

2026

Federal Highway Administration (FHWA) Title VI Implementation Plan

SAN JOAQUIN COUNTY PUBLIC WORKS

SJC PUBLIC WORKS | 1810 E. Hazelton Avenue – Stockton, CA 95205

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1. TITLE VI / NON-DISCRIMINATION POLICY STATEMENT

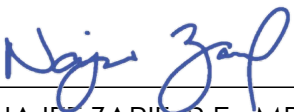
It is the policy of San Joaquin County Department of Public Works (SJCDPW) that no person shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of SJCDPW as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of SJCDPW, including its contractors and anyone who acts on behalf of SJCDPW. This policy also applies to the operations of any department or agency to which SJCDPW 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.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.



NAJEE ZARIF, P.E., MPA
Director of Public Works

June 29, 2026
Date

2. TITLE VI ASSURANCES

(See Appendix A)

3. ORGANIZATION, STAFFING, AND STRUCTURE

Agency Administrator

Najee Zarif, Director
San Joaquin County – Public Works Department
Phone: (209) 468-3100
Email: nzarif@sjgov.org

The Agency Administrator is ultimately 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 Agency Administrator has assigned the duties of a Title VI Coordinator to the Deputy Director of Administration, and they ensure implementation of agency's Title VI program.

Title VI Coordinator

Kristi Rhea – Deputy Director of Administration
San Joaquin County – Public Works Department
Phone: (209) 468-0328
Email: krhea@sjgov.org

The Title VI Coordinator is responsible for:

- Overseeing Title VI program implementation
- Submitting a Title VI plan and annual reports on the agency's behalf
- Developing procedures for the prompt processing and disposition of complaints
- Processing complaints, compiling a complaint log, and reporting to Caltrans
- Developing procedures for the collection and analysis of statistical data
- Developing a program to conduct Title VI reviews of program areas
- Conducting annual Title VI assessments of pertinent program areas
- Developing Title VI information for dissemination
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary

(Org chart found in appendix B)

4. TITLE VI NOTICE TO THE PUBLIC

SJCDPW has developed a Title VI notice to the public. It is available in both English and Spanish, and is available at our front counter, on our public website, and the notice is attached in Appendix C.

5. TITLE VI TRAINING

San Joaquin County Human Resources provides all County employees training on what Title VI is, how the Title VI program is implemented to meet federal requirements, and what steps to take for handling Title VI complaints, as well as language interpretations (verbal)/translation (written) requests. This training is part of the mandatory “Harassment & Discrimination Prevention” training required to be retaken every two years.

6. TITLE VI COMPLAINT PROCEDURES

SJCDPW TITLE VI COMPLAINT PROCEDURES

SJCDPW, under Title VI of the Civil Rights Act of 1964, ensures “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.” Related federal statutes and state law further discrimination protections to include sex, disability, religion, sexual orientation, age, and Limited English Proficiency (LEP). This prohibition applies to all branches of SJCDPW, its contractors, consultants, and anyone else who acts on behalf of SJCDPW.

SJCDPW will make every effort to ensure nondiscrimination in all its services, programs, and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin (including LEP).

How to file a complaint:

Any person who believes they have been discriminated against based on race, color, or national origin by SJCDPW or a sub-recipient, may file a Title VI complaint by completing and submitting a SJCDPW Title VI Complaint Form.

The "Title VI Complaint Form" is available online in English and Spanish at http://www.sjgov.org/department/pwk/home/title_vi (see Appendix E) and should be used to detail the complaint but is not mandatory. A complaint form may be downloaded and mailed to the address below, or you can request a form by calling (209) 468-3000.

All written complaints may be mailed to:

San Joaquin County Public Works
ATTN: Title VI Coordinator
PO Box 1810
Stockton, CA 95201

Or emailed to:

SJCPW.TitleVI@sjgov.org

SJCDPW processes complaints received no more than 180 days after the alleged incident. SJCDPW will only process complaints that are complete, which include the complainant's contact information, details of the alleged discrimination, and the complainant's signature.

Once the Title VI complaint is received, SJCDPW will determine which federal administering agency has jurisdiction to investigate/process the complaint. Per the Federal Highway Administration (FHWA) Guidance Memorandum, Processing of Title VI Complaints, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to the FHWA Division Office. Complaints should be sent within one business day of receipt via email to Title.VI@dot.ca.gov. If the Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.

A person may also file a complaint directly with:

Federal Highway Administration

U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE 8th Floor E81-105
Washington, DC 20590

Caltrans

Office of Civil Rights
Attention: Title VI Branch
P.O. Box 942874, MS 79
Sacramento, CA 94274

7. TITLE VI COMPLAINT LOG

All complaints alleging discrimination based on race, color or national origin will be recorded in our internal log.

The log will include:

- Complaint filing date
- Allegation summary
- Completeness of complaint
- Jurisdiction
- Investigation status and findings
- Resolution or corrective action

8. PUBLIC PARTICIPATION PLAN

The purpose of public participation is to help ensure that the citizens of San Joaquin County are kept informed and involved in SJCDPW's various programs, projects, and activities. SJCDPW is committed to ensuring it serves the citizens of San Joaquin County by delivering efficient, responsive and cost-effective public works services that protect and enhance their safety, health and quality of life. SJCDPW values public participation and encourages involvement by the community. Some outreach strategies implemented by SJCDPW in an effort to provide equal access to up-to-date information are listed below.

- **TITLE VI PROGRAM INFORMATION:** The Title VI Plan, Notice to the Public, Title VI Policy Statement, complaint process and forms are posted on our website at http://www.sjgov.org/department/pwk/home/title_vi. Also, the Notice to the Public and the Title VI complaint forms are available at the front counter at 1810 E. Hazelton Avenue, Stockton, CA 95205.
- **SJCDPW WEBSITE:** SJCDPW maintains a well-organized website that is accessible to the public. The website provides information regarding the different divisions within Public Works, news & events, online services, downloadable materials, County road closures, policies and program information, etc. The site is also available in multiple language translations via Sitefinity translator widget.
- **SOCIAL MEDIA:** SJCDPW employs multiple social media platforms such as Facebook, Instagram, Linked In, and (Government Agency) Nextdoor to disseminate information to the public on events, programs, news, advisories, construction project information, etc. These platforms

have allowed SJCDPW to widen our reach and provide up-to-date information to our constituents.

- **PUBLIC MEETINGS:** Any meetings that are open to the public are published on SJCDPW's website and social media platforms, as appropriate. Public meetings will be held in locations that are accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with limited English proficiency.

9. LANGUAGE ACCESS PLAN

In accordance with Executive Order 13166, "Improving Access to Services For Persons with Limited English Proficiency", SJCDPW has developed an evaluation and implementation program to ensure that Limited English Proficiency (LEP) persons who are served by Federal-aid programs administered by SJCDPW are provided, free of charge, meaningful access to programs, services, and information without unduly burdening the fundamental activities of SJCDPW.

(The LAP is attached as Appendix D)

10. PRIMARY DESCRIPTIONS & INTERNAL REVIEW

SJCDPW engages in the following program areas that have individual internal review processes as listed.

CONSULTANT CONTRACT ACTIVITIES

- Consultant Selection Process: SJCDPW shall ensure free and open competition without regard to race, color, national origin, sex, age or disability through uniformity in solicitations for Request for Proposals and or Request for Qualifications, advertisement, and selection processes. All Architectural and Engineering consultant contracts are awarded based on open and competitive negotiations, demonstrated competence, and professional qualifications.
- Title VI Assurances and Provisions: Title VI assurances and provision language are included in all federally funded consultant services contracts. Monitoring is performed by utilizing checklists when preparing bid documents and contracts to ensure compliance with current laws and regulations.

DESIGN/ENVIRONMENTAL REVIEW PROCESS

SJCDPW has primary responsibility for assuring that the determination of environmental effects and any resulting impacts and mitigative measures are executed in accordance with Title VI. This process requires consideration of social, economic, and environmental effects of a proposed project on identified groups, when appropriate, to identify potential Title VI issues. This process also provides for the protection and enhancement of the environment. During the review process, adequate time will be given for appropriate review and comments, as applicable, on draft EIS/EA to ensure there are no violations of the Federal Civil Rights Act, as amended.

RIGHT OF WAY ACTIVITIES

SJCDPW's Real Property Division is responsible for managing and coordinating the appraisals and acquisition of real property for SJCDPW. In carrying out this mission, it also provides relocation assistance to people and businesses displaced by a project. The Right of Way (RoW) acquisition process entails appraisal of property, negotiation of terms and conditions for acquisitions, and assistance in the relocation of displaced individual, business, farm operations, nonprofit organizations, and property management.

The Real Property division monitors activities to ensure equitable treatment of all beneficiaries of the program and ensures equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements.

CONSTRUCTION ACTIVITIES

SJCDPW is responsible for planning, designing, funding, operating and maintaining the County Road System, bridges, drainage and other related infrastructure. SJCDPW administers several construction phase aspects of projects that include design engineering, construction management and construction administration.

SJCDPW includes DBE provisions in projects with assigned goals, reviews and ensures all bid announcements, specifications, and construction contracts include the required standard contract provisions (Form FHWA 1273) which notifies contractors of their Title VI obligations on Federal Aid Projects. Further, construction information regarding DBE participation for the Annual Title VI Report is provided to the Title VI Coordinator.

11. APPENDICES

APPENDIX A – DOT 1050.2A TITLE VI ASSURANCE

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The San Joaquin County Department of Public Works (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 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 **Programs**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all federally assisted programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"San Joaquin County Department of Public Works, 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, 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 Recipient 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 Recipient 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 Recipient. You must keep records, reports, and submit the material for review upon request to the Recipient, 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 Recipient 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 Recipient. This ASSURANCE is binding on California, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the federally assisted programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

San Joaquin County Department of Public Works
(Recipient)

by 
Director Najee Zarif, P.E., MPA

DATED June 29, 2026

DOT Order No. 1050.2A

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 Non-discrimination 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. canceling, 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.

DOT Order No. 1050.2A

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 San Joaquin County Department of Public Works (SJCDPW) will accept title to the lands and maintain the project constructed thereon in accordance with Federal Highway Administration (FHWA), the Regulations for the Administration of all federally funded programs, 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 SJCDPW 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 SJCDPW 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 SJCDPW, its successors and assigns.

SJCDPW, 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 SJCDPW 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, Non-discrimination 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-enter said 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

DOT Order No. 1050.2A

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 San Joaquin County Department of Public Works (SJCDPW) 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, SJCDPW 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, SJCDPW 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 SJCDPW 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.)

DOT Order No. 1050.2A

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 San Joaquin County Department of Public Works (SJCDPW) 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, SJCDPW 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, SJCDPW will there upon revert to and vest in and become the absolute property of SJCDPW 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.)

DOT Order No. 1050.2A

APPENDIX E

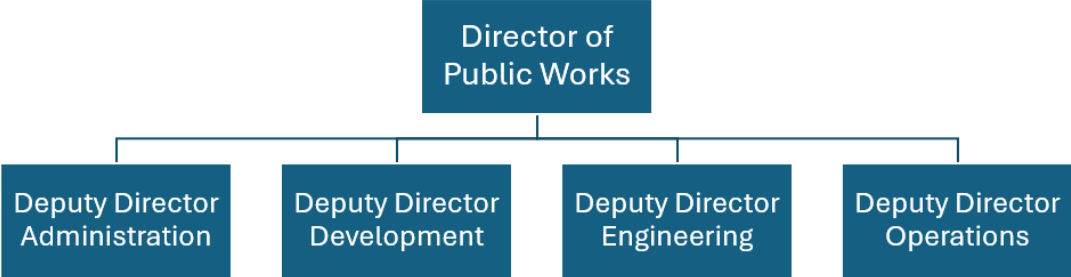
During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

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.), (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).

APPENDIX B – ORG CHART



APPENDIX C – NOTICE TO THE PUBLIC

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

San Joaquin County Department of Public Works (SJCDPW) operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any SJCDPW program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with SJCDPW or the California Department of Transportation (Caltrans).

The "Title VI Complaint Form" should be used to detail the complaint. The online submission form can be found on our website at http://www.sjgov.org/department/pwk/home/title_vi, or a hard copy of our complaint form may be found in our lobby and mailed to the PO Box below.

Mailing address:

SJC Public Works
ATTN: Title VI Coordinator
PO Box 1810
Stockton, CA 95201

APPENDIX D – LANGUAGE ACCESS PLAN

San Joaquin County Department of Public Works (SJCDPW) Plan for Special Language Services to Limited English Proficient (LEP) Populations

Introduction:

Presidential Executive Order 13166 requires federal agencies to implement measures to ensure that people who speak limited English have meaningful access to programs and activities that are conducted and/or funded by the federal government, consistent with Title VI of the Civil Rights Act of 1964. Both the U.S. Department of Transportation (US DOT) and Federal Transit Administration (FTA) have implemented guidance or directives in furtherance of Executive Order 13166.

In compliance with guidance and rules issued by US DOT, and Title VI of the Civil Rights Act of 1964, SJCDPW continues to take reasonable steps to ensure that all persons have meaningful access to its programs, services, and information, at no additional cost. This document is SJCDPW's Plan for Special Language Services to Limited English Proficient (LEP) Populations, referred to as the LEP Plan. In order to prepare this LEP Plan, SJCDPW undertook the US DOT's four-factor LEP analysis, which considers the following:

1. The number and proportion of LEP persons served or encountered in the eligible service population
2. The frequency with which LEP persons come in contact with SJCDPW programs, activities or services
3. The importance to LEP Persons of SJCDPW's program, activities and services
4. The resources available to SJCDPW and overall cost to provide LEP assistance.

SJCDPW's service area includes the unincorporated areas of San Joaquin County. The population is diverse, with a portion speaking a language other than English.

Part 1: Determination of Need

Factor 1: Number and proportion of LEP persons served or encountered.

The following tables, drawn from Census.gov identify those who speak English "less than very well" as Limited English Proficient persons.

The table below shows the ability to speak English and languages spoken at home for persons five years of age and older. The table further reflects that Spanish-speaking is the only population representing more than 5 percent of any individual population that is identified as not speaking English "very well".

San Joaquin County, California		
Label	Estimate	Less than 'Very Well'
Total:	766,389	
Speak only English	420,372	
Spanish:	213,638	
Speak English "very well"	124,383	
Speak English less than "very well"	89,255	12%
French, Haitian, or Cajun:	1,597	
Speak English "very well"	1,591	
Speak English less than "very well"	6	0%
German or other West Germanic languages:	659	
Speak English "very well"	586	
Speak English less than "very well"	73	0%
Russian, Polish, or other Slavic languages:	820	
Speak English "very well"	582	
Speak English less than "very well"	238	0%
Other Indo-European languages:	48,208	
Speak English "very well"	28,909	
Speak English less than "very well"	19,299	3%
Korean:	729	
Speak English "very well"	451	
Speak English less than "very well"	278	0%
Chinese (incl. Mandarin, Cantonese):	5,764	
Speak English "very well"	2,788	
Speak English less than "very well"	2,976	0%
Vietnamese:	7,021	
Speak English "very well"	2,138	
Speak English less than "very well"	4,883	1%
Tagalog (incl. Filipino):	27,129	
Speak English "very well"	17,322	
Speak English less than "very well"	9,807	1%
Other Asian and Pacific Island languages:	33,683	
Speak English "very well"	21,961	
Speak English less than "very well"	11,722	2%
Arabic:	2,195	
Speak English "very well"	1,835	
Speak English less than "very well"	360	0%
Other and unspecified languages:	4,574	
Speak English "very well"	4,165	
Speak English less than "very well"	409	0%

Factor 2: Frequency of LEP populations' contact with programs, activities, services. SJCDPW's experience with LEP populations has been primarily with Spanish speakers. Some meetings have been conducted with simultaneous translation into Spanish provided.

Factor 3: Importance to LEP population of programs, services, and activities. Some of SJCDPW's programs have an immediate reach, including public meetings and public hearings conducted in accordance with Proposition 218. Public meetings routinely include support for languages other than English.

Factor 4: Resources available to SJCDPW and overall cost to provide LEP assistance. Though SJCDPW does not offer programs for people to enroll in, the department has offered translation services upon request for community workshops. Several on-site staff members speak Spanish, and there is normally at least one available during business hours. There are some SJCDPW staff members proficient in Spanish to assist with translating written materials, or outside translation services are procured.

[Part 2: Implementation Plan on Language Assistance](#)

Identifying LEP persons who need language assistance

As noted above, the most significant group requiring language assistance has been the Spanish speaking population. SJCDPW continues to monitor the needs of LEP persons, and to design its communications and public participation efforts to include people regardless of language barriers.

[Part 3: Training staff](#)

A number of SJCDPW employees possess multi-lingual skills. Agency training and internal planning will continue to note the need to consider persons with limited English proficiency in communicating information and providing or partnering for language assistance for LEP persons to support and encourage their participation in community events.

[Part 4: Providing notice to LEP persons](#)

SJCDPW will continue to inform the public and LEP persons of their rights under Title VI in a number of ways:

- Notification of Title VI rights on SJCDPW's website in English and Spanish with automatic translation of all pages based on the user's browser language preferences.
- Complaint procedures and forms translated into Spanish that are posted on SJCDPW's website and available through SJCDPW's offices.

[Part 5: Monitoring/Updating the plan](#)

While maintaining a basic level of access by LEP populations to SJCDPW information and services, and public input opportunities into key planning

decisions, SJCDPW will monitor demographic shifts and translation requests and adjust practices to meet demand. SJCDPW's LEP Plan will be updated periodically as needed to reflect significant changes.

APPENDIX E – COMPLAINT FORM

SAN JOAQUIN COUNTY PUBLIC WORKS TITLE VI COMPLAINT FORM

Title VI is a statutory provision of the Civil Rights Act of 1964. Title VI requires 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 subjected to discrimination under any program or activity receiving Federal assistance." [42 U.S.C§2000d]

If you believe you have been discriminated against because of your race, color, or national origin, you may file a written Title VI complaint within 180 days of the alleged discriminatory act(s). To do so, you may complete this form (attach any additional pages, if necessary) and submit it to the Title VI Coordinator. Any person requiring a reasonable accommodation may contact the Title VI Coordinator to obtain assistance in filing a complaint. Contact information is provided at the end of this form.

Complainant Information:

Name: _____
Address: _____
Telephone: _____
Email: _____
What is the most convenient method and time for us to contact you about this complaint?

Person Discriminated against (If someone other than complainant)

Name: _____
Address: _____
Telephone: _____
Email: _____

Basis of Discriminatory Action(s):

Check the box(es) for the type(s) of discrimination you allege to have experienced.

- Race National Origin Color Sex Sexual Orientation
 Religion Gender Identity Age Disability Other

Date and Location of alleged discriminatory action(s):

Date Location

SAN JOAQUIN COUNTY PUBLIC WORKS TITLE VI COMPLAINT FORM

Explain, as clearly as possible, what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently than you.

Have you filed, or do you intend to file, a charge or complaint regarding the matters raised in this complaint with any federal agency, State agency, federal court, or State court?

Yes No

If yes, check which and provide contact information at the agency/court

<input type="checkbox"/> Federal agency:	<div style="border: 1px solid black; height: 25px;"></div>
<input type="checkbox"/> State agency:	<div style="border: 1px solid black; height: 25px;"></div>
<input type="checkbox"/> Federal court:	<div style="border: 1px solid black; height: 25px;"></div>
<input type="checkbox"/> State court:	<div style="border: 1px solid black; height: 25px;"></div>

Please provide any additional information that you believe would assist in the investigation.

Complainant's Signature

Date:

Please submit the completed form and any attachments to the Title VI Coordinator:
San Joaquin County Public Works Department
ATTN: Title VI Coordinator
1810 E. Hazelton Avenue
Stockton, CA 95205
Email: SJCPW.TitleVI@sjgov.org