

CITY OF GRANDVILLE TITLE VI PLAN

**City of Grandville
3195 Wilson Avenue SW
Grandville, MI 49418
(616) 531-3030**

**CITY OF GRANDVILLE
TITLE VI POLICY STATEMENT**

The City of Grandville assures that no person shall, on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City of Grandville further assures every effort will be made to ensure nondiscrimination in all of its committees, programs and activities, regardless of the funding source.

The City of Grandville will include Title VI language in all written agreements and bid notices and will monitor compliance.

The City Manager of the City of Grandville will be responsible for initiating and monitoring Title VI activities, and all other responsibilities as required.

Kenneth D. Krombeen, City Manager

Date

James R. Buck, Mayor

Date

This policy was adopted at a regular City Council meeting held on _____.

TITLE VI AUTHORITIES

Title VI of 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 {S.557} March 22, 1988).

COORDINATOR RESPONSIBILITIES

The City Manager is responsible for ensuring the implementation and the day to day administration of the City of Grandville’s Title VI Plan. The City Manager is also responsible for implementing, monitoring, and ensuring the City’s compliance with the Title VI regulations.

GENERAL RESPONSIBILITIES

A. Public Dissemination

The City of Grandville will disseminate Title VI Program information to City employees, sub-recipients, and contractors, as well as the general public. Public dissemination will include posting of public statements, inclusion of Title VI language in contracts, and announcements of hearings, and meetings in minority newspapers when determined necessary and funding is available.

B. Prevention of Discrimination

Procedures will be implemented to detect and eliminate discrimination when found to exist, including, but not limited to, issues of accessibility of training to all qualified City employees, utilization of Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement and material acquisition.

C. Annual Reports

The City Manager will be responsible for insuring an annual report is be prepared by August 1st of each year and submitted to MDOT by September 1st of each year. The report will review Title VI accomplishments and goals for the upcoming year.

D. Remedial Action

The City of Grandville will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance through a program review with the program administrative requirements. If irregularities occur in the administration of the programs operation, procedures will be promptly implemented to

resolve Title VI issues and reduce to writing remedial action agreed to be necessary, all within a period not to exceed 90 days.

MDOT will be notified of any complaint filed at the City of Grandville involving Title VI issues, as any resolution.

FILING A COMPLAINT

Applicability

The complaint procedures apply to the beneficiaries of the City of Grandville's programs, activities, including but not limited to: the public, contractors, sub-contractors, consultants, employees and other sub-recipients of federal and state funds.

Eligibility

If any individual, group or individuals, or entity believes that they or any other program beneficiaries have been subjected to discrimination prohibited by Title VI nondiscrimination provision as a recipient of benefits and/or services, or on the grounds of race, color, national origin, or sex, they may exercise the right to file a complaint with The City of Grandville. Every effort will be made to resolve complaints informally at the agency, recipient and/or contractor level.

Time Limitation on Filing Complaints

Title VI complaints may be filed with:

- City of Grandville
- Michigan Department of Transportation
- Federal Highway Administration
- U.S. Department of Transportation

In all situations, City of Grandville employees must contact the City Manager immediately upon receipt of Title VI or related statutes complaints.

Complaints must be filed not later than 180 days after:

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

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

A Title VI complaint form is available at the Grandville City Clerk's office during normal business hours.

INTERNAL COMPLAINT PROCESSING

1. The City Manager acting as the Title VI Coordinator will review the complaint upon receipt to ensure that all information is provided, the complaint meets the 180 day filing deadline and falls within the jurisdiction of the City.
2. The City Manager will then investigate the complaint. If the complaint is against the City Manager then the Mayor and/or City Council or its designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the City Attorney.
3. If the complaint warrants a full investigation, the complainant will be notified in writing by certified mail. This notice will name the investigator and or investigating agency. The City will also notify the Michigan Department of Transportation Office of Equal Opportunity of the investigation.
4. The party alleged to have acted in a discriminatory manner will also be notified by certified mail as to the complaint. This letter will also include the investigators name and will request that this party be available for an interview.
5. Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator.
6. Once the City of Grandville is notified of Michigan Department of Transportation Office of Equal Opportunity investigative report findings, the City will adopt a final resolution.
7. All parties will be properly notified of the outcome of the Michigan Department of Transportation Office of Equal Opportunity report.
8. If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), s/he shall be advised of their right to appeal MDOT's Office of Equal Opportunity decision. Appeals must be filed within 180 days after the City of Grandville's final resolution. Unless new facts not previously considered came to light, reconsideration of the City's determination will not be available.

The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled "Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes," available online at <http://www.usdoj.gov/crt/cor/Pubs/manuals/complain.html>.

CITY OF GRANDVILLE

TITLE VI ASSURANCES

The City of Grandville (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the United States Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of the Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, 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 received federal financial assistance, and;

HEREBY GIVES ASSURANCE THAT, it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a) (1) of the Regulations.

THIS ASSURANCE, is given in consideration of and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under Federal Highway or Transit Program, and is binding on it, other recipients, sub-grantees, contractors, transferees, successors in interest, and other participants in the Federal Aid Highway or Transit Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Kenneth D. Krombeen, City Manager

Date

James R. Buck, Mayor

Date

**CITY OF GRANDVILLE
TITLE VI COMPLAINT FORM**

This form may be used to file a complaint with the City of Grandville based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form, a letter that provides the same information may be submitted to file your complaint.

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Individual(s) discriminated against, if different than above (use additional pages if needed).

Name: _____ Date: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ (home) _____ (work)

Please explain your relationship with the individual(s) indicated above: _____

Name of agency and department or program that discriminated:

Agency or department name: _____

Name of Individual (if known): _____

Address: _____

City: _____ State: _____ Zip: _____

Date(s) of alleged discrimination:

Date discrimination began _____ Last or most recent date _____

TITLE VI CONTRACT LANGUAGE

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 Regulation

The contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21 (hereinafter referred to as the Regulations), as they may be amended from time to time, herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The contractor, with regard to the work performed during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection of and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in 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. Solicitation 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 the procurement of material for 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 grounds of race, color, sex or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulation 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 City of Grandville, Michigan Department of Transportation or appropriate Federal Agency to be pertinent to ascertain compliance with such Regulation, orders and instructions. Where any information required of a contractor is in exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation or the appropriate Federal Agency as needed, 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 City of Grandville shall impose such contract sanctions as the Michigan Department of Transportation may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contactor under contract until the contactor complies, and/or
- Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporations of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by Regulations or directives issued pursuant thereto. The contactor shall take such action with respect to any subcontractor or procurement as the City of Grandville, Michigan Department of Transportation, or appropriate Federal Agency may direct as a means of enforcing such provisions, including sanctions for noncompliance.