



Town of Bedford, Virginia

Title VI and LEP Implementation Plan

Title VI, Environmental Justice & Limited English Proficiency (LEP)

Agency Administrator:

Barrett F. Warner, Town Manager

Approved June 27, 2023

Table of Contents

Abstract.....	3
Town of Bedford Organization.....	4
Standard Title VI/Non-discrimination Assurances.....	5
Plan Introduction	9
Title VI and LEP Plan Purpose	10
Title VI Plan Policy.....	10
Title VI Plan Introduction	10
Title VI and Other Non-discrimination Authorities.....	11
Environmental Justice.....	13
Limited English Proficiency (LEP)	15
Town Title VI Administrator.....	16
Discrimination Complaint Procedures	21
Discrimination Complaint Form.....	24
Notice to the Public	26
LEP Plan Purpose.....	27
LEP Plan Introduction.....	27
Four Factor Analysis.....	28
How to Identify an LEP Person Who Needs Language Assistance.....	29
Providing Notice of Available Language Service to LEP Persons	30
Dissemination of the Town Limited English Proficiency Plan.....	31
Appendix A.....	32
Appendix B.....	34
Appendix C.....	36
Appendix D.....	37
Appendix E	38
Appendix F	40

Abstract

Title VI of the Civil Rights Act of 1964 states, "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." Subsequent laws and Presidential Executive Orders added handicap, sex, age, or income status to the criteria for which discrimination is prohibited. The Town of Bedford Title VI and LEP Plan was developed to ensure the Town is in compliance with non-discrimination requirements as outlined in Title 23 CFR and 49 CFR and related laws and provides specific information on how to file a non-discrimination complaint.

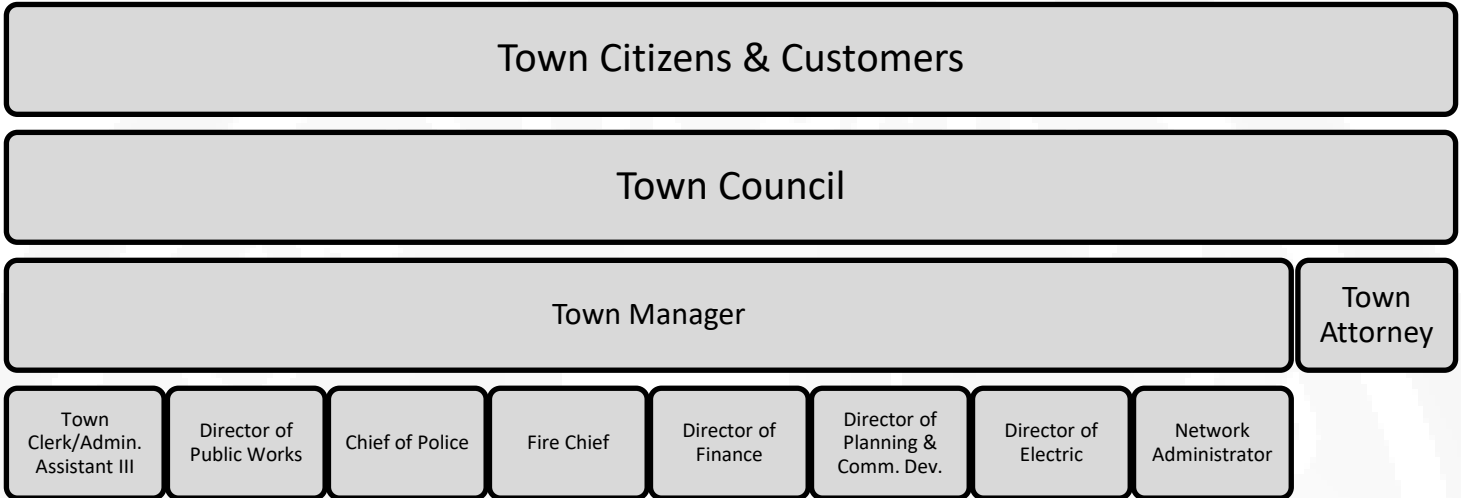
A Limited English Proficient person is one who does not speak English as their primary language and/or has a limited ability to read, speak, write, or understand English very well. The Town of Bedford Limited English Proficiency (LEP) Plan is part of a comprehensive effort to provide language assistance for LEP persons seeking meaningful access to Town plans, programs, and activities as required by Executive Order 13166.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, and guidelines to notify LEP persons that assistance is available.

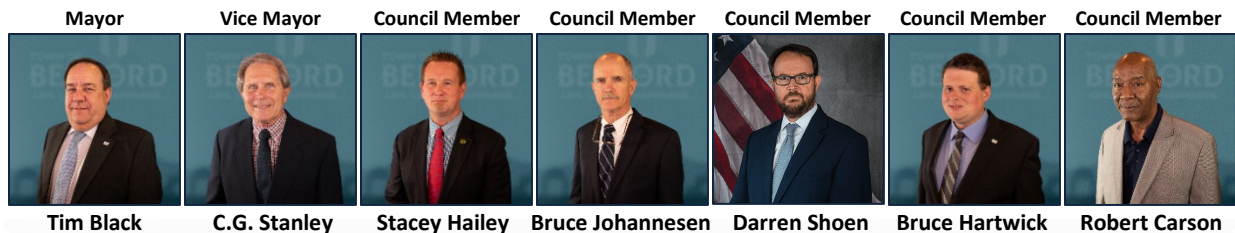
This Plan provides an overview of Environmental Justice and Limited English Proficiency (LEP) concepts, definitions of Title VI and associated non-discrimination acts, and how Title VI, Environmental Justice and LEP are incorporated into our process.

For more information about this plan, please contact the Town of Bedford at (540) 587-6001.

Town of Bedford Organization



Elected Officials Town Council



Other Town Officials

Barrett "Bart" Warner, Town Manager
 Michael Lockaby, Town Attorney
 Debra Anderson, Town Clerk
 D.W. Lawhorne, Director of Public Works
 Ronnie Lewis, Chief of Police
 Todd Stone, Fire Chief
 Anne Cantrell, Director of Finance
 Mary Zirkle, Director of Planning & Community Development
 John Wagner, Director of Electric
 Jonathan Holmes, Network Administrator



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The United States Department of Transportation (USDOT)

Standard Title VI/Non-discrimination Assurances

DOT Order No. 1050.2A

The *Town of Bedford* (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 and/or Federal Transit Administration*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity”, for which the Recipient receives Federal

financial assistance from DOT, including the Federal Highway Administration and/or Federal Transit Administration.

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

Specific Assurances

More specifically, and without limited the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted *Federal-aid Highways and/or Public Transportation Programs*:

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

“The Town of Bedford, 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 received 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 requirement 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.

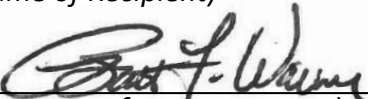
By signing this Assurance, the *Town of Bedford* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *Federal Highway Administration and/or Federal Transit Administration* access to records, accounts, documents, information, facilities, and staff. You also

recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the *Federal Highway Administration and/or Federal Transit Administration*. You must keep records, reports and submit the material for review upon request to the *Federal Highway Administration and/or Federal Transit Administration*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The *Town of Bedford* gives this Assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal-aid Highways and/or Public Transportation Programs*. This Assurance is binding on *the Town of Bedford*, other recipients, sub-recipients, sub-grantees, contractors and their subcontractors', transferees, successors in interest, and nay other participants in the *Federal-aid Highways and/or Public Transportation Programs*. The person signing below is authorized to sign this Assurance on behalf of the Recipient.

Town of Bedford

(Name of Recipient)

By 

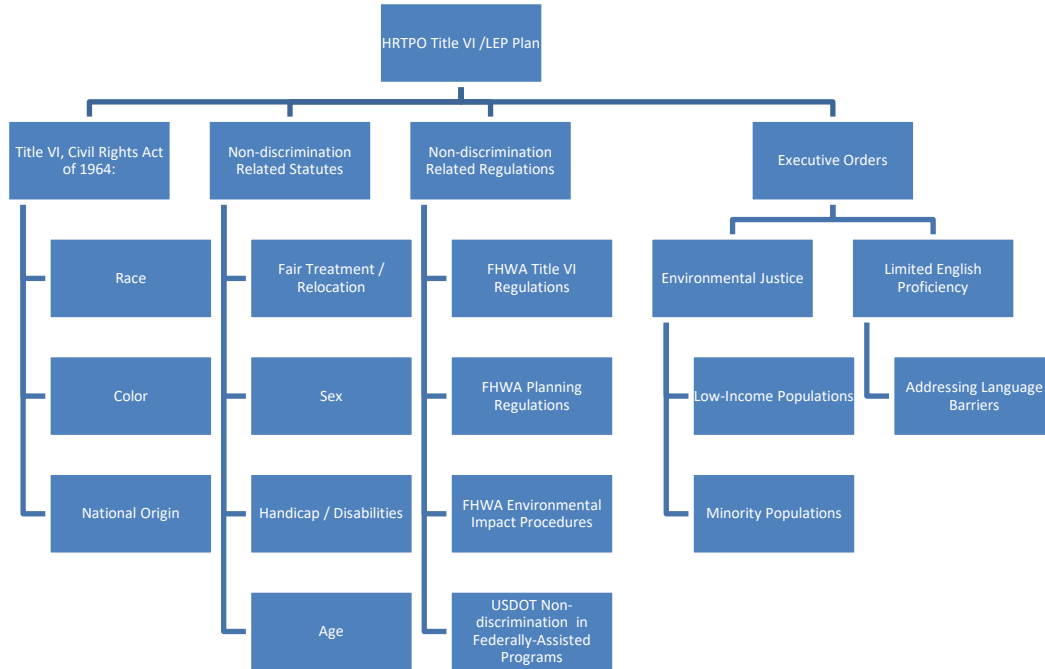
(Signature of Town Manager)

June 27, 2023

(Date)

Plan Introduction

NON-DISCRIMINATION AUTHORITIES ADDRESSED IN THE TOWN OF BEDFORD TITLE VI/LEP PLAN



Title VI Implementation Plan

I. Title VI and LEP Plan Purpose

The Town of Bedford (“Town”), as a sub-recipient of federal financial assistance, is required to comply with Title VI and subsequent non-discrimination laws, as well as provide an overview of how the Town addresses Executive Order 12898 on Environmental Justice and Executive Order 13166 on Limited English Proficiency (LEP). The purpose of this Title VI/LEP Plan is to describe the measures taken by the Town to assure compliance with the rules and regulations associated with Title VI and subsequent non-discrimination laws, Environmental Justice, and LEP.

II. Title VI Plan Policy

The Town assures that no person shall, on the grounds of race, color, national origin, handicap, sex, age or income status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent non-discrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Town further assures that every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event the Town distributes federal-aid funds to another governmental entity, the Town will include Title VI language in all written agreements and will monitor for compliance. The Town Manager is responsible for ensuring implementation of the organization’s Title VI Plan. The Finance Director, under supervision of the Town Manager, is responsible for coordinating the overall administration of the Title VI/LEP Plan and Assurances. The authorities that provide guidance on Title VI and related non-discrimination laws, regulations, and executive orders can be found in the “Title VI and Other Non-discrimination Laws” section of this document.

III. Title VI Plan Introduction

Title VI of the Civil Rights Act of 1964 prohibits federal agencies and sub-recipients of federal funds from discriminating, on the basis of race, color or national origin, against participants or clients of programs that receive Federal funding. Subsequent laws and Presidential Executive Orders added handicap, sex, age, or income status to the criteria for which discrimination is prohibited. This document addresses prohibition of discrimination as mandated by Title VI as well as by the authorities listed in the following section. In addition to non-discrimination, this document provides information regarding two Presidential Executive Orders pertaining to fairness and inclusiveness. Executive Order 12898 mandates that federal agencies address equity and fairness, or Environmental Justice, toward low-income and minority persons and populations.

Executive Order 13166 mandates that federal agencies ensure that people who have Limited English Proficiency (LEP) have meaningful access to federally-conducted and/or funded programs and activities. Detailed Environmental Justice guidelines and outreach strategies for minority, low-income, and LEP populations to comply with Executive Order 12898 and Executive Order 13166 are included in this plan.

IV. Title VI and Other Non-discrimination Authorities

Title VI is usually referred to in the context of federal non-discrimination laws. Title VI is one of eleven titles included in the Civil Rights Act of 1964. The following is a list of all of the Civil Rights Act titles:

- | | |
|--|--|
| I. Voting Rights | VII. Equal Employment Opportunity |
| II. Public Accommodation | VIII. Registration and Voting Statistics |
| III. Desegregation of Public Facilities | IX. Intervention and Procedure after Removal in Civil Rights Cases |
| IV. Desegregation of Public Education | X. Establishment of Community Relations Service |
| V. Commission on Civil Rights | XI. Miscellaneous |
| VI. Non-discrimination in Federally Assisted Programs and Activities | |

Title VI *“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.”* Any organization that receives Federal funds is bound to comply with Title VI. Since the Civil Rights Act of 1964, other non-discrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

•**The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** 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.

•**The Federal Aid Highway Act of 1973** states that no person shall, on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

• **Section 504 of the Rehabilitation Act of 1973** 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. This Act protects qualified individuals from discrimination based on their disability.

• **The Age Discrimination Act of 1975** 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. This act prohibits age discrimination in Federally Assisted Programs.

• **The Civil Rights Restoration Act of 1987, P.L.100-209** amends Title VI of the 1964 Civil Rights Act to make it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.

• **The American Disabilities Act (ADA) of 1990** prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.

• **23 CFR Part 200** – Federal Highway Administration regulations: Title VI Program and Related Statutes – Implementation and Review Procedures.

• **49 CFR Part 21** – Non-discrimination in Federally-Assisted Programs.

• **23 CFR Part 450** – Federal Highway Administration planning regulations.

• **23 CFR Part 771** – Federal Highway Administration regulations, Environmental Impact Procedures. In addition to the laws listed above, two executive orders must be taken into account when ensuring compliance with federal non-discrimination laws, directives, and mandates:

• **Executive Order 12898** – Environmental Justice (February 11, 1994), a presidential mandate to address equity and fairness toward low-income and minority persons/population. Executive Order 12898 organized and explained the federal government's commitment to promote Environmental Justice. Each federal agency was directed to review its procedures and make environmental justice part of its mission. U.S. DOT Order 5610.2 (April 15, 1997) expanded upon Executive Order 12898 requirements and describes process for incorporating Environmental Justice principles into DOT programs, policies, and activities. FHWA Order 6640.23 (December 2, 1998) – FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

• **DOT Order 5610.2** on Environmental Justice summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other

activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components.

- **Executive Order 13166** – Limited English Proficiency (August 11, 2000), a presidential directive to federal agencies to ensure people who have limited English proficiency have meaningful access to services. Executive Order 13166 ensures federal agencies and their recipients to improve access for persons with Limited English Proficiency to federally-conducted and federally assisted programs and activities.

- **The National Environmental Policy Act (NEPA) of 1969** addresses both social and economic impacts of environmental justice. NEPA stresses the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings,” and provides a requirement for taking a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making.

- **FHWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning** - This memorandum provides clarification for field officers on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as important during the planning stages as it is during the project development stages.

- **FHWA Order 6640.23A (June 14, 2012)** - Environmental justice at FHWA means identifying and addressing disproportionately high and adverse environmental or human health effects of the agency's programs, policies, and activities on minority populations and low-income populations to achieve a more equitable distribution of benefits and burdens from the agency's activities.

- **FTA Circular 4703.1 (August 15, 2012)** - This guidance provides recommendations to State Departments of Transportation, Metropolitan Planning Organizations, public transportation providers, and other recipients of FTA funds on how to fully engage EJ populations in the public transportation decision-making process; how to determine whether EJ populations would be subjected to disproportionately high and adverse human health or environmental effects as a result of a transportation plan, project, or activity; and how to avoid, minimize, or mitigate these effects.

IV. Environmental Justice

On February 11, 1994, President William J. Clinton signed **Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations**, which directs federal agencies to develop strategies to help them identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The

Executive Order was also intended to provide minority and low-income communities with access to public information and opportunities for public participation in matters relating to human health or the environment.

Adverse effects as described in Executive Order 12898 is the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness or death.
- Air, noise, and water pollution and soil contamination.
- Destruction or disruption of:
 - Man-made or natural resources
 - Aesthetic values
 - Community cohesion or a community's economic vitality
 - The availability of public and private facilities and services
- Adverse employment effects.
- Displacement of persons, businesses, farms, or non-profit organizations.
- Increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community.
- Denial of, reduction in, or significant delay in the receipt of benefits of the Town programs, policies, or activities.

Environmental Justice joins social and environmental movements by addressing the unequal environmental burden often borne by minority and low-income populations. The right to a safe, healthy, productive, and sustainable environment for all, where "environment" is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments.

Environmental Justice helps to ensure that programs, policies, and activities that have adverse effects on communities do not affect minority and low-income populations disproportionately. To prevent discrimination as described in Executive Order 12898, the Federal Highway Administration Order 6640.23 Order to Address Environmental Justice in Minority Populations and Low-Income Populations dated December 2, 1998 defines minority and low-income individuals and populations as follows:

Minority – a person who is Black, Hispanic, American Indian and Alaskan Native, or Asian American:

- **Black** – a person having origins in any of the black racial groups of Africa.
- **Hispanic** – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- **American Indian and Alaskan Native** – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

- **Asian American** – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific islands.

Minority Population – any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy or activity.

Low-Income – a person whose household income is at or below the United States Department of Health and Human Services poverty guidelines.

Low-Income Population – any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who would be similarly affected by a proposed program, policy or activity.

Environmental Justice is incorporated through all phases of the transportation planning process. Environmental Justice Guidelines for the Town have been developed and are included as a chapter within the updated Town Public Participation Plan.

V. **Limited English Proficiency (LEP)**

On August 11, 2000, President William J. Clinton signed **Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency**. The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or “LEP.” For an LEP individual, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter.

The United States Department of Transportation guidelines require that recipients of federal financial assistance provide “meaningful access to programs and activities” by giving LEP persons adequate and understandable information and allowing them to participate in programs and activities, where appropriate. Recipients of federal funds must take reasonable steps to remove barriers for LEP individuals. While designed to be

a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. Demography: number and/or proportion of LEP persons served and languages spoken in service area.
2. Frequency: rate of contact with service or program.
3. Importance: nature and importance of program/service to people's lives.
4. Resources: available resources, including language assistance services.

The four-factor analysis should be used to determine which language assistance services are appropriate to address the identified needs of the LEP population. More information regarding the identification of LEP individuals within the community as well as outreach strategies are included within the Town Public Participation Plan.

VI. Town Title VI Administrator

The Title VI Administrator is responsible for supervising staff activities pertaining to non-discrimination regulations and procedures set forth in federal guidance and in accordance with the Town Title VI/LEP Plan. In support of this, the Title VI Administrator will:

- Identify, investigate, and work to eliminate discrimination when found to exist.
- Process discrimination complaints received by the Town. Any individual may exercise his or her right to file a complaint with the Town, if that person believes that he or she or any other program beneficiaries have been subjected to discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, sex, handicap, age, or income status. The Town will make a concerted effort to resolve complaints in accordance with Discrimination Complaint Procedures.
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to the Town Title VI/LEP Plan.
- Periodically review the Town Title VI/LEP Plan to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with staff involved with Consultant Contracts and the sub-recipient found to be noncompliant, to resolve the deficiency status and write a remedial action if necessary, as described in the Consultant Contracts section of this document.
- Review important issues related to non-discrimination with the Town Manager, as needed.

- Maintain a list of Interpretation Service Providers.
- Assess communication strategies and address additional language needs when needed.
- Disseminate information related to the non-discrimination authorities. The Town Title VI/LEP Plan is to be disseminated to Town employees, contractors, the general public, and any of the Town services.
- Coordinate with appropriate federal, state, and regional entities to periodically provide Town employees with training opportunities regarding non-discrimination.

For questions on the Town Title VI/LEP Plan and procedures, please contact the Town at (540) 587-6001.

The Town ensures compliance with all applicable non-discrimination authorities and with regard to the following:

- Communications and Public Participation
- Planning and Programming
- Environmental Justice
- Consultant Contracts
- Education and Training

In addition to the responsibilities listed in this section, responsibilities may include reviewing Title VI guidelines and procedures for the Town Title VI Plan, and incorporating Title VI-related language and provisions into Town documents, as appropriate.

Communications and Public Participation

The Town of Bedford and related authorities and committees hold meetings that are open to the public for participation. The Town Council holds regularly scheduled meetings on every second and fourth Tuesday of the month starting at 7:00 p.m. at the Town Council Chamber located at 215 E. Main Street, Bedford, Virginia, 24523. The Town encourages public participation for all open meetings.

Forms will be available to attendees to register their presence and desire to speak at a Council Meeting. Public hearings will begin with a reading of the public notice, purpose and proposed action which necessitated the public hearing. After an explanation of the proposed action is completed, the public will be invited to offer their comment. If and when requested, translators should be present, as appropriate, to help communicate information and attain feedback. Limitations may be established on the length of oral presentations in order to afford all members of the public a reasonable opportunity to speak.

Citizens who are unable to participate in person may also watch the meetings through a live stream service or read meeting minutes made available on the Town's website.

Town Responsibilities

Under the guidance of the Title VI Administrator, the Town is responsible for evaluating and monitoring compliance with applicable non-discrimination authorities in all aspects of the Town public participation process. Town will:

- Ensure that all communications and public participation efforts comply with non-discrimination authorities.
- Develop and distribute information on non-discrimination and Town programs to the general public.
- Provide services for individuals with special needs – upon advance notice, deaf interpreters, translators, and Braille documents can be provided for public meetings. Notifications of opportunities for public participation will include contact information for people needing these or other special accommodations.
- Include contact information for people needing these or other special accommodations.
- Include the Title VI Statement to the Public in relevant press releases and on the Town website.

The Town will strive to provide reasonable accommodations and services for persons who require special assistance to participate in this public involvement opportunity. Contact (540) 587-6001 for more information.

Planning and Programming

The Town is responsible for developing long- and short-range plans and programs to provide efficient transportation services for the Town of Bedford. A comprehensive evaluation process is used which entails the monitoring and collection of various data pertaining to transportation issues. The Town coordinates with VDOT, DRPT, cities, counties, and area transit agencies; seeks public participation; and provides technical support when needed.

Town Responsibilities

Town is responsible for evaluating and monitoring compliance with applicable non-discrimination authorities in all aspects of the Town planning and programming processes. The Town Title VI Administrator will:

- Ensure that all aspects of the planning and programming process operation comply with non-discrimination authorities.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data.
- Make the document available to the public and member agencies on the Town website or in hard copy format, if requested.
- Continue to ensure that staff makes concerted efforts to involve members of all social, economic, and ethnic groups in the planning process.

Environmental Justice

The concept of Environmental Justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies, or activities on minority and low-income population groups. Within the context of regional transportation planning, Environmental Justice considers the relative distribution of costs and benefits from transportation investment strategies and policies among different segments of society.

Town Responsibilities

The Title VI Administrator is responsible for evaluating and monitoring compliance with applicable non-discrimination authorities in all aspects of the Town efforts to address Environmental Justice. Town staff will:

- Ensure that all aspects of efforts to address Environmental Justice comply with non-discrimination authorities.
- Create an Environmental Justice/Title VI Methodology that will be used as the basis upon which to conduct Environmental Justice analysis during the development of the Long-Range Plans.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data.

- Disseminate information to the public on the processes used and findings of any analysis, in accordance with all Town public participation procedures.

Consultant Contracts

The Town is responsible for selection, negotiation, and administration of its consultant contracts. The Town operates under its internal contract procedures and all relevant federal and state laws.

Town Responsibilities

Under the guidance of the Title VI Administrator, who is responsible for evaluating and monitoring consultant contracts for compliance with non-discrimination authorities, Town staff will:

- Ensure inclusion of non-discrimination language in contracts and Requests for Proposals (RFPs).
- Review consultants for compliance as described below:
 - Ensure that all consultants verify their compliance with non-discrimination authorities, procedures, and requirements.
 - If a recipient or sub-recipient is found to be not in compliance with non-discrimination authorities, the Title VI Administrator and relevant staff will work with the recipient or sub-recipient to resolve the deficiency status and write a remedial action if necessary.
 - Review outreach activities to ensure small, disadvantaged, minority, women, and disabled veteran businesses are not excluded to participate in opportunities to compete for consulting contracts.

Education and Training

In an effort to continuously improve the Town's overall compliance posture, non-discrimination training will be coordinated with FHWA, VDOT, DRPT, HRT, and WATA, and made available to Town staff on an ongoing basis to ensure up-to-date knowledge of Title VI and other non-discrimination statutes.

Town Responsibilities

Under the category of education and training, non-discrimination responsibilities include:

- Distribution of information to Town staff on training programs regarding Title VI and related statutes.

- Tracking staff participation in non-discrimination training.
- Maintain and update non-discrimination training as necessary.
- Maintain and update the Town Title VI Plan as necessary.

VII. Discrimination Complaint Procedures

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin. Subsequent laws and Presidential Executive Orders added handicap, sex, age, income status and limited English proficiency to the criteria for which discrimination is prohibited, in programs and activities receiving federal financial assistance. As a sub-recipient of federal assistance, the Town has adopted a Discrimination Complaint Procedure as part of its Title VI Plan to comply with Title VI and associated statutes.

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any non-discrimination authority, may file a complaint with the Town. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Town Title VI Administrator for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Administrator. If necessary, the Title VI Administrator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
4. Within 10 days, the Town Title VI Administrator will acknowledge receipt of the allegation in writing, inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as

- the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA).
5. Within 10 days, a letter will be sent to the VDOT Central Office, Civil Rights Division, and a copy to the FHWA Virginia Division Office. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
 6. In the case of a complaint against the Town, a VDOT investigator will prepare a final investigative report and send it to the complainant, respondent (Town person listed), the Town Title VI Administrator, and FHWA Virginia Division.
 7. Generally, the following information will be included in every notification to the VDOT Office of Civil Rights:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, national origin, sex, age, handicap/disability, income status, limited English proficiency).
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by the recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or federal) where the complaint has been filed.
 - h. An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
 8. Within 60 days, the Town Title VI Administrator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the recipient of federal assistance. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
 9. Within 90 days of receipt of the complaint, the Town Title VI Administrator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the Virginia Department of Transportation or the Federal Highway Administration, if they are dissatisfied with the final decision rendered by the Town. The Town's Title VI Administrator will also provide the VDOT Civil Rights Central Office with a copy of the determination and report findings.
 10. In the case a non-discrimination complaint that was originated at the Town is turned over to and investigated by VDOT, FHWA or another agency, the Town Title VI Administrator will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and VDOT policies and procedures.

11. In accordance with federal law, the Town will require that applicants of federal assistance notify the Town of any lawsuit filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.
12. The Town will submit Title VI accomplishment reports to the VDOT Central Office, Civil Rights Division, in compliance with VDOT's established processes.
13. The Town will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and VDOT's established procedures and guidelines.
14. Pursuant to the Virginia Public Records Act (VPRA) § 42.1-76 et seq., the Town will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the Town.
15. Records of complaints and related data will be made available by request in accordance with the Virginia Freedom of Information Act.

Please provide the following information in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to:

Town of Bedford, Title VI Administrator, 215 E. Main Street, Bedford, VA 24523. You can reach our office Monday-Friday from 8:30am to 5:00pm at (540) 587-6001.

Discrimination Complaint Form

Complainant's Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. (Home): _____ (Business): _____

Email Address: _____

Person discriminated against (if other than complainant):

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

The name and address of the agency, institution, or department you believe discriminated against you.

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date of incident resulting in discrimination: _____

Describe how you were discriminated against. What happened and who was responsible? **If additional space is required, please either use back of form or attach extra sheets to form.**

Does this complaint involve a specific individual(s) associated with the Town? If yes, please provide the name(s) of the individual(s), if known.

Where did the incident take place?

Are there any witnesses? If so, please provide their contact information:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

Did you file this complaint with another federal, state or local agency; or with a federal or state court?

Yes No

If answer is Yes, check each agency a complaint was filed with:

Federal Agency State Agency Local Agency Other _____

Federal Court State Court

Please provide contact person information for the agency you also filed the complaint with:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date Filed: _____

Sign the complaint in the space below. Attach any documents you believe support your complaint.

Complainant's Signature: _____ Date: _____

VIII. Notice to the Public

In order to comply with 49 CFR Section 21.9(d), the Town shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Long-Range Transportation Plan. The text will be placed permanently on the Town's website (<http://www.bedfordva.gov>).

The Town of Bedford fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Discrimination Complaint Form, see www.bedfordva.gov or call (540) 587-6001.

Limited English Proficiency (LEP)

IX. LEP Plan Purpose

As a recipient of federal funds, the Town follows the United States Department of Transportation Policy Guidance (U.S. DOT 2005) concerning recipients' responsibilities to limited English proficient (LEP) persons. Individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English are limited English proficient, or "LEP." Town's Title VI and LEP Implementation Guide is intended to guide the agency in the provision of meaningful access to its services, programs and activities by LEP persons.

In 2007, the FTA's Office of Civil Rights released a handbook — implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons — to provide recipients with technical assistance to implement federal guidelines. The U.S. DOT LEP Guidance notes that effective implementation plans typically include 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 Federal Transit Administration updated the Title VI Circular to 4702.1B — Title VI and Title VI-Dependent Guidelines for FTA Recipients — in October 2012. This revised circular provides guidance to grantees on how to comply with Title VI regulations and specifies recommended steps to ensure grantees provide meaningful language access to persons who are limited English proficient.

X. LEP Plan Introduction

A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English very well. The purpose of this Limited English Proficiency Plan is to outline the responsibilities of the Town of Bedford in regards to Limited English Proficient (LEP) persons and establish a process for providing assistance to LEP persons for Town programs, activities, and services pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

Title VI of the Civil Rights Act of 1964

"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."

Executive Order 13166

Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," directs each Federal agency that is subject to the requirements of Title VI of the Civil Rights Act of 1964 to publish guidance for its respective recipients and sub-recipients clarifying that obligation. The U.S. Department of Transportation (USDOT) published policy guidance on December 14, 2005 to clarify the responsibilities of recipients of Federal financial assistance from the USDOT.

Town staff has developed the Title VI/Limited English Proficiency (LEP) strategy to provide language assistance for LEP persons seeking meaningful access to Town programs as required by Executive Order 13166 and USDOT's policy guidance. This strategy details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, and guidelines to notify LEP persons that assistance is available. In developing the Town LEP strategy, the Town staff undertook a USDOT Four Factor LEP analysis, which considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by Town programs, activities, or services.
2. The frequency with which LEP individuals come in contact with Town programs, activities, or services;
3. The nature and importance of the program, activity or service provided by the Town to the LEP population; and
4. The resources available to the Town and overall cost to provide LEP assistance.

XI. Four Factor Analysis

The four-factor analysis is used to assess the need for language assistance services:

1. Demography – number and proportion of LEP persons served and languages spoken in service area.
2. Frequency – rate of contact with service or program.
3. Importance – nature and importance of program/service to people's lives.
4. Resources – available resources, including language assistance services.

Title VI Coordinator will:

- Regularly review demographic data based on the four-factor analysis. If a language other than English is the primary language of >5% of the population, the LEP guidelines may need to be modified to meet new needs.
- Collect and maintain demographic statistics on persons who participate in their programs and services.
- Solicit feedback from locality social service departments and community-based organizations serving LEP persons to evaluate how well its practices meet their needs.

Locality social service departments and community-based organizations serving LEP persons include:

- Bedford County Department of Social Services
- Bedford Christian Ministries

The feedback solicited from these departments and organizations may include:

- Nature and importance of programs, services, and activities to LEP persons.
- The effectiveness of current language assistance measures in meeting the needs of LEP persons.
- The effectiveness of staff LEP trainings and agency-wide language assistance protocol.
- Changes in frequency of contact with LEP language groups.
- Changes in the availability of resources, including technological advances or financial resources.

XII. How to Identify an LEP Person Who Needs Language Assistance

- Examine records of requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings.
- Set up a sign-in sheet table at Town-sponsored events, have a staff member greet and briefly speak to attendees to informally gauge the attendee's ability to speak and understand English.
- Have the Census Bureau's "I Speak Cards" at workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings.
- Post a notice of available language assistance in the Town reception area.
- Post a notice of available language assistance on the Town website.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, Town staff will first determine what language is required. Town staff will utilize the services provided by Google translate, or if by phone, seek to address the request with the on-call language service provider.

Town Staff Training

All Town staff will be provided access to the LEP Plan and will be offered training on procedures and services available. Training topics will include:

- Understanding Title VI of the Civil Rights Act of 1964 and LEP responsibilities.
- LEP program responsibilities and obligations.
- Language assistance services offered.
- Use of LEP Language Assistance Cards ("I Speak Cards").
- Documentation of language assistance requests.

XIII. Providing Notice of Available Language Service to LEP Persons

Signs should be posted that language assistance is available in public areas such as at Town reception, conference room, waiting areas, and the Town website.

Outreach Techniques

If Town staff knows that they will be presenting a topic in a geographic location with a known concentration of LEP persons, Town staff will make a concerted effort to have meeting notices, fliers, advertisements, or agendas printed in the alternative language. As well, Town staff will coordinate with local community groups to have someone available who can help interpret information at the meeting.

When running a general public meeting notice in a geographic location that could be of potential importance to LEP persons or if staff will be hosting a meeting or a workshop, Town staff will, to the extent possible, insert the following clause: “An interpreter will be available” in the predominant language. Town staff will seek to coordinate with local community groups to have someone available who can help interpret information at the meeting.

Town will include this statement when running general public meeting notices: “The Town will strive to provide reasonable accommodations and services for persons who require special assistance to participate in this public involvement opportunity. Contact (540) 587-6001 for more information.

Coordination with local community groups is a key outreach component as Town staff identifies and seeks to engage LEP persons in Town programs and activities.

Plan Monitoring and Updating

Town will monitor and update its Plan for Special Language Services, as needed, to ensure meaningful access to its programs and services by LEP persons. Town will use a combination of qualitative and quantitative approaches to monitor whether the Plan for Special Language Services effectively meets the needs of LEP persons across the Bedford region. On a triennial basis, Town will review demographic data of Bedford populations and solicit feedback from Town staff, LEP persons and community-based organizations serving LEP individuals to evaluate the effectiveness of its Title VI and LEP Plan.

By establishing an evaluative review of the Plan for Special Language Services, Town can assess whether its language assistance services are effective and have impacted relations with LEP communities. Town will monitor its implementation plan by soliciting regular feedback from Town staff and third-party contractors, community-based organizations and LEP persons.

In compliance with U.S. DOT guidelines, Town will monitor and evaluate its Title VI and LEP Plan by reviewing the following information:

- Changes in the number and proportion of LEP persons in the Town planning area
- New demographic data from U.S. Census and American Community Survey
- Changes in the frequency of contact with LEP language groups (e.g., language line usage and translated website pageviews)
- Nature and importance of programs, services and activities to LEP persons
- Expansion of services and programs
- Changes in the availability of resources, including technological advances and/or identification of additional financial resources
- The effectiveness of current language assistance measures in meeting the needs of LEP persons
- Feedback from LEP persons on the effectiveness of current language assistance services
- The effectiveness of staff LEP trainings and agency-wide language assistance protocol (e.g., “Vital Documents Guidelines”)

XIV. Dissemination of the Town Limited English Proficiency Plan

Town staff will post the LEP Plan on its website at <http://www.bedfordva.gov>. Any person with internet access will be able to view the plan. Copies of the LEP Plan will also be provided to interested parties upon request. For complete information about the LEP Program or related activities, contact (540) 587-6001.

XV. Appendix A

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

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

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *Federal Highway Administration and/or Federal Transit Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

XVI. Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the *Town of Bedford* 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 *Town of Bedford*, its successors and assigns.

The *Town of Bedford*, 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 *Town of Bedford* 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.)

XVII. Appendix C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *Town of Bedford* 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:
 - 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, the *Town of Bedford* 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 *Town of Bedford* 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 *Town of Bedford* 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.)

XVIII. Appendix D

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the *Town of Bedford* 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, the *Town of Bedford* 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, the *Town of Bedford* will there upon revert to and vest in and become the absolute property of the *Town of Bedford* 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.)

XIX. Appendix E

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

Pertinent Non-discrimination Authorities:

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

XX. Appendix F

Town of Bedford
Demographics per American Community Survey (ACS), 2017-2021

Total Population	6,610	
Male	2,932	44.4%
Female	3,678	55.6%
62 years and over	1,383	20.9%
Race		
White, One Race	4,743	71.8%
Black or African American, One Race	1,286	19.5%
Asian, One Race	176	2.7%
Hispanic or Latino (of Any Race)	188	2.8%
Two or More Races	90	1.4%
Language Spoken at Home and Ability to Speak Other Language		
Speak Language other than English		9.0%
Speak English “very well”		3.8%
Speak English less than “very well”		5.2%

Demographics per United States Census Bureau (V2021)

