



Middle Rogue Metropolitan Planning Organization

# Title VI Plan

Adopted January 2015

Amended April 18, 2024

# **Middle Rogue Metropolitan Planning Organization**

## **Policy Committee**

Melia Biedscheid	City of Gold Hill
Valerie Lovelace	City of Grants Pass
Rick Riker	City of Grants Pass
Pam VanArsdale	City of Rogue River
Colleen Roberts	Jackson County
Eric Heesacker	Josephine County
Robert Brandes	Josephine County
Mike Baker	Oregon Department of Transportation

## **Technical Advisory Committee**

Lilly Morgan	City of Gold Hill
Shelly Stichter	City of Grants Pass
Wade Elliott	City of Grants Pass
Ryan Nolan	City of Rogue River
James Philp	Jackson County
Neil Burgess	Josephine County
Scott Chancey	Josephine Community Transit
Justin Shoemaker	Oregon Department of Transportation
Ian Horlacher	Oregon Department of Transportation

## **TAC Ex-Officio Members**

US Federal Highway Administration (FHWA)  
Oregon Division US Federal Transit Administration (FTA)  
Oregon Division of State Lands (DSL)  
Oregon Department of Land Conservation and Development (DLCD)

## **Citizens Advisory Committee**

Lesley Orr	Active Transportation
Trent Carpenter	Freight
David West	City of Grants Pass
Judy Garrett	City of Grants Pass
Nancy Sue Stout	City of Grants Pass
Fred Saunders	Josephine County
Dick Converse	Josephine County
Vacant	Mass Transit

## **MRMPO Staff**

Ryan MacLaren	Planning Program Director
Kelsey Sharp	Office Specialist
Yazeed Alrashid	Associate Transportation Planner
Dan Moore	Senior Transportation Planner

## Resolution 2024-04

### Middle Rogue Metropolitan Planning Organization - Policy Committee Adoption of the 2024 MRMPO Title VI Plan

**Whereas**, the Middle Rogue Metropolitan Planning Organization was formed in 2013 to coordinate transportation planning in the greater Grants Pass area; and

**Whereas**, the Middle Rogue Metropolitan Planning Organization Policy Committee is a designated committee of the Rogue Valley Council of Governments; and

**Whereas**, the purpose of Title VI of the United States Civil Rights Act of 1964 and subsequent legislation, regulations, statutes, and orders is to prohibit programs that receive Federal funds from discriminating against participants on the basis of race, color, or national origin; and

**Whereas**, the intents of the authorities is to ensure that all persons regardless of their race, color, national origin, disability, age, sex, or income status are allowed to participate in Federally funded programs; and

**Whereas**, the development of a Title VI Plan that expresses the MRMPO's commitment to ensure non-discrimination within any of its activities, programs or projects is a federal requirement; and

**Whereas**, the Policy Committee oversees Transportation Planning Activities for the Middle Rogue Metropolitan Planning Organization; and

**Whereas**, the Middle Rogue Metropolitan Planning Organization Policy Committee did review and comment on the 2024 MRMPO Title VI Plan in April of 2024; and

**Whereas**, the MRMPO held a 30-day public comment period and public hearing to secure input and comment on the adoption of the 2024 MRMPO Title VI Plan.

### **NOW THEREFORE, BE IT RESOLVED BY THE MIDDLE ROGUE METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE:**

That the MRMPO Policy Committee has reviewed and accepted the recommendations of MPO Staff and the Technical Advisory Committee; and

That, with the adoption of this resolution, the MRMPO Policy Committee formally adopts the 2024 MRMPO Title VI Plan on this the 18<sup>th</sup> day of April 2024.

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Valerie Lovelace  
MRMPO Policy Committee Chair

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## Policy Statement

The Rogue Valley Council of Governments (RVCOG) hereby certifies that, as a condition of receiving federal financial assistance, it will ensure that:

- No person shall on the ground of race, color, national origin, gender, age, disability, or income-status be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity that is fully or partially covered by federal financial assistance,
- Efforts will be made to facilitate the participation of persons with Limited English Proficiency (LEP) in transportation planning activities sponsored by RVCOG, and
- Will submit to the Oregon Department of Transportation (ODOT) an annual certification of compliance with the requirements of Title VI, per the requirements of 49 CFR Part 21 and 23 CFR.

**Rogue Valley Council of Governments**  
**Middle Rogue Metropolitan Planning Organization**

\_\_\_\_\_  
Ann Marie Alfrey, Executive Director

\_\_\_\_\_  
Date

## **Background**

### **Organization and Function of the Middle Rogue Metropolitan Planning Organization**

In urbanized areas with a population over 50,000, the responsibility for transportation planning lies with designated Metropolitan Planning Organizations (MPO's). The Middle Rogue MPO (MRMPO) was created to ensure that existing and future expenditures for transportation projects and programs are based on a continuing, cooperative, and comprehensive (3-C) planning process. Oregon administrative rules define an MPO as "the organization designated by the Governor to coordinate transportation planning in an urbanized area of the state." This includes developing the area's long-range transportation plan that will address the region's projects, programs, and policies for at least a 20-year period. It also includes maintaining a Metropolitan Transportation Improvement Program (MTIP), which is a short-range document listing transportation projects to be initiated within the MPO using federal funds or deemed "regionally significant".

With an estimated population of just over 50,000, the MRMPO planning area includes the urbanized area of Grants Pass. This consists of the cities of Gold Hill, Rogue River, and Grants Pass, the unincorporated communities of Merlin and Foot's Creek, and surrounding rural areas in both Josephine and Jackson Counties.

The MRMPO is a function of the Rogue Valley Council of Governments (RVCOG), a voluntary association of local governments that provides a forum for coordinated problem solving and regional planning for Jackson and Josephine Counties. The Governor of Oregon designated RVCOG as the MRMPO on March 20, 2013. The RVCOG Board of Directors subsequently delegated responsibility for MRMPO policy functions to the MRMPO Policy Committee, a committee of elected and appointed officials from each jurisdiction within the urbanized area, including the Oregon Department of Transportation (ODOT). The Policy Committee is the MRMPO's decision-making board.

### **Purpose of the Title VI Plan**

The purpose of this document is to comply with federal regulations under 49 CFR Part 21 and 23 CFR 200. The regulations require all recipients of federal funds to comply with Title VI of the Civil Rights Act of 1964 and its subsequent federal acts, as shown under the Authorities section of this document on the following pages. The MRMPO is a recipient of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funds and will likely utilize other federal funds under the ODOT Transportation and Growth Management (TGM) Program or similar programs.

## Authorities

There are numerous Congressional Acts and federal regulations on civil rights and equitable treatment of all members of the public that apply to the various aspects of transportation planning practices. The following is the most relevant of these Acts to the transportation planning practices of the MRMPO:

- **[Title VI of the Civil Rights Act of 1964](#)**  
Title VI of the Civil Rights Act of 1964 (42 USC 200d) states that: *“No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.”*
- **[The Uniform Relocation Assistance Act of 1970](#)**  
The Uniform Relocation Assistance and Relocation Acquisition Act prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of Federal and Federal-Aid programs and projects (42 USC 4601).
- **[Section 504 of the Rehabilitation Act of 1973](#)**  
The Act (29 USC 790) states that:  
*“No qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.”*
- **[Federal Highway Act of 1973](#)**  
The Act (23 USC 324) states that: *“No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance under this title or carried on under this title.”*
- **[The Age Discrimination Act of 1975](#)**  
The Act (42 USC 6101) states that: *“No person shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”*
- **[The Civil Rights Restoration Act of 1987](#)**  
The Act expanded the coverage of previously enacted federal statutes prohibiting discrimination in employment and other areas. It restored the intent of Title VI and applies to all programs and activities of Federal aid recipients and contractors whether those programs and activities are federally funded or not.
- **[Americans with Disabilities Act \(ADA\) of 1990](#)**  
ADA (42 USC 126) prohibits discrimination against any individual on the basis of disability in regard to public services, public transportation, employment, housing, education, health, labor, communication devices and many more.
- **[Environmental Justice \(EJ\) of 1994](#)**  
In February 1994 President Clinton signed [Executive Order 12898](#) that directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on *“minority populations and low-income populations.”*
- **[Limited English Proficiencies \(LEP\) of 2000](#)**  
Executive Order 13166 protects people with Limited English Proficiency (LEP). The law requires that federal agencies shall work to ensure that people with limited English Proficiency have meaningful access to their services without unduly burdening the fundamental mission of the agency.

- [Title 49 CRF Part 21](#) outlines how agencies must ensure nondiscrimination in their programs and in their use of federal funds provided through the Department of Transportation. This Title VI Plan is pursuant to this requirement.

### **Oregon Title VI Annual Reporting Requirements**

Oregon MPO's are required to prepare and maintain on file an annual Title VI Accomplishment Report. Each October the MRMPO must submit its report to the Oregon Department of Transportation (ODOT) Title VI Program Manager and ODOT Region 3 planning staff. Information contained in the report is to be included in the ODOT region Title VI reports and the subsequent state report for Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). The following provides an example of information to be included in the MRMPO's annual Title VI Accomplishment report.

- Changes to the approved Title VI Plan.
- Changes to the Title VI Program reporting structure.
- Title VI complaints received.
- Planning activities performed and actions taken to promote Title VI compliance.
- Transportation studies or plans completed that provided Title VI related data.
- Public notification and comment solicitation efforts related to a draft Transportation Improvement Program (TIP).
- Public hearings held, including efforts to enhance participation and a summary of Title VI concerns raised and actions taken to address concerns.
- Presence of minorities and women in citizen participation efforts.
- Description of the process for issuing requests for proposals (RFPs) and soliciting consultants.
- Actions taken to promote consultants' compliance with Title VI; number of consultants that have contracts with the MPO including dollar value; how many were Disadvantaged Business Enterprises (DBEs); efforts made to utilize DBE consultants; methods used during the review period to ensure Title VI related adherence to contract agreements.
- Actions taken to promote Title VI compliance regarding education and training, including monitoring and review processes, and their outcomes or status.
- Description of strategies for the upcoming year, including any significant problem areas.

## **Title VI Coordinator**

The MRMPO Title VI coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of administration. As part of this responsibility, the coordinator ensures that MRMPO program administration complies with Title VI.

Title VI Coordinator responsibilities include:

- **Program Administration**: Implement the MRMPO Title VI Plan and update the document on a tri-annual basis.
- **Complaints**: Serve as the point of contact for civil rights complaints working directly with the Rogue Valley Council of Governments Executive Director.
- **Public Dissemination**: Engage in public awareness activities and provide Title VI and Environmental Justice support and information to the public or any requesting entity. Ensure public announcements or notices are posted of proposed planning activities, hearings and meetings, in newspapers, on the MRMPO website, by contact to organizations serving subject populations, or by other media reaching the affected community.
- **Legislative and Procedural Information**: Maintain current information on Federal laws, rules and regulations, ODOT guidelines, the current MRMPO Title VI Plan, Annual Title VI Reports, and other resource information pertaining to the implementation and administration of the MPO's Title VI program.
- **Annual Title VI Reporting**: Prepare annual Title VI reports to the Oregon Department of Transportation (ODOT) Office of Civil Rights. See page 3 of this plan for reporting details.
- **Data Collection**: Collect and maintain up-to-date data to support ongoing nondiscrimination activities.
- **Training**: Obtain adequate training and other support for MRMPO staff involved in Title VI compliance.
- **Project Evaluation**: Ensure that projects undertaken by the MRMPO support environmental justice principles.
- **Contact**: Serve as both Title VI and Environmental Justice point of contact.

### **Agency:**

Middle Rogue Metropolitan Planning Organization (MRMPO)  
155 N. First Street  
P.O. Box 3275  
Central Point, OR 97520  
Ph: (541) 664-6674  
Website: [www.mrmppo.org](http://www.mrmppo.org)

### **MRMPO Title VI and Environmental Justice Contact:**

Kelsey Sharp, Office Specialist II & Title VI Coordinator  
Ph: (541) 423-1375  
Email: [ksharp@rvcog.org](mailto:ksharp@rvcog.org)

## Administration Contacts

### **Agency:**

Rogue Valley Council of Governments (RVCOG)  
155 N. First Street  
P.O. Box 3275  
Central Point, OR 97520  
Ph: (541) 664-6674 Website: [www.rvcog.org](http://www.rvcog.org)

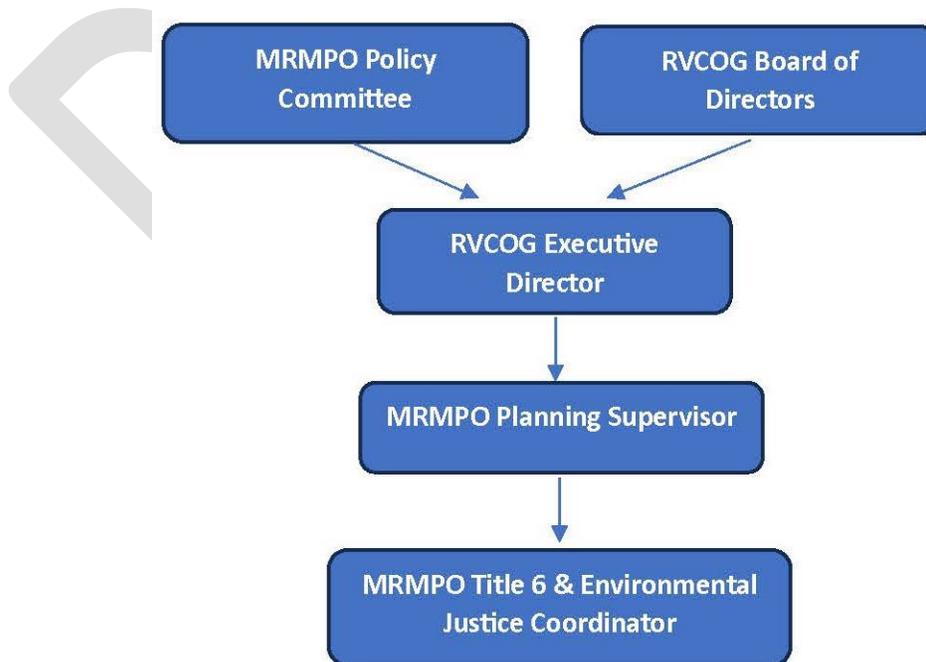
### **RVCOG Contacts:**

Adrian Modjeski, Human Resources & Administrative Services Director  
Ph: (541) 423-1335  
Email: [amodjeski@rvcog.org](mailto:amodjeski@rvcog.org)

Ann Marie Alfrey, Executive Director  
Ph: (541) 423-1334  
Email: [amalfrey@rvcog.org](mailto:amalfrey@rvcog.org)

Ryan MacLaren, MRMPO Planning Program Director  
Ph: (541) 423-1338  
Email: [rmaclaren@rvcog.org](mailto:rmaclaren@rvcog.org)

*The Middle Rogue MPO is in a contract with the RVCOG for its administrative services. RVCOG handles the MPO's financial and personnel issues.*



## Filing a Civil Rights Complaint

The MRMPO has a Title VI complaint procedure in place. The process is provided in Appendix A of this document, along with the complaint form in both English and Spanish. The procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 against any program or activity administered by the MRMPO.

Any person who feels that he or she has been subjected to discrimination on the basis of *race, color, or national origin* has the right to file a Title VI complaint. Intimidation or retaliation of any kind is prohibited by law.

Complaints must be filed (either in person or in writing) within 180 days of the alleged discriminatory event or practice. Complaints and questions should be directed to the Title VI coordinator:

Kelsey Sharp, Title VI Coordinator  
Middle Rogue MPO  
Post Office Box 3275  
Central Point, OR 97502  
541-423-1375  
[ksharp@rvcog.org](mailto:ksharp@rvcog.org)

See Appendix A on Page 27 for the full complaint process and complaint forms (English and Spanish)

## Environmental Justice

### Background

Executive Order 12898, “Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations” was enacted in 1994 to reinforce Title VI of the Civil Rights Act of 1964. The Civil Rights Act states that “*No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance*” (U.S. Code 1964).

Executive Order 12898 states, “*Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations*” (Federal Register 1994). The Executive Order clearly adds minority and low-income people to the list of protected class.

The MRMPO receives federal funds and is therefore responsible for integrating environmental justice standards into its transportation planning and programming activities. These standards include the following:

- Avoid, minimize, or mitigate disproportionately high and adverse effects of its activities on minority populations and low-income populations.
- Ensure involvement of low-income and minority groups in the decision-making process.
- Ensure low-income and minority groups receive their fair share of benefits.

### Demographic Profile Analysis - MRMPO Area Likely-Underserved Populations

Below and the following pages contain tables, text, and maps that display information regarding Likely-Underserved populations within the MRMPO planning area in percentages (number of underserved persons compared to the area’s population) and percentiles (how the area ranks nationally with selected underserved populations). For purposes of this analysis, Likely-Underserved populations are defined as racial minorities, individuals living below the federal poverty level, those with Limited English Proficiency (LEP), and seniors (age 65+).

Data gathered by the U.S. Census Bureau is used to identify such populations, which includes American Community Survey (ACS) 5-year estimates for 2017-2021.

## Data Used in the Analysis

The data used in this analysis comes from the U.S. Census Department's 2017-2021, 5-year estimates. The 5-year estimates from the ACS are "period" estimates that represent data collected over "a period of time." The primary advantage of using multiyear estimates is the increased statistical reliability of the data for less populated areas and small population subgroups. In general, the American Community Survey (ACS) is an ongoing survey that provides data every year -- giving communities the current information they need to plan investments and services. The ACS covers a broad range of topics about social, economic, demographic, and housing characteristics of the U.S. population.

The 5-year estimates are available at the U.S., state, county, city, and block group levels. In this analysis, the data is analyzed and visualized in two different ways:

1. Tables:
  - The tables depict percentages for different geographical areas (U.S., state, city, etc.).
2. Maps:
  - The maps use Census block groups as the geographical locations for the data, which is normalized in percentages. Please note, the block group data goes beyond jurisdiction boundaries. This is important to note because block groups are not constrained by a jurisdiction's boundary lines (i.e., city limits, county boundary lines, etc.).

## Margin of Error

One of the limitations with ACS Data is a high Margin of Error (MOE) when analyzing small single Census block groups. A high MOE is usually due to low participation rates. Higher participation rates typically result in a lower MOE.

In summary, the MPO prefers to use 2017-2021 ACS 5-year estimates over the one-year ACS estimates. Five-year estimates can produce a lower MOE because of the higher number of survey responses. One-year estimates usually show a high MOE because there is a low survey response rate.

## Mapping Data

The MPO uses the Environmental Protection Agency's (EPA) [EJScreen Tool](#) to prepare the Environmental Justice maps. EJScreen is EPA's environmental justice (EJ) screening and mapping tool that identifies potential adverse environmental impacts to vulnerable populations at the block group level<sup>1</sup>.

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<sup>1</sup> EJScreen puts each indicator or index value in perspective by reporting the value as a percentile. For example, an EJScreen analysis shows that City X's minority population is ranked in the 80th percentile nationally. This indicates that City X's minority population is 80% higher than other cities in the nation, but the same or lower than minority populations in 20% of other cities in the nation. For more information on the EJScreen Tool [click here](#) and bivariate Maps [click here](#).

## Minority Population

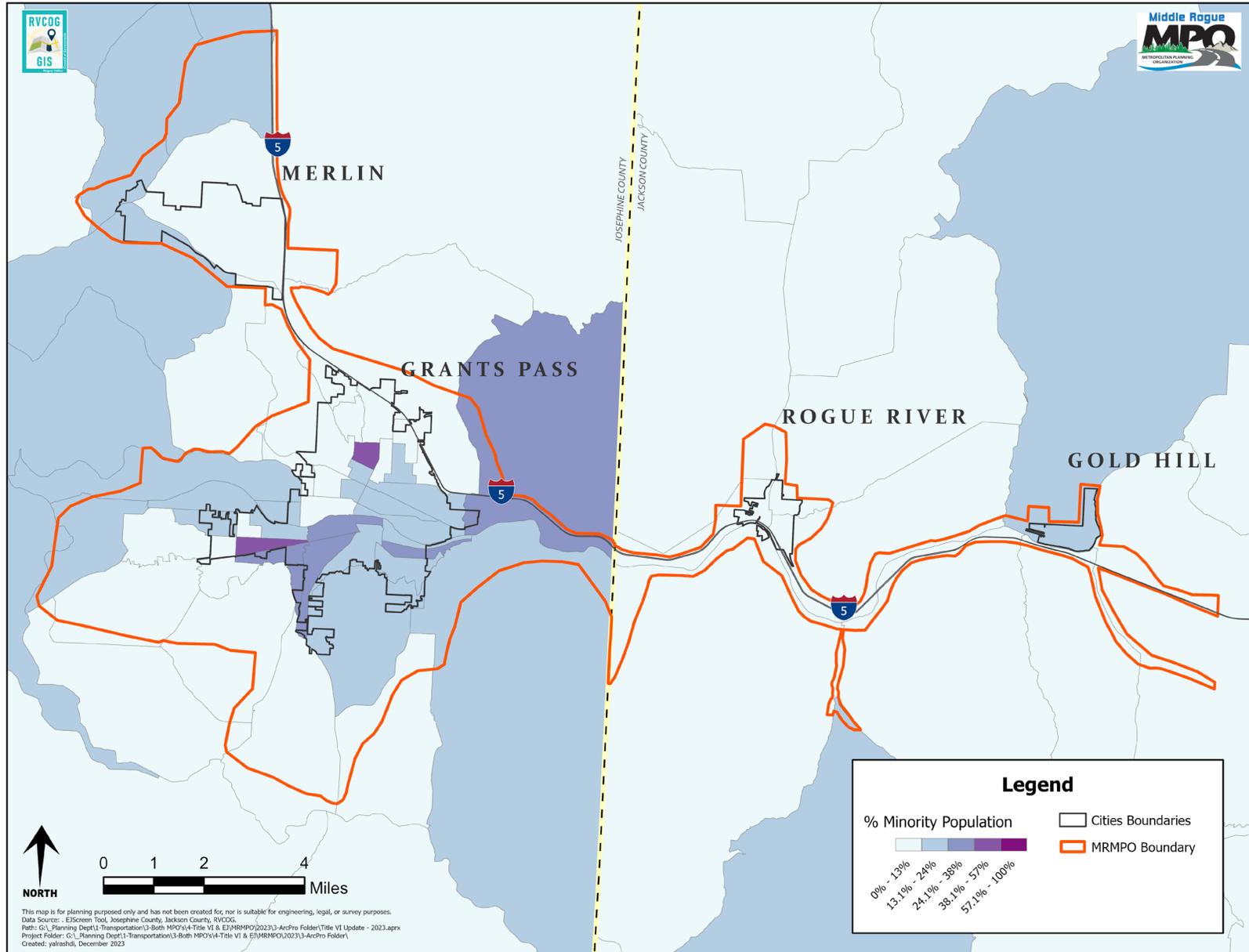
For purposes of this analysis, Minority is defined as persons who reported their ethnicity and race as a group other than non-Hispanic white-alone. Within the MRMPO Planning Area, the 2017-2021 ACS estimates 15% of the population belong to a minority group.

**Map 1** on Page 11 below identifies block groups containing percentage of minority population for both Josephine and Jackson counties. The map shows which block groups contain high percentages of minority population within them. The highest block groups percentages within the MRMPO are located within the City of Grants Pass with a percentage between 38.1% - 57%. The rest of the block groups vary in their ranges with some of them on the lower-levels (0% - 13%) and the other in the mid-levels (13.1% - 38%).

**Table 1: Minority Population**

	Total Population	Total Minority Population	% Minority Population
United States	329,725,481	133,715,111	41%
State of Oregon	4,207,177	1,090,897	26%
Josephine County	87,686	12,971	15%
Jackson County	221,662	46,056	21%
Grants Pass Metro Area (MRMPO)	87,686	12,971	15%
City of Grants Pass	38,902	6,706	17%
City of Rogue River	1,714	180	11%
City of Gold Hill	1,171	114	10%

Source: US CENSUS, 2017-2021 ACS, [Table B03002](#).



This map is for planning purposes only and has not been created for, nor is suitable for engineering, legal, or survey purposes.  
 Data Source: - ESRI/ArcGIS, Josephine County, Jackson County, RVCOS  
 Path: G:\\_Planning Dept\1-Transportation\3-Both MPO\4-Title VI & EJ\HRMPO\2023\3-ArcPro Folder\Title VI Update - 2023.aprx  
 Project Folder: G:\\_Planning Dept\1-Transportation\3-Both MPO\4-Title VI & EJ\HRMPO\2023\3-ArcPro Folder  
 Created: yalr@ahli, December 2023

## Low-Income Population

**Table 2** below depicts the percentage of the population living below the poverty level (Severe Poverty, Below Poverty, and Near Poverty Levels) within different geographical areas<sup>2</sup>. The 2017-2021 American Community Survey (ACS) shows that in the previous 12 months, a total of 22% of individuals living within the MRMPO Planning Area had an income near or below the poverty level with 8% at the severe poverty level, 9% below the poverty level, and 6% at the near poverty level.

**Table 2: Population Living Below the Poverty Level**

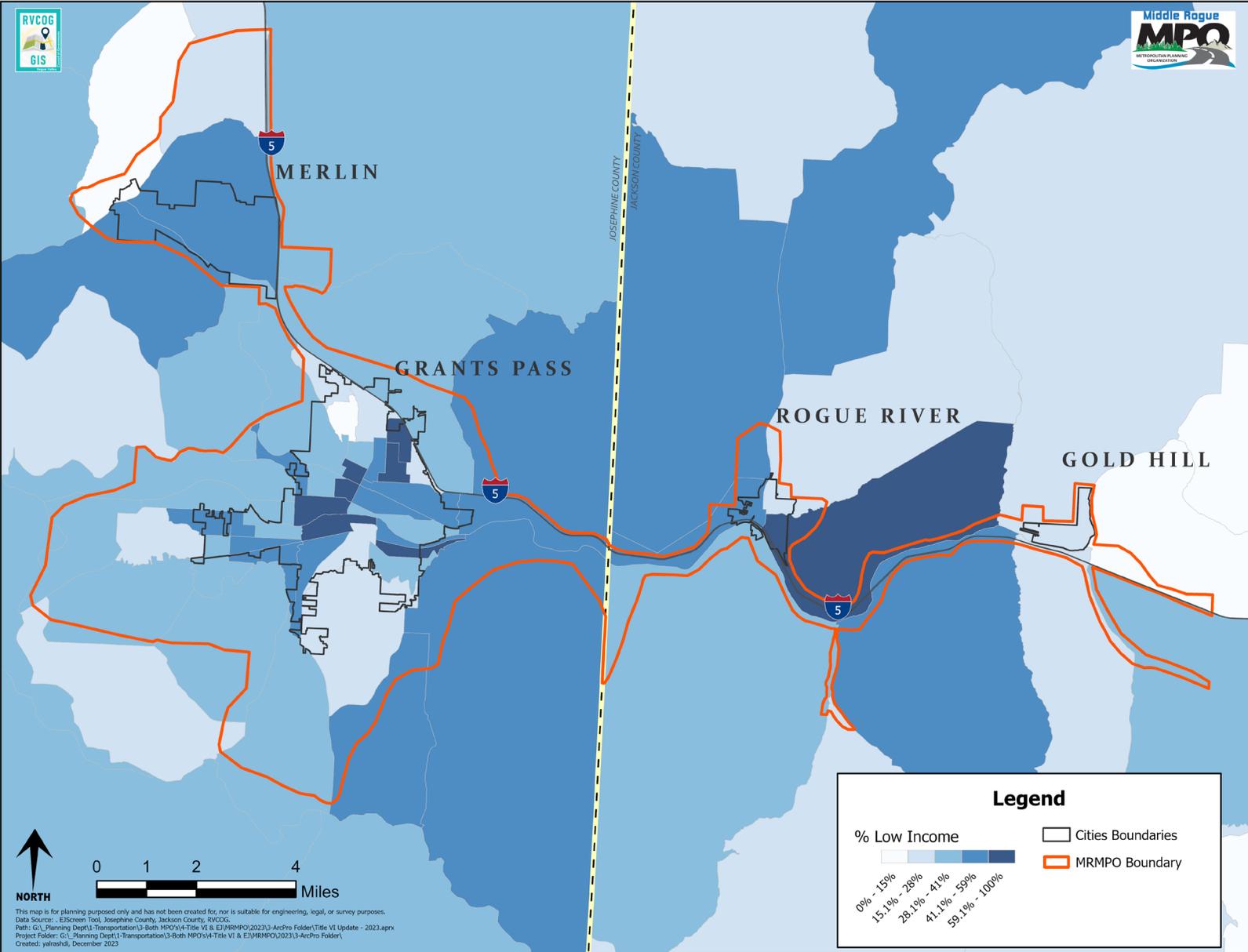
	% Severe Poverty Level	% Below Poverty Level	% Near Poverty Level	Total
United States	6%	7%	4%	17%
State of Oregon	6%	7%	4%	16%
Josephine County	8%	9%	6%	22%
Jackson County	6%	8%	4%	17%
Grants Pass Metro Area (MRMPO)	8%	9%	6%	22%
City of Grants Pass	7%	9%	8%	24%
City of Rogue River	8%	8%	9%	25%
City of Gold Hill	4%	12%	8%	24%

Source: US CENSUS, 2017-2021 ACS, [Table C17002](#).

**Map 2** on Page 13 below illustrates the percentage of low-income population by block group in the MRMPO area. Low-income populations within block groups in the MRMPO area range from 15% to 100%. The block groups with the highest low-income populations are located within Grants Pass and parts of Rogue River.

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<sup>2</sup> For more information on poverty populations, click on these links: [HHS Poverty Guidelines](#), [Census Poverty Thresholds](#), [The Census Bureau Poverty Page](#).



**Map 2: % Low-Income Population**

### **Limited English Proficiency (LEP) ([Limited English Proficiencies \(LEP\) of 2000](#))**

One of the categories covered under Title VI is national origin. A type of national origin discrimination includes discrimination based on a person's inability to speak, read, write, or understand English. As a recipient of federal funds, the MPO must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information the MPO provides. Determination of "reasonable steps" are based on a four-factor analysis that considers the following:

- 1) The number and proportion of LEP persons in the MPO area who may be served or are likely to encounter an MPO program, activity, or service,
- 2) The frequency LEP persons encounter MPO programs, activities or services,
- 3) The nature and importance of programs, activities or services provided by MPO to the LEP population, and
- 4) The resources available to the MPO and overall costs to provide LEP assistance.

**The MRMPO will upon request provide written/oral communications in Spanish, as well as conduct public outreach efforts to organizations that serve LEP populations in the MRMPO area.**

Data on ability to speak English were derived from the answers to the American Community Survey, where respondents were asked to indicate their ability, and others in their household to speak English. For purposes of LEP population identification, only those that selected "Not well" or "Not at all" were used in this analysis<sup>3</sup>.

**Table 3: Limited English Proficiency Population**

	% Limited English Proficiency Population
United States	4%
State of Oregon	3%
Josephine County*	1.6%
Jackson County*	3.2%
Grants Pass Metro Area (MRMPO)	Data Not Available
City of Grants Pass	Data Not Available
City of Rogue River	Data Not Available
City of Gold Hill	Data Not Available

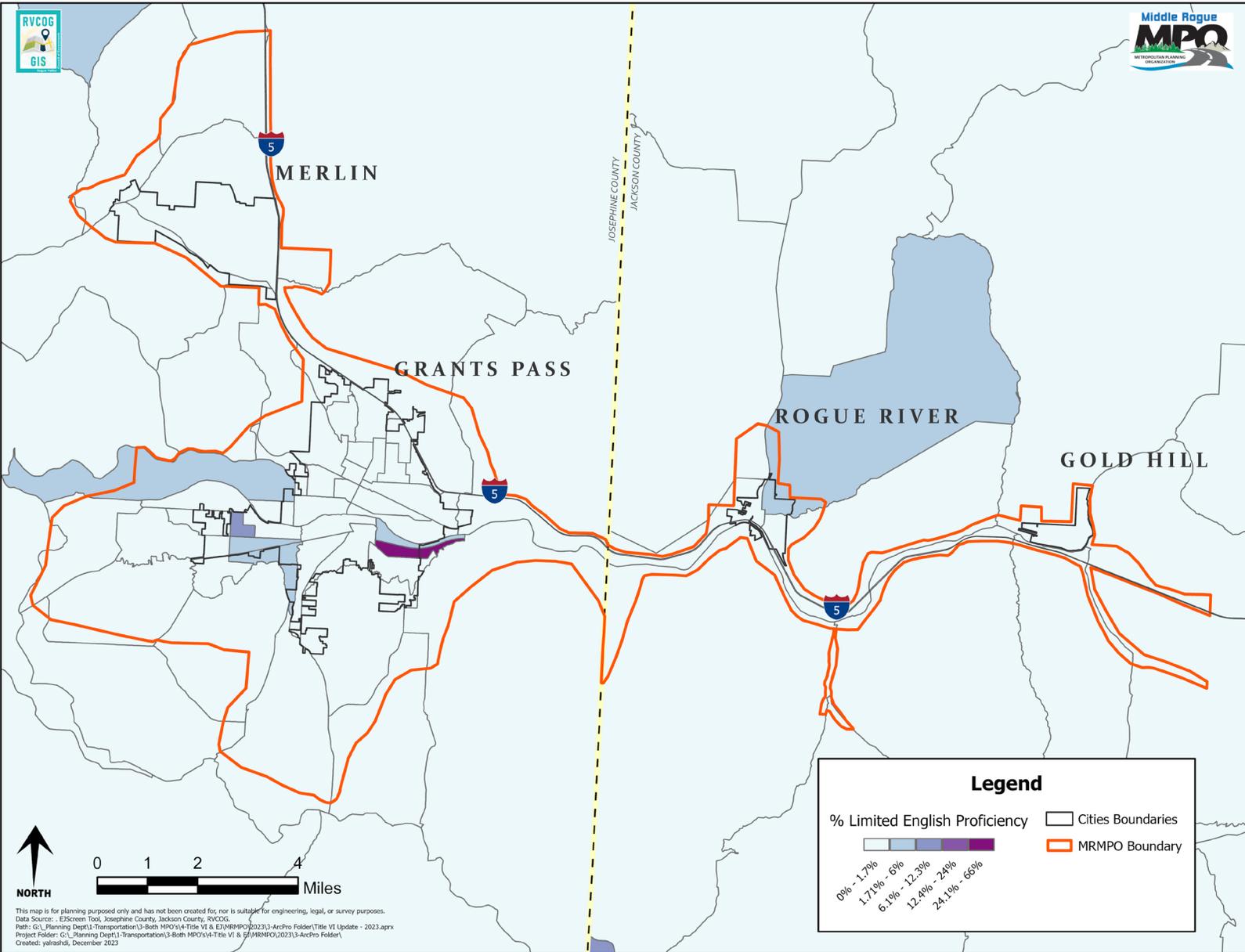
Source: [US CENSUS, 2017-2021 ACS, Table B16004.](#)

\*2020 US Census Table B16001 <https://data.census.gov/table/ACSDT1Y2019.B16001?q=B16001>

**Map 3** on Page 15 below depicts block group level data for LEP in the MRMPO area. LEP percentages in the area range from 0% to 1.7% with some block groups within Grants Pass and Rogue River ranging from 1.71% to 24%.

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<sup>3</sup> ACS LEP data product, B16004, does not go lower than the county level which is why some jurisdictions are labeled "Data Not Available." However, other data products from the Census go down to the block group level and that data is shown in the map below.



This map is for planning purposes only and has not been created for, nor is suitable for, engineering, legal, or survey purposes.  
 Data Source: EIScreen Tool, Josephine County, Jackson County, RVCOG  
 Path: G:\\_Planning Dept\1-Transportation\3-Both MPO's\4-Title VI & EJ\MRMPO\2023\3-ArcPro Folder\Title VI Update - 2023.aprx  
 Project Folder: G:\\_Planning Dept\1-Transportation\3-Both MPO's\4-Title VI & EJ\MRMPO\2023\3-ArcPro Folder\  
 Created: yalrashdi, December 2023

Map 3: % Limited English Proficiency

## Senior Population

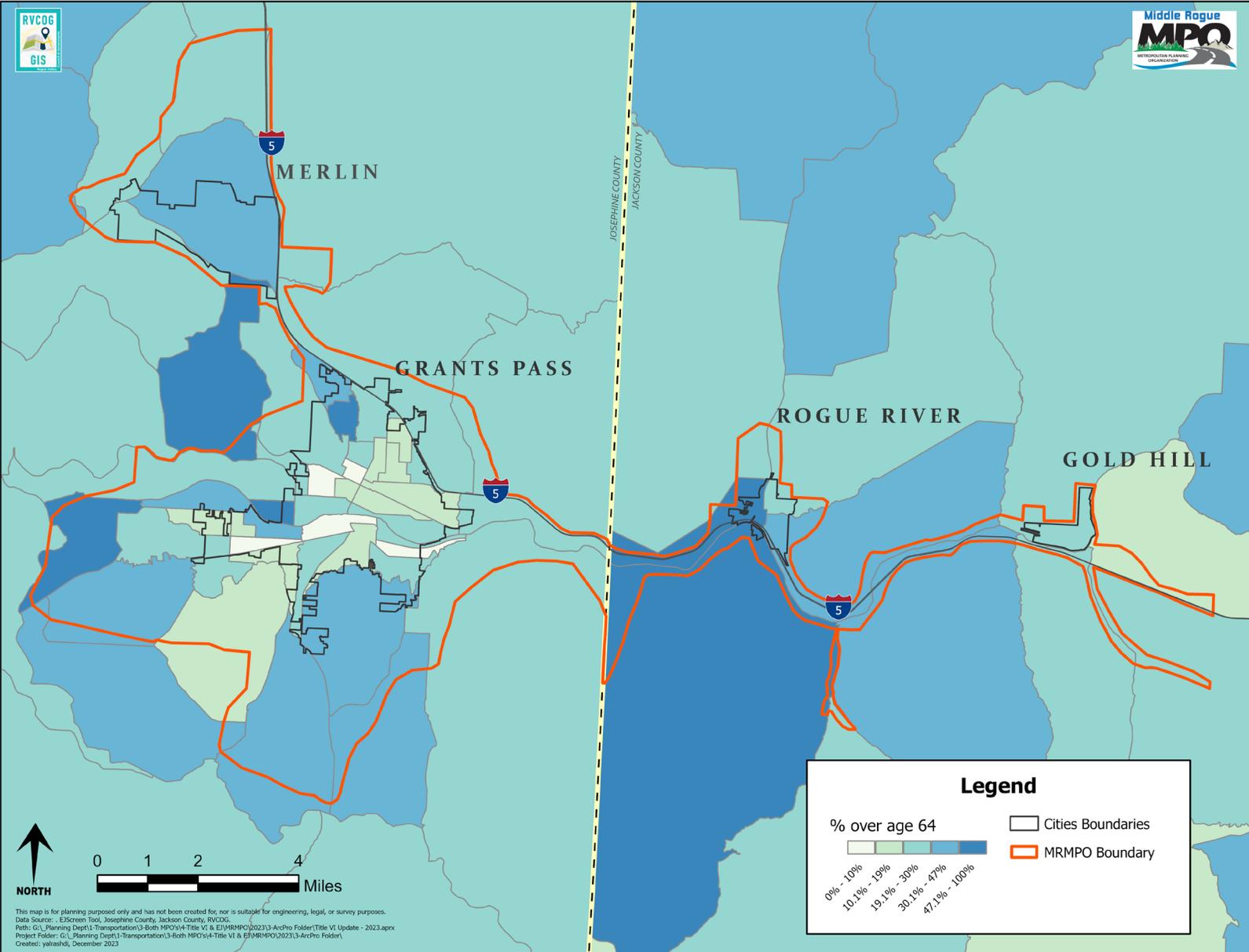
“Percent of people in a block group over the age of 64” is how the EJScreen tool defines senior population. According to 2017-2021 ACS data, 27% of the population within the MRMPO area is 64 or older which is eight to ten percentage points higher than the State of Oregon and the U.S. Thirty-five percent (35%) of Rogue River’s population is over 64 years old, followed by Grants Pass at 25% and Gold Hill at 21%. Josephine County’s senior population is four (4) percentage points higher than Jackson County.

**Table 4: Senior Population**

	% Population over 64
United States	17%
State of Oregon	19%
Josephine County	27%
Jackson County	23%
City of Grants Pass	25%
City of Rogue River	35%
City of Gold Hill	21%

[Source: US CENSUS, 2017-2021 ACS, Table B01001.](#)

**Map**, on page 17 below, illustrates the senior population in the MRMPO area at the block group level. Senior population within MRMPO area block groups range from 10.1% to 100%. A few block groups in Grants Pass (shown in white) are low in population over 64 years old (0% to 10%).



**Map 4: % Senior Population**

## **Public Participation**

### **MRMPO Public Participation Plan**

The MRMPO has an adopted Public Participation Plan that describes methods, strategies, and desired outcomes for public participation, addressing outreach to a broadly defined audience of interested parties. The purpose of the plan is to provide all interested parties with reasonable opportunities to comment on the MRMPO's plans, programs, and projects. The plan is intended to encourage, facilitate, and follow through on public comments, concerns, and suggestions by establishing procedures for providing full public access to information and decisions, timely public notices, and early and continuing public involvement in plan development.

### **Strategies for Involving Likely-Underserved Populations**

To better involve Likely-Underserved Populations, MRMPO may employ a combination of the following measures:

- Consulting with community organizations that serve Likely-Underserved communities (such as social, religious, non-profit, and government entities).
- Purchasing advertisement and/or placing public notification in publications serving Likely-Underserved communities.
- Providing assistance upon request, and with 48-hour notice, to the hearing and visually impaired, those not fluent in English, and others requiring assistance at all MPO meetings, hearings and public events. Public notices of these events shall notify the public of these opportunities. Meetings shall be held in ADA-compliant venues, and Spanish translators provided upon request.
- Selecting meeting sites that are accessible by transit and centrally located to be reasonably accessible by means other than the automobile.
- Translating MRMPO documents and information brochures into Spanish.

## Appendix A

### MRMPO Title VI Complaint Process

#### Informal Complaint:

Every effort will be made to obtain early resolution of informal complaints at the lowest level possible. **Informal complaints are those that have not been submitted or acknowledged in writing.** The option exists for informal mediation meeting(s) between the affected parties and the MRMPO Title VI Coordinator and the RVCOG Executive Director. The Title VI Coordinator and RVCOG Executive Director will make every effort to pursue a resolution to informal complaints.

#### Formal Complaint: (in compliance with 23 CFR 200.9(b)(3))

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a formal complaint (written) or by filling out the MRMPO Title VI Complaint Form with the MRMPO Title VI Coordinator. A formal complaint must be submitted within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. A formal 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.
  - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the incident.
  - d. Allegations received by fax or e-mail will be acknowledged and processed once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. ***The complainant is required to provide a signed, original copy of the fax or e-mail transmittal for MRMPO to be able to process it.***
  - e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing.
2. Complaints may be submitted to Kelsey Sharp, MRMPO Office Specialist II & Title VI Coordinator, through the following methods:
  - By Email: [ksharp@rvcog.org](mailto:ksharp@rvcog.org)
  - By Mail: MRMPO Title VI Coordinator  
Rogue Valley Council of Governments  
Post Office Box 3275  
Central Point, OR 97502
  - By Phone: 541-423-1375
  - By Facsimile: 541-664-7927
3. Upon receipt of the formal complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. All formal complaints will be referred to the Oregon Department of Transportation's (ODOT) Office of Civil Rights, for proper disposition pursuant to their procedures.

4. In order to be accepted, a formal complaint must meet the following criteria:
  - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered basis such as race, color, national origin, sex, income, age, or disability.
  - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, subrecipient, or contractor.
  - d. The complainant(s) allegation must be detailed to specify all issues and circumstances of the alleged discrimination.
5. A formal complaint shall be investigated unless:
  - 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.
6. Contact information for the state and federal Title VI administrative jurisdiction is as follows:

Oregon Department of Transportation

Mail: Office of Civil Rights Oregon Department of Transportation  
Attn. Angela Crain, Office of Civil Rights Manager  
800 Airport Rd SE  
Salem, Oregon 97301  
Phone: 503-986-4353

Email: [Angela.M.Crain@odot.state.or.us](mailto:Angela.M.Crain@odot.state.or.us)

Federal Highway Administration Office of Civil Rights

Mail: 1200 New Jersey Avenue, SE  
8th Floor E81-314  
Washington, DC 20590  
Phone: 202-366-0693

Fax: 202-366-1599

TTY: 202-366-5132

Federal Transit Administration Office of Civil Rights

Mail: Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Phone: (202) 366-4043

TTY: 1-800-877-8339

## MRMPO Title VI Complaint Form

The MRMPO, as a recipient of federal financial assistance, is required to ensure that all of its activities and any benefits from these activities are conducted in a manner consistent with Title VI of the Civil Rights Act of 1964, as amended. Any person who believes that he or she has been subjected to discrimination under any of MRMPO's programs or activities based on their race, color, national origin, limited English proficiency, sex, income, age, or disability by file a written complaint with the MPO.

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

Person discriminated against (if other than the complainant)

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

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

Were you discriminated against because of your:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Race        | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Color       | <input type="checkbox"/> Age             |
| <input type="checkbox"/> Sex         | <input type="checkbox"/> Disability      |
| <input type="checkbox"/> Other _____ |  |

Date and Time of Alleged Incident: \_\_\_\_\_

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved and any MPO projects, plans or programs that may have led to the situation you are describing. Be sure to include the names and contact information of any witnesses. If more space is needed, please use additional pages.

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Have you filed this complaint with any other federal, state or local agency or with any court?

Yes       No

If yes, check and identify all that apply:

- Federal Agency \_\_\_\_\_
- Federal Court \_\_\_\_\_
- State Agency \_\_\_\_\_
- State Court \_\_\_\_\_
- Local Agency \_\_\_\_\_

Please provide information for a contact person at the Agency or Court where the complaint was filed.

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

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

City, State, & Zip Code: \_\_\_\_\_

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

Please sign below. You may attach any additional written materials or other information you believe is relevant to your complaint.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Please submit this signed form to and any attachments to:**

MRMPO Title VI Coordinator  
Rogue Valley Council of Governments  
Post Office Box 3275  
Central Point, OR 97502

## Proceso de Queja

### Queja informal:

Se hará todo lo posible para que las quejas oficiosas se resuelvan lo antes posible al nivel más bajo posible. **Las quejas informales son aquellas que no han sido presentadas o reconocidas por escrito.** Existe la opción de reuniones informales de mediación entre las partes afectadas y el Coordinador del Título VI de MRMPO y el Director Ejecutivo de RVCOG. El Coordinador del Título VI y el Director Ejecutivo del RVCOG harán todo lo posible para buscar una resolución a las quejas informales.

### Queja Formal: (De conformidad con lo dispuesto en el 23 CFR 200.9(b)(3))

1. Cualquier individuo, grupo de individuos o entidad que crea que ha sido objeto de discriminación prohibida por las disposiciones de no discriminación del Título VI puede presentar una queja formal (por escrito) o completando el Formulario de Queja del Título VI de MRMPO ante el Coordinador del Título VI de MRMPO. Se debe presentar una queja formal dentro de los 180 días calendario posteriores a la supuesta ocurrencia o cuando el denunciante tuvo conocimiento de la presunta discriminación. Una queja formal debe cumplir con los siguientes requisitos:
  - a. La queja se presentará por escrito y firmada por el denunciante o denunciantes.
  - b. Incluya la fecha del presunto acto de discriminación.
  - c. Presentar una descripción detallada de los problemas, incluidos los nombres y cargos de las personas percibidas como partes en el incidente.
  - d. Las alegaciones recibidas por fax o correo electrónico serán reconocidas y procesadas una vez que se hayan establecido la(s) identidad(es) del(los) denunciante(s) y la intención de proceder con la queja. ***El demandante debe proporcionar una copia original firmada de la transmisión por fax o correo electrónico para que MRMPO pueda procesarla.***
  - e. Las alegaciones recibidas por teléfono se reducirán a escrito y se proporcionarán al denunciante para su confirmación o revisión antes de su procesamiento.
2. Las reclamaciones pueden presentarse a Kelsey Sharp, MRMPO Especialista de Oficina II y Coordinador de Título VI, a través de los siguientes métodos:

Por Correo Electrónico: [ksharp@rvcog.org](mailto:ksharp@rvcog.org)

Por Correo: Coordinador del Título VI de MRMPO  
Rogue Valley Council of Governments  
Post Office Box 3275  
Central Point, OR 97502

Por Teléfono: 541-423-1375

Por Facsímil: 541-664-7927

3. Al recibir la queja formal, el Coordinador del Título VI determinará su jurisdicción, aceptabilidad y necesidad de información adicional, así como también investigará el mérito de la queja. Todas las quejas formales se remitirán a la Oficina de Derechos Civiles

del Departamento de Transporte de Oregon (ODOT), para su disposición adecuada de conformidad con sus procedimientos.

4. Para ser aceptada, una queja formal debe cumplir con los siguientes criterios:
  - a. La queja debe presentarse dentro de los 180 días calendario posteriores a la supuesta ocurrencia o cuando el denunciante tuvo conocimiento de la presunta discriminación.
  - b. La(s) acusación(es) debe(n) involucrar una base cubierta como raza, color, origen nacional, sexo, ingresos, edad o discapacidad.
  - c. La(s) acusación(es) debe(n) involucrar(es) un programa o actividad de un beneficiario, subreceptor o contratista de ayuda federal.
  - d. La alegación del demandante debe ser detallada para especificar todas las cuestiones y circunstancias de la presunta discriminación.
5. Una queja formal será investigada a menos que:
  - a. El denunciante solicita el retiro de la denuncia.
  - b. El demandante no responde a las reiteradas solicitudes de información adicional necesaria para tramitar la denuncia.
  - c. El denunciante no puede ser localizado después de intentos razonables.
6. La información de contacto para la jurisdicción administrativa estatal y federal del Título VI es la siguiente:

**Oregon Department of Transportation**

Correo: Office of Civil Rights Oregon Department of Transportation  
Attn. Angela Crain, Office of Civil Rights Manager  
955 Center St. NE, Suite 471  
Salem, Oregon 97301  
Teléfono: 503-986-4353

Correo Electrónico: [Angela.M.Crain@odot.state.or.us](mailto:Angela.M.Crain@odot.state.or.us)

**Federal Highway Administration Office of Civil Rights**

Correo: 1200 New Jersey Avenue, SE  
8th Floor E81-314  
Washington, DC 20590  
Teléfono: 202-366-0693

Fax: 202-366-1599

TTY: 202-366-5132

**Federal Transit Administration Office of Civil Rights**

Correo: Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Teléfono: (202) 366-4043

TTY: 1-800-877-8339

## MRMPO Título VI Formulario de Queja

El Middle Rogue MPO (MRMPO), como recipiente de asistencia financiera federal, requiere asegurar que todas sus actividades y los beneficios de estas actividades se lleven a cabo de una manera consistente con el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Cualquier persona que cree que él o ella ha sido objeto de discriminación bajo cualquiera de los programas o actividades de MRMPO en base a su raza, color, nacionalidad, dominio limitado del Inglés, sexo, ingresos, edad o discapacidad puede presentar una queja por escrito con el MPO.

Demandante Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código Postal: \_\_\_\_\_

Número Telefónico: \_\_\_\_\_

**Persona discriminada (si es distinta de la demandante)**

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

Dirección: \_\_\_\_\_

Ciudad: \_\_\_\_\_ Estado: \_\_\_\_\_ Código Postal: \_\_\_\_\_

Número Telefónico \_\_\_\_\_

Fue discriminado por su:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Raza        | <input type="checkbox"/> Origen Nacional             |
| <input type="checkbox"/> Color       | <input type="checkbox"/> Edad                        |
| <input type="checkbox"/> Sexo        | <input type="checkbox"/> Discapacidad                |
| <input type="checkbox"/> Ingresos    | <input type="checkbox"/> Dominio limitado del Ingles |
| <input type="checkbox"/> Otro: _____ |  |

Fecha y hora del incidente Supuesta: \_\_\_\_\_

Por favor explique lo más claramente posible lo que pasó y cómo fue discriminado/a. Indique quien estuvo involucrado y cualquier proyecto del MPO, planes o programas que pueden haber llevado a la situación que está describiendo. Asegúrese de incluir los nombres e información de contacto con los testigos. Si se necesita más espacio, por favor utilice hojas adicionales.

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

Si     No

En caso afirmativo, comprobar e identificar todo lo que corresponda:

- Agencia Federal: \_\_\_\_\_
- Corte Federal: \_\_\_\_\_
- Agencia Estatal: \_\_\_\_\_
- Corte Estatal: \_\_\_\_\_
- Agencia Local: \_\_\_\_\_

Por favor proporcionar información para una persona de contacto en la Agencia tribunal donde se presentó la queja.

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

Dirección: \_\_\_\_\_

Ciudad, Estado, Código postal: \_\_\_\_\_

Número de teléfono: \_\_\_\_\_

Por favor firme abajo. Puede adjuntar cualquier material escrito u otra información adicional cual considere pertinente a su queja.

Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_

**Por favor, envíe este formulario firmado y cualquier archivo adjunto a:**

Coordinador Middle Rogue MPO Título VI  
Rogue Valley Council of Governments  
P.O. Box 3275  
Central Point, OR 97502

## Appendix B Census Definitions

### Census Geography level:

All census data consist of summary statistics that describe geographic areas. (There are no census data for individual persons or households.) Geography provides the framework for census survey design, sample selection, data collection, tabulation, and dissemination. The Census Bureau uses summary levels, representing a geographic level or type, for most of its data products. Summary levels define a hierarchical arrangement of geographic entities that allows for data ranking, sorting, aggregation, and mapping.

There are 27 different geographic entities, in two basic categories, shown on this diagram. Some geography types have legal status and are not controlled by the Bureau, including counties, places (incorporated cities), legislative and school districts, etc. The Bureau is responsible for defining several others, such as census tracts, block groups, blocks, public use microdata areas, ZCTAs, etc.

### Census Tract:

A small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for presenting data. Census tracts nest within counties and their boundaries normally follow visible features but may follow legal geography boundaries and other nonvisible features in some instances. Census tracts ideally contain about 4,000 people and 1,600 housing units.

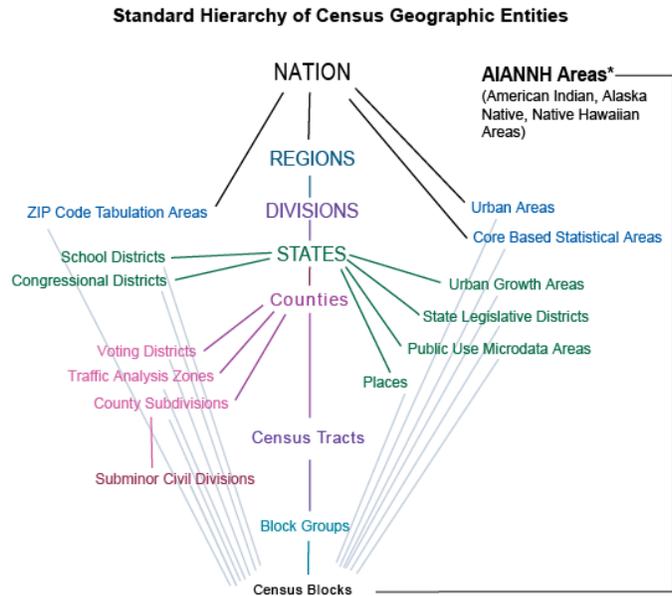
### Block Group:

A statistical subdivision of a census tract, generally defined to contain between 600 and 3,000 people and between 240 and 1,200 housing units, and the smallest geographic unit for which the Census Bureau tabulates sample data. A subdivision of a census tract (or, before 2000, a block numbering area), a block group is a cluster of blocks having the same first digit of their four-digit identifying number within a census tract.

### Block:

The smallest statistical unit of the U.S. Census. Census blocks cover the entire territory of the United States, Puerto Rico, and the Island Areas. Census blocks nest within all other tabulated census geographic entities and are the basis for all tabulated data.

As mentioned previously this analysis will be using block group geography level due to the unavailability of lower geography level for the ACS data.



**Figure 1: Standard Hierarchy of Census Geographic Entities**

## Appendix C

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

#### DOT Order No. 1050.2A

The Middle Rogue Metropolitan Planning Organization (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the **Federal Highway Administration (FHWA) and/or the Oregon Department of Transportation (ODOT)**, is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

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

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

#### General Assurances

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

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

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

#### Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives Assurances with respect to its Federally assisted Transportation Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Transportation Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Middle Rogue Metropolitan Planning Organization in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

- b. the period during which the Recipient retains ownership or possession of the property.
- 9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
- 10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

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

**Middle Rogue Metropolitan Planning Organization**

**By** \_\_\_\_\_  
**Ann Marie Alfrey, Executive Director**

**Dated** \_\_\_\_\_

## Appendix A of USDOT Assurances

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

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

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Oregon Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

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## Appendix B of USDOT Assurances

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

#### **(HABENDUM CLAUSE)**

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

The Middle Rogue Metropolitan Planning Organization, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the Middle Rogue Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands

and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

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

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## Appendix C of USDOT Assurances

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

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

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

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

## Appendix D of USDOT Assurances

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Middle Rogue Metropolitan Planning Organization pursuant to the provisions of Assurance 7(b):

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

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

## Appendix E of USDOT Assurances

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

### **Pertinent Non-Discrimination Authorities:**

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

disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

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