

Title VI — Franklin County

Federal Section 5311 Civil Rights Plan

The Civil Rights Act of 1964 is legislation that outlawed major forms of discrimination against racial, ethnic, national and religious minorities, and women. It ended disproportionate application of voter registration requirements and racial segregation in schools, at the workplace and by facilities that served the general public.

Powers given to enforce the act aimed to guarantee all citizens equal protection of the laws under the Fourteenth Amendment and its duty to protect voting rights under the Fifteenth Amendment. The Act was signed into law by President Lyndon B. Johnson.

Franklin County is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the grounds of race, color, national origin, disability, sexual orientation, or other protected status, as provided by Title VI of the Civil Rights Act of 1964, and as amended.

The objectives of the plan are to:

1. Ensure the quality of service is provided without regard to race, color or national origin directly through trainings to promote the idea that all staff are responsible for upholding this commitment as well as indirectly by making available to interested persons such information regarding the provisions of this regulation and its applicability to the program. Information will be distributed in such a manner as the responsible department head finds necessary to apprise such persons of the protections against discrimination assured them by the act and this regulation. The recipient of these Federal funds shall provide complaint forms in person and online identifying the individual responsible for following up and investigating incidents.
2. Identify unreasonably high and unfavorable human health and environmental effects including social and economic effects on minority and low-income populations. The question always exists: how can we reach, serve and increase accessibility to provide safe, reliable transportation for those in need? By keeping in constant contact with human service agencies such as Department of Social Services and Office of the Aging through face to face meetings, phone conversations and email, we work closely with those who assist these individuals on a daily basis so local planning can be carried out, preventative measures can be taken if possible, while other issues will be addressed as they arise. Due to serving a small rural area and our daily informal interactions with local providers, programs and businesses serving those protected under Title VI, we do not have a formal Title VI advisory council at this time.
3. Promote open and fair participation of all affected populations in decision making by including minority, low-income, and LEP populations within the service area when conducting public outreach and involvement in service changes or other decisions that have an impact on their lives. A variety of approaches and outreach activities are utilized to engage interested parties and members of the public regarding service ideas, changes and modifications that affect the many individuals who depend on it. The methods used to

inform the public of these changes include newspapers, press releases, media outlets, notification to community based organizations, correspondence and advocacy of minority predominant communities, agency website, surveys and seat drops on service routes.

4. Prevent denial in benefits and activities that benefit minority and low-income populations is achieved through staff education regarding Franklin County's zero-tolerance policy concerning any form of unlawful discrimination against our customers. Service monitoring occurs periodically in both scheduled and unscheduled observations with the goal of comparing the level and quality of service provided to minority, low-income and LEP populations. Notification to beneficiaries is printed on all our schedules and is also available on our website along with a complaint form.
5. Provide meaningful access to persons with Limited English Proficiency (LEP) . The number of persons who speak English less than well has continued to drop in the area in recent years making the number of persons likely to encounter our service less; however Franklin County provides written instructions for all applicable employees who regularly interact with the public about how to respond and assist an LEP individual. Resources for translators are limited however county offices are able to provide contacts if one is needed. Franklin County is committed to assuring that resources are used to reduce the barriers that limit access to LEP populations to the best of our ability, and that information and services is disseminated to LEP persons in a timely manner.

Management and staff share the responsibility for carrying out this commitment to Title VI.

Contained within this document are the following sections:

1. PROCEDURES FOR FILING A CIVIL RIGHTS COMPLAINT
2. TITLE VI COORDINATOR ROLES AND RESPONSIBILITIES
3. ACCESS FOR PERSON'S WITH LIMITED ENGLISH PROFICIENCY (LEP)
4. NOTIFICATION TO BENEFICIARIES
5. PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES
6. FAIR AND EQUITABLE DISTRIBUTION OF SERVICES
7. EVALUATION OF SERVICE, FARE AND OTHER PROPOSED CHANGES
8. SERVICE MONITORING PROCEDURES
9. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM
10. EQUAL EMPLOYMENT OPPORTUNITY (EEO)
 - a. APPENDIX 1 (COMPLAINT FORM)
 - b. APPENDIX 2 (GOOD FAITH EFFORT PROCEDURES)
11. APPENDIX 3 (STANDARD TITLE VI/NON-DISCRIMINATION ASSURANCES)
 - a. APPENDIX A
 - b. APPENDIX B
 - c. APPENDIX C
12. COMPLAINTS LOG
13. RESOLUTION APPROVING CURRENT TITLE VI PLAN

SECTION 1

PROCEDURES FOR FILING A CIVIL RIGHTS COMPLAINT

POLICY

It is the policy of Franklin County to ensure programs and services are implemented without discrimination through its civil rights policies and procedures. Franklin County's Title VI policy assures that no person or groups of persons shall, on the grounds of race, color, national origin, disability, sexual orientation, or other protected status be excluded from participation, denied benefits or otherwise subjected to discrimination under any and all programs, services, or activities offered. Franklin County has a **zero-tolerance policy** regarding any form of unlawful discrimination against our customers. Discrimination, harassment, or retaliation against our customers is prohibited.

The objective is to:

- Ensure the quality of service is provided without regard to race, color or national origin;
- Identify unreasonably high and unfavorable human health and environmental effects, including social and economic effects on minority, low-income populations;
- Promote open and fair participation of all affected populations in decision making;
- Prevent denial in benefits and activities that benefit minority and low-income populations; and
- Provide meaningful access to persons with Limited English Proficiency (LEP).

Franklin County has the responsibility of coordinating program procedures, managing implementation and monitoring and the reporting process. The Title VI Plan is a shared responsibility of management and staff to identify and report civil rights violators. Training is provided to management and staff that receive and investigate complaints and come in contact with the populous.

Franklin County has developed complaint procedures; however the complainant has the right to file formally with the Federal Transit Administration (FTA), or to seek private counsel.

PROCEDURES

The summary below is the procedures for filing a complaint and the process Franklin County uses to investigate complaints. These procedures are used for all complaints received by Franklin County for documentation, research, and processing.

1. Any individual or groups of individuals who believe that they have been subjected to a discriminatory action, been excluded from participation, denied benefits, or subjected to harassment, retaliation, or other forms of discrimination based on race, color, national origin, disability, sexual orientation, or other protected status, under the program may file a complaint with Franklin County by utilizing the Title VI complaint form found under Appendix 1. After completion please submit all documentation to Franklin County at the following address:

**Franklin County Highway Superintendent
Franklin County Public Transportation
14981 State Rt. 30
Malone, NY 12953
Phone 518-481-1598 - Fax 518-483-6645**

Allegations received that imply harassment, retaliation, or unequal treatment in services will be processed as an allegation of discriminatory practice.

2. All complaints, written or verbal, shall be accepted. Allegations received verbally shall also be submitted in writing. Refusal to submit in writing will require the person whom the complaint is made against to submit in writing.

Complaints should include the following information:

- a) Name, address, and phone number, if provided;
- b) Basis of the complaint: race, color, national origin, etc;
- c) Date the alleged discriminatory incident occurred;
- d) Nature of the incident that led to the complaint;
- e) Location, date, time, route, vehicle ID, and other pertinent information;
- f) Names, addresses, and phone numbers of witnesses with knowledge the event.
- g) Other agencies, courts and contacts where complaint may also be filed.

All civil rights complaints received by Franklin County shall be forwarded to the Civil Rights Officer (CRO). Complaints will then be disseminated to appropriate administrative staff for investigation.

3. Staff assigned shall investigate complaint(s) and assist the CRO in identifying and interviewing witnesses with knowledge or relevant information of the event. The accused will be informed and permitted to respond to the allegation. If necessary, additional information may be requested from the complainant and/or witnesses.
4. As necessary, meetings may be requested with the complainant to discuss resolution. Staff investigating may request guidance from Franklin County, as necessary.
5. Upon completion of the investigative procedures, the assigned staff will draft a report based on the facts and submit it to Franklin County, or appropriate agency. The report at minimum will contain the findings and conclusions concerning the complaint and recommendations for corrective and discipline actions, if necessary.

Violations found to exist will prompt appropriate action be taken, with progress of resolution monitored and reported. Any actions taken as a result of the investigation will be the responsibility of Franklin County, or other governing agency. If no violation is found and the complainant is not satisfied, complaints may be filed directly with the FTA Office of Civil Rights.

6. A letter will be provided to the complainant from Franklin County that details the findings and conclusion, and corrective action taken or to be taken, if applicable.
7. Franklin County will maintain a complaint log of information pertaining to Title VI and other complaints of discrimination, harassment, or retaliation including: the date the complaint, summary of the allegation(s), status of complaint; and actions taken.
8. Should Franklin County receive a complaint in the form of a formal charge or lawsuit, Franklin County may seek professional counsel to perform the investigation and other procedures described herein.

SECTION 2

TITLE VI COORDINATOR ROLES AND RESPONSIBILITIES

The Title VI Coordinator is charged with the responsibility of implementing, monitoring, and ensuring Franklin County Public Transportation's compliance with Title VI regulations in the day-to-day administration of the program's Title VI Program. The specific roles and responsibilities of the Title VI Coordinator are outlined below:

1. Gather information necessary for general reporting requirements and report to the FTA.
2. Process, record and disseminate Title VI complaints received by Franklin County Public Transportation.
3. Monitor and ensure public information is available for Franklin County Public Transportation's Title VI Program.
4. Develop Title VI information for dissemination to the general public.
5. Develop and disseminate public information posters and other items as necessary.
6. Conduct surveys and other events to determine perceived quality of transit service. Analyze to determine if quality of service is consistent among different user groups and the degree to which the service is responsive to minority needs.
7. Determine areas of concern in transit service operations and assist with remedies.
8. Review program directives and, where applicable, include Title VI and related requirements.
9. Attend training programs on Title VI and related statutes.
10. Confirm that staff are trained in Title VI and related statutes.
11. Identify and propose ways to eliminate discrimination when found to exist.
12. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed ninety (90) days.

The County Manager is the Civil Rights Officer and shall have the final authority and responsibility for compliance with Title VI provisions.

SECTION 3

ACCESS FOR PERSON'S WITH LIMITED ENGLISH PROFICIENCY (LEP)

Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency looks to ensure access to programs and services for individuals who are not proficient in the English language. This order states, individuals having difficulty with the English language and have limited ability to read, write or speak are entitled to assistance with respect to the applicable service they seek.

This LEP plan is consistent with the federal guidance and includes the steps the agency will take to ensure that eligible LEP persons can meaningfully access programs and activities. As a condition of receiving federal assistance, this LEP Plan flows down to recipients and subrecipients to which funds are provided.

This LEP plan covers programs that receives federal financial assistance and includes, but is not limited to, grants, training, donations and other assistance. This means all elements of Franklin County's operations are covered. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

Who qualifies as an LEP Individual?

Any individual who speaks a language other than English as their primary language, and who cannot speak English well or at all. In addition, individuals who have a limited ability to read, write or speak are considered LEP individuals. To comply with guidance and rules issued by the U.S. Department of Transportation, and Title VI of the Civil Rights Act of 1964, Franklin County will take reasonable steps to ensure that all persons have meaningful access to its programs and services, at no additional cost.

The following LEP Plan has several elements contained in the overall assessment used to identify LEP individuals who need assistance. Implementation includes the development of language assistance measures, training, notification process, and a monitoring plan.

Assessment of Need

In order to develop this plan, Franklin County implemented the following four (4) elements as assessment tools used to evaluate need.

1. The number or percentage of LEP persons in the service area likely to encounter service.
2. The regularity with which LEP persons come in contact with services.
3. The importance of services provided to the LEP population.
4. The resources available and overall costs to provide LEP assistance.

Element 1:

The number or percentage of LEP persons in the service area likely to encounter service. Understanding the profile of LEP individuals in service began with a review of the most current

census data. Table 1 depicts the number and percent of persons who speak English less than well, by language spoken at home, and age.

Table 1.

People QuickFacts	Franklin County
Population, 2013 estimate	51,688
Population, 2012 estimate	51,848
Population, 2010 (April 1) estimates base	51,597
Population, percent change, April 1, 2010 to July 1, 2013	0.2%
Population, percent change, April 1, 2010 to July I, 2012	0.5%
Population, 2010	51,599
Persons under 5 years, percent, 2012	5.2%
Persons under 18 years, percent, 2012	20.0%
Persons 65 years and over, percent, 2012	14.0%
Female persons, percent, 2012	44.9%
White alone, percent, 2012 (a)	84.1%
Black or African American alone, percent, 2012 (a)	6.6%
American Indian and Alaska Native alone, percent, 2012 (a)	7.5%
Asian alone, percent, 2012 (a)	0.5%
Native Hawaiian and Other Pacific Islander alone, percent, 2012 (a)	Z
Two or More Races, percent, 2012	1.2%
Hispanic or Latino, percent, 2012 (b)	3.2%
White alone, not Hispanic or Latino, percent, 2012	82.0%
Living in same house 1 year & over, percent, 2008-2012	82.8%
Foreign born persons, percent, 2008-2012	5.4%
Language other than English spoken at home, pct age 5+, 2008-2012	9.2%
High school graduate or higher, percent of persons age 25+, 2008-2012	84.4%
Bachelor's degree or higher, percent of persons age 25+, 2008-2012	17.9%
Veterans, 2008-2012	4,025
Mean travel time to work (minutes), workers age 16+, 2008-2012	19.4
Housing units, 2012	25,290
Homeownership rate, 2008-2012	72.3%
Housing units in multi-unit structures, percent, 2008-2012	15.6%
Median value of owner-occupied housing units, 2008-2012	\$95,700
Households, 2008-2012	19,170
Persons per household, 2008-2012	2.35
Per capita money income in past 12 months (2012 dollars), 2008-2012	\$21,570
Median household income, 2008-2012	\$45,702
Persons below poverty level, percent, 2008-2012	17.6%

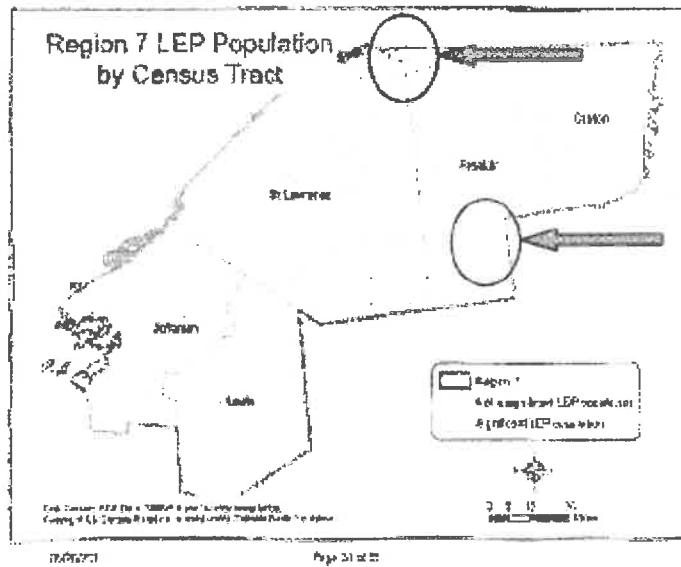
Element 2:

The frequency of contact with LEP individuals is predominantly determined through density analysis of LEP populations in comparison to an overlay of existing routes (as shown below) and survey distribution on an annual basis.

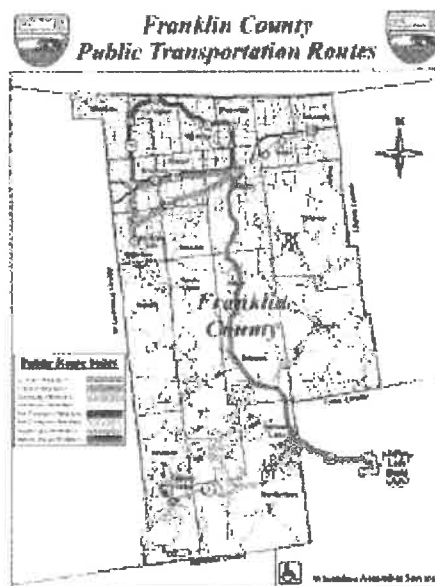
The map below indicates LEP populations have strong coverage by current services offered.

MAP of Service Area versus LEP population

Franklin County LEP Population



Franklin County Transit Services



Survey development and distributed consists of compiling information about frequency of contact with LEP individuals from management, staff and drivers as well as seat drops for riders and web based surveys. Types of questions consist of: do you speak English, how well you understand English, what language you speak, how often you assist LEP customers, and to identify which languages are most encountered.

Given that language spoken other than English accounts for a 9% Franklin County’s population transit service coverage would need to be robust within the city. The above maps indicate substantial coverage exists from the city transit services as well as several peripheral providers should mobility concerns start to become difficult to manage. The city transit services also provide citywide demand response in addition to our deviation services.

Element 3:

The importance of services that can be utilized effectively by LEP population can have positive effects to access health care, education and employment. Public transit is a key resource in achieving mobility for many LEP persons.

Franklin County looks to provide service information, riding instructions, ADA and Civil Rights information, complaint procedures, detours, route changes, fare increases and other critical services and limitations that may affect individuals; in all vehicles, and on all schedules, timetables, social networks and websites.

Community Outreach considers the limits of information exchange and the need to reach out to the following community-based organizations that work with LEP populations.

Community Action programs
Independent Living networks
Social Services departments
Aging departments
Work force development groups
Translator networks
Association of Senior Citizens

Franklin County performs outreach in the form of questionnaires/surveys intended to obtain information on languages spoken, trends, program awareness and services offered. Further identified are the needs of LEP populations that are not being met and barriers to service use. At this time all needs seem to have adequate coverage.

Element 4:

The resources available and overall costs to provide LEP assistance. Franklin County is committed to assuring that resources are used to reduce the barriers that limit access to LEP populations to the best of our ability, and that information and services is disseminated to LEP persons in a timely manner. While Franklin County does not track these expenses to providing language assistance, ongoing monitoring of this task is constant. Franklin County will continue to plan within its budget, funding to meet compliance.

Some planning activities include:

1.	Franklin County staff that seek out translating assistance;
2.	Development of various public outreach documents;
3.	Engaging higher learning institutions;
4.	Web site presence;
5.	Training and customer service programs;
6.	Planning department activities such as conducting public hearings;
7.	Flexible schedules and timetables;
8.	Regular meetings with local community

Assistance strategies include:

1.	First encounter planning when engaging an LEP individual;
2.	User-friendly web presence;
3.	Notification in applicable languages that meet the 5% or one thousand persons threshold
4.	Identify vital materials for distribution
5.	Identify bilingual needs and look to address as applicable;
6.	Identify translation services and technologies needed.

Assessment Measures of LEP Population

The assessment of the number or percentage of LEP individuals that could be served and/or encountered within our service area is 9%.

Franklin County will provide written instructions for all applicable employees who regularly interact with the public, about how to respond and assist an LEP individual. Policy developed will look to ensure competent interaction through known obligations to allow for meaningful access to information, services and training.

Training

1. Staff will receive this LEP plan upon being hired explaining LEP policies and procedures.
2. Staff having contact with the public will undergo training with regards to working effectively in-person and through interpreters.
3. Mandatory training is required for front line staff at hiring and at refresher intervals determined by management. Training will further include the definition of a service area, programs and activities affected, LEP determinations and thresholds, types of LEP services that are available, and the importance of compassionate practices across all populations.
4. State and Federal training programs and webinars will be mandatory to the extent they are practical.
5. Best practices identified for engaging LEP populations will look to be collected on an on-going basis.

6. This plan will be considered a living document that organizes the research, planning and other materials used to disseminate information to our staff, affected agencies and the public.

Franklin County issues its LEP policy and procedures to all front-line employees required to understand the integration of LEP individuals. This is performed under many different circumstances such as: orientation of new employees, training and customer service, during operations, at first encounter, etc.

Notice:

Franklin County, having established services that can provide outreach, also has a responsibility to provide awareness of the availability of those services to the LEP populations. This is performed by publishing material (posted in applicable languages) for dissemination on vehicles, stop locations, transfer points, agencies of need, web presence, social networks, translators, community organizations, local media, newspapers, schools and colleges, community and religious organizations and other available outreach services.

Some locations of posting include:

Transit website
Transit Vehicles
Shopping Plazas
Dollar Stores
Quick Marts
Human Service agencies
Community organizations
Places of worship

Monitoring and changing the LEP Plan

Franklin County monitors outreach procedures on an ongoing basis through a systematic approach of feedback generated by questionnaires, surveys, census changes. Localized LEP population and feedback from community based organizations that serve LEP communities also keep us apprised of their needs and changes.

Franklin County considers the information provided and makes changes to the language assistance plan as necessary with input from the population and their affected organizations. The plan otherwise is updated on a triennial basis (every 3 years).

SECTION 4

NOTIFICATION TO BENEFICIARIES

The text below was developed and is deployed, in applicable languages, on all schedules, brochures, vehicles, facilities and websites to be conspicuously posted for the duration services exist.

Franklin County is committed to providing non-discriminatory service to ensure that no person is excluded from participation in, or denied the benefits of, or be subjected to discrimination in the receipt of its services on the grounds of race, color, national origin, disability, sexual orientation, or other protected status as protected by Title VI of the Civil Rights Act of 1964 ("Title VI").

To request additional information about Title VI, or if you believe you have been subjected to discrimination and would like to submit a written complaint, you may contact:

Franklin County Highway Superintendent
Franklin County Public Transportation
14981 State Rt. 30
Malone, NY 12953
Phone 518-481-1598
Fax 518-483-6645

SECTION 5

PUBLIC OUTREACH AND INVOLVEMENT ACTIVITIES

Franklin County makes a concentrated effort to involve customers and the general public, including minority, low-income, and LEP populations within the service area when conducting public outreach and involvement in service changes or other decisions that have an impact on their lives. A variety of approaches and outreach activities are utilized to engage interested parties and members of the public regarding service ideas, changes and modifications that affect the many individuals who depend on it. Changes can be made for a variety of reasons such as construction, financial constraints, plan reviews, and regular schedule updates. The methods used to inform the public of these changes include newspapers, press releases, media outlets, notification to community based organizations, correspondence and advocacy of minority predominant communities, agency website, surveys and seat drops on service routes.

Public Meetings

Public meetings are offered to further share information and gather input from the public. These meetings are publicized through many of the same means stated above.

Monthly meetings

Monthly meetings include outreach to affected communities for on-going input of needs, changes and other relevant topics to improve services.

Public Hearings

Public hearings are provided when formal comments from the public regarding plans that impact services are desired and/or requested. Notices of public hearings are published in newspapers as well as many of the same means stated above.

SECTION 6

FAIR AND EQUITABLE DISTRIBUTION OF SERVICES

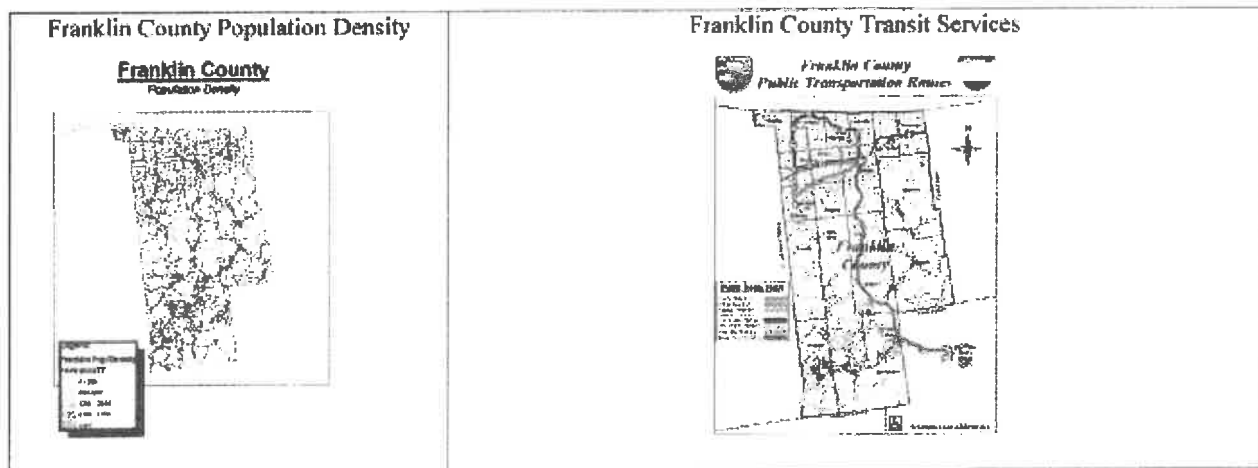
Franklin County is committed to maintaining fair and equitable distribution of services and amenities. The selection of routes and placement of shelters and other amenities is prioritized based on population densities, census analysis, demographic analysis of low income, elderly and LEP populations, projected number of boarding's, safe and accessible locations, community input, passenger data and financial constraints.

Since transit funds are limited, providing all inclusive services is unlikely, therefore, we've developed a methodology for allocation of services based on serving population concentrations, identifying walkable communities, individuals in need of lifeline services, appropriate vehicle assignment that place accessible vehicles where most needed, optimizing spacing of bus routes and distribution of timetables that offer broader coverage of service area and hours in revenue service. The premise of this methodology is to offer the best possible service distribution while promoting freedom of mobility to as many individuals as possible.

The timetables contained in our route schedules are the by-product of the methodologies applied in support of reasonable utilization and distribution levels. In areas that do not reveal characteristics associated with the prioritizing criteria, such as sparsely populated areas, the standard approach is to seek out partners in support of services that bring resources to expansion deemed important and necessary.

While distribution of services and amenities is not an exact science, the intent of our methodology outlined above is to offer a uniform and non-discriminatory approach to distribution of services that meet the intent of Title VI while serving our customers as widely and completely as resources allow.

MAP of Service Area versus population density



Population 51,688 (2013)

Population Density: 31.7/sq mi

SECTION 7

EVALUATION OF SERVICE, FARE AND OTHER PROPOSED CHANGES

Evaluation of routes, fare structure and other proposed changes that have an impact, minor or major, on services are evaluated based on established guidelines that include all segments of the community.

Evaluation Guidelines and Criteria:

1. Minor changes are changes that affect 25% or less of an individual route;
2. Major changes are new services or changes that affect 25% or more of an existing individual route. Major changes include but are not all inclusive:
 - a. New transit service;
 - b. Increase of more than 25% in the revenue vehicle miles operated on a route;
 - c. Increases of more than 25% in the annual number of service hours on a route;
 - d. Discontinuance or a temporary service change;
 - e. Mother nature;
 - f. Infrastructure failure;
 - g. Reduction in resources (budget constraints);
 - h. Service consolidation;
 - i. Restructuring and/or raising fares

All riders utilizing services are considered in the evaluation process. This is the case so as not to disproportionately impact minority and low-income individuals. The previously explained "Public Outreach and Involvement Activities" are implemented as the process for involving all segments of the population in the decisions that affect their lives and mobility concerns. All proposals and concerns are vetted and ultimately voted on in a fair and open manner as deemed appropriate to bring issue(s) to resolution.

Protest and Mitigation

Franklin County will, through the previously mentioned "Procedures for filing a Civil Rights Complaint", address protests to changes that an individual or individuals feel have a disproportionately high and adverse effect on their lives, to come to resolution on the matter. Should resolution move forward in a manner not satisfactory to all, Franklin County will provide mitigation through outreach to the affected populations by whatever means possible to inform, clarify and assist in the transition.

SECTION 8

SERVICE MONITORING PROCEDURES

Service monitoring is undertaken periodically, in both, scheduled and unscheduled observations. The overarching goal of service monitoring of activities is to compare the level and quality of service provided to minority, low income and LEP populations.

Level of Service - This is performed through announced and unannounced ride alongs to observe routes and interaction. This offers real time monitoring of performance of routes and staff, and as available, will be complimented with surveys and interviews. This sampling is then compared to adherence with in-place policy and used in recommendations and updates.

Level of Availability - This is also performed through announced and unannounced ride alongs to observe service availability to ascertain if areas with service are being met efficiently or in need of more transit service. Periodic census analysis is also part of this observation to determine other areas that may have a need, but are not currently serviced. This sampling offers real time and snapshot views into availability of service.

Any concerns discovered in services and availability is vetted through committee to ascertain the inconsistencies and seek corrective measures as necessary.

Franklin County reviews monitoring procedures every one to three years or when governmental changes occur to make revisions to outdated service standards and procedures. Franklin County's procedures are designed for system wide implementation as well as route by route review.

SECTION 9

DISADVANTAGED BUSINESS ENTERPRISE (DBE) POLICY

Explanation

All entities that directly receive FTA federally assisted funds over \$250,000 used in contracts (except for transit vehicle purchases) in a federal fiscal year for planning, capital, and/or operating assistance purposes are required to have a DBE Program on file with the FTA. The New York State department of Transportation (NYSDOT), as the direct recipient of FTA funds, does receive more than \$250,000 in applicable FTA funds annually, and therefore is the entity required to have a DBE program on file with FTA.

Franklin County, as a subrecipient of these FTA funds through NYSDOT, is responsible for ensuring that DBEs are provided the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part that utilize these funds. In addition, Franklin County will not discriminate on the basis of race, color, national origin, or sex in the award and performance of FTA-assisted contracts.

In line with this requirement, submission of a DBE assurance with each application for federal assistance will be filed with NYSDOT. The assurance will describe the necessary and reasonable steps taken to ensure the maximum opportunity to compete for contracts and subcontracts. Outlined below is the DBE Assurance Policy Franklin County will maintain in an effort to assure this compliance:

- The DBE policy (including current DBE goal as established by NYSDOT);
- Documentation of recent DBE activity;
- Documented "Good Faith Efforts" made to ensure participation;
- Current listing of DBE firms and websites used for outreach;
- Documented procedures in place to ensure work is performed;
- Complaint procedures and form;
- Listing of any complaints received, current status and resolution if applicable.

Components of the grantees DBE Assurance Policy

1. The current DBE policy and goal as established by NYSDOT- Franklin County will make available through public notice and all solicitations its disadvantaged Business Enterprise (DBE) policy for the current fiscal year and applicable goal as established by NYSDOT. Comments and questions should be directed to:

Comments and questions should be directed to:

Franklin County Highway Superintendent
Franklin County Public Transportation
14981 State Rt. 30
Malone, NY 12953
Phone 518-481-1598 Fax 518-483-6645

Recent DBE activity — Upon request all recent DBE activity will be provided including names, addresses, and telephone numbers of DBEs utilized;

2. Good faith efforts made to ensure participation — As required good faith efforts will be performed to ensure a level playing field is provided. Upon request all recent good faith effort activity will be provided in a format similar to that described in Appendix 2;
3. Current listing of DBE firms and websites used for outreach — Franklin County will maintain and produce, upon request, a current listing of qualified DBE firms and locations (websites, etc) it utilizes to find and reach out to DBE firms;

Some search locations and local DBE firms utilized are listed below:

New York State Department of Transportation search directory.	http://www.dot.ny.gov/main/business-center/civil-rights/ucp-directory
MBE/WBE/DBE directory.	http://www.governmentvendor.us/MBE_WBE_DBE_Companies/Women_Owned_Business/New_York/more56.html
GEOMATICS LAND SURVEYING PC	Surveying
LORAN CONSTRUCTION, INC.	Construction
SIGNS, INC.	Office Supplies

4. Procedures in place to ensure work is performed - Once contracts are engaged Franklin County, in cooperation with the prime or subprime contractors, will work with DBE firms to ensure success towards meeting their commitments. This includes regular oversight and review of work performed by the prime, subprime and DBE subcontractors. Additionally, prime contractors are required to submit invoices with documentation confirming the level of participation and payments to subcontractors and DBE's.
5. Complaint procedures and form — The complaint procedures found earlier in this document and form found under Appendix 1 serves as the process for filing a complaint.
6. Listing of any complaints received, current status and resolution if applicable — All complaints are documented and filed for future reference and available upon request.

Franklin County will continue to work to obtain the participation of DBEs by developing solicitations that meet requirements. For more information regarding the DBE policy please contact:

Franklin County Highway Superintendent - Franklin County Public Transportation
14981 State Rt. 30
Malone, NY 12953
Phone 518-481-1598 Fax 518-483-6645

SECTION 10

EQUAL EMPLOYMENT OPPORTUNITY

Franklin County's Equal Employment Opportunity Plan (EEO) if applicable is a comprehensive process for analyzing labor markets, employment practices, barriers to the participation of women and minorities in all levels of a recipient's workforce. Its purpose is to ensure the opportunity for full and equal participation of men and women in the workplace, regardless of race, color, national origin, disability, sexual orientation, or other protected status.

Current requirements include: receiving capital assistance in excess of \$1 million, or planning assistance in excess of \$250,000 and having more than 50 transit employees.

Current level of Capital Assistance is around \$225,000 and the current level of Planning Assistance is \$ 0. The current number of employees equal 33. Since no threshold is equal to or greater than the thresholds stated above Franklin County is not required to have an EEO Plan.

Is an EEO Plan required?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Should Franklin County reach the thresholds necessary to develop an EEO Plan it would be implemented as outlined below:

If these plateaus are met Franklin County will submit an EEO Plan and provide updates yearly to ensure compliance as outlined below.

1. The current number of transit specific employees will be identified and documented;
2. Total FTA funds received will be identified and documented;
3. Franklin County will assign staff designated as responsible to monitor all employment related activity;
4. The section of the civil rights plan will serve as policy and part of employee training;
5. Complaint procedures are in place as outlined under "Procedures for filing a Civil Rights complaint" found earlier in this document and the "Complaint Form" under "Appendix I";
6. Listing of any complaints received will be maintained including current status and resolution if applicable;
7. Franklin County will maintain a working environment free of discrimination, harassment, coercion and coercion at all locations;
8. Franklin County will review its plan yearly and post updates and posters in prominent

locations where all employees have access to review it;

9. Review annually of adherence to EEO Plan will be performed as well as discussions with subcontractors whom Franklin County anticipates doing business upon request;
10. Franklin County will document and maintain all bid solicitations and outreach efforts;
11. Franklin County will disseminate information through various media outlets and provides copies of these advertisements upon request;
12. Franklin County will disseminate its EEO Plan to union and community organizations;
13. Franklin County will provide immediate notification when any action impedes efforts to maintain its plan;
14. Franklin County will maintain a list of sources, outreach activities and record of responses;
15. Franklin County will maintain a file of names, addresses and phone numbers of applicants and employment action taken;
16. Franklin County encourages current employees to recruit others;
17. Franklin County will maintain an employment selection process and other selection criteria;
18. Franklin County will maintain documentation for on-the-job training opportunities;
19. Franklin County will conduct annual evaluations and prepare employees for tests and promotional opportunities;
20. Franklin County will maintain a working environment non-segregated except for providing accommodations for separate restrooms and other privacy matters.

APPENDIX 1
COMPLAINT FORM

Franklin County is dedicated to ensuring that no person is excluded from participation or denied benefits of services on the basis of race, color, national origin, disability, sexual orientation, or other protected status, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and prohibits discrimination against people with disabilities as provided by The Americans with Disabilities Act (ADA) of 1990 and as amended.

Complaints must be filed within 180 days from the date of the alleged discrimination with the following information provided to assist in processing. If you require assistance in completing this form, please contact Franklin County by calling 518-481-1598. Return the completed form to:

Franklin County Highway Superintendent - Franklin County Public Transportation
14981 State Rt. 30
Malone, NY 12953
Phone 518-481-1598 Fax 518-483-6645

Please fill out complaint information below (if someone other than the complainant, please fill out the last two boxes as well.)	<p style="text-align: center;"><u>Type of Complaint: (Please check one)</u></p> Civil Rights <input type="checkbox"/> LEP <input type="checkbox"/> DBE <input type="checkbox"/> ADA <input type="checkbox"/> EEO <input type="checkbox"/> Other <input type="checkbox"/>
Name:	
Address:	
City:	State: <input style="width: 100px;" type="text"/>
Phone:	Zip: <input style="width: 100px;" type="text"/>
Person(s) discriminated against (if someone other than complainant):	
Address (if someone other than complainant):	

Which reason best describes the alleged discrimination that took place? (Please check one)	
Race	
Color	
National Origin	
Disability	
Sexual Orientation	
Other discrimination/allegation <i>(please explain in detail)</i>	

Description of Complaint

Date of Incident: ___ / ___ / ___

Please describe the alleged discrimination in as much detail as available, such as: date, time, route number, location, vehicle number, names and titles of all staff involved, reason for complaint, explanation of actions leading to complaint, whom you believe responsible and any witnesses including their contact information. Please use additional sheets of paper as necessary if additional space is required.

APPENDIX 2
Good Faith Effort Procedures

Good Faith Efforts will be documented on contracts utilizing federal funds that have an established DBE goal. Award requires a bidder/offeror be able to show good faith efforts were performed to meet the goal. A good faith effort is defined as one where the bidder:

1. Documents that it has obtained enough DBE participation to meet the goal; or
2. Documents adequate good faith efforts, even though it did not meet the goal.

This appendix “Good Faith Effort Procedures” provides the documented process that will be performed to demonstrate good faith efforts.

These efforts will be active steps, which could reasonably be expected to lead to sufficient DBE participation to meet the contract DBE participation goal. Franklin County will consider all qualified DBEs, who express an interest in performing work under the contract. Franklin County will not reject a DBE as unqualified unless sound reasons based on a thorough investigation of the DBE's capabilities have been documented. Further, the DBE's standing within its industry, membership in specific groups, organizations or associations and political or social affiliation (for example, union vs. non-union employee status) will not be cause for the rejection or non-solicitation of bids in Franklin County efforts to meet the contract DBE participation goal.

The following, which is not all inclusive, list types of actions Franklin County will take to meet the DBE goal. The extent and type of actions required will vary depending on such things as industry practice, the time available for submitting a bid and the type of contract.

1. Franklin County will encourage attendance at pre-bid meetings to inform DBEs of subcontracting opportunities under a given solicitation.
2. Franklin County will advertise in circulation media, trade association publications, and minority-focus media.
3. Franklin County will provide written notification to capable DBEs that their interest in the contract is solicited.
4. Franklin County will document efforts to negotiate with DBEs for sub-contracts including:
 - a. The names, addresses, and telephone numbers of DBEs contacted and the date;
 - b. Descriptions of the information provided to, and work to be performed by DBEs;
 - c. The proposed dollar amount for each DBE firm;
 - d. Written documentation of the DBE's confirmation that it is participating;
 - e. Documentation showing DBE certification;
 - f. A statement explaining why additional agreements with DBEs were not reached;
 - g. Copies of each DBE and non-DBE subcontractor quote received
5. For DBE bidders contacted but rejected as unqualified, the reason for that conclusion.
6. Documentation of efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the bidder.
7. Documentation of efforts to utilize the services of small business organizations, community and contractor groups to locate qualified DBEs.
8. Documentation that the bidder has broken out contract work items into economically feasible units in fields where there are available DBE firms to perform the work.
9. Evidence that adequate information was provided to DBEs about the plans, specifications and requirements of the contract, and that information was communicated in a timely manner.
10. Documentation of any efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.

APPENDIX 3

Standard Title VI/Non-Discrimination Assurances

The County of Franklin (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 (USDOT), through the Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT), is subject to and will comply with the following:

- 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.P.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.P.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 citations 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 USDOT, including the FHWA."

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 nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted 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 Highway Programs and, in adapted form, in all proposals for negotiated agreements:

"The County of Franklin, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C.§§ 2000d to 2000d-4 and Title 49, Code of Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act), hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, 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 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 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 U.S. 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 County of Franklin 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 FHWA 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 FHWA. The County of Franklin shall keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, the County of Franklin shall comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The County of Franklin 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 Highway Program, and is binding on it, other recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.


APPROVED AS TO FORM



Jonathan Miller, County Attorney

Date 3/22/21

THE COUNTY OF FRANKLIN



By: Donna Kissane, County Manager

Date 3/22/21

APPENDIX A

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, 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 A of the Regulations.

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, sex, 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 County of Franklin, NYSDOT, or FHWA 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 County of Franklin, NYSDOT, or FHWA, 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 Nondiscrimination provisions of this contract, the County of Franklin, and the NYSDOT will impose such contract sanctions as it, or the Federal Highway Administration (FHWA) 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 of this section 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 (Title of modal Operating 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 County to enter into any litigation to protect the interests of the County, and in addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

- B. 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 prohibits 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).

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 County of Franklin as authorized by law and upon the condition that the State of New York will accept title to the lands and maintains the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation, and also in accordance with 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 to the County of Franklin 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 to the purchaser 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 purchaser, its successors and assigns.

The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree, that (1) no person will on the grounds of race, color, sex, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or where such land and furnishings or services thereon, no person, on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) that the purchaser will use the premises 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, Nondiscrimination 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.

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the County of Franklin pursuant to the provisions of Assurance 7:

The LESSEE, or their heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A. Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the County shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, permits, or similar instruments/agreements entered into by the County of Franklin pursuant to the provisions of Assurance 7:

The LESSEE, or their personal representatives, successors in interest, and assigns, as a part of the consideration hereof does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, or national origin shall be excluded from participation in denied the benefits of or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the County shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Public Notices

Johnson Newspaper Corporation

Client:	5059015	FRANKLIN COUNTY MANAGER	Phone:	(518) 481-1695 Ext: 0000
Class.:	355 WEST MAIN ST			
	SUITE 456			MALONE, NY 12953
Ad #	20395735	Requested By:	SANDRA PERRY	Fax: (518) 483-0141
Sales Rep.:	MT04	Nicole Lamica	Phone:	(518) 483-4720
		nlicamica@mtelegram.com	Fax:	(518) 483-8579
Class.:	0110	Public Notices		
Start Date:	10/19/2017	End Date:	10/19/2017	Nb. of Inserts: 1
PO #:		Entered By:	NLAMIC	
Publications:	Malone Telegram			
Paid Amount:	\$0.00	Balance:	\$17.71	
Total Price:		\$17.71		Page 1 of 1

**Title VI
Notice To The Public**

Franklin County gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 as amended, the Civil Rights Restoration Act of 1987, Executive Order 12998, Executive Order 13166 and related statutes and regulations in all Franklin County programs and activities.

Title VI of the Civil Rights Act of 1964 and related statutes and regulations, as amended, require that no person in the United States shall, on the grounds of race, color, sex, national origin, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Franklin County receives Federal financial assistance.

If you believe you have been discriminated against because of your race, color, sex, national origin, age, disability or other unlawful basis, you may file a complaint with Franklin County or with the Federal Highway Administration (FHWA). A complaint must be filed within 180 days from the date of the alleged act of discrimination.

For more information, to obtain a Title VI Complaint Form, and instructions on how to file a discrimination complaint, contact: <http://franklincounty.org/content/>

Adirondack Daily Enterprise

54 BROADWAY, PO BOX 318
SARANAC LAKE, NEW YORK 12983

COUNTY OF FRANKLIN SS.
STATE OF NEW YORK

PUBLIC NOTICE Title VI

Notice To The Public
Franklin County gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 as amended, the Civil Rights Restoration Act of 1987, Executive Order 12898, Executive Order 13166 and related statutes and regulations in all Franklin County programs and activities.

Title VI of the Civil Rights Act of 1964 and related statutes and regulations, as amended, require that no person in the United States shall, on the grounds of race, color, sex, national origin, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Franklin County receives Federal financial assistance.

If you believe you have been discriminated against because of your race, color, sex, national origin, age, disability or other unlawful basis, you may file a complaint with Franklin County or with the Federal Highway Administration (FHWA). A complaint must be filed within 180 days from the date of the alleged act of discrimination.

For more information, to obtain a Title VI Complaint Form, and instructions on how to file a discrimination complaint, contact:
<http://franklincony.org/content/>

Pub.: October 23, 2017

Emily Luxford, Adirondack Publishing Co., Inc., of the Town of Harrietstown, in said County, being duly sworn, deposes and says that she represents the ADIRONDACK DAILY ENTERPRISE, printed and published six times each week in the Village of Saranac Lake, in said town and county, and that a notice of which the annex is a true copy has been published 1 times a week for 1 weeks successfully, and that it was first so published on the 23rd day of October, 2017 and last so published on the 23rd day of October, 2017. Said publication occurred on:

October 23, 2017

Emily R. Luxford
Adirondack Publishing Co., Inc.

and sworn to before
23rd day of
Oct, 2017

a F. Leonard
C, State of New York
n No. 01LE5044887
in Franklin County
sion Expires 6/05/19

F. Leonard
Notary Public

**APPENDIX I: NYSDOT Public Transportation Programs
Title VI Investigations, Complaints & Lawsuits Log**

AGENCY: Franklin County Public Transportation

TITLE VI OFFICER: Donna Kissane

E-MAIL: dkissane@franklincony.org

CONTACT: (518)-481-1693

FISCAL YEAR FY: 2020

REPORTING PERIOD (check appropriate box):

1ST Half
(July-December)

2ND Half
(January-June)

Complete Fiscal Year
(July-June)

1. Were any investigations, lawsuits or complaints filed during this time period?

There were no investigations, lawsuits or complaints filed during this time period.

2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period: N/A

Date the investigation, lawsuit or complaint was filed, and Summary of the allegation(s) and status if resolved.

3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**

N/A

4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**

N/A

Title VI – Franklin County Federal Section 5311 Civil Rights Plan

As a recipient of federal and state funds, Franklin County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended.

Franklin County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

Adopted by Resolution 253, dated October 16, 2014

Amended by Resolution 111, dated May 4, 2017

Amended by Resolution 109, dated April 19, 2018

Amended by Resolution 74, dated April 7, 2021



Donna Kissane, County Manager

3/22/21

Date



Don Dabiew, Board Chairperson

4-1-21

Date

Approved as to form:



Jonathan Miller, County Attorney

3/22/21

Date

RESOLUTION NO. 74

Offered by Public Works & Services Committee

Relating to Authorization to Amend the Title VI - Franklin
County Federal Section 5311 Civil Rights Plan

WHEREAS: The Superintendent of Highways has advised the Public Works & Services Committee that there has been some revisions to the Title VI - Franklin County Federal Section 5311 Civil Rights Plan and he recommends that it be amended at this time; NOW, THEREFORE, BE IT

RESOLVED: That the Franklin County Legislature hereby amends the Title VI - Franklin County Federal Section 5311 Civil Rights Plan.


STATE OF NEW YORK

SS

COUNTY OF FRANKLIN

This is to certify that I, Penny A. Premo, the undersigned Clerk of the Franklin County Legislature, have compared the foregoing copy of the resolution with the original on file in this office and which was adopted by the said Franklin County Legislature on the 1st day of April, 2021 and that the same is a correct and true transcript of the original resolution and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Franklin County Legislature this 1st day of April, 2021.



Clerk of the Franklin County Legislature