TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the City of Hollywood, Florida
assures the Florida Department of Transportation (FDOT) that no person shall on
the basis of race, color, national origin, sex, age, disability, family or religious
status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights
Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other
nondiscrimination authorities be excluded from participation in, be denied the
benefits of, or be otherwise subjected to discrimination or retaliation under any
program or activity.

City of Hollywood, FL
The _______________________ further assures FDOT that it will undertake the
following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the
   organization and access to the Recipient’s Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which
   expresses its commitment to the nondiscrimination provisions of Title VI.
   The policy statement shall be circulated throughout the Recipient’s
   organization and to the general public. Such information shall be
   published where appropriate in languages other than English.
3. Insert the clauses of Appendices A and E of this agreement in every
   contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of
discrimination against sub-recipients. Complaints against the Recipient
shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination
   requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any
   deficiencies found within a reasonable time period, not to exceed ninety
   (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by
   your agency’s programs.

THIS ASSURANCE is given in consideration of and for the purpose of
obtaining any and all federal funds, grants, loans, contracts, properties,
discounts or other federal financial assistance under all programs and
activities and is binding. The person whose signature appears below is
authorized to sign this assurance on behalf of the Recipient.

Dated December 17, 2019

by _______________________, Chief Executive Officer
APPENDICES A and E

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

(2.) Nondiscrimination: The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3.) Solicitations for Subcontractors, including Procurements of Materials and Equipment: In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

(4.) Information and Reports: The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5.) Sanctions for Noncompliance: In the event of the Contractor’s noncompliance with the nondiscrimination provisions of this contract, the Florida Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

a. withholding of payments to the Contractor under the contract until the Contractor complies, and/or
b. cancellation, termination or suspension of the contract, in whole or in part.

(6.) Incorporation of Provisions: The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the
Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

(7.) Compliance with Nondiscrimination Statutes and Authorities: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq., (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).
City of Hollywood

ADA Nondiscrimination Statement & Grievance Procedure

The landmark Americans with Disabilities Act ("ADA" or "the Act"), enacted on July 26, 1990, provides comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications. This regulations implements subtitle A of title II of the ADA, which applies to State and local governments. The City of Hollywood is committed to ensuring compliance with this act and its provisions.

Subtitle A protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs, or activities of all State and local governments. Consistent with the final rule, the City of Hollywood has designated a responsible employee and has adopted a grievance procedure for those individuals wishing to file a grievance.

Section 35.170 provides that any individual who believes that he or she or a specific call of individuals has been subjected to discrimination on the basis of disability by a public entity may, by himself or herself or by an authorized representative, file a complaint under this part within 180 days of the date of the alleged discrimination. Filing the complaint with any federal agency will satisfy the requirement for timely filing.

Complaints filed with the Department of Justice may be sent to the Coordination and Review Section, P.O. Box 66118, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20035-6118.

The City Engineer for the City of Hollywood has been designated to coordinate its efforts to comply with and carry out its responsibilities under Subtitle A, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part.

Azita Behmardi, P.E.
City Engineer
2600 Hollywood Blvd. Room 308
Hollywood, FL 33020
954.921.3251

Complaints should be addressed to: Azita Behmardi, P.E. City Engineer, City of Hollywood, 2600 Hollywood Blvd. Room 308, Hollywood, FL 33020, 954.921.3251, who has been designated to coordinate ADA compliance efforts.

- A complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
- If the complainant wishes to have an in person meeting to verbally file their complaint, an appointment should be made with the City Engineer by calling 954.921.3251.
- A complaint should be filed within 180 days after the complainant becomes aware of the alleged violation.
- An investigation, as may be appropriate, shall follow a filing of complaint. The investigation will be conducted by the City Engineer or appropriate designee. These procedures contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
- A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the City Engineer or designee and a copy forwarded to the complainant no later than 30 days after conclusion of investigation.
- The right of the person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- These procedures shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City of Hollywood complies with the ADA and implementing regulations.