

## FAMPO RESOLUTION 19-31

### **AUTHORIZING STAFF TO EXECUTE A CONTRACT WITH CAMBRIDGE SYSTEMATICS FOR THE TITLE VI NONDISCRIMINATION PLAN, LIMITED ENGLISH PROFICIENCY PLAN AND ENVIRONMENTAL JUSTICE PLAN**

**WHEREAS**, the Fredericksburg Area Metropolitan Planning Organization (FAMPO) has the responsibility under the provisions of the Federal Aid Highway Act of 1962 and the Urban Mass Transportation Act of 1964, as amended, for developing and carrying out a comprehensive, continuing and coordinated transportation planning process in the Fredericksburg Urbanized Area, and

**WHEREAS**, Title VI of the 1964 Civil Rights Act “*declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy.*”, and

**WHEREAS**, working with Cambridge Systematics, a FAMPO on-call consultant, staff has completed a defined Task Order for this work at a cost of \$48,012, to be completed by December 2019; and

**WHEREAS**, the attached Task Order provides detailed information on the work elements, job assignments, costs and schedule for this work;

**NOW, THEREFORE, BE IT RESOLVED** that the Fredericksburg Area Metropolitan Planning Organization hereby authorizes staff to execute the attached task order with Cambridge Systematics and complete the work described therein.

Adopted by the Policy Committee at its meeting on February 25, 2019.

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Timothy McLaughlin, Chair  
Fredericksburg Area Metropolitan Planning Organization  
Policy Committee

# Memorandum

TO: Paul Agnello, FAMPO

FROM: David Jackson, Rich Denbow, Jay Evans, CS

DATE: February 21, 2019

RE: Task Order – Title VI Plan Support

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## Objectives

The objectives of this task order include the following:

- Support FAMPO through the development, review and adoption of a new Title VI plan consistent with Federal and Virginia requirements; and
- Throughout the development effort, provide expert advice, best practice research, and ongoing staff support to address questions and comments from planning partners and stakeholders.

This work will build on a prior CS team task order providing MAP-21/FAST Act performance management support through target setting and metropolitan planning requirement support for the 2045 CLRP and 2045 CLRP Update.

## Scope of Work

### ***Background***

GWRC and FAMPO are guided by federal Title VI and environmental justice mandates and are committed to making Title VI and environmental justice a part of the planning process, integrated in all programs and plans, and a guide for public participation efforts.

All recipients of Federal financial assistance must comply with several Federal civil rights requirements. These include Title VI of the Civil Rights Act of 1964, which prohibits discrimination based upon race, color, and national origin. The Act states 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.”* [42 U.S.C. 2000d]

In addition to Title VI, other nondiscrimination statutes prohibit discrimination based on sex, age, or disability. These include Section 162(a) of the Federal-Aid Highway Act of 1973 [23 U.S.C. 324] (sex), the Age Discrimination Act of 1975 [42 U.S.C. 6101] (age), and Section 504 of the

Rehabilitation Act of 1973 [29 U.S.C. 701] and the Americans With Disabilities Act (ADA) of 1990 [42 U.S.C. 12131] (disability). These and additional authorities are listed below. Taken together, these requirements define a broad Title VI/ Nondiscrimination Program.

The authority providing for the joint certification of an MPO, including the area of Title VI and related nondiscrimination requirements, is found in 23 C.F.R. 450.336 (Self-certifications and Federal certifications). Federal metropolitan planning requirements state that VDOT and each MPO, concurrent with the submittal of the entire proposed Transportation Improvement Program (TIP) to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as part of the State Transportation Improvement Program (STIP) approval, shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements.

### ***Work Activities***

CS will assist FAMPO staff with review and update of the 2016 Title VI Nondiscrimination Plan to ensure full compliance of FAMPO procedures with federal Title VI, environmental justice, and nondiscrimination mandates, including disadvantaged business enterprise (DBE) policy. This effort will also include support on updates of the Limited English Proficiency (LEP) Plan and Environmental Justice Plan.

CS will support FAMPO through preliminary Title VI review activities to support the scheduled April FHWA certification review, and work with FAMPO and VDOT to establish an approach to address any review comments or corrective actions. Following adoption of the FY 2020 Unified Planning Work Program (UPWP) in June 2019, CS will work with FAMPO staff to address any certification review outcomes and develop an updated Title VI Plan, including review of the FAMPO/GWRC Title VI policy and assurances document and the Limited English Proficiency (LEP) Plan and Environmental Justice Plan.

As part of this task, CS will conduct a peer review of Title VI and nondiscrimination procedures and plans of peer MPOs in VA and outside VA, considering best practices for both MPOs within regional commissions and independent MPOs. CS will develop a brief memorandum summarizing the findings of this review as supporting documentation to the Title VI plan update effort.

Throughout the development process, CS will coordinate directly with FAMPO staff, and VDOT as necessary, to develop the updated Title VI plan, and support the LEP and Environmental Justice Plan based on the 2016 plan and ongoing FAMPO work, and insights from the peer review. CS will regularly collaborate with FAMPO to complete a Draft Title VI plan by September 2019 for FAMPO Committee review. Following Committee review, CS will continue to support FAMPO through public comment review during October, narrative and documentation revisions, and Title VI Plan finalization, including Committee presentations to seek adoption during scheduled November or December meetings. Following adoption, CS will assist FAMPO in submitting requested information to State within 21 days of FAMPO Policy Committee action.

### ***Deliverables***

- Complete Draft Title VI Plan document in September 2019.

- Respond to and address public and stakeholder comments throughout September and October and incorporate into the Final Title VI Plan.
- Final Title VI Plan, and as directed by FAMPO, the LEP Plan and Environmental Justice Plan, and associated presentations for Committee discussion during scheduled November and/or December 2019 meetings.
- Summary memorandum highlighting the findings of the MPO peer Title VI Plan assessment.
- CS will conduct regular bi-weekly conference calls (as necessary) with FAMPO staff to discuss progress, next steps, and deliverables status.
- In-person attendance and presentation at up to two meetings, including presentations to FAMPO Committees for review and adoption of the Title VI plan.

## Staffing

Rich Denbow will serve as the task order manager. Jay Evans will serve as the Principal responsible for the work, with David Jackson serving as a senior advisor. Rich and David will be supported by experienced staff to deliver elements of the scope of work and attend meetings as requested by FAMPO.

## Schedule

The Title VI Plan development process will initiate in March 2019 to support the scheduled FHWA certification review, and then continue during summer and Fall 2019 leading toward final plan adoption in November or December 2019.

## Price Proposal

FIRM	Labor Hours	Labor Cost	Travel Cost	BUDGET
<b>Cambridge Systematics, Inc.</b>				
Task 1	272	\$47,207	\$805	\$48,012
<b>TOTAL:</b>	<b>272</b>	<b>\$47,207</b>	<b>\$805</b>	<b>\$48,012</b>