



## Title VI Plan for CDOT FHWA Subrecipient

Adopted: September 26, 2023

  
Chair

  
Vice-Chair

  
Commissioner

- I. **Nondiscrimination Policy Statement:** La Plata County prohibits discrimination based on race, color, national origin, sex, disability, or age in its services, programs or activities, and no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of La Plata County as provided by Title VI of the Civil Rights Act of 1964 ("Title VI") and related statutes.

This policy applies to all operations of the Public Works Department of La Plata County, as well as its contractors or other agents and any agency to which La Plata County extends federal financial assistance for roadway construction and maintenance and control. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

- II. **Prohibited Discrimination:** 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: (1) denial to an individual any service, financial aid, or other benefit; (2) distinctions in the quality, quantity, or manner in which a benefit is provided; (3) segregation or separate treatment; (4) restriction in the enjoyment of any advantages, privileges, or other benefits provided; and (5) discrimination in any activities related to highway and infrastructure or facility built or repaired.

- III. **Title VI Coordinator:** The Deputy County Manager shall act as the Title VI coordinator and is responsible for administering this policy and ensuring compliance with the provisions of Title VI and related nondiscrimination statutes and regulations. Title VI compliance is a condition of receipt of federal funds, and 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 C.F.R. Part 200 and 49 C.F.R. Part 21. The Title VI Coordinator is responsible for:

- Submitting a Federal Highway Administration (“FHWA”) Title VI Plan and Language Assistance Plan to CDOT;
- Responding to and coordinating with any CDOT Title VI Compliance Reviews;
- Developing Title VI complaint procedures and forwarding any Title VI complaints to CDOT within three (3) business days;
- Reviewing, monitoring, and enforcing Title VI responsibilities within the agency;
- Collecting and analyzing data related to Title VI;
- Ensuring that staff is adequately trained on Title VI policies;
- Disseminating Title VI information to the public, including providing notice and opportunities for public participation;
- Reviewing local directives for Title VI implications;
- Incorporating Environmental Justice principles into programs and activities; and
- Ensuring that the Title VI Plan remains up to date.

IV. **Standard DOT Title VI Assurances:** La Plata County hereby certifies that it has or will annually submit required USDOT Title VI assurances to CDOT, upon request, as part of any applications/submissions for federal funding.

V. **Primary Program Area Descriptions and Review:** La Plata County has identified and reviewed the following highway and transportation program areas and is not aware of any discrimination concerns.

**A. *Roadway Construction, including Right of Way Acquisition:*** Roadway construction projects are undertaken based on assessment of traffic and safety needs in compliance with Title VI and consistent with available funding. Projects are subject to the County’s procurement code, and information about required solicitations for road construction and maintenance projects is published on BidNet for public review. Further, proposed capital projects are identified in the County’s annual budget, which is adopted by the Board of County Commissioners. La Plata County generally contracts with third-parties regarding right-of-way acquisitions and requires contractors to comply with all applicable federal and state regulations regarding right-of-way acquisition. La Plata County is not aware of any discrimination concerns and has not received any discrimination complaints related to any current or past roadway construction projects.

**B. *Road Maintenance and Snow and Ice Control:*** Under La Plata County’s Road Maintenance Program, street conditions are assessed using a standardized method of pavement distress identification in accordance with the American Society for Testing and Materials (ASTM) D6433, and information about this program is available to the public. Every year, at a public hearing, the County adopts by resolution an annual County Road Maintenance Map showing each road in the County’s primary and secondary system and the corresponding level of maintenance of each road as required by La Plata County Code and in order to continue protecting the health, safety, and welfare of the residents of La Plata County. Once adopted, this Map is posted on the County web site. Further, capital road projects are discussed in a public setting with the Board of County Commissioners during the annual budget process and public comments are welcome during that process. A draft copy of the budget is available for public viewing on the County web site, and

comments are welcome prior to formal adoption of the annual budget by the Board.

During spring and summer road maintenance, a monthly schedule of the type of maintenance work and country roads to be worked on is published on the County's web site. Additionally, consistent with the annual County Road Maintenance Map, the County also posts a winter maintenance map showing snow removal priority levels for all maintained roads. La Plata County conducts snow and ice control based on its Snow Removal Priority Levels document, which is available to the public. Priority is based on the type of roadway, e.g., major collector, minor collector, or residential.

La Plata County is not aware of any discrimination concerns and has not received any discrimination complaints related to road maintenance or snow and ice control.

- VI. **Compliance and Enforcement Procedures:** La Plata County is required to investigate, track, and report discrimination complaints to CDOT. Complaints that a La Plata County Public Works program, service or activity excludes or discriminates individuals based on race, color, national origin, sex, disability or age should be filed, in writing, and directed to the La Plata County Title VI Coordinator in the La Plata County Administration Dept., located at 1101 E. 2nd Ave., Durango, CO 81301. Upon request, alternative means of filing complaints, such as personal interviews or an audio recording of the complaint, will be made available for persons with disabilities. The Title VI Coordinator shall investigate the complaint in accordance with La Plata County's established grievance procedure. The Title VI grievance procedure is available from, and may be updated as necessary by, the Title VI Coordinator.

#### Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Public Works service, program or activity because of their race, color, national origin, age, sex, or disability may file a complaint in accordance with this policy.

Discrimination may include lack of access, harassment, retaliation and disparate impacts from a service, program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

#### How do you file a complaint?

Complaints must be filed, in writing, within 180 days from the last date of the alleged discrimination. Complaints may be filed online, by mail, email, fax, or in person.

However, contact the La Plata County Title VI Coordinator if you believe your complaint may fall outside this deadline. Reasonable efforts will be made to assist persons with disabilities,



non-English speakers and others unable to file a written complaint. **For assistance in filing a complaint, please contact La Plata County's Title VI Coordinator.**

La Plata County Title VI Coordinator  
Deputy County Manager  
Address: 1101 E. 2<sup>nd</sup> Avenue, Durango, CO 81301  
Phone: 970-382-6210 Fax: 970-382-6299  
Email: [countyadmin@lpcgov.org](mailto:countyadmin@lpcgov.org) Website: <https://co.laplata.co.us>  
Complaint Form: <https://forms.laplata.co.us/Forms/TitleVI>

Complaints concerning public works and transportation programs may also be filed directly with the following agencies:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
Title VI Coordinator  
2829 W. Howard Place, 4<sup>th</sup> Floor  
Denver, CO 80204  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)  
Phone: (800) 925-3427  
Fax: (303) 952-7088

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5<sup>th</sup> Floor - TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
[FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov)  
Phone: (888) 446-4511

Federal Highway Administration,  
Colorado Division  
12300 West Dakota Avenue, Suite 180  
Lakewood, Colorado 80228  
Phone: (720) 963-3000  
Fax: (720) 963-3001

The Title VI Coordinator is hereby authorized and directed to update the contact information cited above and in the Notice of Rights set forth in Section IX below, as needed. The Title VI Coordinator will note any changes made, and the date of the same, on an appendix to this Policy as needed.

- VII. **Staff Training:** All new employees are required to watch an anti-harassment and inappropriate conduct video within their first month of employment with the County. Further, all employees are required to complete a refresher training once every three years.
- VIII. **Public Participation Plan / Limited English Proficiency ("LEP") Plan:** The Board of County Commissioners governs La Plata County and invites interested parties to attend meetings of the Board to address any concerns they may have related to County services, programs and activities. Meetings are open to the public and advertised on the County's website and in public locations. The Board recognizes the importance of effective and accurate communication between staff and the community members the County service and understands that language barriers can inhibit individuals with limited English proficiency (LEP) from understanding their rights, obtaining information about benefits and accessing the services they

need. As such, the Board has adopted a LEP Policy to establish a language assistance plan to ensure that County employees are able to effectively provide information and services to LEP individuals. This plan is publicly available.

- IX. **Notice of Rights:** A copy of the following Notice of Rights, which may be updated from time to time, is available on La Plata County's Public works webpage and posted at the County's Public Works Office, located at 1365 S. Camino del Rio, Durango, Colorado.

**Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964**

La Plata operates its programs and services without regard to race, color, national origin, sex, age or disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under a La Plata County Public Works service, program or activity related to road and highway construction, maintenance and control programs because of their race, color, national origin, sex, age or disability may file a Title VI discrimination complaint.

To file an FHWA Title VI discrimination complaint, contact:

La Plata County Title VI Coordinator  
Deputy County Manager  
Address: 1101 E. 2<sup>nd</sup> Avenue, Durango, CO 81301  
Phone: 970-382-6210 Fax: 970-382-6299  
Email: [countyadmin@lpcgov.org](mailto:countyadmin@lpcgov.org) Website: <https://co.laplata.co.us>  
Complaint Form: <https://forms.laplata.co.us/Forms/TitleVI>

Title VI complaints related to Federal-aid highway programs may also be filed directly with the following agencies:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
Title VI Coordinator  
2829 W. Howard Place, 4<sup>th</sup> Floor  
Denver, CO 80204  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)  
Phone: (800) 925-3427  
Fax: (303) 952-7088

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5<sup>th</sup> Floor - TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
[FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov)  
Phone: (888) 446-4511

Federal Highway Administration,  
Colorado Division  
12300 West Dakota Avenue, Suite 180  
Lakewood, Colorado 80228  
Phone: (720) 963-3000  
Fax: (720) 963-3001