a program of

NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS

Northwest Regional Transportation Planning Organization

(NWRTPO)

Title VI Plan

FFY2027 Reauthorization: August 12, 2026

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I. Nondiscriminatory Statement of Policy

Introduction

The Northwest Regional Transportation Planning Organization (NWRTPO) is the rural/non-metro transportation planning agency for the counties of San Juan, Cibola and McKinley including the cities of Gallup and Grants, the Village of Milan, the Navajo Nation including Ramah Navajo, the Pueblo of Acoma, the Pueblo of Laguna, the Pueblo of Zuni, and the non-urbanized area of San Juan County in New Mexico. Federal regulations require that an RTPO be designated to carry out a comprehensive, continuing and coordinated transportation planning process for our non-urbanized region. The Northwest New Mexico Council of Governments (NWNMCOG) is the fiscal and administrative agent for the NWRTPO.

Title VI Nondiscrimination Statement of Policy

The NWRTPO is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 2, and all related regulations and directives. NWRTPO assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any NWRTPO program, activity or service.

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 quantity, quality, 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.

Environmental Justice and Limited English Proficiency Policy Statement

NWRTPO is also committed to assure every effort will be made to prevent the discrimination of low-income and minority populations as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations.

In addition, the NWRTPO also assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

Definition of Federal financial assistance and recipients affected

Federal financial assistance is defined as any Federal dollars that are assigned to the NWRTPO to support any program and activity, by way of grant, loan or contract, other than a contract of insurance or guaranty.

Specific Forms of Discrimination Prohibited

NWRTPO efforts to prevent discrimination must address, but are not limited to:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities related to a highway, infrastructure or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

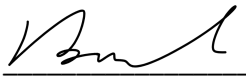
NWRTPO programs and services covered by Title VI

NWRTPO Title VI Plan applies to all of the NWRTPO programs, activities and services, regardless of funding source. Some sections deal with specific requirements (e.g. FTA funded programs).

Authorities

1. 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);
2. Federal-Aid Highway Act of 1973 (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);
3. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability);
5. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), (prohibits discrimination on the basis of disability)
6. The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, 42 U.S.C. § 4601
7. The National Environmental Policy Act of 1969, 42 U.S.C. § 4321;
8. 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation-Effectuation of Title VI Of The Civil Rights Act of 1964);

9. 49 C.F.R. Part 27 (entitled Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance);
10. C.F.R. Part 28 (entitled Enforcement Of Nondiscrimination On the Basis Of Handicap In Program Or Activities Conducted By The Department Of Transportation);
11. 49 C.F.R. Part 37 (entitled Transportation Services For Individuals With Disabilities (ADA));
12. 23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
13. 28 C.F.R. Part 35 (entitled Discrimination On The Basis Of Disability In State And Local Government Services);
14. 28 C.F.R. Part 50.3 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).



08/12/2026

Signed by Chief Administrative Officer or Designee **Date**

Brandon Howe, Deputy Director
Northwest New Mexico Council of Governments

II. Title VI and Environmental Justice – The Public Participation Plan (PPP)

The NWRTPO Public Participation Plan (PPP) describes how our organization communicates and distributes information to the public as well as how the public can interact and provide comments to our organization. The needs of those traditionally underserved by the existing system will be sought and considered by NWRTPO.

Through its public involvement efforts, the NWRTPO will strive to achieve the following Title VI and Environmental Justice (EJ) goals:

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

Title VI states that no person shall, on the ground of race, color, or national origin be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The NWRTPO will ensure that the input and feedback from all people will be considered in the development of NWRTPO planning documents and activities.

EJ concerns and goals should be considered throughout all public engagement efforts, from project planning through construction and operation. This includes public outreach conducted during transportation planning and during the environmental reviews required by the National Environmental Policy Act (NEPA).

The following actions related to Environmental Justice and Title VI are meant to reduce the barriers for participation in the decision-making process by low income, minority or disabled individuals.

1. When possible, public meetings will be held in locations that are convenient to low and moderate income neighborhoods and accessible to disabled populations. Such locations include community centers, senior centers and schools. Where possible, members of our organization will meet at the locations of businesses, neighborhood groups, stakeholders, and other agencies.
2. Upon request, all of our organization's work products and documents will be made available in alternative formats, including Braille, large type and languages other than English.
3. The following statement will be included in all of our organization's documents: The NWRTPO does not discriminate on the basis of race, color, national origin, sex, religion,

age or disability in the provision of services. This document can be made available in alternative formats by calling the NWRTPO Office at 505-722-4327 (voice) or 505-722-9211 (fax).

4. The following statement will be included in all meeting announcements:
   Pursuant to the Americans with Disabilities Act of 1990 and Title VI of the Civil Rights Act of 1964, unless compelling reasons dictate otherwise, public meetings and hearings conducted by the NWRTPO in conjunction with the NMDOT will be held in accessible buildings and are open to the public. Given reasonable notice, interpreters and readers will be available to the hearing and visually impaired, and to those with limited English proficiency. Contact ADA/Title VI Coordinator Jeff Archuleta, at NMDOT (505) 469-6131 or Jeffery.Archuleta@dot.nm.gov.
5. Agencies and organizations that represent low income, minority and disabled populations will be identified and included in NWRTPO mailings. Staff will maintain an active listing of contacts for these organizations.
6. The NWRTPO will evaluate Environmental Justice actions and Title VI requirements on an annual basis to ensure effectiveness of public involvement. This document will be reviewed and updated in conjunction with the Public Participation Plan.

Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI. To ensure open communication with the public, the NWRTPO will adhere to the following requirements:

- The NWRTPO will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the Northwest New Mexico Council of Governments' website and in the Gallup Independent. Documents and agendas will be available at the NWRTPO office (NWNM Council of Governments – 106 W. Aztec Avenue, Gallup, NM 87301) and at other locations identified in the Public Participation Plan (see Appendix D of the PPP).
- Public notices of NWRTPO meetings will be posted at the location of the meeting site.
- In appropriate documents, the NWRTPO will include a statement that the organization complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any NWRTPO program, activity, or service.

Section VI of this plan describes the procedures on how members of the public can request additional information regarding the NWRTPO Title VI obligation. This section also identifies the procedures to be followed by members of the public to file a discrimination complaint against the NWRTPO.

III. Title VI and Environment Justice – NWRTPO Planning Requirements

The NWRTPO is responsible for ensuring Title VI compliance for the following planning activities:

Data Collection

Census and other statistical data will be collected by the NWRTPO as a means of identifying low income and minority populations within the NWRTPO. The data will be maintained for the purpose of planning projects and programs that serve various population groups. The data collection process will be reviewed biennially to ensure sufficiency in meeting Title VI requirements.

- NWRTPO Actions:
    - Collect, maintain, and update databases of low income and minority concentrations within the NWRTPO
    - Utilize the data when developing plans and studies
    - Develop demographic profile maps to help identify neighborhoods with high concentrations of low income and minority populations
    - Use these maps in various planning documents

Regional Work Program

The NWRTPO Regional Work Program (RWP) is the annual list of projects and activities that are expected to be completed by staff and the two NWRTPO committees. In this document, the NWRTPO will identify projects, studies, and other activities that will provide more transportation options to disadvantaged populations.

- RTPO Actions:
    - Identify planning activities that will encourage involvement by all populations
    - Analyze the benefits and impacts that planning studies might have on low income and minority populations
    - Create maps highlighting socio-economic groups and their geographical relationship to jobs, housing, and transportation options for all modes

Regional Transportation Improvement Program Recommendations (RTIPR)

The Regional Transportation Improvement Program – with identified project citations listed within the Regional Transportation Improvement Program Recommendations (RTIPR) document is the short-term program of projects that are expected to be designed, engineered, and constructed within the next four to ten years. The RTIPR is the ranked list of projects that RTPOs recommend be funded through the STIP. Projects should be reviewed to assess the benefits and impacts they might have on various aspects of the population.

- NWRTPO Actions:
  - Work with the entities to identify transportation projects that serve areas of the NWRTPO with low income and minority populations
  - Provide opportunity for all populations to provide input into project identification
  - Develop a performance target for a percent of projects that serve Title VI populations

Regional Transportation Plan

The Regional Transportation Plan (RTP) is a long range, comprehensive plan that identifies the projects, programs, and policies needed in the next 20 years to meet the transportation needs of this area. The NWRTPO – RTP is coordinated in its development with the NMDOT statewide Long-Range Multimodal Transportation Plan in order to provide consistency with other regions of the state, in its responsiveness to federal guidance for transportation maintenance and development. Using various data collected by the NWRTPO the RTP can estimate growth patterns of disadvantaged populations and address the benefits and burdens that future transportation projects might have.

- NWRTPO Actions:
  - Develop demographic profile maps that project growth in disadvantaged populations over at least a 20-year planning horizon
  - Give all populations opportunity to provide input into project identification
  - Assess the effects that future land use decisions and transportation projects might have on the neighborhoods, the environment, and the economy
  - Ensure that the benefits and impacts of future transportation systems are equally distributed among all areas of the RTPO
  - Develop a performance target for a percent of projects that serve Title VI populations

Transit Planning

Current Public Transportation Services in the NWRTPO Region of San Juan, Cibola and McKinley Counties include five Public Transit (5311) Providers: Pueblo of Zuni's A:Shiwi Transit, Navajo Nation's Navajo Transit, Gallup Express, Rockin 66 Express in Milan, and Pueblo of Laguna's Shaa'srk'a Transit. There is also a Public Transit (5311) service – Red Apple Express – serving the Farmington metropolitan areas in San Juan County under the Farmington MPO. There are also a variety of Elderly & Disabled (5310) transportation services. Our Public Transit providers collaborate to provide route coordination, to help accommodate regional travel needs for our populations in need of public transportation services.

- NWRTPO Actions:
  - Using demographic profile maps, ensure that transit routes and stops fully serve those neighborhoods with high concentrations of low income and minority populations.
  - Work with transit providers to identify necessary changes to routes

- Ensure bus stop locations are fully accessible for all users, both at the site and in the vicinity

IV. Organization and Staff Responsibilities

Organization Overview

The NWRTPO was established in 1993 by the Northwest New Mexico Council of Governments under the mandate, authority and recognition of the New Mexico Department of Transportation (NMDOT) as an interagency regional collaborative to assist the State of New Mexico in meeting federal requirements for consultation and cooperation with local and tribal elected officials and their communities in planning, prioritizing and funding transportation projects and initiatives. The NWRTPO geographic area was established as Cibola, McKinley and San Juan Counties.

The NWRTPO consists of member representatives from the Cities of Gallup and Grants, Village of Milan, Counties of Cibola, McKinley and San Juan, Pueblos of Acoma, Laguna and Zuni, and the Navajo Nation including Ramah Navajo. It should be noted that the northwest New Mexico Cities of Aztec, Bloomfield, Kirtland and Farmington are part of the Farmington Metropolitan Planning Organization (FMPO).

The NWRTPO Policy and Technical Committee meets bi-monthly, in consultation with NMDOT representatives, to plan and coordinate maintenance and development for a variety of multimodal transportation projects serving the mobility and transportation needs of the citizens and communities of the region. The NWRTPO Policy and Technical Committee reports as needed to the Board of Directors of the Northwest New Mexico Council of Governments, consults with their respective local elected leaders, and obtains approvals as appropriate on policy actions.

The Northwest New Mexico Council of Governments serves as fiscal agent for the NWRTPO, administering annually renewed NMDOT contracts for RTPO services, and manages the NWRTPO annual work program. The NWNMCOG is an association of governments formed under several State and Federal executive and legislative instruments as the State's regional planning agency for northwestern New Mexico. The COG provides planning and technical assistance services in regional transportation, regional water, infrastructure capital improvement, economic development, community empowerment, statistical data support, and on priority tasks and projects as assigned by the local member governments.

In collaboration with and under the auspices of the NMDOT and the New Mexico office of the Federal Highway Administration (FHWA), the NWRTPO facilitates consultation, planning, technical assistance and implementation activities in support of the equitable, efficient and effective development of multimodal transportation funding, services and infrastructure development and maintenance on behalf of the ten participating member governments. It

serves as a forum for sharing information and technical resources from NMDOT, FHWA, FTA and other sources on trends, opportunities, funding and training; provides consultation on compliance with State and Federal rules, regulations, requirements and deadlines, and support for project development, tracking and reporting. It provides a consultative avenue for member governments to partner in developing safe, efficient, effective and affordable multimodal transportation systems, collect data and identify transportation needs, develop sound projects that are appropriate and affordable, and leverage resources and provide a voice on behalf of small communities and rural counties to facilitate and accelerate transportation funding and infrastructure development.

Title VI Coordinator Responsibilities

The Title VI Coordinator is responsible for the development and implementation of the Title VI plan. The Coordinator must also ensure that all entities of the NWRTPO are compliant with Title VI requirements. The Title VI Coordinator is also responsible for:

Ensuring that the transportation planning process fully complies with the requirements of Title VI.

- Submitting a Title VI plan and updates when there are changes in procedure, organizational structure, or complaints, to the NMDOT Title VI Coordinator. Submitting a Title VI plan every three years and an annual update to the NMDOT Title VI Coordinator. The annual updates should include, but are not limited to, any changes in procedure and organizational structure. If there are no changes, correspondence should be submitted stating there are no changes. All Title VI complaints should be reported to the NMDOT Title VI Coordinator as they occur, as well as in the annual report. Annual updates are due by October 1.
- Developing procedures for receiving, processing, investigating and reporting Title VI complaints.
- Maintaining a Title VI complaint log so that three years of complaints are documented.
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews or program areas.
- Conducting annual assessments of identified Title VI 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.

V. Primary Program Area & Review Procedures

The NWRTPO engages in the following program areas.

Program Area	General Description	Title VI Non-discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-discrimination
Planning	Planning for development or maintenance of multi-modal transportation infrastructure	Assure equal access for all citizens	Engage guidance from Title VI regulation, and professionals in the field of disabilities management and accommodation.
Right of Way	Right of Way consideration for equal access concerns for all transportation infrastructure	Assure equal access for all citizens	Engage guidance from Title VI regulation, and professionals in the field of disabilities management and accommodation.
Environmental	Multi-modal access and mobility consideration thru the environmental review process	Assure equal access for all citizens	Engage guidance from Title VI regulation, and professionals in the field of disabilities management and accommodation.
Research	Consideration of equal access and mobility accommodation for all citizens regardless of age, or mobility constraints	Assure equal access and mobility accommodation for all citizens regardless of age or other limiting constraints	Engage guidance from Title VI regulation, and professionals in the field of disabilities management and accommodation.

VI. Title VI Complaint Procedures

The NWRTPO is committed to ensuring that all citizens have equal access to all transportation services. It is further the intent of the NWRTPO that all citizens are aware of their rights to such access. Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Reporting a Title VI Complaint

An individual, group of individuals or entity may file a formal Title VI complaint. If you believe that you have received discriminatory treatment by the NWRTPO on the basis of your race, color or national origin, you have the right to file a complaint with the NWRTPO Program Manager (who serves as the Title VI Coordinator). The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident.

Title VI complaints may be submitted to the NWRTPO Program Manager via phone, email, mail, or direct visit (please call to set an appointment first for a direct visit if possible). The NWRTPO Program Manager may be contacted as follows:

NWRTPO Program Manager/Title VI Coordinator
Northwest New Mexico Council of Governments
106 W. Aztec Avenue, Gallup, NM 87301
505-722-4327

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the New Mexico Department of Transportation (NMDOT), United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

Title VI complaints must be investigated within 60 days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also require relevant information. NWRTPO may specify if there is a particular individual(s) that NWRTPO should not investigate the complaint due to conflict of interest or other reasons.

Title VI complaints may be forwarded to either NMDOT or FHWA for investigation. If the complaint is forwarded to one of these agencies, (insert your organization name) will provide the name and contact information for the person handling the Title VI complaint to the complainant.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Title VI complaints may also be filed directly with the following agencies as stated above:

New Mexico Department of Transportation
Construction and Civil Rights Bureau
Attn. Title VI Coordinator
1570 Pacheco St. Suite A-10
Santa Fe, NM 87505
Phone: (505) 470-9668

or

Federal Highway Administration, New Mexico
Attn. Civil Rights Coordinator
4001 Office Court Dr. Suite 801
Santa Fe, NM 87507
Phone: (505) 820-2021

Filing a Title VI Complaint

Within 10 working days of receipt of the formal complaint, the Title VI Coordinator and NWNMCOG Human Resources Director will notify the complainant and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigation will address complaints against the NWRTPO. The investigation will be conducted in conjunction with and under the advice of the NWNMCOG Human Resources Department.

The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. The complainant may be represented by an attorney or other representative of his/her own choosing and may bring witnesses and present testimony and evidence in the course of the investigation. The investigation will be conducted and completed within 60 days of the receipt of the formal complaint.

Based upon all the information received, an investigation report will be written by the Human Resources Director for submittal to the NWNMCOG Executive Director. The complainant will receive a letter stating the final decision of the Executive Director by the end of the 60-day time limit. The complainant shall be notified of his/her right to appeal the decision. Appeals may be made to NMDOT, the Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Title VI Complaint Form

Completion of a Title VI Complaint form is required when filing a complaint (copy included in Appendix B). These forms are also available from the Finance/Human Resources office at the Northwest New Mexico Council of Governments.

Title VI Related Training

The Title VI Coordinator shall ensure that staff are trained and familiar with related policies and procedures on at least a biennial basis. Related Title VI training can be provided by the NMDOT

Title VI Coordinator upon request to senior management and others to discuss practical situations and how Title VI applies to the planning and public participation processes. Training may also be provided through FHWA-sponsored webinars and training resources. The NMDOT Office of Equal Opportunities can be contacted to provide on-site Title VI training.

VII. Limited English Proficiency (LEP) Plan

Overview of LEP Plan

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. Any agency receiving federal funds needs to develop a Limited English Proficiency (LEP) Plan.

The primary element of the LEP Plan is the Four Factor Analysis that considers the following factors:

- Number or Proportion of LEP Individuals**:** This factor should describe your efforts to provide meaningful opportunities to your Limited English Proficient population. Your organization should ask "What number or proportion of individuals will be excluded from benefits or services absent efforts to remove language barriers?"
- Frequency of Contact with the Program**:** If LEP persons must access your program/activity daily, the recipient of federal funds has a greater responsibility to tailor their services to the needs of LEP persons. This factor should be data driven and decisions should be in direct correlation to whatever data gathering exercises your organization uses.
- Nature and Importance of the Program**:** The need LEP individuals have to access benefits and services amplify with programs where the denial or delay of access may have life or death implications. Recipients of federal funds should identify programs of this type of importance and describe the process to ensure LEP persons are not denied or delayed in receiving the service or benefit of that service.
- Resources Available**:** Your organization may have limited resources and may not have to take the same steps as a larger organization to provide LEP assistance in programs that have a limited number of LEP persons (e.g., where contact is infrequent, where the total cost of providing language services is relatively high, and/or where the program is not crucial to a person's day to day existence.) Claims of limited resources will need to be well-substantiated.

The NWRTPO serves a large, rural, multicultural and multi-ethnic region in northwest New Mexico. As such, the NWRTPO moves its meetings around the region to assure more equitable access to the public for attendance and input at meetings at least several times per year. The hosting government at each meeting works with the NWRTPO to host meetings in accessible facilities and accommodate public access and participation. Interpretive assistance can be made

available as needed with adequate advance notice. Public notices which generally are posted annually in the three major newspapers always include the following statement:

> Pursuant to the Americans with Disabilities Act of 1990 and Title VI of the Civil Rights Act of 1964, unless compelling reasons dictate otherwise, public meetings and hearings conducted by the RTPO in conjunction with the NMDOT will be held in accessible buildings and are open to the public. Given reasonable notice, interpreters and readers will be available to the hearing and visually impaired, and to those with limited English proficiency. ADA/Title VI Coordinator Jeff Archuleta, at NMDOT (505)-469-6131 or Jeffery.Archuleta@dot.nm.gov.

The populations of Northwest New Mexico include the primary languages of English and Spanish along with Native languages inherent to the Pueblos of Laguna, Acoma, and Zuni, and the Navajo Nation. There are also some smaller populations representing other language groups. Most of these, especially the younger generations, are adequately proficient in English. When meetings are hosted in the various communities or areas of the region, at times there may be some who show up from the public – most often the local public with limited English proficiency; in most cases there are other relatives or acquaintances in the audience who assist them in understanding and participating in discussion. This is an extremely rare occurrence within the NWRTPO, as most monthly meetings are technical in nature and of less interest to the public, but the NWRTPO does advertise as indicated above in a manner that is non-prohibitive, and stands prepared to provide interpretive assistance, with adequate notice.

The NWRTPO accommodates the development and maintenance of multimodal transportation infrastructure intended to benefit all of the general public of the region and supports all efforts to meet ADA compliance regulations for multimodal public transportation infrastructure, in collaboration with the New Mexico Department of Transportation, and the New Mexico offices of the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). This includes addressing methods beneficial to Low English Proficiency populations, such as signage that include symbols, and the availability of interpretive assistance at meetings.

VIII. External Communication (Notification to Public Beneficiaries)

The NWRTPO shall provide information to members of the public detailing their Title VI obligation and notify members of the public of the protections against discrimination afforded to them by Title VI. Requirements include:

- Dissemination of Information: The NWRTPO shall disseminate this information to members of the public via accessible printed and electronic media, including posting on your organization's website.
- Contents of Notification: At a minimum, the notification should include the following:
    1. Statement that the NWRTPO operates the Federal Program(s) without regard to race, color, national origin, sex, age, or disability.

2. Identify procedures to be followed by members of the public to request additional information regarding your organization's Title VI obligation.
3. Identify procedures to be followed by members of the public to file a discrimination complaint against your organization.

IX. Notice of Rights

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

The NWRTPO 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 benefits of, or otherwise subjected to discrimination under any NWRTPO program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with the NWRTPO, NWNM Council of Governments, or the New Mexico Department of Transportation.

To file a Title VI discrimination complaint, please contact:

- NWRTPO Program Manager: (505)-722-4327
- NMDOT Title VI Program Coordinator: (505)-469-6131

NWRTPO notice of Title VI / ADA compliance is disseminated to the public through area Newspaper meeting notices. A sample notice is provided below. You may contact the NWRTPO through the Northwest New Mexico Council of Governments, 106 W. Aztec Avenue, Gallup, NM 87301; phone: 505-722-4327. Example of Public Notice with Title VI and ADA compliance statement included in attachments below.

Appendix A

Contractor's Assurances

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), hereinafter including subcontractors and consultants, agrees as follows:

1. Compliance with the Authorities: The contractor agrees to comply with non-discriminatory statutes and authorities, including but not limited to:

- 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 displaces or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (29 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 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section

504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the program 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 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 program (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 (U.S.C. 1681 et seq.)

2) Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time-to-time, (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.

3) 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 either 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 the 49 CFR Part 21.

4) 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.

5) 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 New Mexico Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the

contractor shall so certify to the NWRTPO or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

6) Sanctions for Noncompliance: In the event of the contractor's non-compliance with the nondiscrimination provisions of this contract, the NWRTPO will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

a. withholding payments to the contractor under the contract until the contractor complies; and/or
b. cancelling, terminating or suspending the contract, in whole or in part.

7) 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 shall take such action with respect to any subcontract or procurement as the NWRTPO or the Federal Highway Administration 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 NWRTPO to enter into any litigation to protect the interests of the NWRTPO. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B
Clauses for Transfer or Lease of Real Property
Acquired or Improved Under the Activity, Facility, or Program

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the State of New Mexico, 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:

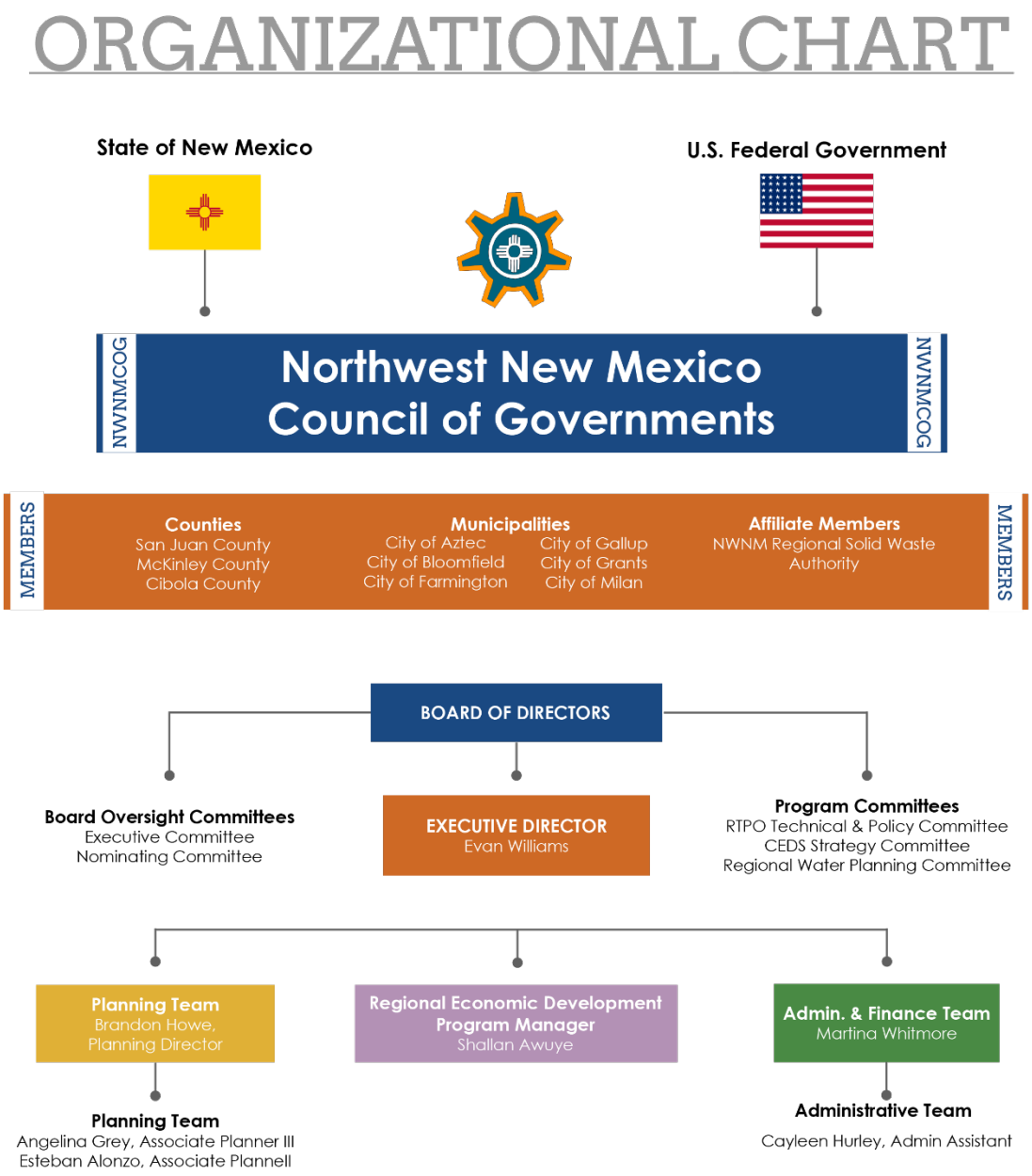
> In the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision 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, the State of New Mexico 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.) and never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the State of New Mexico will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the State of New Mexico and its assigns.*

(* Reverted clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix C
Organizational Chart



Appendix D

Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to the NWRTPO Program Manager at the Northwest New Mexico Council of Governments, 106 W. Aztec Avenue, Gallup, NM 87301, Phone: 505-722-4327.

Complainant's Name	
Address	
City, State and Zip Code	
Telephone Number (home & business)	

Person discriminated against (if someone other than the complainant)

Name	
Address	
City, State and Zip Code	

Which of the following best describes the reason you believe the discrimination took place?

Race/Color	
National Origin	
Age	
Sex	
Other: (please describe)	

What date did the alleged discrimination take place?

In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

Yes	
No	

If so, which agency (check all that apply)

Federal agency		Federal Court	
State Agency		State Court	
Local Agency			

Please provide information about a contact person at the agency/court where the complaint was filed.

Name	
Address	
City, State and Zip Code	
Telephone Number	

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature:		Date:	