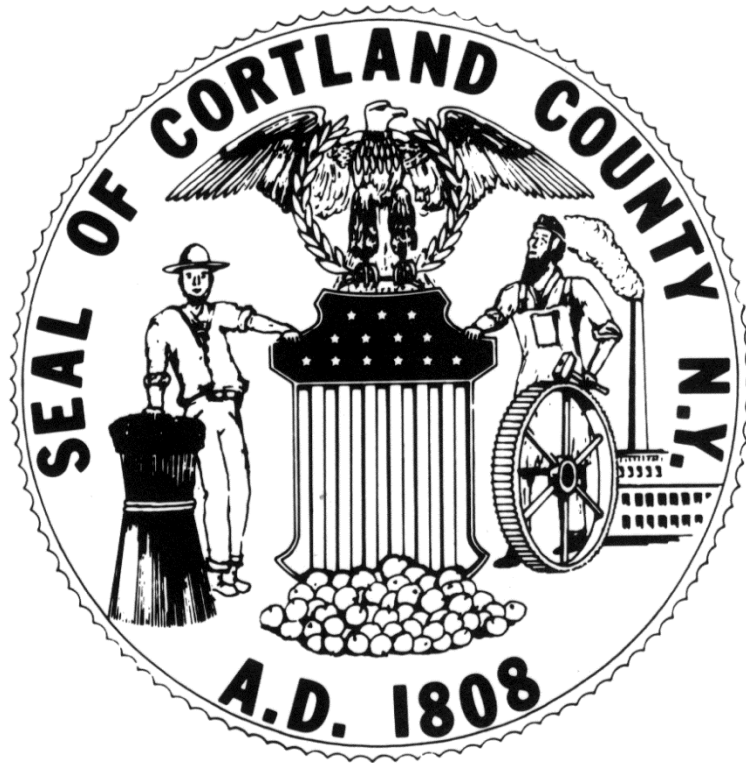


Cortland County

Public Transportation System



TITLE VI PLAN

Adopted by Cortland County Legislature, September 23, 2021

Cortland County Public Transportation System Title VI Plan

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI 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 rejected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C. Section 2000d).

Cortland County Planning Department is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1A.

This plan was developed to guide Cortland County and its private transit operator in its administration and management of the Title VI as related to Cortland County’s public transit services.

II. Title VI Information Dissemination

Cortland County and its private transportation provider provide information to the public regarding the Public Transportation Title VI Policy and Procedures.

A notice (a copy is attached) with the Title VI information has:

- A statement that no person, on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subject to discrimination in utilizing its public transportation system.
- A description of the procedure to request additional information on the County’s non discrimination obligations. The notice contains the contact information of the County Title VI Officer.
- The contact information for filing a direct complaint with the Federal Transportation Administration.

The Notice and Complaint Procedures are attached which describe the process of filing a complaint and the County’s responsibilities to the handling of that complaint.

- The Cortland County Transportation system operates its programs and services without regard to color, race, or national origin in all accordance with Title VI of the Civil Rights Act of 1964. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Cortland County Planning Department.
- For more information on the Cortland County Transportation Systems Civil Rights program, and the procedures to file a complaint, contact the Cortland County Planning Department's website at www.cortland-co.org, or email mpotter@cortland-co.org, or call (607) 753-5043 or mail to Cortland County Planning Department, Title VI Officer, 60 Central Ave., Cortland, NY 13045.
- A complaint may be filed directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- If information is needed in another language, contact (607)-753-5043

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from Cortland County through the Cortland County Planning Department where funding originates from any Federal Transportation assistance are subject to the provisions of the Title VI or 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.

IV. Record Keeping

The Public Transportation Title VI Officer will maintain permanent records, which include, copies of the Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

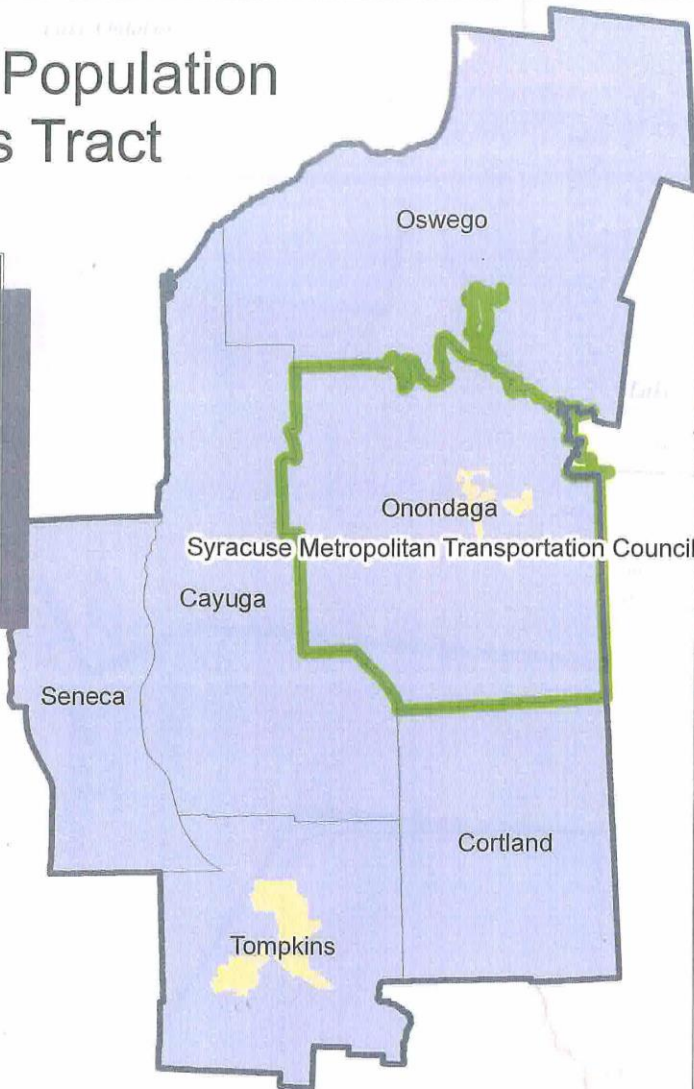
V. Limited English Proficiency (LEP) Plan

A limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining private transit operator's extent of obligation to provide LEP services, the Cortland County Planning Department undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

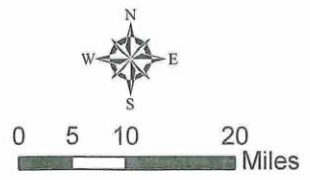
- The number or proportion of LEP persons eligible in the private transit operator's service area and those who may be served or likely to encounter the private transit operator's service.
- The frequency with which LEP individuals come in contact with a private transit operator's service
- The nature and importance of the service provided by the private transit operator to the LEP population
- The resources available to the private transit operator and overall cost to provide LEP assistance.

According to the Census data Cortland County has no significant LEP population at this time. (See attached Region 3 LEP Population by Census Map)

Region 3 LEP Population by Census Tract



Region 3
Syracuse Metropolitan Transportation Council
Not a significant LEP population
Significant LEP population



Data Source: ACS Data, 2005-9 5 year survey compilation,
Copyright US Census Bureau and used under General Public Permission

VI. Environmental Justice Program

Responsible Person: Melissa Potter, Mobility Manager, Cortland County Planning Department

If it is pertinent at the time to any public transportation federal funding, Cortland County shall integrate the goals of the U.S. Order of Environmental Justice into any transit construction projects that require a documented Categorical Exclusion (CE), and Environmental Assessment (EA), or an Environmental Impact Statement (EIS). The County will integrate an environmental justice analysis into the NEPA documentation of construction projects for any documented CE, any EA, and any EIS. The analytical information will include:

- A description of the low-income and minority population within the area affected by the project, and a discussion of the method used to identify these populations.
- A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations.
- A discussion of all positive effects that would affect the identified minority and low-income populations; a description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effects.
- A discussion of the remaining effects, if any, and why further mitigation is not proposed.
- A comparison of mitigation and environmental enhancement actions that affect predominately low-income and minority areas with mitigation implemented in predominately non-minority and non-low income areas.

VII. Community Outreach

Cortland County receives federal assistance in its efforts to commence studies to explore possible service expansion through possible coordination with other public transit agencies, review new funding options and sustainability of service. The public is invited to participate in the process whether through public meetings or surveys.

Cortland County has a Transportation Advisory Committee (TAC) which includes several agencies with the County, including but not limited to DSS, Veterans, Access to Independence, SUNY Cortland, Area of the Aging, TC3 Community College, Catholic Charities, CAPCO, OCM BOCES, JM Murray Center, Seven Valleys Health Coalition, Cortland Career Works, and Finger Lakes Independence Center.

When a new service is proposed it is taken before the Transportation Advisory Committee (TAC) to discuss the feasibility of extending the service. Meetings are scheduled every other month, unless otherwise needed.

VIII. Disadvantaged Business Enterprise/Equal Employment Opportunity

Cortland County is responsible for ensuring that Disadvantage Business Enterprises are provided the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part with federal funds. In addition, Cortland County will not discriminate on the basis of race, color, national origin, or sex in the award and performance of FTA-assisted contracts.

In compliance with US Department of Transportation (DOT) 49 CFR Part 26, where Cortland County Transportation receives more than \$250,000 in FTA funds, excluding bus procurements, Cortland County includes New York State and US Government clauses in all contracts with contractors and/or subcontractors which include the DBE and EEO clauses. All contracts with contractors and/or subcontractors are filed with NYSDOT.

When submission of a DBE Plan is not required the following steps are taken to assure opportunity to compete for and perform contracts and subcontracts financed in whole or in part with federal funds to Disadvantage Business Enterprises.

1. Good faith efforts are made to ensure participation – As required good faith efforts will be performed to ensure a level playing field is provided. Upon request all recent good faith effort activity will be provided in a format similar to that described in Appendix 2;
2. Current listing of DBE firms – The grantee will maintain and produce, upon request, a current listing of qualified DBE firms and locations (websites, etc) it utilizes to find and reach out to DBE firms;
3. A procedure in place to ensure work is performed - Once contracts are engaged the grantee, in cooperation with the prime or subprime contractors, will work with DBE firms to ensure success towards meeting their commitments. This includes regular oversight and review of work performed by the prime, subprime and DBE subcontractors. Additionally, prime contractors are required to submit invoices with documentation confirming the level of participation and payments to subcontractors and DBE's.
4. Complaint procedures – The complaint procedures found in this document serves as the process for filing a complaint.
5. Listing of any complaints received, current status and resolution if applicable – All complaints are documented and filed for future reference and available upon request.
6. The grantee will continue to work to obtain the participation of DBEs by developing solicitations that meet requirements. For more information regarding the DBE program please contact: Melissa Potter, M.P.H, Mobility Manager, Cortland County Planning Department, 60 Central Avenue, Cortland, New York 13045.

IX. Equal Employment Opportunity

When applicable, Cortland County will comply with all Equal Employment Opportunity requirements which include receiving capital assistance in excess of 1 million or planning assistance in excess of \$250,000 and having more than 50 transit employees. If Cortland County Transportation meets any of these requirements Cortland County will need to ensure that an EEO program is implemented and provide updates every three years to NYSDOT to ensure compliance. Cortland County will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or handicap. Cortland County assures to take affirmative action to ensure that applicants are employed and that employees are treated during employment without regards to race, color, creed, national origin, sex or age and post in a conspicuous area and make available to employees and applicants for employment notices setting forth an EEO policy. Cortland County includes New York State and US Government clauses in all contracts with contractors and/or subcontractors which include the DBE and EEO clauses. All contracts with contractors and/or subcontractors are filed with NYSDOT.

X. Title VI Complaint Procedures

Title VI Complaint Procedures (Appendix 1) area attached.

XI. Service Standards

Vehicle Load: Cortland County establishes a vehicle load (ratio of passengers to the number of seats on a vehicle) of 1.0 for all vehicles and bus routes at all times.

Vehicle Headway: For the more densely populated areas in and around the City of Cortland, the maximum vehicle headway (amount of time between vehicles travelling in the same direction on a given line or combination of lines) shall be established at one half hour. For the more rural areas outside the City of Cortland, the maximum vehicle headway shall be established at nine hours.

On Time Performance (a measure of runs completed as scheduled): Cortland County considers “on time” to be any run that is completed within zero and five minutes late in comparison to the established schedule. Cortland County establishes a rate of 90% of all runs system-wide be completed within the on-time window. The most likely reason for a late run is expected to be runs that involve deployment of the wheelchair lift to aid a disabled passenger.

Service availability (a general measure of distribution of routes within a transit provider’s service area): In the City of Cortland, Cortland County shall provide routes such that 100% of the population lives within approximately one third mile of an established route. In the rural areas of the County, Cortland County shall provide routes that service the most densely populated portions of the County, including all three Villages, with the maximum distance from routes to unserved areas being seven miles.

XI. Service Policies

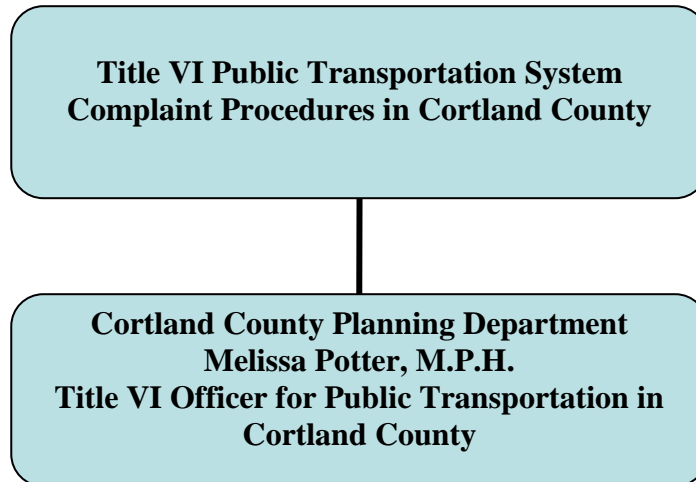
Distribution of transit amenities for each route: Cortland County deploys bus shelters at City bus stops that serve the greatest number of passengers, and strives to establish rural stops at locations where passengers have an opportunity to wait in areas covered from the elements.

Vehicle assignment (the process of which transit vehicles are placed into service in depots and on routes throughout the transit provider's system): Cortland County only has one depot, and strives to rotate vehicles among the routes unless a particular route demands a vehicle with a greater seating capacity.

Appendix 1

**Cortland County Public Transportation System
Title VI Compliant Procedures**

Cortland County Planning Department and its private transit operator provide information to the public regarding their Title VI obligations, apprise the public of the protections against discrimination.



Cortland County Planning Department manages FTA grants provided to the Cortland County's private transit operator. The Cortland County Planning Department also manages FTA grant provided to third party contractors. All complaints are filed with the Cortland County Planning Department, Title VI Officer who investigates and resolves all complaints.

Any person may file a Title VI complaint with the Cortland County Planning Department in regards to the public transportation system within Cortland County. Contact information is Cortland County Planning Department, Title VI Officer, 60 Central Avenue, Cortland, NY 13045.

**Public Transportation Title VI Notice and Complaint Procedures
Cortland County Planning Department**

A. Policy

The Cortland County Public Transportation System does not discriminate against individuals based on race, color, religion, national origin, age, sex, disability (physical or mental impairment), genetic pre-disposition or carrier status, creed, arrest/convictions, marital status, sexual orientation, military status, and/or retaliation, in its public transportation system and will provide reasonable accommodations to individuals with a disability or Limited English Proficiency (LEP) who require such to benefit from our services.

B. Additional Information about Nondiscrimination

Title VI Public Transportation Officer will provide additional information about its obligations to not discriminate in providing public transportation services within Cortland County, under Federal, New York State and County Law, to members of the public upon written request to:

Melissa Potter, M.P.H.
Public Transportation Title VI Officer
Cortland County Planning Department
60 Central Avenue
Cortland, New York 13045
Phone: (607) 753-5043

C. Complaint Process – Filing a Complaint

1. Who may file a complaint: Anyone who believes that they have been subjected to discrimination may file a complaint. An authorized representative may be designated to file a complaint on the behalf of the complainant.
2. Where and who to file with: A complaint may be filed with Melissa Potter MPH, Public Transportation Title VI Officer.
3. Content of Complaint: The complaint must be in writing and signed by the complainant or their designated representative. The complaint must contain the following:
 - a) Your full name, address, and telephone number, and the name of the party discriminated against.
 - b) The name of the agency, organization, or institution that you believe has discriminated
 - c) A description of the act or acts of discrimination, the date or dates of the discriminatory acts, and the name or names of the individuals who you believe discriminated; and other information that you believe Sign and send the letter to:

Melissa Potter, M.P.H
Public Transportation Title VI Officer
Cortland County Planning Department
60 Central Avenue
Cortland, New York 13045
Phone: (607) 753-5043

4. If complainant needs assistance to write the complaint and are unable to locate someone to assist them, Public Transportation Title VI Officer will, upon request, assist you in locating an advocate or representative who is not associated with Cortland County or the third party provider to assist you.
5. Within 10 working days of having received the complete complaint the Public Transportation Title VI Officer will meet with you personally or by telephone to TTY. The purpose of the meeting will be to resolve the complaint. If an auxiliary aid or service at the meeting (i.e, interpreter, reader, large print, Braille materials, or cassette tape) is needed, a complainant or their designated representative must let the Public Transportation Title VI Officer know in advance so he or she may effectively communicate with them.
6. Within 15 calendar days of the meeting, the Public Transportation Title VI Officer will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Public Transportation Title VI Officer and offer options for substantive resolution of the complaint.
7. If the response does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Public Transportation Title VI Officer at the same address. Within 15 calendar days after the receipt of the appeal, the Public Transportation Title VI Officer will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Public Transportation Title VI Officer will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
All written complaints, appeals to the Public Transportation Title VI Officer, and responses will be retained by the Cortland County Planning Department for at least 5 years.
8. Federal Complaint Procedures for Public Transportation Services:
The Cortland County Planning Department administers Federal Transit Administration funding for public transportation services operated within Cortland County by the public transit operator. Non-discrimination based on issues involving race, color, national origin, sex, age or disability in public transportation is protected under Title VI and related Federal statutes. Therefore, there is a Federal Title VI complaint procedure for public transportation services receiving Federal funding in Cortland County. Filing a complaint directly with the Federal Transit Administration is an alternative to using the Cortland County Public Transportation Title VI Officer process.

1. Applicability

The complaint procedures apply to the beneficiaries of the U.S. Department of Transportation's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants and other sub-recipients of Federal funds.

2. Eligibility

Any person who believes that he/she has been excluded from participation in, denied benefits or services of any public transportation program or activity administered by the Public Transportation System within Cortland County or is sub recipients, consultants, and contractors on the basis of race, color, national origin, sex, age, or disability may file a complaint of discrimination under Title VI and related statutes.

3. Where to File and Time Limitation

Complainants may file their initial Title VI complaint, or appeal a Public Transportation Title VI Officer's decision of a Title VI complaint, directly with the:

Title VI Program Coordinator
FTA Office of Civil Rights
East Building, 5th Floor – TCR
1200 New Jersey Ave
S.E. Washington, D.C. 20590

Or via their website <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

Complaints must be filed no later than 180 days after:

The date of the alleged act of discrimination; or

The date when the person(s) became aware of the alleged discrimination; or

Where there has been a continuing course of conduct; the date on which the conduct was discontinued.

How to file Complaints

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints must be in writing and signed by the complainant. Complaints must include the complainant's name, address and phone number and be detailed to specify all issues and circumstances of the alleged discrimination.

Complaint Basis

All Title VI allegations must be based on issues involving race, color, national origin, sex, age or disability.

9. Reasonable Accommodations

The Cortland County Planning Department in regards to the Cortland County Public Transportation System provides reasonable accommodations for person with Limited English Proficiency (LEP) and persons with disabilities (physical or mental illness).

The Cortland County Planning Department in regards to the Cortland County Public Transportation System may deny accommodations, when a person, after being given reasonable opportunity fails or refuses to comply with the request to provide appropriate documentation where the disability is not readily apparent.

The Cortland County Public Transportation System provides its transit services to ensure equal opportunities for individuals with disabilities or LEP. The Public Transit system in Cortland County provides special benefits to people with disabilities but people with disabilities cannot be compelled to participate in those programs in accordance with the requirements of the Title II of the American Disabilities Act of 1990 (“ADA”).

Appendix 2

Guidance Concerning Good Faith Efforts

Good Faith Efforts procedures must be documented on contracts utilizing federal funds that have an established DBE goal. Award requires a bidder/offeror be able to show good faith efforts were performed to meet the goal. A good faith effort is defined as one where the bidder:

- 1. Documents that it has obtained enough DBE participation to meet the goal; or*
- 2. Documents adequate good faith efforts, even though it did not meet the goal.*

This appendix “Guidance Concerning Good Faith Efforts” provides grantees with suggested types of actions they should perform/document to demonstrate good faith efforts.

These efforts must be active steps, which could reasonably be expected to lead to sufficient DBE participation to meet the contract DBE participation goal. Good Faith Efforts require that the bidder consider all qualified DBEs, who express an interest in performing work under the contract. This means that the bidder cannot reject a DBE as unqualified unless the bidder has sound reasons based on a thorough investigation of the DBE’s capabilities. Further, the DBE’s standing within its industry, membership in specific groups, organizations or associations and political or social affiliation (for example, union vs. non-union employee status) is not legitimate causes for the rejection or non-solicitation of bids in the Contractor’s efforts to meet the contract DBE participation goal.

The following, which is not all inclusive, list types of actions which indicate good faith efforts on the part of a bidder to meet the DBE goal. The extent and type of actions required will vary depending on such things as industry practice; the time available for submitting a bid and the type of contract.

- 1. Attendance at a pre-bid meeting, if any, scheduled to inform DBEs of subcontracting opportunities under a given solicitation.*
- 2. Advertisement in general circulation media, trade association publications, and minority-focus media.*
- 3. Written notification to capable DBEs that their interest in the contract is solicited.*
- 4. Documentation of efforts to negotiate with DBEs for specific sub-contracts including at a minimum:*
 - a. The names, addresses, and telephone numbers of DBEs contacted and the date.*
 - b. A description of the information provided to DBEs.*
 - c. A statement explaining why additional agreements with DBEs were not reached.*
- 5. For DBE bidders contacted but rejected as unqualified, the reason for that conclusion.*

6. *Documentation of efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the bidder.*
7. *Documentation of efforts to utilize the services of small business organizations, community and contractor groups to locate qualified DBEs.*
8. *Documentation that the bidder has broken out contract work items into economically feasible units in fields where there are available DBE firms to perform the work.*
9. *Evidence that adequate information was provided to DBEs about the plans, specifications and requirements of the contract, and that information was communicated in a timely manner.*

Documentation of any efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.