



*Department of Transportation*

New Hampshire Department of Transportation

7 Hazen Drive, P.O. Box 483

Concord, NH 03302

# FHWA Title VI IMPLEMENTATION PLAN

## FFY 2024

September 8, 2023

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## Introduction

The New Hampshire Department of Transportation (Department, or NHDOT) Title VI Program ensures no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving financial assistance from the Department of Transportation on the grounds of race, color and national origin.

The Department has designated a Title VI Coordinator to incorporate precepts of Title VI of the Civil Rights Act of 1964 in all programs, policies and activities regardless of the funding source. To ensure effective implementation the Title VI Coordinator will work with designated Title VI Liaisons in all program areas.

## Authorities

1. 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);
2. 49 CFR Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
3. 23 CFR Part 200 (FHWA's Title VI Regulation);
4. 28 CFR Part 50.3 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).
5. The Civil Rights Restoration Act of 1987
6. US DOT Order 1050.2A (Federal DOT assurances surrounding Title VI and prohibiting discrimination on the grounds of race, color or national origin within programs where the recipient receives federal financial assistance from DOT);
7. Executive Order #12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations);
8. Executive Order #13166 (Improving Access to Services for Persons with Limited English Proficiency).
9. Section 162(a) of the Federal-Aid Highway Act of 1973 (prohibits discrimination on the grounds of sex).

## Policy Statement

As Commissioner of the New Hampshire Department of Transportation (hereafter the Department), I am committed to the implementation and spirit of the Title VI Program to achieve compliance with Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities regardless of Federal funding. The Department assures that no person shall on the grounds of race, color and national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity carried out by the Department.

To further assure that appropriate program measures are implemented and monitored, I have designated Shannon Aiton as the Department's Title VI Coordinator with sufficient authority and responsibility to effectively carry out these duties. Ms. Shannon Aiton can be reached at 603.271.2467 or [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov).

While I, as Commissioner, am ultimately responsible for the executive implementation of the Title VI Program, all management personnel share in this Title VI responsibility. The Department conducts its Title VI Program in a team approach involving personnel from all program areas, with guidance from the Title VI Coordinator. Management personnel may be assigned specific tasks to assure that compliance is achieved including identifying Title VI Federal Program Area Liaisons who will perform the routine data collection/data analysis and process reviews. Performance by managers and supervisors will be evaluated on the success of the Title VI Program in a manner that is consistent with their performance in attaining other departmental goals.

This policy statement will be circulated throughout the Department, published on the [Department's website](#) and will be made available to the public upon request.

Title VI is not only the law, but it is fundamental to the Department's operations and mission. Finally, I expect all supervisory personnel to adhere to this policy by carrying out their Title VI responsibilities with the same vigor and effectiveness as all of their other responsibilities.



William Cass, Commissioner

9/19/2023

Date

## **Title VI Standard Assurances**

In accordance with USDOT 1050.2A, DOT's Title VI Nondiscrimination Assurances are signed by the Commissioner and are located in Appendix 1.

## **Organization and Staffing**

The Commissioner is responsible for ensuring that the Department fulfills its Title VI obligations through effective management and implementation of this program. The Director of Policy and Administration is responsible for providing direct oversight in implementing the Title VI Program and ensuring enforcement measures are carried out as appropriate in accordance with the Standard Assurances.

The Title VI Coordinator is responsible for managing the program to ensure that all Department's Title VI activities are closely monitored. The Title VI Coordinator meets with the Commissioner on a quarterly and as needed basis to address key issues affecting Title VI program implementation.

There are eight additional personnel positions within the Office of Access, Opportunity and Compliance (OAOC) and two engineering aids assisting ADA Title II Coordinator, as well as thirteen bureau administrators/Title VI liaisons that perform functions in related program areas to assist the Title VI Coordinator.

## **Title VI Coordinator Roles and Responsibilities**

The Title VI Coordinator is charged with the responsibility for implementing, monitoring and ensuring Department's compliance with the Title VI/Environmental Justice (EJ) regulations and related statutes. Title VI/EJ responsibilities are as follows:

1. Monitor Title VI activities.
2. Provide Title VI training to the Department's staff and Subrecipients.
3. Submit Title VI Implementation Plan to USDOT.
4. Coordinate activities related to the effective and efficient implementation of the Department's Title VI Program.
5. Develop Title VI information for dissemination (where necessary, in other language(s), format(s)).
6. Prepare annual Title VI FFY Work Plan and Accomplishments Report and submit to USDOT Division Office by October 1 each year.
7. Establish procedures to promptly investigate complaints, to identify and eliminate discrimination, to review programs and grant applications, to resolve deficiencies within 90 days, and to collect and analyze statistical data.
8. Develop a program to conduct Title VI reviews of federal program areas and conduct reviews of programs with program personnel.
9. Conduct Title VI program reviews of Subrecipients.

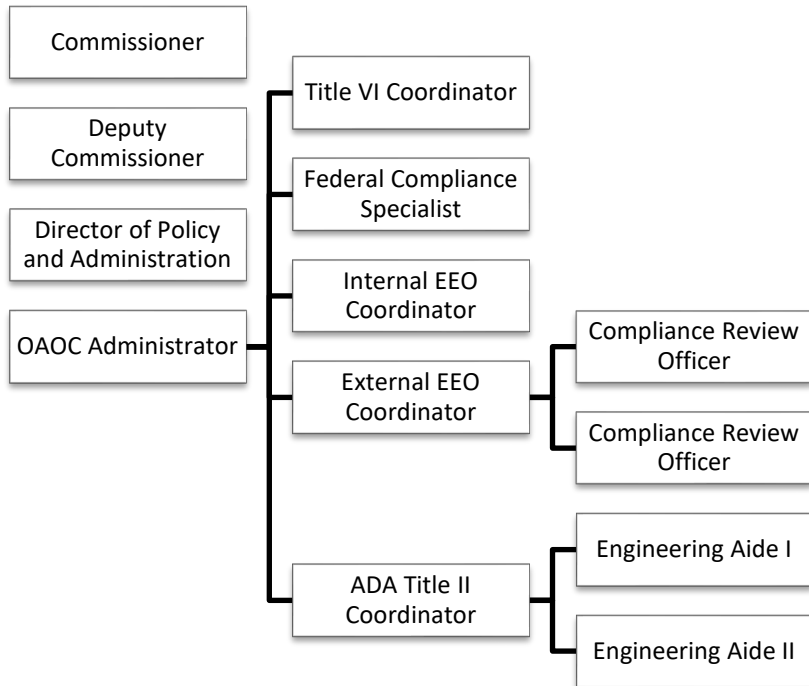
This Title VI Implementation Plan complies with all USDOT requirements.

Office of Access, Opportunity and Compliance **Organization Chart**

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*Office Of Access, Opportunity and Compliance  
Organizational Chart*

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Title VI Coordinator and the Internal EEO Coordinator have a direct link to the Commissioner.

## **Complaint Disposition and Investigation Procedures**

Any person who believes they have been subjected to unlawful discriminatory practice under Title VI has a right to file a formal complaint. Any such complaint must be filed in writing with the NHDOT Title VI Coordinator within 180 days following the date of the alleged discriminatory action. Complaints must be filed in writing and should be directed to:

### **New Hampshire Department of Transportation**

Attn: Title VI Coordinator  
Office of Access, Opportunity and Compliance  
PO Box 483, 7 Hazen Drive  
Concord, NH 03302-0483  
Phone: (603) 271-2467  
Email: [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
TTD Access: Relay N.H.: 1 (800) 735-2964

Subrecipient Complainants will be advised that they may submit their complaint form to NHDOT or to an external Federal agency, such as USDOT. However, should a complaint be filed with NHDOT and the Federal agency simultaneously, the Federal complaint will supersede NHDOT's complaint and NHDOT's complaint procedures will be suspended pending the Federal agency's findings. Every effort will be made to obtain a timely resolution of complaints.

1. The Department will forward all Title VI complaints to the USDOT Division Office. If a Subrecipient receives a complaint, it must be forwarded to the Department, and the Department will forward the complaint to the USDOT Division Office.
2. All Title VI complaints received by the USDOT Division Office are to be forwarded to the USDOT Office of Civil Rights (HCR) in Washington, D.C. for processing and potential investigation.
3. The Department and its Subrecipient must log all complaints received.
4. All complaints filed under Title VI against the Department are investigated by HCR. In rare occurrences, HCR may designate the NH DOT to investigate complaints against Subrecipient.
5. The disposition of all Title VI complaints will be undertaken by HCR, through either informal resolution or issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the Division office.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Department/Subrecipient may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a written complaint with any of the following entities:

### **Federal Highway Administration New Hampshire Division**

Attn: Civil Rights Coordinator  
James C. Cleveland Federal Building  
53 Pleasant Street, Suite 2200  
Concord, NH 03301  
Phone: 603-228-0417



**Federal Highway Administration Headquarters**

Office of Civil Rights

1200 New Jersey Avenue, SE

HCR-40, Room E81-101

Washington, D.C. 20590

Phone: 202-366-0693 Fax: 202-366-1599 TTY: 202-366-5751

FHWA also accepts complaints via email at: [FHWA.TitleVIcomplaints@dot.gov](mailto:FHWA.TitleVIcomplaints@dot.gov)

Additionally, complaints may be filed with the U.S. Department of Justice at:

**U.S. Department of Justice**

Civil Rights Division

Federal Coordination and Compliance Section

950 Pennsylvania Avenue, N.W.

4CON, 7<sup>th</sup> Floor

Washington, D.C. 20530

Title VI Hotline: 1-888-TITLE-06 (1-888-848-5306) (Voice / TTY)

**Processing Procedures for External Complaints of Discrimination Purpose**

To describe the rights of complainants to file and the responsibilities of the Department to process, resolve and investigate external complaints of discrimination. These procedures do not preclude the responsible staff from attempting to resolve any verbal or non-written concerns or complaints of which they are aware.

**Definition**

*Discrimination* - That act (or action) whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under Title 23 U.S.C.

In addition to the above-mentioned personal characteristics, the Department, also prohibits discrimination and harassment based on age, creed, citizenship status, disability, ethnicity, pregnancy, genetic information, gender identity or expression, sexual orientation, veteran or military status or any other legally prohibited basis.

**Persons Eligible to File**

Any person who believes that he or she, or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based on **race, color, national origin**; may file a written complaint. The complaint may be filed by the individual or the individual's representative. The complainant can also call NHDOT to file a complaint over the phone where the Title VI Coordinator will write the complaint out for the complainant and then mail to the complainant for signature.

**Time Limits for Filing**

A complaint must be filed no later than 180 days<sup>1</sup> after the following:

1. The date of the alleged act of discrimination; or
2. The date when the person(s) became aware of the alleged discrimination; or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

## **Form of Complaints**

1. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number, email; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). Complaints shall explain as fully as possible the facts and circumstances surrounding the alleged discriminatory action and identify the individual(s) and/or organization(s) responsible for the alleged discriminatory action.
2. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint. Signed allegations of discrimination received by facsimile or e-mail will be acknowledged and processed. Complaints received by telephone will be reduced to writing and provided to the complainant for confirmation, revision and signature before processing.
3. The Department will promptly investigate complaints filed with the Department against contractors, consultants, or other Subrecipients. Complaints filed directly with the Department and against the Department shall be forwarded to the appropriate USDOT agency for investigation.

## **Complaint Acceptance and Notifications**

As described on page 9 of this document, all complaints are typically managed by the USDOT Headquarters, Office of Civil Rights (HCR). HCR is responsible for all determinations whether to accept, dismiss, or transfer Title VI complaints filed against state DOTs or Subrecipients of Federal financial assistance.

1. Complaints should be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with a Subrecipient City, that receiving agency should forward the complaint to the NHDOT Title VI Coordinator within five business days of receipt, which should forward the complaint to the NH FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with the NHDOT Title VI Coordinator, then they should forward the complaint to the NH FHWA Division Office, which should forward the complaint to HCR.
2. The NH DOT Title VI Coordinator and Subrecipients, when applicable, must log all complaints received.
3. When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the NH FHWA Division Office, NHDOT Title VI Coordinator, and Subrecipient (where applicable).

## **Records**

The Office of Access, Opportunity and Compliance shall maintain records of external complaints indefinitely, identifying each complaint by race, color, sex, age, religion/creed, disability, national origin, retaliation, sexual orientation, gender identity, and /or gender expression. The records will indicate:

- The nature of the complaint;
- The recipient agency with which the complaint was filed;
- The date the complaint was filed;
- The investigative report;
- The complaint disposition and date; and
- Other pertinent information.

## **Internal Monitoring Program**

### **Data Collection and Analysis**

The use of demographic data in conducting public outreach and monitoring project impacts is a key Title VI principle. Demographic data shall be collected and considered for all programs and activities that serve the public. In accordance with their assigned responsibilities under this program, Administrators, Project Managers, and other program area officials utilize a system for the collection and maintenance of statistical data; e.g., relocatees, impacted citizens and affected communities and include this data in their annual reports to the Title VI Coordinator. Where reasonably available, this data will include, but is not limited to, race, color, and national origin, of participants in, and beneficiaries of Federally assisted programs, e.g., relocatees, impacted citizens, and communities affected by transportation projects. Additionally, data is gathered and utilized to ensure appropriate outreach is conducted to encourage public participation of traditionally underserved populations, including people with limited English proficiency. Project Managers record and maintain data regarding the level of attendance of all public meetings/hearings held by the Department using the Title VI Project Tracking Sheet.

### **Demographics Analysis**

NHDOT has a responsibility to measure potential disparate impact on protected populations from all projects and programs under the purview of the Department. The Title VI Coordinator upon request by a Project Manager or Program Administrator will provide a demographics analysis of any area(s) affected by a project, service, or activity conducted by the Department in effort to identify any concerns for disparate impact on populations protected from discrimination by Title VI. The Title VI Coordinator will utilize the most up-to-date U.S. Census data to perform this analysis. In the event this analysis identifies concerns for disparate impact, the Title VI Coordinator will provide technical assistance to the bureau requesting the analysis in effort to mitigate the concerns and ensure full compliance with Title VI and other applicable statutes. Additionally, demographic data will be collected and documented on the participants of all public meetings/hearings. The intent is to gather a sufficient pool of data to determine whether the NHDOT is reaching all population groups and receiving input in the transportation decision-making process. The Title VI Coordinator is responsible for tracking and analyzing this data in order to assess for Title VI implications. The Title VI Coordinator is responsible for remaining current on statewide demographic trends and assessing for any potential disparate impact implications for the Department's initiatives.

### **Program Area Process Reviews**

The Title VI Coordinator will perform selected program area reviews based on risk analysis, staffing changes, complaints and other factors to assess the Department's compliance status with regard to administrative procedures, records, and overall efforts to ensure nondiscrimination in all of its programs, services, and activities. Specifically, the Title VI Coordinator will conduct reviews of major program areas where documentation gathered through a day-to-day approach is insufficient to verify compliance. Reviews of these areas will be documented in the Annual Title VI Work Plan.

Each Administrator shall be responsible for establishing and implementing procedures to ensure that all activities conform to the nondiscriminatory requirements of Title VI. To that end, Administrators and Title VI Liaisons will carry out the responsibilities, goals, and objectives stated in this program and the Annual Work Plan. Where specific goals and objectives have been identified in the Annual Work Plan reflecting progress of the same shall be submitted to the Title VI Coordinator by August 15 annually. Each report will consist of a narrative

summary that outlines the measures developed and implemented in response to each goal or task identified in the Work Plan. When no specific goals or objectives have been established for a particular program area, Administrators or their designated Liaisons should utilize the appropriate Program Area Compliance Review Checklist (See Appendix 3), as a guide to conduct and document an internal review of their practices and efforts to comply with the specific responsibilities assigned by this program.

## **NHDOT Organizational Structure**

The NHDOT is divided into numerous Divisions, which are comprised of different Bureaus. The Division of Project Development and Division of Operations comprise the NHDOT bureaus that primarily engage in public facing business and utilize USDOT funding, resulting in Title VI implications. While the Title VI Coordinator is the Commissioner's designee to ensure the NHDOT sufficiently carries out Title VI duties, every bureau within the Department has a responsibility to ensure compliance with Title VI. These responsibilities are outlined below:

### **The Division of Operations**

[The Division of Operations](#) is comprised of the following Bureaus, which interact with the public: Bridge Maintenance, Highway Maintenance, and Turnpikes. The Division of Operations has an obligation to ensure that their efforts to maintain the state's bridges and highways are fair and equitable and do not have any disparate impact on populations protected by Title VI. The Division of Operations utilizes standard procedures in their maintenance decision-making process in order to ensure the methodology is fair for all. For example, when making decisions about deploying plow trucks to the state highways, the Division of Operations utilizes formalized metrics, which consider traffic volumes; these decisions are not based on factors such as the social status, race, color or national origin of the populations residing in the area of the applicable highway(s). More information surrounding how the Division of Operations ensures fair and equitable decisions are made surrounding winter weather can be located in the NHDOT [Winter Maintenance Snow Removal and Ice Control Policy](#).

The Division of Operations ensures that all bridge maintenance activities are carried-out based on need according to the structural status and/or traffic patterns that necessitate improvement projects. For each maintenance project, the Division ensures that proper coordination is made with town/municipal officials to minimize impacts to the public. Additionally, public outreach measures will be considered and carried out proportionate to the classification and scope of each project. The Division of Operations is also responsible for the collection of tolls by cash or through the E-ZPass system on the state's three limited access highways at nine toll plazas. The Division of Operations is responsible to ensure their services are accessible for all, including LEP individuals. The Title VI Coordinator requests documentation from NH E-ZPass regarding LEP requests at least annually for tracking purposes, as E-ZPass utilizes a separate language assistance services contract, separate from the Rapport International contract utilized by the NHDOT.

### **The Division of Project Development**

[The Division of Project Development](#) is comprised of the following Bureaus that interact with the public: Bridge Design, Construction, Environment, Highway Design, Materials and Research, Planning and Community Assistance and Right-of-Way. The Division of Project Development oversees planning, design and construction activities for transportation projects. The project development process includes project scoping, data collection, coordination, preliminary engineering studies, environmental evaluation, hearings, alternative selection, construction plan development, right-of-way acquisition and relocation assistance, and construction. Throughout development, the Division ensures that project teams implement measures to affect Title VI requirements. Special emphasis is placed on the public involvement process to ensure that all citizens have access to information and are invited to comment on project proposals. Pursuant to this effort, the Division ensures that, where applicable, outreach efforts and hearing formats are designed to encourage minority

representation of impacted communities. The Division of Project Development is responsible for ensuring the collection and analysis of demographics data for impacted communities of all projects during the design phase. This data analysis is then used to inform decision-making surrounding public outreach and involvement. If concerns for disparate impact on populations protected under Title VI arise, the Division shall request guidance and technical assistance from the Title VI Coordinator in order to immediately remedy these concerns.

## **Universal Title VI Responsibilities**

The Division of Operations and the Division of Project Development contain the vast majority of the Department's Bureaus that engage in public involved activities and utilize USDOT funding. While their general intersection with Title VI is outlined above, the specific tasks between the Divisions associated with NHDOT's Title VI responsibilities have significant overlap, and many of which apply to all areas of the Department. Additionally, as a recipient of federal funding, the NHDOT (and its Subrecipients) are required to ensure no discrimination occurs on the grounds of race, color or national origin within all programs and activities of the department. These universal responsibilities are outlined in detail below:

- All Bureaus will keep records of all efforts to comply with Title VI and ensure these are compiled in the annual work plan report submitted to the Title VI Coordinator annually by August 15. The Title VI Coordinator will review these records and assess for any policy and procedure implications. Examples of records to be reviewed could include demographics data, language assistance data, public participation, etc.
- The Title VI Coordinator will ensure that all bureaus and offices within NHDOT have an assigned Title VI liaison. The liaisons, as well as the Title VI Coordinator and members of leadership dependent upon availability, will meet as a committee on a quarterly basis. The purpose of quarterly committee meetings is to discuss the latest information in best practices surrounding Title VI, any macro level compliance issues, training needs, and to ensure the Title VI Coordinator is up to date regarding major priorities and initiatives of the bureaus in order to identify how they intersect with Title VI compliance.
- The Title VI Coordinator will coordinate with Bureau Administrators to ensure that all consultant contracts for the NHDOT include appropriate Title VI language in accordance with Appendix A, Title VI Assurances to Federal Highway Administration (Standard Assurances).
- Bureaus will work with the Title VI Coordinator to ensure that outreach efforts are implemented to encourage the participation in project planning of minority communities where they exist. The Title VI Coordinator is available to provide consultation and technical assistance for the Bureaus regarding minority outreach upon request. For more detailed information the NHDOT'S [Public Involvement Procedures](#) can be reviewed.
- Bureaus will ensure they request a comprehensive demographics analysis for impacted population areas for each project during the planning and design phase. This demographics analysis will be completed by the Title VI Coordinator and will utilize the most up-to-date U.S. Census and American Community Survey Data.
- Bureaus will work with the Title VI Coordinator to ensure that appropriate project alternatives and mitigation measures are implemented in order to avoid adverse and disparate impacts on populations protected from discrimination under Title VI.
- Ensure that specific efforts are made and documented to solicit involvement of minority communities, where they exist, and that appropriate Title VI language is used in all notices for public meetings and hearings.
- Ensure that all notices contain a statement that includes contact information for the coordination of foreign language interpretation in order to ensure all-inclusive access at public meetings and hearings.
- Ensure that documentation is maintained regarding the level of participation of minorities at public information meetings to the extent practical and appropriate.

- Ensure that hearing formats are designed to encourage the participation of minorities. The Title VI Coordinator is available to provide consultation and technical assistance for all public hearings if needed and requested by the applicable Bureau. For example, Bureaus should consider the accessibility of hearing locations to minority communities.
- Establish notification and advertising procedures that ensure efforts are made to solicit involvement of minority communities and that appropriate Title VI language is used in all notices for public meetings and hearings.
- Maintain records of all efforts to comply with Title VI and related statutes. For a comprehensive list of applicable authorities please refer to page 5 of this document.
- Ensure that no project under the scope of NHDOT or Subrecipients has any type of intentional or unintentional disparate or discriminatory impact on populations protected under Title VI. This will be ensured through preventative measures by the Title VI Coordinator such as compliance reviews.
- Where specific goals and objectives have been established in the Annual Work Plan, reflecting progress of the same shall be submitted by the impacted bureau to the Title VI Coordinator annually by August 15.
- Where applicable, Bureaus shall work collaboratively with the Title VI Coordinator and other applicable OAOC staff to facilitate contractor compliance for all LPA managed Federally assisted projects. Ensure that all contracts are reviewed by OAOC prior to bid posting and post-award review shall be conducted by the OAOC before final payment is released.
- The Title VI Coordinator will ensure that NHDOT staff, municipalities and other Subrecipients receive Title VI training on at minimum, an annual basis. If a pattern of Title VI deficits is identified or a serious compliance issue arises within a specific bureau, municipality or other Subrecipient the Title VI Coordinator may recommend or mandate, if needed, additional training.
- Ensure that all Agreements include specific Title VI, contractor EEO language and current Davis-Bacon wage decisions and that all sample contracts are reviewed for their content by the OAOC before any recipient is authorized to advertise a Federally assisted project.
- Ensure that procedures are in place to collect and review statistical data pertaining to all beneficiaries or persons affected by negotiations, relocation, and property management to ensure ROW activities do not have a disparate or adverse effect on populations protected by Title VI. Data collected using the “Nondiscrimination Survey” card shall include race, color, sex, national origin, disability, income status, and ability to speak English.
- Monitor contractor activities to minimize project impacts on people and communities, specifically those protected Title VI; e.g., waste/spill disposal, environmental compliance, and harassment.
- Ensure uniformity exists in the assessment of sanctions, liquidated damages, withholding payments, and the suspension or termination of contracts.
- Ensure that all Contract Administrators and Project Managers are trained periodically concerning the non-discrimination requirements outlined in Form FHWA-1273 and the protocol established in the Contractor Compliance Program.
- The Bureau of Materials and Research shall provide a report identifying annual “planned” and “performance” awards (actual amounts paid) amounts relative to research and development agreements with institutions of higher education by October 1 annually.
- The Bureau of Materials and Research shall ensure that the solicitation of research agreements and consultant selections are based on qualifications and bona fide selection criteria deemed a business necessity.

- The Bureau of Materials and Research shall ensure that the Department’s Work Program, in accordance with 23 CFR 420.209, describing Research, Development and Technology program activities incorporates the above Title VI considerations, and is submitted to the FHWA by 1 October annually.
- Maintain record of all interactions of people with limited English proficiency (LEP) seeking access to a program or any critical service afforded to the public, including encounters that resulted in a delay or denial of service or program participation, e.g., requests for special signs or accessible signals.
- Ensure that language access is provided in the E-ZPass System to ensure that the same level of service is provided to all participants, regardless of their ability to speak English.
- The Title VI Coordinator will work with the Public Information Office to leverage the use of social media to educate the public regarding Title VI and the NHDOT’s initiatives to strive for excellence in the area of non-discrimination in all programs and activities of the Department.

### **Corrective Action to Program Areas**

If a program area is found to have compliance deficiencies, through the internal review and monitoring processes outlined previously in this document, the program area, with the assistance of the Title VI Coordinator, will request that a Corrective Action Plan (CAP) to be implemented within 90 days.

The Title VI Coordinator will seek the cooperation of the program area and/or office in correcting deficiencies found during the review. The Title VI Coordinator will also provide the technical assistance, training and guidance needed to aid the program area.

The Department has not found discrimination in any of its program areas as of the writing of this implementation plan.

### **External Monitoring Program**

Title VI Liaisons and program managers are responsible for conducting application reviews in their respective program areas. The purpose of the review is to verify each applicant’s compliance with Title VI, related statutes, and the regulations to provide assurance that each recipient will comply with the nondiscriminatory requirements of its agreement/contract. In addition to the assurances given by each contractor and program applicant, pre-award and pre-qualification determinations will be made based primarily on the following:

- Any finding(s) on the record reflecting a previous failure of the applicant to comply with Title VI, including any failure to take corrective action within a reasonable timeframe.
- Any previous failure to comply with the Required Contract Provisions, as evidenced by findings of noncompliance, notices of violation, or warning letters that would give cause for the Department’s Prequalification Committee to suspend or deny a Contractor’s Prequalification ([Tra 401.12\(a\)\(4\)](#)).

### **Subrecipient Reviews**

The NHDOT Administrator, or his/her designee, along with the Department’s Title VI Coordinator will conduct biennial or triennial post Federal-assistance reviews of Subrecipients based on their funding source and related requirements. Additionally, the NHDOT Title VI Coordinator will ensure that each agency’s public involvement process or plan provides for an appropriate level of outreach and access in accordance with [23 CFR 450.316](#).

At a minimum, the Department will require Subrecipients to have:

- Signed Standard USDOT Title VI Agreement and Recipient Assurances documents; Subrecipients will re-sign and re-submit the Standard Assurances to NHDOT annually. In case of leadership change, Subrecipients will re-sign and resubmit the Standard USDOT Title VI Agreement and Recipient

- Assurances to the Department within thirty days of accession.
- Include the Title VI/Nondiscrimination Assurance paragraph in all solicitations for bid/Request for Proposals. The Title VI Assurance shall be inserted in all prime contracts (Appendix A of the document), and the USDOT-funded Project Agreement.
- To appoint a Title VI Coordinator.
- Require the Subrecipient to maintain Title VI-related written processes detailing how the Subrecipient maintains compliance with the Title VI requirements. These written processes may be in the form of a Title VI Plan either developed independently by the Subrecipient or adopted from the Department's Title VI Plan.
- The Subrecipient shall be responsible for developing a Title VI Complaint Disposition Process.
- Further, Subrecipients must:
- Submit a Title VI/Nondiscrimination Plan by August 1 annually or triennially depending on the source of federal funds.
- Report by August 15 of each year on its Title VI related compliance using the Title VI Certificate of Compliance Form.

### **Subrecipient Reporting Requirements**

All Subrecipients that receive Federal assistance and employ fifteen or more persons should complete and submit a Title VI Certificate of Compliance before the execution of an agreement, but not more than once annually. The purpose of the certificate is to ensure that all recipients are informed of their obligations under Title VI and have implemented procedures to comply with the nondiscrimination requirements addressed in this program. Specifically, each recipient is required to collect and maintain statistical data regarding the potential and actual beneficiaries and affected communities to ensure that adverse impacts are minimized, and benefits are distributed equitably. Furthermore, each recipient must ensure access in the project development/public participation process and demonstrate compliance with other mandates, such as the ADA and Section 504 of the Rehabilitation Act.

Each recipient will make its records available pursuant to Title VI compliance for review by the NHDOT during the period of Federal assistance and/ 4 years after the closure of the project.

### **Subrecipient Review Procedures**

The Department will develop a list of Subrecipients, which include MPOs, RPCs, and Municipalities, Colleges and Universities and transportation providers that receive Federally assisted highway funding and develop a review process for these Subrecipients. It is the OAOC's goal to conduct four annual reviews to include MPOs/RPCs and LPAs based on future LPA Federally assisted construction projects. The OAOC has developed a *Subrecipient Title VI/Nondiscrimination Compliance Assessment Tool* (See Appendix 7) to distribute to each selected Subrecipient.

The assessments will be utilized as a tool to remind Subrecipient/grantees of their obligations and responsibilities under Title VI and to monitor the Subrecipients' Title VI implementation. The Title VI Coordinator will review the assessments and the requested documents to determine if the Subrecipient have implemented the required processes and procedures to comply with Title VI. The responses will determine if an on-site visit and/or an additional action plan is required. The responses will also be used to determine the training and technical needs of the Subrecipient. A *Technical Assistance Guide for Subrecipient of Federal Highway Administration Funding* has been developed to facilitate compliance.



The Department will define how trends or patterns of discrimination are identified and addressed to eliminate adverse impacts. Through information obtained and issues identified in its Internal and External Monitoring Programs, as well as any new processes or programs that are available, the Department will offer technical assistance and training to eliminate discrimination in all aspects of its program.

If a Subrecipient is found to have compliance deficiencies, the Subrecipient, with the assistance of the Title VI Coordinator, will create a CAP to be implemented within 90 days. The Title VI Coordinator will seek the cooperation of the subcontractor correcting deficiencies found during the review. The Title VI Coordinator will also provide the technical assistance, training and guidance as needed.

Results of the Subrecipient reviews will be provided in the Department's Annual Title VI Work Plan and Accomplishment Report. Once the Work Plan has been submitted to FHWA it will be available on the OAOC website.

### **Public Participation Plan (PPP) and External Communication**

The Department's Public Involvement Process is designed to provide members of the public a variety of opportunities through all stages of the transportation planning process to voice their ideas and concerns. Public involvement in the planning and development of future transportation improvements is essential to the community spirit and pride that New Hampshire has to offer.

This section provides a summary of the various outreach methods and activities. In an effort to provide more comprehensive outreach initiatives the Department will consider the use of various tools that could include social media, locally televised (community television, etc.) events, as well as other methods not listed in this section. The Department maintains an open-door policy and encourages the exchange of information with public officials, agencies and citizens throughout all stages of these phases.

In addition, efforts are taken to ensure that all populations, including underserved populations, have access to project information and have reasonable opportunity to participate in the public process.

Furthermore, meetings and reviews are routinely held at or near project sites in order to facilitate local input. Careful consideration is given to comments and concerns received from all sources:

- Efforts must be made to ensure that public meetings are held at as central a location as possible for the majority of parties affected by the plan/project under consideration.
- Efforts must be made to ensure that public meetings are held at times as convenient as possible for the majority of parties affected by the plan/project under consideration.
- If the most convenient time to hold a public meeting will result in a significant subset of the population affected by the plan/project under consideration not being able to attend, consideration should be given to conducting a second public meeting at a time more convenient for the excluded group.
- Efforts must be made to ensure that public meetings are accessible to people who rely on public transportation.
- Public meetings must be held in only those locations that can be physically accessed by individuals with disabilities.
- Community leaders, as well as key personnel in organizations where a significant part of their memberships will be affected by the plan/project under consideration, must be contacted to assure maximum awareness of the public meeting.
- When demographic analysis and data indicate that a population with limited English proficiency (LEP) exceeds the greater of 5% of the total population affected by a planned project or 1,000 people, the Planning Bureau's lead person on the project is responsible for contacting and coordinating

outreach efforts.

- As part of the demographic analysis at least 14 days prior to issuing a notice of public hearing, the lead person will request that OAOC provide a list of contacts. Among the first parties to contact would normally be the town administrator to determine any local organizations (e.g., faith-based, advocacy, etc.) who can disseminate information about the hearing or public meeting. Members and leaders of those organizations might be asked to attend the hearing or public meetings and (when necessary) to serve as interpreters to facilitate notification and participation of the affected language group.
- If local organizations are unable to provide such assistance for individuals with limited English proficiency, the lead person should consider contacting organizations such as, but not necessarily limited to, the following:
  - Rapport International (978-443-2540)
  - Language Bank (603-224-8111 or 800-244-8119) for on-site interpretation assistance or Language Line (1-800-752-6096, option 4) for telephone assistance.
  - For individuals who rely on American Sign Language or who require deaf/blind interpretation, the lead person should consider contacting organizations such as, but not necessarily limited to, the following:
    - ❖ Northeast Deaf and Hard of Hearing Services (603-224-1850),
    - ❖ NH Association for the Blind (603-224-4039)
    - ❖ Disabilities Rights Center (603-228-0432), or
    - ❖ Governor’s Commission on Disabilities (603-271-2773).

The following statement will be used in public meetings and hearing notices regarding the Department’s projects, notices must be posted at least fourteen days prior to the date in the notice:

NHDOT programs and services are administered by the requirements of Title VI of the Civil Rights Act of 1964 and all applicable regulations to ensure nondiscrimination. Should you need this information in alternate formats please contact the NHDOT Public Information Office at [info@dot.nh.gov](mailto:info@dot.nh.gov) , or by phone at (603) 271-6495, PO Box 483, Concord, NH 03302-0483, TDD access: Relay NH 1-800-735-2964.

Public hearing and informational meeting notices should be posted in locations most likely accessed or frequented by members of the target language group(s).

All notices translated into languages other than English must contain contact information of the Department’s employee assigned to respond to callers with limited English proficiency. The person responding to the limited English caller should be prepared to relate the project scope and purpose of the public meeting or hearing. If the caller expresses an interest in attending and requires an interpreter, the request should be forwarded to the project manager or lead person, who will be responsible for arranging the required language services.

Numerous techniques are utilized to disseminate project information and identify issues and concerns that might affect the project. These techniques are geared to the scope of work being undertaken. Obtaining public input is typically accomplished in the following sequence throughout the various phases of the project:

- Information on projects under consideration disseminated via Department’s website, social media, press releases and public notices.

- Public input to the Department, and subrecipients through the development of the Long Range Transportation Plan (LRTP) and Transportation Improvement Plan (TIP);
- Hearings and meetings with the Department, elected and appointed officials, throughout the development of State Transportation Improvement Plan (STIP);
- Public application process through the RPCs and MPOs for Transportation Alternatives Program (TAP).
- Informal meetings with elected and appointed officials, subrecipients and the general public to review environmental and design studies for the design selection process (For more complex projects, a citizens' advisory task force or steering committee is often established and meets regularly throughout project development);
- Public informational meetings concerning environmental, engineering and right-of-way issues;
- Public review of environmental studies pertaining to a project;
- Formal public hearings concerning proposed or alternative designs or alignments;
- Informal public input with the Department concerning right-of-way and construction concerns.

The effectiveness of the Bureau's outreach activities must be monitored and evaluated on a timely basis. The following survey questions are a sample of what should be made available to participants of each public meeting, either at the meeting itself or over the Internet (using web-based services):

- Was the information presented in a complete and comprehensive manner?
- Did you feel that comments made by the public were adequately considered?
- Did you feel that you had an opportunity to participate?
- Was the location of this meeting convenient for you?
- How far did you have to travel to the meeting?
- Was this meeting scheduled at a convenient time for you?
- What would be the most convenient time to start such meetings?
- How did you hear about this meeting?
- Were people given the opportunity to submit comments verbally or in writing?
- If you have any comments about how the meeting was planned or conducted (or on how future meetings can be improved), please write them in the space below.

A Title VI "Know Your Rights" brochure has been developed to educate the public. It is made available for distribution at public meetings, posted on the Department's website and upon request.

See NHDOT [Public Involvement Procedures](#) for detailed information.

### **Dissemination of Information**

The Department will post on its website, social media and make available on request in other formats the approved Title VI Implementation Plan, Title VI Nondiscrimination Assurances, Title VI Complaint Form and the Complaint Process (English and Spanish), Technical Assistance Guide for Subrecipient, Title VI brochure and Language Assistance Plan on the Department's website. The Title VI Notice to the Public is also posted on the website in several languages including Arabic, Cantonese, French, Nepali, Portuguese and Spanish.

### **Title VI Training**

The OAOC is responsible for Title VI training that will consist of an Internal and External component:

## **Internal**

Periodic Title VI related training will be conducted as needed in all program areas. There will be annual Civil Rights training, including nondiscrimination training refresher for all the NHDOT staff. Upon the promotion/assignment of an Administrator, the Title VI Coordinator will request to meet with the Administrator to conduct initial training. The purpose of this training is to familiarize the Administrator with the Title VI obligations relating to his/her functional areas, as well as the best practices for carrying out those requirements.

Administrators will be responsible for ensuring that their managers and designated Title VI Liaisons attend training conducted by the Title VI Coordinator necessary to effectively implement the Title VI responsibilities related to their assigned areas. This training shall include, but is not limited to, data collection and reporting, program access and discrimination avoidance, how their processes and/or services may impact the public and other pertinent training.

New NHDOT employees will receive 30 minutes of Title VI introductory training through the new employee orientation process. A one-hour refresher training that contains more comprehensive information surrounding Title VI, will be provided to all NHDOT staff that carry out Title VI responsibilities.

As appropriate, the Title VI Coordinator will schedule Title VI related training for Administrators and program area officials to further the Department's compliance and to address regulatory changes.

## **External**

The Department's Title VI Coordinator provides opportunities for training to any Subrecipient to ensure understanding and compliance with Title VI requirements. The Title VI Coordinator will conduct Subrecipient training sessions upon request and/or as part of contactors' LPA certification process. The Title VI Coordinator will ensure that training is offered for Subrecipients on at least an annual basis.

Upon review of the completed *Subrecipient Title VI Compliance Assessment Tools* a determination will be made by the Title VI Coordinator if one-on-one training is required in conjunction use of the hands-on *Title VI Technical Assistance Guide for Subrecipient of Federal Highway Administration Funding* for assistance in meeting their compliance obligations. When there is the opportunity to include Subrecipients in general Title VI training sessions hosted by the Department or USDOT; information will be provided to Subrecipients.

## **Language Access (Limited English Proficiency)**

As outlined in the USDOT's Policy Guidance Concerning Recipient's Responsibilities to LEP Persons, our department and its Subrecipients have an obligation to take "reasonable steps" to eliminate language barriers that can preclude meaningful access to critical programs and services by persons with LEP.

The extent to which access is provided is determined by an individualized assessment that balances four factors:

1. the number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service;
2. the frequency with which individuals with LEP come in contact with the program, activity or service;
3. the nature and importance of the program, activity, or service to people's lives; and

4. the resources available and the costs. From this analysis, the appropriate mix of services and the extent to which they should be offered is determined.

A thorough analysis of all of the Department's programs and services according to the above criteria will be completed annually, and the outcomes will be included in the Department's Goals and Accomplishments report.

The Department has in-house interpreting capabilities for Arabic, Bangla, Bosnian/Serbo-Croatian, French, German, Hebrew and Spanish. If additional language services are required, the Department has an account with Rapport International providing 24/7/365 access to more than 175 languages for telephone interpreting. The Bureau of Planning and Community Assistance has mapped the state of New Hampshire for limited or no English proficiency.

### **Records**

Administrators should ensure that personnel who serve as *first contacts* for anyone seeking access to the Department's program or service maintain records of all interactions with people who have LEP. A summary of each interaction should identify, when possible, the language spoken, whether or not the language barrier resulted in a delay or denial of service, and the method of contact, e.g., in-person, telephone, etc. This information will be collected and reviewed by the Title VI Coordinator along with other factors to determine any future need for language services necessary to ensure program access. Invoices for Rapport International's interpretation services are sent directly to the Title VI Coordinator, who will ensure these requests are tracked appropriately.

### **Assistance**

Any official or Subrecipient of the Department requiring a document translation or interpreter should contact the Title VI Coordinator for a list of trained translators/interpreters and language services providers. For more detailed information, you can review NHDOT's [Language Access Plan](#).

### **Review of the Department's Directives**

The Department has a Standard Operating System that provides the Title VI Coordinator an opportunity to review Department directives, policies, and procedures to determine if it has Title VI implications. If it is determined to have Title VI implications, analysis/comments will be made on the impact of each program and coordinate with the Executive Office if modifications are necessary.

## Appendices

### Federal Highway Administration Civil Rights Assurance

The New Hampshire Department of Transportation HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Civil Rights Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, national origin, sex will be subjected to discrimination in the level and quality of transportation services and transportation-related benefits.
2. The New Hampshire Department of Transportation will compile, maintain, and submit in a timely manner Title VI information required in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The New Hampshire Department of Transportation will make it known to the public that those people or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transportation-related benefits may file a complaint with the Federal Highway Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.



\_\_\_\_\_  
William Cass, Commissioner  
New Hampshire Department of Transportation

9/19/2023

\_\_\_\_\_  
Date

## Appendix 1 - Standard USDOT Title VI Assurance

### The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination AssurancesDOT Order No. 1050.2A

The New Hampshire Department of Transportation (NHDOT) (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

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

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

#### General Assurances

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

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the 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 non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

#### Specific Assurances

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

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

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

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

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

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



9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, Subrecipient, 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 NHDOT also agrees to comply (and require any Subrecipient, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA and USDOT access to records, accounts, documents, information, facilities, and staff. NHDOT also recognize that it must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA and USDOT. NHDOT will keep records, reports, and submit the material for review upon request to FHWA, and USDOT or its designee in a timely, complete, and accurate way. Additionally, NHDOT will comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The NHDOT 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 FHWA-aid highway program. This ASSURANCE is binding on the NHDOT, other recipients, Subrecipient, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA-aid highway program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

by  \_\_\_\_\_  
William Cass, Commissioner

DATED 9/19/2023 \_\_\_\_\_

## **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, Federal Highway Administration (FHWA), 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 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 Recipient or the 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 Recipient will impose such contract sanctions as it or the 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 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 FHWA 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.

## **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 New Hampshire Department of Transportation (NHDOT) will accept title to the lands and maintain the project constructed thereon in accordance with 23 U.S. Code § 107, the Regulations for the Administration of the Federal-aid Highway program, and the policies and procedures prescribed by the FHWA 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 NHDOT 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 NHDOT 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 NHDOT, its successors and assigns.

The NHDOT, 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 NHDOT 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, 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 [, 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-entersaid 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.)

## **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 New Hampshire Department of Transportation (NHDOT) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above non-discrimination covenants, NHDOT 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 NHDOT 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 NHDOT 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.)

That in the event of breach of any of the above nondiscrimination covenants, the State of New Hampshire, shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of State and its assigns.

\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

## **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 New Hampshire Department of Transportation (NHDOT) 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 NHDOT 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 NHDOT will there upon revert to and vest in and become the absolute property of the NHDOT and its assigns. \*

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

## **Appendix E**

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.
- 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, Subrecipients and contractors, whether such programs or activities are Federally funded or not);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)

## **Appendix 2 - Title VI Notices to Public**

**English  
Spanish  
French  
Arabic  
Chinese  
Cantonese  
Nepali  
Portuguese  
Vietnamese**



New Hampshire Department of Transportation  
Title VI Notice to Public

The New Hampshire Department of Transportation (NHDOT) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color and national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the NHDOT's programs has a right to file a formal complaint with the NHDOT. Any such complaint must be in writing and submitted to the NHDOT Title VI Coordinator within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

Title VI Coordinator

New Hampshire Department of Transportation

PO Box 483, 7 Hazen Drive

Concord, NH 03302-0483

[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)

[\(603\) 271-2467](tel:6032712467)

TTY ACCESS: [\(800\) 735-2964](tel:8007352964)

If information is needed in another language contact: [603-271-2467](tel:6032712467)

Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:





Departamento de Transporte de New Hampshire  
Título VI / No Discriminación Aviso a la Pública

El Departamento de Transporte de New Hampshire (NHDOT) por este medio notifica públicamente su política para mantener y garantizar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987 y todos los estatutos relacionados. El Título VI y los estatutos relacionados que prohíben la discriminación en los programas con asistencia federal requieren que ninguna persona en los Estados Unidos de América, por motivos de raza, color y origen nacional, sea excluida de la participación, se le nieguen los beneficios o se le denegué lo contrario. sujeto a discriminación bajo cualquier programa o actividad que recibe asistencia federal.

Cualquier persona que crea que ha sido perjudicada por una práctica discriminatoria ilegal con respecto a los programas del NHDOT tiene derecho a presentar una queja formal ante el NHDOT. Cualquier queja de este tipo debe presentarse por escrito y presentarse al Especialista del Título VI del NHDOT dentro del ciento ochenta (180) días posteriores a la fecha del supuesto hecho. Para obtener más información sobre las quejas de derechos civiles, comuníquese con:

Especialista del Título VI  
Departamento de Transporte de New Hampshire  
PO Box 483, 7 Hazen Drive  
Concord, NH 03302-0483  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
(603) 271-2467  
ACCESO TTY: (800) 735-2964

If information is needed in another language contact: 603-271-2467

Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:



Département des transports du New Hampshire  
Titre VI / Non-discrimination Avis aux du public

Le ministère des Transports du New Hampshire (NHDOT) donne par la présente un avis public de sa politique visant à maintenir et à assurer la pleine conformité avec le titre VI de la loi sur les droits civils de 1964, la loi sur la restauration des droits civils de 1987 et toutes les lois connexes. Le titre VI et les lois connexes interdisant la discrimination dans les programmes bénéficiant de l'aide du gouvernement fédéral exigent qu'aucune personne aux États-Unis d'Amérique ne soit, pour des raisons de race, de couleur et d'origine nationale, exclue de la participation, se voit refuser les avantages ou soit autrement l'objet de discrimination dans le cadre de tout programme ou activité bénéficiant d'une aide fédérale. Toute personne qui pense avoir été lésée par une pratique discriminatoire illégale concernant les programmes du NHDOT a le droit de déposer une plainte officielle auprès du NHDOT. Toute plainte de ce type doit être présentée par écrit et soumise au spécialiste du titre VI du NHDOT dans les cent quatre-vingt (180) jours suivant la date de l'événement présumé. Pour plus d'informations sur les plaintes pour atteinte aux droits civils, veuillez contacter:

Titre VI Spécialiste  
Département des transports du New Hampshire  
PO Box 483, 7 Hazen Drive  
Concord, NH 03302-0483  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
(603) 271-2467  
ACCÈS ATS : (800) 735-2964

If information is needed in another language contact: 603-271-2467

Si necesita información en otro contacto de la lengua:

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Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:



مديرية مواصلات نيو هامبشير  
(إعالم للجمهور عن عدم التمييز Title VI المادة السادسة )

(بموجب هذا بإخطار الجمهور بسياستها لدعم NHDOT تقوم مديرية المواصلات في نيو هامبشاير) ، وجميع القوانين ذات الصلة. يشترط 1987، وقانون استعادة الحقوق المدنية لعام 1964 وضمناً الممثل التام للمادة السادسة من قانون الحقوق المدنية لعام البند السادس والقوانين ذات الصلة والتي تحظر التمييز في البرامج التي تدعمها الحكومة الفيدرالية عدم استبعاد أي شخص في الولايات المتحدة الأمريكية ، بسبب العرق أو اللون أو الأصل القومي، من المشاركة في، أو حرمانه من الحصول على فوائد، أو أن يتعرض للتمييز في أي برنامج أو نشاط يتلقى المساعدة الفيدرالية. NHDOT يحق ألي شخص يعتقد أنه تعرض للظلم بسبب ممارسة تمييزية غير قانونية فيما يتعلق ببرامج NHDOT إرسال إلى منسق يجب أن تكون أي شكوى مكتوبة وأن . NHDOT تقديم شكوى رسمية إلى ( يوماً من تاريخ وقوع الحادث المزعوم. لمزيد من المعلومات ما يتعلق شكوى الحقوق المدنية، يرجى الإتصال ب: 180 في غضون مائة وثمانين Title VI )

**Title VI Coordinator**  
**New Hampshire Department of Transportation**  
**PO Box 483, 7 Hazen Drive**  
**Concord, NH 03302-0483**  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
**(603) 271-2467**  
**(800) 735-2964: TTY ACCESS**

**603-271-2467** إذا كانت هناك حاجة إلى معلومات بلغة أخرى ، قم بالاتصال:  
**:Si necesita información en otro contacto de la lengua**  
**:Si l'information est nécessaire dans un autre contact de langue**  
**:Se são necessárias informações em outro contacto linguístico**  
**:如果信息需要另一种语言接触**  
**:Nếu cần thông tin liên lạc ngôn ngữ khác**



新罕布什爾州交通局  
第六章/非歧視通知書的公共

新罕布什爾州交通運輸部（NHDOT）在此向公眾發布其維護和確保完全遵守1964年《民權法》第六章，1987年《民權恢復法》以及所有相關法規的政策。第六章和禁止聯邦援助計劃中歧視的相關法規要求，在美國，不得以種族，膚色和國籍為由將任何人排除在參與範圍之內，不得剝奪其利益，或以其他方式剝奪其利益受到接受聯邦援助的任何計劃或活動的歧視。

任何認為自己對NHDOT計劃的非法歧視行為感到不滿的人都有權向NHDOT提出正式投訴。任何此類投訴都必須以書面形式提出，並在所稱事件發生之日後一百八十（180）天內提交給NHDOT第VI協調員。有關民權投訴的更多信息，請聯繫：

聯繫：

第六名協調員

新罕布什爾州交通局

Hazen Drive 7號郵政信箱483

康科德（NH 03302-0483）

[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)

（603）271-2467

TTY訪問：（800）735-2964

If information is needed in another language contact: 603-271-2467

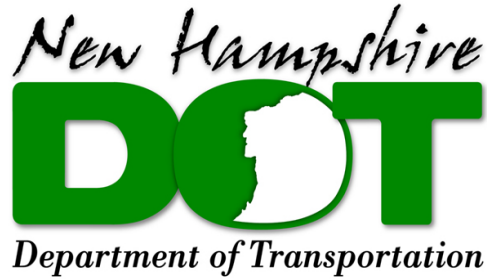
Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:



Yùnshū xīnhǎnbùshí'ěr bù  
dì liù zhāng tōngzhī gōngzhòng

yùnshū xīnhǎnbùshí'ěr bù (NHDOT) jīn cǐ fù yǔ qí wéihù hé quèbǎo wánquán zūnshǒu dì liù zhāng mínguán fǎ'àn 1964 nián, 1987 nián mínguán huīfù fǎ, yǐjǐ suǒyǒu xiāngguān de fǎguī zhèngcè de gōnggào. Dì liù zhāng jí xiāngguān fǎguī, jìnzhǐ zài liánbāng yuánzhù de fāng'àn de qíshì guīdìng, rènhé rén zài měilìjiān hézhòngguó yīng, zhǒngzú, fūsè, guójí, xìngbié, niánlíng huò cánjí ér bèi páichú zài cānyù, bèi jùjué de de hǎochù, huò gēnjù rènhé jìhuà huò huódòng jiēshòu liánbāng yuánzhù, fǒuzé shòudào qíshì.

Rènhé rén shuí xiāngxìn yǒuguān NHDOT de jiémù, tāmen yīzhí bùfú wéifǎ de qíshì xìng zuòfǎ yǒu yīgè dào wénjiàn de NHDOT zhèngshì tóusù de quánlì. Rènhé cǐ lèi tóusù bìxū yǐ shūmiàn xíngshì, bìng zài yībǎi bāshí (180) rìnèi tíjiāo NHDOT dì liù zhāng xiétíáo xià zhǐchēn fāshēng de rìqí. Yǒuguān gōngmín quánlì de tóusù gèng duō xìnxī, qǐng liánxì:

**Title VI Coordinator**  
**New Hampshire Department of Transportation**  
**PO Box 483, 7 Hazen Drive**  
**Concord, NH 03302-0483**  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
**(603) 271-2467**  
**TTY ACCESS: (800) 735-2964**

If information is needed in another language contact: 603-271-2467

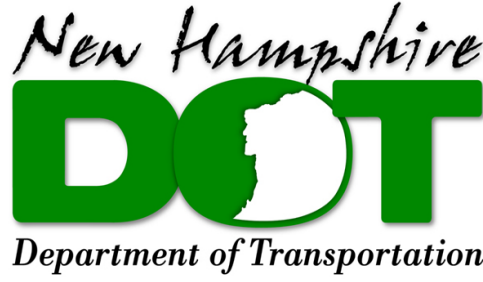
Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác



न्यू ह्याम्पसर यातायात विभाग  
दफा ६ / आमनागरिकका लागि गैर-भेदभावसम्बन्धी सूचना  
(Title VI / Nondiscrimination Notice to the Public)

न्यू ह्याम्पसर यातायात विभाग (New Hampshire Department of Transportation; NHDOT) यसैमार्फत सन् १९६४ को नागरिक अधिकार ऐन (Civil Rights Act) को दफा ६ (Title VI), सन् १९८७ को नागरिक अधिकारको पुनर्स्थापना ऐन (Civil Rights Restoration Act), र सबै सम्बन्धित कानूनहरूसम्बन्धी नीति पूर्ण रूपमा कायम राख्न र पालना गर्न आश्वस्त पार्छ भनी सार्वजनिक सूचना जारी गर्छ । दफा ६ र सम्बन्धित कानूनहरूले संघीय सरकारको सहायता प्राप्त कार्यक्रमलाई भेदभाव बन्देजका लागि संयुक्त राज्य अमेरिकाभित्र कसैलाई पनि जाति, रंग र राष्ट्रिय मूलका आधारमा भाग लिनबाट बञ्चित हुन, यसका सुविधाबाट पाखा लगाउन रोक लगाएको छ, वा यस्तोमा संघीय सहायता पाउने कुनै पनि कार्यक्रम वा गतिविधिअन्तर्गत भेदभाव गरेको भन्ने ठहर्नेछ ।

कसैलाई एनएचडिओटी (NHDOT) सम्बन्धी कार्यक्रमहरूमा गैर-कानुनी भेदभावपूर्ण अमलबाट आफू पीडित भएको लाग्छ भने उक्त व्यक्तिसँग एनएचडिओटीमा औपचारिक रूपमा गुनासो दाखिला गर्ने अधिकार हुन्छ । त्यस्तो कुनै पनि गुनासो लिखित रूपमा हुनुपर्छ र एनएचडिओटीका दफा ६ संयोजक (NHDOT Title VI Coordinator) समक्ष कथित घटना भएको मितिपछि एक सय असी (१८०) दिनभित्र बुझाउनु पर्छ । नागरिक अधिकार गुनासाहरूसम्बन्धी थप जानकारीका लागि, कृपया सम्पर्क गर्नुहोस्:

**Title VI Coordinator**  
**New Hampshire Department of Transportation**  
**PO Box 483, 7 Hazen Drive**  
**Concord, NH 03302-0483**  
titlevi@dot.nh.gov

६०३.२७१.३७३४ (603.271.2467)

श्रवणशक्ति कमजोर तथा बहिरा व्यक्तिको सम्पर्क (TTY ACCESS): ८००.७३५.२९६४ (800.735.2964)

यदि अरू भाषामा जानकारी चाहियो भने ६०३.२७१.२४६७ (603.271.2467) मा सम्पर्क गर्नुहोस्

**Si necesita información en otro contacto de la lengua:**

**Si l'information est nécessaire dans un autre contact de langue:**

**Se são necessárias informações em outro contacto linguístico:**

**如果信息需要另一种语言接触:**

**Nếu cần thông tin liên lạc ngôn ngữ khác:**



Departamento de Transporte de New Hampshire  
Título VI / Nondiscrimination Aviso aos do Público

O Departamento de Transportes de New Hampshire (NHDOT) avisa publicamente sua política de manter e garantir a total conformidade com o Título VI da Lei de Direitos Civis de 1964, a Lei de Restauração de Direitos Civis de 1987 e todos os estatutos relacionados. O título VI e os estatutos relacionados que proíbem a discriminação em programas assistidos pelo governo exigem que nenhuma pessoa nos Estados Unidos da América seja excluída da participação, com base na raça, cor e origem nacional, seja negada os benefícios ou de outra forma sujeitos a discriminação em qualquer programa ou atividade que receba assistência federal.

Qualquer pessoa que acredite ter sido prejudicada por uma prática discriminatória ilegal em relação aos programas do NHDOT tem o direito de registrar uma queixa formal com o NHDOT. Qualquer reclamação deve ser feita por escrito e enviada ao Especialista do Título VI do NHDOT dentro de cento e oitenta (180) dias após a data da suposta ocorrência. Para mais informações sobre reclamações de direitos civis, entre em contato com:

Especialista do Título VI  
Departamento de Transporte de New Hampshire  
PO Box 483, 7 Hazen Drive  
Concord, NH 03302-0483  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
(603) 271-2467  
Acesso a TTY: (800) 735-2964

If information is needed in another language contact: 603-271-2467

Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:



Sở giao thông New Hampshire  
Tiêu đề VI / Thông báo không phân biệt đối xử với công chúng

Bộ Giao thông Vận tải New Hampshire (NHDOT) thông báo công khai về chính sách của mình nhằm duy trì và đảm bảo tuân thủ đầy đủ Tiêu đề VI của Đạo luật Dân quyền năm 1964, Đạo luật Phục hồi Quyền Dân sự năm 1987 và tất cả các đạo luật liên quan. Tiêu đề VI và các đạo luật liên quan cấm phân biệt đối xử trong các chương trình được Liên bang hỗ trợ yêu cầu rằng không ai ở Hoa Kỳ, vì lý do chủng tộc, màu da và nguồn gốc quốc gia, bị loại trừ khỏi việc tham gia, bị từ chối lợi ích của, hoặc nếu không bị phân biệt đối xử theo bất kỳ chương trình hoặc hoạt động nào nhận được hỗ trợ của Liên bang. Bất kỳ ai tin rằng họ đã bị kích động bởi một hành vi phân biệt đối xử bất hợp pháp liên quan đến các chương trình của NHDOT đều có quyền nộp đơn khiếu nại chính thức với NHDOT. Bất kỳ khiếu nại nào cũng phải được lập thành văn bản và gửi cho Điều phối viên Tiêu đề VI của NHDOT trong vòng một trăm tám mươi (180) ngày sau ngày xảy ra cáo buộc. Để biết thêm thông tin về khiếu nại dân quyền, xin vui lòng liên hệ:

Điều phối viên Title VI  
Sở giao thông New Hampshire  
PO Box 483, 7 ổ Hazen  
SỐt, NH 03302-0483  
[titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)  
(603) 271-2467  
TIẾP CẬN TTY: (800) 735-2964

If information is needed in another language contact: 603-271-2467

Si necesita información en otro contacto de la lengua:

Si l'information est nécessaire dans un autre contact de langue:

Se são necessárias informações em outro contacto linguístico:

如果信息需要另一种语言接触:

Nếu cần thông tin liên lạc ngôn ngữ khác:



## Appendix 3 - Title VI Complaint Form



### Title VI Complaint Form

The purpose of Title VI is to ensure that no person in the United States shall, on the grounds of race, color, creed 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 from the U.S. Department of Transportation. Later statutes extended the scope of Title VI to include prohibitions against discrimination on the basis of age, sex, and disability.

The program enables the New Hampshire Department of Transportation (NH DOT) and sub-recipients to comply with requirements contained in the Title VI regulations issued by the U.S. Department of Justice (DOJ) (28 CFR Part 42, Subpart F) and the U.S. Department of Transportation (DOT) (49 CFR Part 21), and to administer programs, policies, and activities in a manner that is consistent with the DOT Order on Environmental Justice (Order 5610.2) and the DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005).

If you wish to file a complaint, please complete the form and explain as clearly as possible what happened and why you believe you were discriminated against.

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

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency: <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Agency <input type="checkbox"/> State Court _____ <input type="checkbox"/> Local Agency
Please provide information about a contact person at the agency/court where the complaint was filed.
<b>Name:</b>
<b>Title:</b>
<b>Agency:</b>
<b>Address:</b>
<b>Telephone:</b>
<b>Section VI:</b>
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.  
Signature and date required below.

\_\_\_\_\_

Signature

Date

**Please submit this form to:** Tile VI Coordinator at [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov) or NHDOT PO Box 483, Concord, NH 03302-0483 or contact via telephone at 603-271-2467



## Título VI formulario- Spanish

El propósito del título VI es asegurarse de que ninguna persona en los Estados Unidos, por motivos de raza, color, credo o nacionalidad de origen, se excluya de la participación en, se negada los beneficios de o ser objeto de discriminación bajo ningún programa o actividad que reciba asistencia financiera Federal desde el Departamento de transporte de Estados Unidos. Estatutos posteriores ha ampliado el ámbito del título VI incluir prohibiciones contra la discriminación por motivos de edad, el sexo y la discapacidad.

El programa permite que el Departamento de transporte de New Hampshire (NH punto) y subreceptores para cumplir con los requisitos contenidos en el Reglamento del título VI emitido por el Departamento estadounidense de Justicia (DOJ) (28 CFR parte 42, Subparte F) y el Departamento de transporte de Estados Unidos (DOT) (49 CFR parte 21) y para administrar los programas, políticas y actividades de una manera que sea consistente con la orden de punto sobre justicia ambiental (orden 5610.2) y las responsabilidades de la DOT política orientación acerca de los destinatarios a las personas de inglés limitado (LEP) (70 FR 74087, 14 de diciembre de 2005).

Si usted desea presentar una queja, por favor complete el formulario y explicar lo más claramente posible lo que pasó y por qué usted cree que fueron discriminados en contra.

<b>Sección I:</b>		
Nombre:		
Dirección:		
Teléfono (casa):	Teléfono (trabajo):	
Dirección de correo electrónico:		
<b>Sección II:</b>		
¿Se presenta esta queja en su propio nombre?	Sí ✱	No
* Si usted contestó "sí" a esta pregunta, vaya a la sección III.		
Si no, proporcione el nombre y la relación de la persona para quien se queja de que:		
Explique por qué usted ha presentado por un tercero: _____		
Confirme que ha obtenido el permiso de la parte agraviada si presenta en nombre de un tercero.	Si	No
<b>Sección III:</b>		
<i>Creo que la discriminación que experimenté fue basada en (Marque todas las que apliquen):</i>		
<i>Carrera de [] de Color [] origen nacional []</i>		
<i>Fecha de la supuesta discriminación (mes, día, año): _____</i>		
<i>Explicar lo más claramente posible lo que pasó y por qué usted cree que fueron discriminados en contra. Describir a todas las personas que participaron. Incluir el nombre y la información de contacto de las persona o personas que discriminan en contra suya (si lo conoce) así como los nombres e información de contacto de los testigos. Si necesita más espacio, use el dorso de este formulario.</i>		
_____		
_____		
<b>Sección IV:</b>		
¿Usted ha presentado una demanda de título VI con esta agencia anteriormente?	Si	No
<b>Sección V:</b>		
¿Se ha presentado esta queja con otros federales, estatales o agencia local, o con cualquier Tribunal Federal o estatal?		
[] Sí [] No		
Si sí, compruebe todas las que apliquen:		
[] Agencia Federal: _____		
[] Tribunal Federal _____ [] agencia estatal _____		

<input type="checkbox"/> Estado de corte _____	<input type="checkbox"/> Agencia Local _____
Sírvanse proporcionar información sobre una persona de contacto en la Agencia/corte donde se presentó la queja.	
Nombre:	
Título:	
Agencia:	
Dirección:	
Teléfono:	
<b>Sección VI :</b>	
Nombre de la denuncia de la Agencia es contra:	
Persona de contacto:	
Título:	
Número de teléfono:	

Puede adjuntar cualquier material escrito o cualquier otra información que usted piensa que es relevante a su queja.  
Firma y fecha requerida a continuación

\_\_\_\_\_

Firma

Fecha

**Por favor, envíe este formulario para:** Title VI Coordinator at [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov) or NHDOT PO Box 483, Concord, NH 03302-0483 or contact via telephone at 603-271-2467.



## Título VI Formulário de Reclamação -Portuguese

O objetivo do Título VI é garantir que nenhuma pessoa nos Estados Unidos, por motivos de raça, cor, credo ou origem nacional, seja excluída da participação, seja negada os benefícios ou seja submetida a discriminação sob qualquer programa ou atividade que receba assistência financeira federal do Departamento de Transporte dos EUA. Os estatutos posteriores estenderam o escopo do Título VI para incluir proibições contra discriminação com base na idade, sexo e incapacidade.

O programa permite que o Departamento de Transportes de New Hampshire (NH DOT) e sub-beneficiários cumpram os requisitos contidos nos regulamentos do Título VI emitidos pelos EUA. Departamento de Justiça (DOJ) (28 CFR Parte 42, Subparta F) e do Departamento de Transportes dos EUA (DOT) (49 CFR Parte 21), e para administrar programas, políticas e atividades de forma consistente com a Ordem DOT sobre Justiça Ambiental (Ordem 5610.2)) Pessoas (70 FR 74087, 14 de dezembro de 2005).

**Se você deseja apresentar uma reclamação, por favor preencha o formulário e explique o mais claramente possível o que aconteceu e por que você acredita que foi discriminado.**

<b>Seção I:</b>		
<b>Nome:</b>		
<b>Endereço:</b>		
<b>Telefone (Casa):</b>	<b>Telefone (Trabalho):</b>	
<b>Endereço Eletrônico (E-Mail):</b>		
<b>Seção II:</b>		
<b>Você está apresentando esta queixa em seu próprio nome?</b>	<b>Sim*</b>	<b>Não</b>
*Se você respondeu "sim" a esta pergunta, vá para a Seção III		
Se não, por favor forneça o nome e a relação da pessoa para quem você está reclamando:		
Por favor, explique por que você pediu um terceiro:		
Por favor, confirme que você obteve a permissão da parte lesada se você estiver arquivando em nome de um terceiro.	<b>Sim</b>	<b>Não</b>
<b>Seção III:</b>		
<i>Eu acredito que a discriminação que experimentei foi baseada (confira tudo o que se aplica)</i>		
<i>[ ] Raça [ ] Cor [ ] Nacionalidade</i>		
<i>Data da Suposta Discriminação (Mês, Dia, Ano): _____</i>		
<i>Explique o mais claramente possível o que aconteceu e por que você acredita que foi discriminado. Descreva todas as pessoas envolvidas. Inclua o nome e as informações de contato das pessoas que discriminaram você (se conhecido) bem como nomes e informações de contato de quaisquer testemunhas. Se mais espaço for necessário, por favor, use a parte de trás deste formulário.</i>		
_____		
_____		
<b>Seção IV:</b>		
Você já apresentou uma queixa de Título VI nesta agência?	<b>Sim</b>	<b>Não</b>
<b>Seção V:</b>		
Você apresentou esta queixa a qualquer outra agência federal, estadual ou local, ou com algum tribunal federal ou estadual? [ ] Sim [ ] Não		

Se sim, verifique tudo o que se aplica: <input type="checkbox"/> Agência Federal: _____ <input type="checkbox"/> Tribunal Federal _____ <input type="checkbox"/> Agência Estadual _____ <input type="checkbox"/> Tribunal Estadual _____ <input type="checkbox"/> Agência Local _____
Please provide information about a contact person at the agency/court where the complaint was filed.
<b>Nome:</b>
<b>Título:</b>
Agência:
<b>Endereço:</b>
<b>Telefone:</b>
<b>Seção VI:</b>
O nome da denúncia da agência é contra:
Pessoa de contato:
Título:
Número telefônico:

Você pode anexar quaisquer materiais escritos ou outras informações que você achar relevantes para sua reclamação. Assinatura e data exigidas abaixo.

\_\_\_\_\_

Assinatura

Data

**Por favor, envie este formulário para: Title VI Coordinator at [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov) or NHDOT PO Box 483, Concord, NH 03302-0483**



## Appendix 5 - Subrecipient Certificate of Compliance



### TITLE VI SUBRECIPIENT CERTIFICATE OF COMPLIANCE FORM

This form is to certify compliance with Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq., which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance.

If your Title VI Plan has been approved by the New Hampshire Department of Transportation (NHDOT), all changes to the organization's Title VI Plan which occurred during the current fiscal year (October 1st through September 30th) must be reported on this form. Please attach additional pages, as necessary, to provide a complete response to each question.

---

NAME OF ORGANIZATION

---

NAME OF TITLE VI COORDINATOR

TITLE

---

ADDRESS

---

CITY

COUNTY

STATE

ZIP CODE

---

TELEPHONE NO.

FAX NO.

E-MAIL ADDRESS

---

Has your designated Title VI Coordinator changed during the reporting period or since your last Title VI Plan was approved?  
Has your organization had any projects that have Title VI, LEP, or EJ impacts? How many? If yes, what did you do to ensure that those populations affected by the project had meaningful access to and involvement in the development process?

---

What is the number or percentage of persons impacted by programs, activities or projects and/or those who are beneficiaries of programs, activities or projects receiving Federal assistance?

---

How many public meetings/hearings did you have where the public was involved and/or engaged during the reporting period?

Did you provide language assistance at any of your public meetings/hearings during the reporting period? How many persons received this assistance? If yes, what type of assistance was provided (translation, interpretation, sign language, braille, etc.)?

---

Did you receive any formal or informal Title VI complaints, or law suits on race, color, national origin, or sex discrimination during this reporting period? If yes, how many, and please provide details regarding each complaint or law suit and the resolution.

During this reporting period, how many of your employees have been educated about Title VI and their responsibility to ensure non-discrimination in any of your programs, services, or activities.

Please provide any comments or additional information related to the organization's Title VI Plan.

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By signing this certificate, I declare assurance of compliance with Title VI of the Civil Rights Act of 1964 and related statutes and that the information reported on this form is accurate and reflects all changes to the organization's Title VI Plan for the current fiscal year.

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NAME	TITLE	DATE
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If you have any questions regarding Title VI, contact NHDOT Title VI Coordinator at 603-271-2467 or via email at: [titlevi@dot.nh.gov](mailto:titlevi@dot.nh.gov)

**PLEASE RETURN COMPLETED FORM VIA EMAIL, OR FAX TO: 603-271-8048.**

**PLEASE SUBMIT THIS FORM BY SEPTEMBER 1<sup>ST</sup> ANNUALLY.**

## Appendix 6 - Glossary

### GLOSSARY

<b>ADAAG</b>	Americans with Disabilities Act Accessibility Guidelines
<b>Adverse Impact</b>	The totality of significant individual or cumulative effects.
<b>Applicant</b>	Any public entity or organization that submits an application for Federal financial assistance.
<b>Class I Project</b>	A project entailing large-scale construction in a new location or involving substantial widening with anticipated significant environmental impacts. Requires an Environmental Impact Statement (EIS).
<b>Class III Project</b>	A project involving major reconstruction or minor relocation. An environmental assessment is prepared to determine need for EIS.
<b>Compliance</b>	The condition in which all requirements of Title VI of the Civil Rights Act of 1964, related statutes, and implementing regulations have been met.
<b>Constituent</b>	Any person having Title VI responsibilities within the context of this program
<b>Critical Service</b>	As it relates to language access and assistance requirements, a critical service is one that is afforded to the public where there is an inherent interaction with the public, and where a significant loss or delay in service or benefits provided under a program could result due to one's inability to understand, speak, read or write English.
<b>Disparate Impact</b>	Neutrally applied policies and practices that have a disproportionate adverse effect upon affected persons and communities because of their race, color, or national origin.
<b>Disproportionate Effect</b>	An adverse effect predominantly borne by minority and low-income populations; and is more severe or greater than the effects suffered by nonminority or low-income populations.
<b>Environmental Justice</b>	Environmental justice relates to public policy efforts to ensure that adverse human health or environmental effects of governmental activities do not fall disproportionately upon minority or low-income populations.
<b>LEP Person</b>	A person whose primary language is other than English, and who speaks, reads, or writes English less than well.
<b>Liaison</b>	A person appointed by a Director, Administrator, or District Engineer to perform Title VI duties as outlined under "responsibilities" for their Division, Bureau, or District

<b>Low-Income</b>	A household income at or below the Department of Health and Human Services poverty guidelines.
<b>LPA</b>	Local Project Administration.
<b>Major Program Areas</b>	Program areas where Title VI implications are greatest.
<b>Minority</b>	Any person or group of the following ethnic or racial background: Black, Hispanic, Native American, Asian, or Asian Pacific.
<b>Noncompliance</b>	A failure to meet the requirements of Title VI, related statutes, and implementing regulations or failure to implement an approved Title VI program.
<b>Prima Facia Criteria</b>	Refers to the three elements of a complaint necessary to establish evidence of discrimination: 1) Proof that the complainant is a member of a protected group; 2) that the complainant was harmed; 3) Similarly situated persons of a different group were not or would not have been harmed under similar circumstances.
<b>Probable Compliance</b>	A condition based on the record, where it is more likely than not that an applicant or contractor seeking participation in a Federally assisted program will comply with the nondiscrimination requirements of its agreement or contract.
<b>Recipient</b>	Any entity, private or public, that receives Federal assistance directly from a US DOT intermodal agency.
<b>Subrecipient</b>	Any entity that, through agreement, receives Federal financial assistance through a recipient.
<b>Title VI Program</b>	The system of requirements, procedures, actions and sanctions adopted by applicants, recipients, and sub-recipients which are deemed necessary and appropriate to comply with Title VI of the Civil Rights Act of 1964 and related statutes.
<b>Traditionally Underserved People</b>	Denotes ethnic and minority groups, and low-income households where their culture & income levels have traditionally impeded their access to the public participation process.