



CITY OF LAS VEGAS
TITLE VI
NONDISCRIMINATION PLAN

495 S. Main Street
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City of Las Vegas
Title VI Nondiscrimination Plan

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Introduction

The City of Las Vegas is a sub-recipient of financial assistance from federal aid programs. Sub-recipients of this financial assistance are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Acts of 1964 forbids discrimination against anyone in the United States because of race, color or national origin by any agency receiving federal funds. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex. The Civil Rights Restoration Act of 1987 defines the word “program” to make clear that **discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.**

The City of Las Vegas commits to ensure that none of its activities or programs treats any part of the community any differently than another. The City expects every manager, supervisor, employee, and vendor and contractor sub-recipient of federal aid funds administered by the City to be aware of and apply the intent of Title VI of the Civil Rights Act of 1964 in performing assigned duties.

The Federal Highway Administration (FHWA) requires recipients of Federal-aid Highway funds to prepare and implement a program to clarify roles, responsibilities and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964.

The City’s Title VI Program focuses on fair and equitable access by the public and provides the policy direction necessary to ensure compliance with Title VI of the Civil Rights Act of 1964.



Nondiscrimination Policy Statement

The City of Las Vegas is committed to full compliance with Title VI of the Civil Rights Act of 1964 and all related Regulations, laws, Executive Orders and directives.

Title VI of the 1964 Civil Rights Act provides that 'no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.' 42 U.S.C. §2000d. As an entity that receives federal funds, the City of Las Vegas ensures that no person in the City of Las Vegas, on the ground of race, color, national origin, gender, age, disability, income status, or limited English proficiency (LEP) shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City of Las Vegas service, program, or activity. The City of Las Vegas will take reasonable steps to provide meaning full access to services for persons with limited English proficiency.

This policy applies to all operations of the City of Las Vegas, including its contractors and anyone who acts on behalf of the City of Las Vegas. This policy also applies to the operations of any department or agency to which the City of Las Vegas extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Title VI compliance is a condition of receipt of federal funds. To comply with this policy, civil rights and program area specialists must work closely to administer their programs, policies, and activities. The Title VI Liaison has the overall responsibility for ensuring compliance with all Title VI provisions. The Title VI Coordinator gathers data and investigates any complaint regarding alleged discrimination, and reports directly to the Title VI Liaison on Title VI issues.

A handwritten signature in blue ink, appearing to read "Scott D. Adams".

Scott D. Adams, City Manager

A handwritten date in blue ink, "4-15-20".

Date



Notice to the Public

Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964

The City of Las Vegas hereby gives public notice that it is the City's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. The City of Las Vegas operates its programs and services without regard to race, color, national origin, sex, age, and disability.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the City of Las Vegas or the Nevada Department of Transportation. Any such complaint must be in writing and filed with the City of Las Vegas Title VI Coordinator/Human Resources Department within 180 days following the date of the alleged discriminatory occurrence. Title VI/EEO Civil Rights Complaint forms may be obtained from the City of Las Vegas at no cost to the complainant online at www.lasvegasnevada.gov/titlevi, by calling 702-229-6315, or emailing titlevi@lasvegasnevada.gov.

Title VI Coordinator
City of Las Vegas Human Resources
495 S. Main St.
Las Vegas, NV 89101
702-229-6315
titlevi@lasvegasnevada.gov

Civil Rights Officer
Nevada Department of Transportation
3014 W. Charleston Blvd., Ste. 150
Las Vegas NV 89102
(702) 730-3301
(702) 486-0487 fax
sbraih@dot.nv.gov



Environmental Justice Requirement

In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.

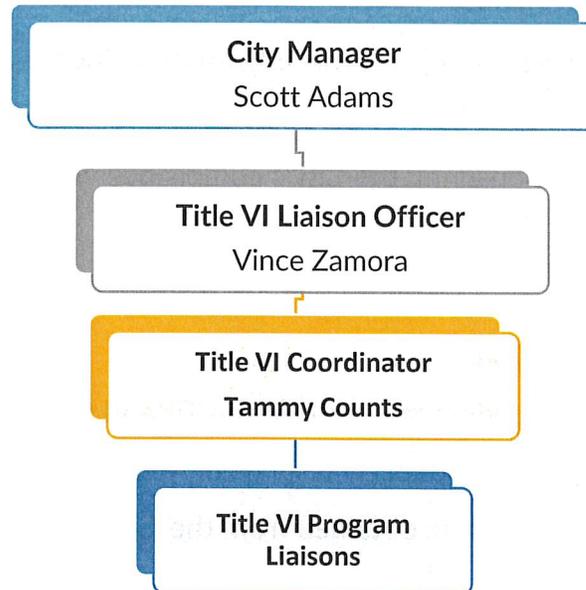
There are three fundamental Environmental Justice principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

The City of Las Vegas considers environmental justice in all phases of planning, programs, projects, activities, and functions that are provided.



Organizational Chart



The **City Manager** of Las Vegas is responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

The Deputy Director of Human Resources serves as the **Title VI Liaison Officer**, on behalf of the City Manager, and is responsible for the overall management of the Title VI Program and to ensure compliance with provisions of the City's policy of nondiscrimination with the law. The Title VI Coordinator reports directly to the Deputy Director of Human Resources.

The **Title VI Coordinator** is responsible for the daily administration of the program, training, and for handling complaints to ensure compliance with Title VI.

Several departments within the City of Las Vegas lead activities important to informing the City's Title VI Plan and work as **Title VI Program Liaisons**. These departments include but are not limited to: Communications, Community Service, Economic and Urban Development, Finance, Operations and Maintenance, Planning, Public Works, and Youth Development and Social Innovation.



Administration

Title VI Coordinator Responsibilities

City of Las Vegas Title VI Coordinator is responsible for ensuring the implementation of the Title VI Plan. City of Las Vegas Title VI Coordinator is also responsible for implementing, monitoring, and ensuring the City's compliance with the Title VI regulations.

Title VI Information Dissemination

Title VI information posters, including the name of the Title VI Coordinator and contact information, will be prominently and publicly displayed. Additional information relating to nondiscrimination obligation can be obtained from the City's Title VI Coordinator.

During New Employee Orientation, new employees will be informed of the provisions of Title VI, and the City's expectations for them to perform their duties accordingly. Title VI information will also be disseminated to city employees at least once per year to remind employees of the City's policy statement, and of their Title VI responsibilities in their daily work and duties.

Contracts and Vendors

Title VI Program information will be disseminated to contractors and beneficiaries through inclusion of Title VI language in contracts. All contractors, subcontractors, and vendors who receive payments from the City of Las Vegas are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.



Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, copies of Title VI complaints and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

Title VI Complaints

If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, or national origin, he/she may exercise his/her right to file a complaint with the City. Complaints may be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

Data Collection

Statistical data on race, color, and national origin of participants in and beneficiaries of city programs impacted citizens and affected communities, will be gathered and maintained by the city. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Area Compliance Monitoring

Department Directors have primary responsibility for assuring that the all planning, implementation, functions, and results of their departments are executed in accordance with Title VI requirements. They are also responsible for working with the Title VI Coordinator to ensure that the City of Las Vegas is in compliance. This process involves the analysis of all possible social, economic, and environmental effects of a proposed plan or program on identified groups in order to avoid the unintended creation of inappropriate and biased programs.



Examples of Compliance Monitoring by Department Directors

- Monitor the overall strategies and goals of the transportation/public right-of-way planning process to ensure Title VI compliance;
- Monitor transportation/public right-of-way planning accomplishments and problem areas;
- Monitor the utilization of demographic information to identify minority and low-income populations and examine the distributions of the benefits and burdens of transportation/public right-of-way plans and activities of these groups;
- Monitor and update the limited English proficiency (LEP) plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of Las Vegas service jurisdiction;
- Monitor the overall strategies and goals of the public input process to ensure Title VI compliance
- Monitor environmental accomplishments and problem areas
- Ensure that all consultant/subconsultant agreements and construction contracts have the appropriate Title VI contract provisions

Annual Report

An annual report will be required to be complied by June 1 of each year. The Title VI Coordinator will be responsible for this report and it will be submitted to Nevada Department of Transportation (NDOT) by July 1. This report will review the Title VI accomplishments during the year and goals for the next year.



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Title VI Plan Updates

The Title VI Plan will be updated annually and will be submitted by July 1 to NDOT. If significant changes are made, a copy of Title VI Plan will be submitted to the NDOT External Civil Rights Division as soon as the update has been completed, or as soon as practicable.



Training

The Title VI Coordinator will provide Title VI training to all City of Las Vegas internal employees. The training will provide comprehensive information on Title VI provisions, application to program operations, and identification of Title VI issues and resolution of complaints. Additionally, Title VI training materials and technical assistance will be available to contractors, subrecipients, program area liaisons as necessary to ensure their knowledge of, and compliance with, Title VI requirements.

The Title VI Coordinator will provide a Title VI component to the New Hire Orientation and will provide ongoing training to all current employees via an online presentation to continuously inform employees of their responsibility to render high quality services to all clients regardless of race, color, or national origin.

The Title VI Coordinator will attend pertinent Title VI training and subsequently disseminate all new and relevant information to all City of Las Vegas employees.



Public Involvement

The City of Las Vegas is committed to promoting inclusive public participation. A variety of public notification and participation procedures will be used to encourage the early and continuous involvement of citizens, communities, and other parties interested in the planning process and decisions of the City of Las Vegas.

The City of Las Vegas and its Title VI Coordinator will discuss and/or distribute Title VI information using mass media including, but not limited to the following:

- City of Las Vegas website: www.lasvegasnevada.gov and intranet: <https://emp.lasvegasnevada.gov>
- Federal EEO posters
- Inclusion of Title VI language in contracts
- New Hire Orientation training
- Public meetings
- Title VI Procedure manual
- Significant publications, e.g., newspapers, brochures, and written literature
- Social Media

Further, notices informing the public and all employees that the City of Las Vegas complies with Title VI of the Civil Rights Act of 1964 will be displayed in a prominent place in our facilities.

Title VI Coordinator for the City of Las Vegas:
Tammy Counts
495 S. Main St.
Las Vegas, NV 89101
Phone: 702-229-6315
Fax: 702.382-4091
Email: titlevi@lasvegasnevada.gov



Limited English Proficiency

The City of Las Vegas attracts citizens and visitors from around the world. We welcome this diversity and strive to ensure that those who come to Las Vegas can participate in and enjoy to the fullest all that our fabulous City has to offer.

The City of Las Vegas is proud of its ongoing efforts to ensure that inclusion and fairness are a part of all of its services, programs, and activities. We are proactive in extending services, programs, and activities to all who would like to participate, including residents with limited English proficiency (LEP).

The City of Las Vegas is committed to Title VI and fairness in contracting. Additionally, the City of Las Vegas supports outreach to the LEP community to ensure that they are a part of the City's democratic processes.



Discrimination Complaint Procedure

If a person believes that he/she or a specific class of persons has been discriminated against by the City of Las Vegas on the basis of race, color, or national origin, such person has the right to file a complaint with the Title VI Coordinator.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a. The date of the alleged act of discrimination; or
- b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative on the **City of Las Vegas Title VI/EEO Civil Rights Complaint Form** (hereinafter referred to as "Complaint Form;" see Appendix). The Complaint Form contains the name, address, and contact information of the Complainant and should contain as much information as possible concerning the alleged violation, including location, date, and description of the problem or incident. It may be necessary to share some or all information, including the identity of the person completing the Complaint Form in order to resolve the complaint.

Within 30 days of receiving the written complaint, the Title VI Coordinator will notify the Complainant of its receipt. The Title VI Coordinator will attempt to discuss the complaint with the Complainant and any City of Las Vegas employees or others who are concerned with the complaint and will attempt to resolve the complaint informally.

If the Title VI Coordinator determines further investigation is warranted, he/she shall mail to the Complainant notice that the investigation is continuing. If appropriate, the Title VI Coordinator may also arrange to meet with the Complainant to discuss the matter and possible resolution. If the matter is not resolved informally, the Title VI



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Coordinator shall respond with his/her final response, in writing, within forty-five (45) calendar days after the notice of continuing investigation is sent to the Complainant.



Appeals Process

If the Title VI Coordinator's final response does not satisfactorily resolve the matter, the Complainant or authorized representative may appeal the decision of the Title VI Coordinator, in writing, to the Title VI Liaison Officer, City of Las Vegas, 495 S. Main St., Las Vegas, NV 89101.

Complainant shall file his/her appeal, including a detailed description of its basis, no later than thirty (30) calendar days after the date of the Title VI Coordinator's final response. Within thirty (30) calendar days after receipt of the appeal, the Title VI Liaison Officer will contact the City Attorney to designate an attorney to act as appeal officer (the "Appeal Officer").

The Appeal Officer shall attempt to meet with the Complainant to discuss the complaint and possible resolutions. The Appeal Officer will be an attorney or someone who is well-versed in Title VI law, rules and regulations. Within forty-five (45) days calendar days after the filing of the appeal, the Appeal Officer shall respond, with a final resolution of the complaint.

At that point, the Complainant may investigate his/her options for further action, including but not limited to those described above.

The Title VI Coordinator, the City Manager or his/her designee and the Appeal Officer may extend the deadlines noted herein for cause and with notification to the complainant.

If a person believes he/she has been discriminated against in violation of Title VI, such person also has the right to file a grievance with an external entity such as the federal agency providing federal assistance to the City of Las Vegas related to the program, service



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or activity of concern or with the United States Department of Justice. For more information about filing a Title VI complaint, visit the U.S. Department of Justice website at this address: <http://www.justice.gov/crt/complaint>.

For the Title VI complaints:

Federal Coordination and Compliance Section- NWB
Civil Rights Division- US Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(888) 848-5306- English and Spanish (ingles y español)
((202) 307-2678 (TDD)

The City of Las Vegas Title VI Coordinator will maintain the following materials for a period of three (3) years: (1) written complaints received by the Title VI Coordinator; (2) final response of the Title VI Coordinator; (3) final resolutions by the Appeals Officer.



APPENDIXES



Assurances

DOT Order No. 105.2A

The City of Las Vegas (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, 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 Federal Highway Administration.



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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 Title VI 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 Title VI and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Las Vegas, 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."



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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:



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- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all 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 City of Las Vegas also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The City of Las Vegas 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.



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Department of Transportation under the Title VI Program. This ASSURANCE is binding on Nevada, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Title VI Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

CITY OF LAS VEGAS

(Name of Recipient)

by

Scott Adams, City Manager, City of Las Vegas

DATED _____



Appendix A

Assurances for Consultants, Contractors, Subcontractors, Suppliers, and Manufacturers

The City of Las Vegas will insert the following clauses into every contract subject to the Act and Regulations associated with the receipt of federal financial assistance.

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 (hereinafter DOT), the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- 2. Nondiscrimination** – 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 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 Procurement of Materials and Equipment** – In all solicitations, either by competitive bidding or negotiations 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 ground of race, color, or national origin.



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4. **Information and Reports** – The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration 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 this information, the contract will so certify to the Recipient or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance** – In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contracts sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies, and/or;
 - b. Cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions** – The contractor will include the provisions of paragraphs (1) through (6) in every subcontract, including procurement 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 subcontractor or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance.

Provided, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



Appendix B

Clauses for Deeds Transferring United States Property Granting and Habendum Clauses

When the City of Las Vegas is the recipient of real property, structures or improvements thereon, or interest therein from the United States, the following clauses shall be included in any and all deeds affecting or recording the transfer of property:

GRANTING CLAUSE

NOW, THEREFORE, the City of Las Vegas, as authorized by law, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Title VI Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance with and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of 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 USC 2000d to 2000d -4) does hereby remise, release, quitclaim and convey unto the City of Las Vegas all the right, title, and interest of the U.S. Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the City of Las Vegas, 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 the Federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and will be binding on the City of Las Vegas, its successors and assigns.



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The City of Las Vegas, 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 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the City of Las Vegas, will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-Discrimination of 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 shall have a right to enter or re-enter said lands and facilities on said land, and the 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 City of Las Vegas pursuant to provisions of Title VI Assurances, item 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 the 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, 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, City of Las Vegas will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and re-possess 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 City of Las Vegas 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 City of Las Vegas 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 D

Clauses For Construction/Use/Access to 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/agreements entered into by the City of Las Vegas pursuant to provisions of Title VI Assurances, item 7(b):

1. 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 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 City of Las Vegas will have the right to terminate the (lease, license, permit, etc. as appropriate) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc., as appropriate) 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 City of Las Vegas will there upon revert to and vest in and become the absolute property of the City of Las Vegas 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.
- 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.), as amended, (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 age);
- 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 U.S.C. § 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 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;



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- 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 Action 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 person have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1973, as amended, which prohibits you from discriminating because of sex in education programs or activities (200 U.S.C. 1681 et seq).



Title VI/EEO Civil Rights Complaint Form

In accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act (ADA) of 1990, complaints may be filed by any person who believes that he or she has been excluded from participation in, been denied the benefits of, or otherwise subjected to discrimination under a program or activity receiving Federal financial assistance from the City of Las Vegas, and believes the discrimination is based on race, color, national origin, gender, age, disability, income status, or limited English proficiency (LEP).

The City of Las Vegas complaint investigation process analyzes the complainant's allegations for possible deficiencies. If deficiencies are identified, they are presented to the department or provider and assistance is offered to correct the inadequacies within a predetermined time frame.

Please submit your completed complaint form to:

**Title VI Coordinator
City of Las Vegas
495 S. Main Street
Las Vegas, NV 89101**

If you choose to file a complaint, you are asked to provide the following information:

Name:

Street Address:

City: State: Zip Code:

Telephone numbers:

Preferred Method of Contact



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Home:

Cell:

E-Mail:

Accessible format requirements:

Large Print: TTY: Braille:

Other: Not Applicable:

If "Other," please describe what format you require.

Please provide the basis upon which you believe the complaint is based:

Race: Color: National Origin: Not Applicable:

Other:

Are you filing this complaint on your own behalf?

Yes No

If not, please supply the name and relationship of the person for whom you are complaining:

Name: Click or tap here to enter text.

Relationship: Click or tap here to enter text.

Please explain why you have filed for a third party:



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Click or tap here to enter text.

Please initial to confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes: Click or tap here to enter text. No: Click or tap here to enter text.

What date did the alleged discrimination take place? Click or tap to enter a date.

In your own words, describe the alleged discrimination. Explain what happened and whom you believe to be responsible. Please use additional sheets of paper if necessary.



Authorities

Title VI of the Civil Rights Act of 1964– 42 U.S.C. 2000d

Federal-aid Highway Act of 1973 – amended Title VI to prohibit discrimination on basis of sex

Rehabilitation Act of 1973, Section 504 – prohibits discrimination on basis of disability

Age Discrimination Act of 1975 – prohibits discrimination on the basis of age

Civil Rights Restoration Act of 1987 – 100 P. L. 259

Americans with Disabilities Act of 1990

Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority and Low- Income Populations

Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency

49 CFR Part 21 – Nondiscrimination in Federally-assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

DOT Order 1050.2 – Standard Title VI Assurances