyth County Dial-A-Ride. Public Hearings will be held in the event any major changes to policy and/or service decisions are warranted prior to Board of Commissioners consideration and approval.

### Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment about concerning Dial-A-Ride operations. The goals for this PPP include:

- **Inclusion and Diversity:** Forsyth County Dial-A-Ride will proactively reach out and engage low-income, minority, and LEP populations for the Forsyth County Dial-A-Ride service area so these groups will have an opportunity to participate.
- **Accessibility:** All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** Forsyth County Dial-A-Ride will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible:** The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

### Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of Forsyth County Dial-A-Ride. Forsyth County Dial-A-Ride intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

- All Public Transportation Vehicles are clearly identified as "Forsyth County Dial-A-Ride" and the agency's telephone number (770-781-2195) posted in large letters on all vehicles.
- Dial-A-Ride Brochures are available in (English, Spanish, Korean, Simplified Chinese and Hindi). These brochures are available on the Dial-A-Ride website and mailed on request.

- All Dial-A-Ride staff (including drivers) are trained to have a broad knowledge of the Title VI Program and to respond to questions or requests for information regarding the program. Further, staff are trained to ask questions to determine whether a passenger has additional needs that should be addressed by the County. The public is always encouraged to call the Dial-A-Ride office and speak with management if they have further questions, ideas for improvement, etc.
- All vans are equipped with a wheelchair lift, and all Dial-A-Ride staff are trained to use the lift. If a rider chooses to be accompanied by an attendant, this is encouraged, and attendants ride free.
- Brochures in (English, Spanish, Korean, Simplified Chinese, and Hindi) are placed on bulletin boards in places frequented by minorities and LEP individuals. These locations include and not limited to retail establishments, churches, public and private medical facilities, etc.
- Forsyth County Dial-A-Ride works directly with organizations that have programs to assist minority and LEP populations. Dial-A-Ride works with these agencies to help minority and LEP populations book trips and provide transportation to special classes, such as English lessons.
- Dial-A-Ride staff are willing to meet with individuals, groups or organizations to explain services provided by Dial-A-Ride, answer questions, and solicit ideas for improvement.

For community meetings and other important information, Forsyth County will use a variety of means to make citizens aware, including some or all of the following methods:

- Posting information on website
- Press releases and briefings to media outlets
- Ensure translation services are available upon request
- Other methods required by local or state laws or agreements

# **Appendix G**

## **Language Assistance Plan (LAP)**

## I. Introduction

Forsyth County Dial-A-Ride operates a transit system within Forsyth County. The Language Assistance Plan (LAP) has been prepared to address Forsyth County Dial-A-Ride's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In Forsyth County Dial-A-Ride's service area there are 11,986 residents or 7.06% who describe themselves as not able to communicate in English "very well" (Source: US Census). Forsyth County Dial-A-Ride is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. Forsyth County Dial-A-Ride has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four-factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007) (hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally, recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP individuals, public transit is the principal transportation mode available. It is important for Dial-A-Ride to communicate effectively with all its riders. When Dial-A-Ride can communicate effectively the service provided is safer, more reliable, convenient, and accessible for all within its service area. Dial-A-Ride is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts Dial-A-Ride undertakes to ensure its service is accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas
- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents

## II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use Forsyth County Dial-A-Ride services and identify needs for language assistance. This analysis is based on the “Four Factor Analysis” presented in the Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

1. The number and proportion of LEP persons in the service area who may be served or are likely to encounter a Forsyth County Dial-A-Ride program, activity or service.
2. The frequency with which LEP persons come in contact with Forsyth County Dial-A-Ride programs, activities or services.
3. The nature and importance of programs, activities or services provided by Forsyth County Dial-A-Ride to the LEP population.
4. The resources available to Forsyth County Dial-A-Ride and overall costs to provide LEP assistance

a. Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

Of the 229,449 residents in the Forsyth County Dial-A-Ride service area 11,986 residents describe themselves as speaking English less than “very well”. People of Hispanic descent are the primary LEP persons likely to utilize Forsyth County Dial-A-Ride services. For the Forsyth County Dial-A-Ride service area, the American Community Survey of the U.S. Census Bureau shows that among the area’s population 92.94% speak English “very well”. For groups who speak English “less than very well”, 3.90% of the total Forsyth County population speak Spanish and 0.58% of the total Forsyth County population speak Korean.

Appendix H contains a table which lists the languages spoken at home by the ability to speak English for the population within the Forsyth County Dial-A-Ride service area.

b. Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

Forsyth County Dial-A-Ride has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that the only prominent LEP group is Hispanic. Phone inquiries and staff survey feedback indicated that Forsyth County Dial-A-Ride dispatchers and drivers interact infrequently with LEP persons. The majority of these



interactions have occurred with LEP persons who mainly spoke Spanish. Over the past 5 years, Forsyth County Dial-A-Ride has had 5 requests for translated documents.

**c. Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People's Lives**

Public transportation and regional transportation planning is vital to many people's lives. According to the Department of Transportation's Policy Guidance Concerning Recipient's Responsibilities to LEP Persons, providing public transportation access to LEP persons is crucial. A LEP person's inability to utilize public transportation effectively, may adversely affect his or her ability to access health care, education, or employment.

Forsyth County Dial-A-Ride provides transportation services that has a major impact on the quality of life for residents, including those with special needs. This includes transportation to routine appointments, also for extended treatments such as dialysis, chemotherapy, rehabilitation, etc.

Transportation is provided for necessary shopping for groceries, that also supports local businesses. Transportation is provided for employment, which assists both residents and local businesses. Transportation is provided for education and activities, especially for residents with special needs.

In addition to providing transportation and outreach materials to LEP individuals, Forsyth County Dial-A-Ride works with St. Brendan's Church to provide transportation and coordination for English lessons for Spanish speaking passengers. These services will also be provided to the Korean, Chinese and Hindi speaking populations upon request.

**d. Factor 4: The Resources Available to the Recipient and Costs**

Forsyth County Dial-A-Ride assessed its available resources that are currently being used, and those that could be used, to provide assistance to LEP populations. These resources include the following: Spanish language brochures and coordination with St. Brendan's Church. Forsyth County Dial-A-Ride provides a reasonable degree of services for LEP populations in its service area.

### **III. Language Assistance Plan**

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five elements are addressed below.

**a. Element 1: Identifying LEP Individuals Who Need Language Assistance**

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

Forsyth County Dial-A-Ride has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 81.87% of the service area population speaks English only. Residents who identify as speaking English less than “very well” and whose primary spoken language is Spanish account for approximately 4.0% of the service area population. Those residents whose primary language is not English or Spanish and who identify themselves as speaking English less than “very well” account for 1.2% of the service area population.

Forsyth County Dial-A-Ride may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received by Dial-A-Ride in the past, either in person or over the phone, to determine whether language assistance might be needed in the future.
2. Vehicle operators and front line staff (i.e., dispatchers, transit operation management, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

**b. Element 2: Language Assistance Measures**

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Forsyth County Dial-A-Ride has undertaken the following actions to improve access to information and services for LEP individuals:

1. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
2. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.



3. Forsyth County Dial-A-Ride will utilize the demographic maps provided in Appendix I in order to better provide the above efforts to the LEP persons within the service area.

**c. Element 3: Training Staff**

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of Forsyth County Dial-A-Ride, the most important staff training is for Customer Service Representatives and transit drivers.

The following training will be provided to appropriate Dial-A-Ride staff:

1. Information on Title VI Procedures and LEP responsibilities
2. Documentation of language assistance requests
3. How to handle a potential Title VI/LEP complaint

**d. Element 4: Providing Note to LEP Persons**

Forsyth County Dial-A-Ride will make Title VI information available in (English, Spanish, Korean, Chinese and Hindi) on the Agency's website. Key documents are written in (English, Spanish, Korean, Chinese and Hindi). Notices are also posted in the Forsyth County Dial-A-Ride office, and on buses. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

**e. Element 5: Monitoring and Updating the Plan**

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether Forsyth County Dial-A-Ride's financial resources are sufficient to fund language assistance resources needed

Forsyth County Dial-A-Ride understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. Forsyth County Dial-A-Ride is open to suggestions from all sources, including customers, Forsyth County Dial-A-Ride staff, other transportation agencies with

similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

#### **IV. Safe Harbor Provision**

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Forsyth County Dial-A-Ride service area does have LEP populations which qualify for the Safe Harbor Provision. As shown in Appendix H, the Spanish language qualifies for the Safe Harbor Provision as the number of persons who speak Spanish and speak English less than "very well" is counted as 6,623 persons or 4% of the population in the service area.

The Safe Harbor Provision applies to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. Forsyth County Dial-A-Ride may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

## Appendix H

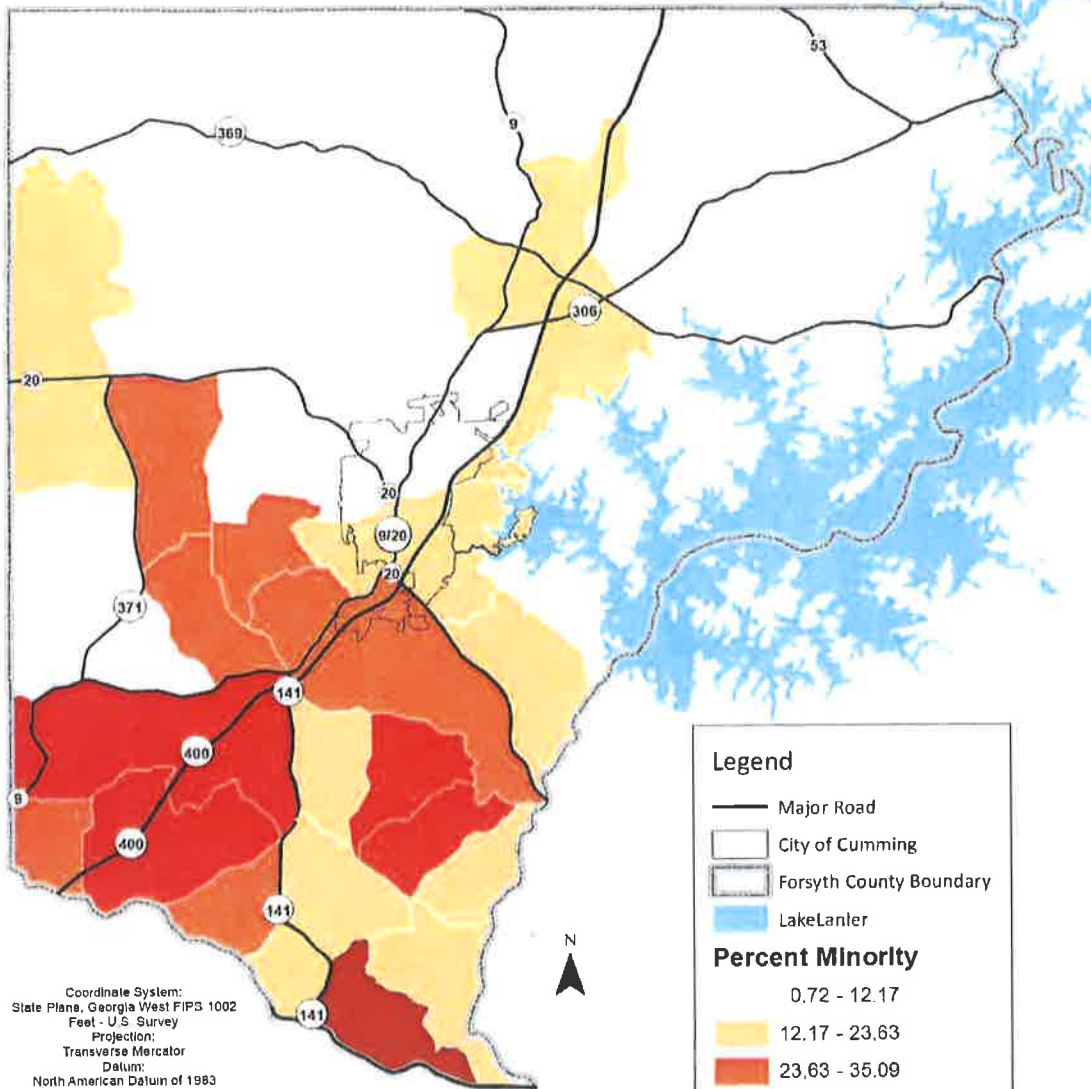
### Operating Area Language Data: Dial-A-Ride Service Area

	Forsyth County, Georgia	
	Estimate	Margin of Error
Total	198,004	+/-38
Speak only English	157,788	+/-1,108
Spanish:	15,649	+/-795
Speak English "very well"	9,282	+/-899
Speak English less than "very well"	6,387	+/-518
French, Haitian, or Cajun:	717	+/-202
Speak English "very well"	566	+/-178
Speak English less than "very well"	151	+/-91
German or other West Germanic languages:	1,158	+/-313
Speak English "very well"	1,104	+/-314
Speak English less than "very well"	52	+/-42
Russian, Polish, or other Slavic languages:	1,435	+/-355
Speak English "very well"	922	+/-275
Speak English less than "very well"	514	+/-178
Other Indo-European languages:	6,987	+/-893
Speak English "very well"	5,543	+/-789
Speak English less than "very well"	1,444	+/-317
Korean:	2,521	+/-801
Speak English "very well"	1,368	+/-388
Speak English less than "very well"	1,153	+/-288
Chinese (incl. Mandarin, Cantonese):	2,301	+/-382
Speak English "very well"	1,202	+/-256
Speak English less than "very well"	1,099	+/-242
Vietnamese:	549	+/-228
Speak English "very well"	283	+/-129
Speak English less than "very well"	266	+/-168
Tagalog (incl. Filipino):	842	+/-225
Speak English "very well"	528	+/-200
Speak English less than "very well"	114	+/-70
Other Asian and Pacific Island languages:	7,160	+/-840
Speak English "very well"	6,641	+/-559
Speak English less than "very well"	1,519	+/-278
Arabic:	418	+/-267
Speak English "very well"	333	+/-230
Speak English less than "very well"	83	+/-90
Other and unspecified languages:	882	+/-292
Speak English "very well"	804	+/-252
Speak English less than "very well"	78	+/-108

# **Appendix I**

## **Demographic Maps**

# Forsyth County Percent Minority Percent by 2010 Census Tract



Coordinate System:  
State Plane, Georgia West FIPS 1002  
Feet - U.S. Survey  
Projection:  
Transverse Mercator  
Datum:  
North American Datum of 1983  
Major Source: County's GIS Databases  
Created in ArcGIS 10.6 using ArcMap  
Produced by Forsyth County  
Geographic Information Services  
COPYRIGHT Forsyth County, GA 2019

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Presented by  
**FGIS**

## Legend

- Major Road
- City of Cumming
- Forsyth County Boundary
- Lake Lanier

## Percent Minority

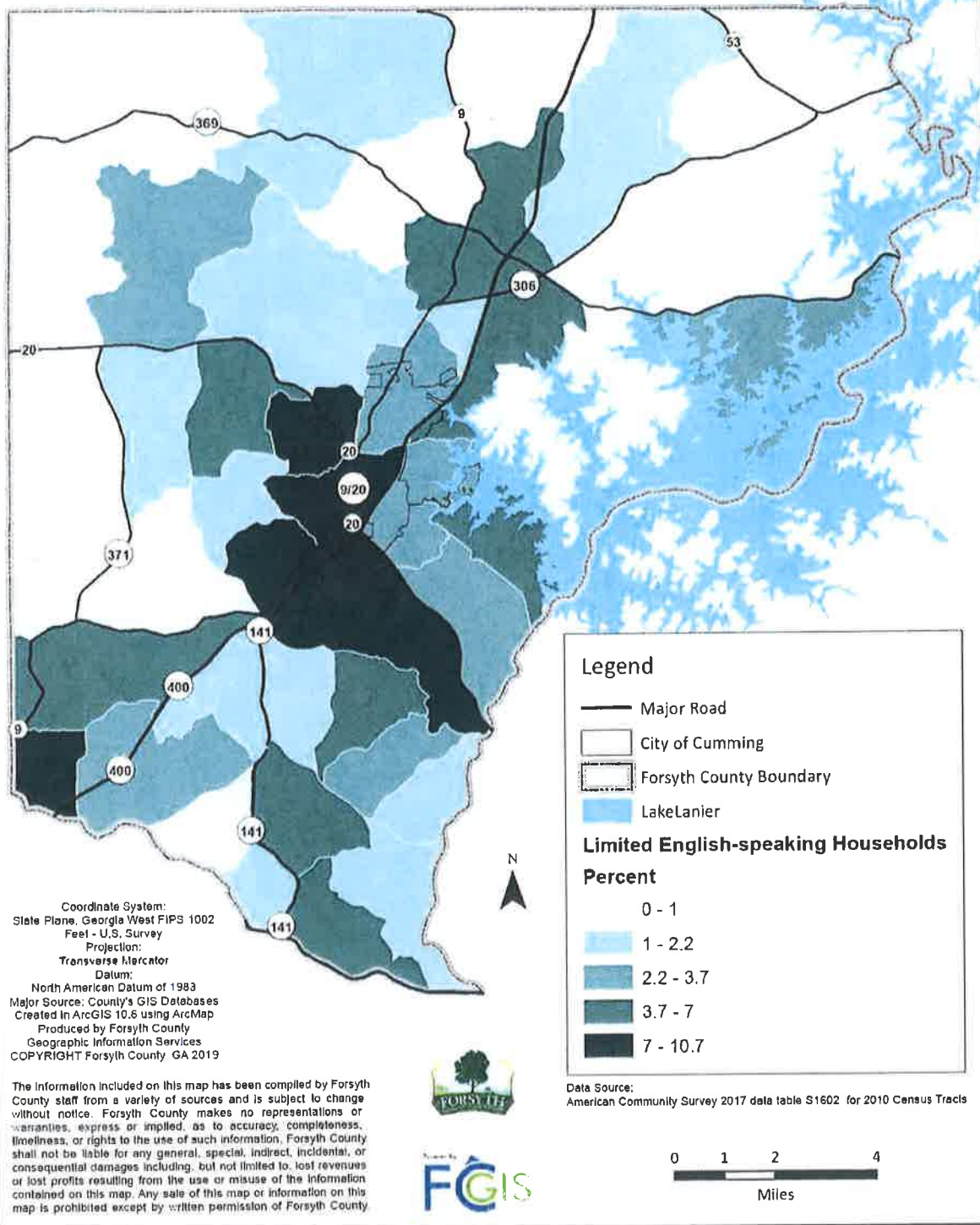
- 0.72 - 12.17
- 12.17 - 23.63
- 23.63 - 35.09
- 35.09 - 46.55
- 46.55 - 58.01

Data Source:  
American Community Survey 2017 data table B02001  
for 2010 Census Tracts

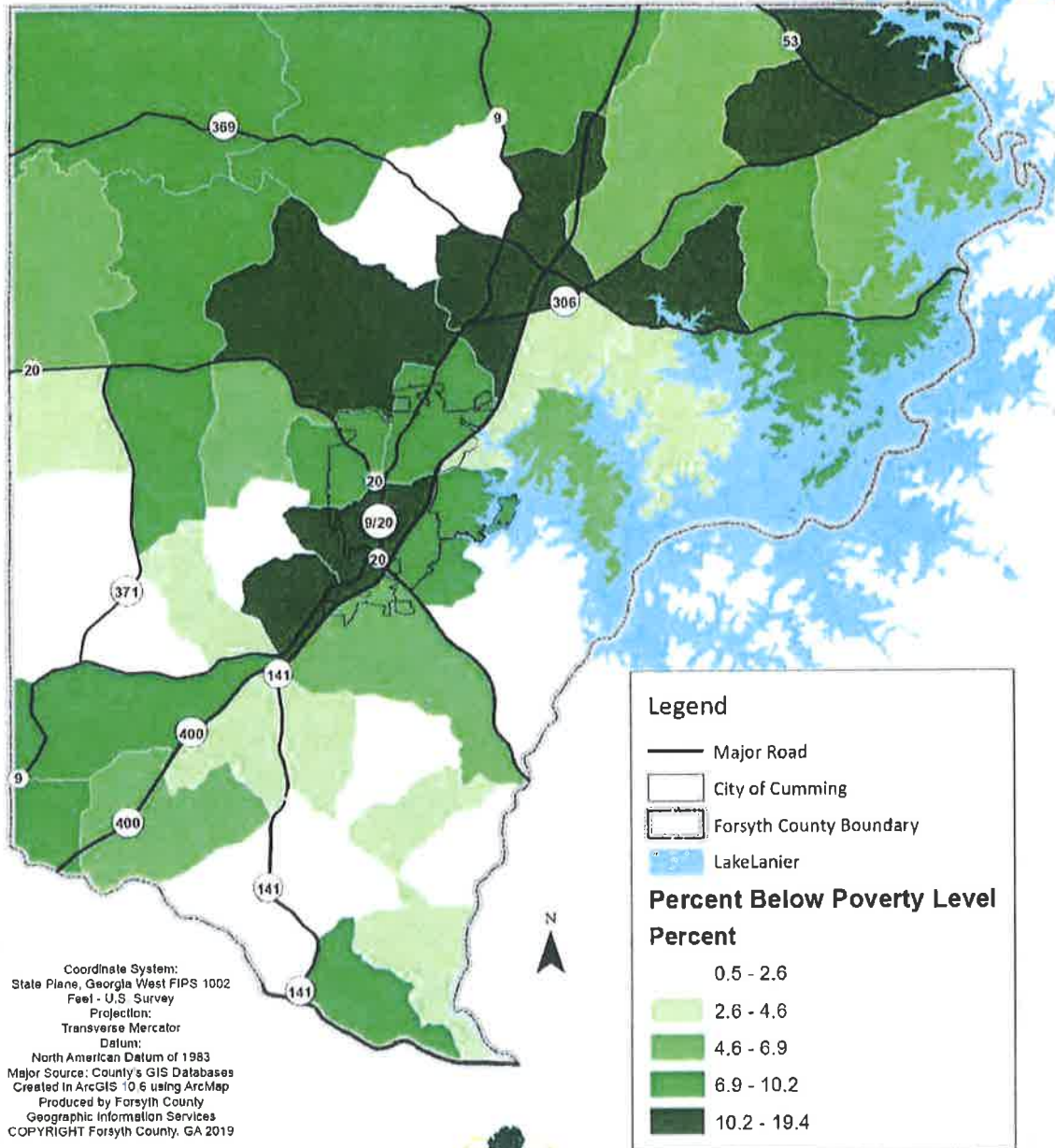
0 1 2 4  
Miles



# Forsyth County Limited English-Speaking Households Percent by 2010 Census Tract



# Forsyth County Percent Below Poverty Level Percent by 2010 Census Tract



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Data Source:  
American Community Survey 2017 data table S1701 for 2010 Census Tracts



# **Appendix J**

## **Title VI Equity Analysis**

There are no plans to construct new facilities, and none are planned in the immediate future regarding the Dial-A-Ride Program. Major Service changes such as service area modifications, increased or reduced service considerations, fare increases/decreases over 25% are all thresholds that require Forsyth County to conduct an Equity Analysis to ensure disparate populations are not adversely affected.



# **Appendix K**

## **Text Formatting Palette**

## Formatting/Styles

Report margins:

Top margin = 1"

Bottom margin = 1"

Left margin = 1.25"

Right margin = .75"

Heading levels:

### **Heading One**

Calibri 14 pt bold; left-aligned; paragraph spacing = 10 pt after; line spacing multiple 1.15

### **Heading 2**

Calibri 13 pt bold; left-aligned; line spacing-multiple 1.15; paragraph spacing = 10 pt after

Body Text: Calibri 11; fully justified text; line spacing-multiple 1.15; 10 pt. after.

- Bulleted List: Calibri 10 pt; line spacing-multiple 1.15; paragraph spacing = 10 pt after

## General Instructions

How to Update Table of Contents:

Right click on table of contents and choose **update field**—you will then have the option of updating the entire table of contents or just the page numbers.

How to Add New Section:

Under **Page Layout Menu**, choose **Breaks**, then **Section Break**, then **Next Page**. Heading numbers should update automatically in new section.