

SPACE COAST TRANSPORTATION PLANNING ORGANIZATION

POLICIES AND PROCEDURES

Originally Adopted December 9, 2010



Revised as of December 14, 2017

Space Coast Transportation Planning Organization

Policies and Procedures

The Space Coast Transportation Planning Organization (TPO), created by Federal Law, reviews and administers all policies and procedures applicable for State and Federal transportation funding to be received by the County under Florida Statute 339.175. The management of the TPO must be administered in such a manner as to accomplish the requirements set forth in F.S. 339.175. The Space Coast TPO has developed these Policies and Procedures to formalize the policies and operations of the TPO and to document the procedures followed in its daily operations and production of required work products.

Policies require approval by the TPO Governing Board. Policies formalize specific processes and reflect the general goals and directives of the Space Coast TPO. The authority to issue and/or revise Policies is reserved to the Space Coast Governing Board.

Procedures require approval by the TPO Executive Director. Procedures document the activities necessary to accomplish the goals and directives of policies and to formally document how specific work products are to be produced. Procedures are less formal than policies and mainly deal with the administration of the TPO. The authority to issue and/or revise Procedures is reserved to the Space Coast TPO Executive Director.

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The following table reflects the record of adoption and amendments or updates that are processed.

POLICY	ADOPTED	AMENDED	RESOLUTION	ACTION
Policies & Procedures PLC-1, PLC-2, PLC-3, PLC-4, and PLC-5	12/9/2010			Establish governance for SCTPO to operate as an independent agency
PLC-2 Personnel		10/13/2011		Clarifications to define eligibility requirements for benefits, language defining "normal" work hours for full-time regular and full-time hourly employees
PLC-1 Agency Organization and Operation		12/8/2011		Adjustment to properly reflect the composition of voting members of the Governing Board and the TAC; FDOT role on governing board updated to be consistent with provisions of FS 339.175(4) change from non-voting representative to non-voting advisor to insure a TPO/MPO is not unduly influenced by their primary project funding partner. FDOT'S role on the Technical Advisory was also changed to be consistent. The Town of Grant-Valkaria was added to the Technical Advisory Committee with one voting member representative.
PLC-2 Personnel		12/8/2011		Amended to incorporate the policy changes as approved by the Board on November 10, 2011 as part of the CODY study evaluating the TPO's Compensation and Pay Plan
PLC-1 Agency Organization and Operation		4/11/2013	13-35	Changed annual election of officers from the first meeting of the calendar year to December. Update methods utilized for Notice of Meetings and Workshops to correspond to and be consistent with the adopted Public Participation Plan
PLC-4 Travel		4/11/2013	13-35	Changed reimbursement rate per mile from the adopted State of Florida rate to the General Services Administration (GSA) approved rate for privately owned vehicles. The TPO is a Federally funded agency and using the Federal reimbursement rate is appropriate.

POLICY	ADOPTED	AMENDED	RESOLUTION	ACTION
PLC-6 Social Media	4/11/2013			Establish user guidelines for the structure, access, and liability aspects of providing information and responses on social media sites.
PLC-1 Agency Organization and Operation		4/10/2014	14-16	Updated legal and statutory references including MAP-21, clarify TPO Board membership and represented agencies, added language to include the Bicycle, Pedestrian and Trails Advisory Committee (BPTAC), and clarify language for the Transportation Disadvantaged Local Coordinating Board (TDLCB)
PLC-2 Personnel		4/10/2014	14-16	Clarified language to be consistent with Brevard County where appropriate, to include Code of Conduct, Employee Benefits, Emergency and Military Leave, Leave of Absence Without Pay, Worker's Compensation and Family Medical Leave Act
PLC-3 Budget and Finance		4/10/2014	14-16	Defined SAP, county's financial software package and updated audit requirements and appropriate legal references
PLC-4 Travel		4/10/2014	14-16	Clarified language regarding use of privately owned vehicles and other minor travel requirements related to notifications
PLC-7 Conflict of Interest		4/10/2014	14-17	Provides references to State Statutes and clarification for appropriate and inappropriate behavior for all TPO Board and Committee members and staff
PLC-6 Social Media		12/1/2014		Reviewed by Communications Specialist and found to be consistent with current policies
PLC-1 Agency Organization and Operation		2/12/2015	15-16	Add clarifying language on voting responsibility of appointed committee members and add new language allowing CAC committee member appointments to anyone living within the boundary of Brevard County
PLC-4 Travel		2/12/2015	15-16	Add new and clarifying language for submittal of travel requests and reimbursements
PLC-3 Budget and Finance, Section VI, Audit		10/13/2016	17-05	Updated references to current statutes including 2 CFR 200, Part F, Audit

POLICY	ADOPTED	AMENDED	RESOLUTION	ACTION
PLC-1 Agency Organization and Operation		12/14/2017	18-09	Updated legal and statutory references to FAST Act. Revised BPTAC Committee membership to include alternates. Updated COOP.
PLC-2-Personnel Rules and Regulations		12/14/2017	18-09	Updated Sections 3, 9 and 21 to reflect use of position applications hosted by County HR, use of staff task sheets and revised Cell Phone Stipend rate. Added Section 22, Safe Harbor.
PLC-3 Budget and Finance		12/14/2017	18-09	Revised UPWP Revisions now referred to as Modifications and updated statutory references to reflect 2 CFR 200
PLC-4 Travel		12/14/2017	18-09	Added option of authorizing Vehicle Stipends to those positions where justified.
PLC-5 Title VI and Related Non-discrimination		12/14/2017	18-09	Updated Title VI Coordinator to reflect new TPO Staff Communications Specialist
PLC-6 Social Media and PLC-7 Conflict of Interest		12/14/2017	18-09	Updated definitions and references

Policy: PLC-5**Title: Title VI and Related Nondiscrimination**

- SECTION 1.0 PURPOSE
- SECTION 2.0 TITLE VI PLAN
- SECTION 3.0 COMPLAINT RESOLUTION
- SECTION 4.0 LIMITED ENGLISH PROFICIENCY PLAN (LEPP)
- SECTION 5.0 DISADVANTAGE BUSINESS ENTERPRISE (DBE)

SECTION 1.0 PURPOSE.

(A) The Space Coast Transportation Planning Organization assures that no person shall, on the grounds of race, color, national origin, gender, age, disability or income status, as provided by Title VI of the Civil Rights Act of 1964, 42 USC §2000d *et seq.*, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

(B) More specifically, the Space Coast TPO further assures that every effort will be made to ensure nondiscrimination in all of its programs, policies and activities, whether those programs and activities are federally funded or not.

(C) The Executive Director shall appoint an individual to serve as the Title VI Coordinator. The Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other Space Coast TPO related responsibilities, as required.

(D) This policy (PLC-05) has been developed in four sections:

- (1) Section 2.0 Title VI Plan
- (2) Section 3.0 Complaint Resolution
- (3) Section 4.0 Limited English Proficiency Plan (LEPP)
- (4) Section 5.0 Disadvantaged Business Enterprise (DBE)

SECTION 2.0 TITLE VI PLAN.2.1 SPACE COAST TRANSPORTATION PLANNING ORGANIZATION TITLE VI PLAN.

(A) The Space Coast Transportation Planning Organization (TPO) has a goal not to discriminate against any person with respect to a TPO program, activity or service. The purpose of this document is to outline the TPO's plan for addressing the Federal non-discrimination requirements under Title VI and other related regulations and statutes.

The general objective of the Plan is to ensure full and fair participation by all potentially affected individuals, groups and communities in the transportation decision-making process.

(B) Authorities.

(1) Title VI of the Civil Rights Act of 1964, 42 USC §2000d *et seq.*, and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, income, gender, age, or disability.

(2) The National Environmental Policy Act of 1969 (NEPA), 42 USC §4321 *et seq.*, stresses the importance of providing for “all Americans safe, healthful, productive and anesthetically pleasing surroundings” and provides a requirement for taking a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision making.

(3) The Civil Rights Restoration Act of 1987 (Public Law 100-259) further expanded Title VI to include all programs and activities of Federal-aid recipients, sub-recipients and contractors whether those programs and activities are federally funded or not.

(4) Executive Order 12898, signed by President Clinton on February 11, 1994, directed every Federal agency to make Environmental Justice part of its mission by identifying and addressing all programs, policies and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations.

(5) In April 1997, the U. S. Department of Transportation issued an Order on Environmental Justice (DOT Order 5610.2), which summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs and other activities that are undertaken, funded or approved by the FHWA, the FTA or other U.S. Department of Transportation components.

(6) In December 1997, the FHWA issued the FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23), which mandated the FHWA and all its subsidiaries to implement the principles of Executive Order 12898 and U. S. DOT Order 5610.2 into all of its programs, policies and activities.

(7) On October 7, 1999, the FHWA and the FTA issued a memorandum with the subject: ACTION: Implementing Title VI Requirements in Metropolitan and Statewide Planning. This memorandum provides information for planning officials to understand that environmental justice is equally important during the planning stages as it is during the project development states.

2.2 TITLE VI /NON-DISCRIMINATION DELEGATION: ORGANIZATION AND STAFFING.

(A) The Space Coast Transportation Planning Organization Executive Director is responsible for ensuring the implementation of the TPO’s Title VI Program. The Title VI Coordinator, on behalf of the Executive Director, is responsible for the overall management and day-to-day administration of the Title VI program, plan and assurances. The Title VI Coordinator serves under the direct supervision of the Executive Director.

Georganna Gillette, SCTPO Executive Director
2725 Judge Fran Jamieson Way
Building B-105
Viera, FL 32940
Phone: 321-690-6890
FAX: 321-690-6827
E-mail: georganna.gillette@brevardfl.gov

Title VI Coordinator
Abby Hemenway, Public Involvement Officer
2725 Judge Fran Jamieson Way
Building B-105
Viera, FL 32940
Phone: 321-690-6890
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E-mail: abby.hemenway@brevardfl.gov

(B) GENERAL RESPONSIBILITIES OF THE TITLE VI COORDINATOR. The Title VI Coordinator is responsible for implementing, monitoring and ensuring the TPO’s compliance with Title VI regulations. The Title VI Coordinator will:

- (1) Identify, investigate and eliminate discrimination when found to exist;
- (2) Ensure that any complaint be resolved as outlined in TPO Policy: PLC-5, Section

II: Complaint Resolution;

- (3) Review the TPO Complaint Resolution policy, as scheduled or when necessary, and make adjustment(s)/revision(s), as needed;
- (4) Collect and maintain statistical data (*i.e.* - race, color, gender, language) of participants in Space Coast TPO programs (including affected citizens and impacted communities);
- (5) Meet with other Space Coast TPO staff, as needed, to train, monitor and discuss progress, implementation and compliance issues;
- (6) Periodically review the Space Coast TPO's Title VI Plan to assess if administrative procedures are effective, staffing is appropriate and adequate resources are available to ensure compliance;
- (7) Assure consultants under contract to the Space Coast TPO are in compliance with Title VI;
- (8) Review important Title VI-related issues with the Space Coast TPO Executive Director, as needed;-
- (9) Work with appropriate staff and assure communications and public participation strategies provide adequate participation from impacted Title VI protected groups; and
- (10) Address language needs, as appropriate.

2.3 TITLE VI PROGRAM ADMINISTRATION; GENERAL RESPONSIBILITIES.

(A) **Complaints.** Any individual or group wishing to file a complaint regarding any policy, procedure or action of the Space Coast TPO or any of its advisory committees for any reason, including, but not limited to, the belief that any policy, procedure or action has negatively impacted or caused undue burden to a specific minority group, disabled individual(s), lower-income population, or the traditionally underserved or a belief that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any other Federal or State law that individual or group may exercise their right to file a complaint with the TPO, as outlined in TPO Policy: PLC-5, Section 3.0 Complaint Resolution.

(B) **Data.** Demographic data will be used to develop public outreach efforts and program evaluation. The data will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

(C) **Title VI Program Review.** The TPO's Title VI Program reviews will be performed annually by the Title VI Coordinator to assure compliance with Title VI. In addition, the Title VI Coordinator will review agency operational guidelines and publications, including those for consultants and other sub-recipients of FDOT's federal funds to ensure compliance with Title VI provisions, as appropriate. The Title VI Plan will be reviewed annually, or as appropriate, to assure compliance with any changes (in policies, regulations, procedures, *etc.*).

(D) **Training Programs.** The TPO will work with FHWA, FTA, and FDOT to have training available to provide Space Coast TPO staff with comprehensive information on Title VI provisions, application to program operations, and identification of Title VI issues and resolution of complaints.

(E) **Public Dissemination of Information Related to the Title VI Program.** The Title VI Coordinator will disseminate Title VI Program information to Space Coast TPO employees and consultants. This information will be posted on the TPO website for access by the public, and will be available in other languages, when required.

SECTION 3.0 COMPLAINT RESOLUTION POLICY.

3.1 PURPOSE.

(A) Any individual or group wishing to file a complaint regarding any policy, procedure or action of the Space Coast TPO, or any of its advisory committees, including, but not limited to, the Technical Advisory Committee (TAC), Citizens Advisory Committee (CAC), or Bicycle, Pedestrian & Trails Advisory Committee (BPTAC), for any reason including, but not limited to, the belief that any policy, procedure or action has negatively impacted or caused undue burden to a specific minority group, disabled individual(s), lower-income population, or the traditionally underserved or a belief that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any other Federal or State law, shall:

(1) Submit a written statement (complaint) with the Space Coast TPO at its offices located at:

Space Coast Transportation Planning Organization
2725 Judge Fran Jamieson Way
Building B, Room 105
Viera, FL 32940
(Phone: 321-690-6890)
(Fax: 321-690-6827)

(2) The statement shall include, at a minimum, the following:

(a) The name, address and phone number of the person(s) filing the complaint (the Complainant). Multiple individuals submitting a complaint as a group are strongly encouraged, but not required, to appoint a single person to represent the group throughout the Informal Resolution process;

(b) A statement describing as fully as possible the procedure, policy or action taken by the TPO or Advisory Committee, the date the action occurred and the relief being sought;

(c) The names of any witnesses to the action or copies of any supporting documentation; and

(d) Signature of the complainant(s).

(3) In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the SCTPO by calling 321-690-6890. If necessary, SCTPO staff will assist the complainant in converting verbal complaints to writing. All complaints must, however, be signed by the complainant or the complainant's representative.

(4) Any complaint of discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, shall be forwarded to the FDOT's District Five Title VI Coordinator within five (5) calendar days for processing in accordance with approved State procedures (See Exhibit A). For all other complaints, Space Coast TPO staff will notify the complainant of receipt of the complaint and within fourteen (14) SCTPO business days of receiving the complaint, shall initiate the following Space Coast TPO Complaint Resolution process:

3.2 INFORMAL RESOLUTION.

The TPO Executive Director and/or Chair of the advisory committee named in the complaint will meet with the complainant to review the complaint and the relief being sought. The meeting may be in person at a location convenient to all parties, or via teleconference, as agreed upon by all parties. Within fourteen (14) days of the meeting, or such other time as may be reasonable under the circumstances, the Executive Director, or advisory committee Chair, shall provide a written decision regarding the grievance to the Complainant. If the decision of the Executive Director or the advisory

committee Chair is not appealed by the Complainant, the decision shall be deemed as final, subject to approval of the Space Coast TPO Governing Board. If the complainant does not appeal the decision, the complainant's position on the decision shall be deemed as being in support thereof.

3.3 EXECUTIVE COMMITTEE HEARING.

(A) If the complainant is not satisfied with the decision of the Executive Director, or advisory committee Chair, the Complainant may, within ten (10) calendar days of the Rendition of the decision, submit a written request to the Space Coast TPO office for a formal hearing with the Space Coast TPO Executive Committee.

(B) The Space Coast TPO Executive Committee shall conduct a *de novo* hearing on the complaint within forty-five (45) calendar days of the receipt of the request to appeal the Executive Director's decision. The complainant and the complainant's legal counsel, if retained, shall have the right to present their case to the Space Coast TPO Executive Committee, including witnesses and documents in support of the complaint. Likewise, the Executive Director or the Director's designee, and any retained legal counsel shall have the right to present witnesses, testimony and documents in defense of the Space Coast TPO's challenged position. The Space Coast TPO Executive Committee may during the course of the hearing question the parties and witnesses. The hearing will be audio taped and open to the public. At its discretion, the Space Coast TPO Executive Committee may adopt such other rules of procedure as may allow the Committee to provide a fair and adequate hearing on the complaint. The complainant is advised to obtain a verbatim transcript at the complainant's of the Space Coast TPO Executive Committee hearing in the event that the complainant desires to appeal the decision of the Space Coast TPO Executive Committee.

(C) Within thirty (30) days of the close of the Space Coast TPO Executive Committee hearing, or such other time as may be required under the circumstances, the Space Coast TPO Executive Committee shall render a decision based upon a majority vote of those voting, which shall be final, unless appealed by the complainant to the full TPO Governing Board. Any appeal to the Space Coast TPO Governing Board shall be filed in the Space Coast TPO office within twenty (20) days of the Rendition of the Space Coast TPO Executive Committee's decision. The Space Coast TPO Executive Committee's decision shall be in the form of a recommendation to the full Space Coast TPO Governing Board to uphold, rescind or modify the act or omission which is the basis of the grievance or propose any other appropriate resolution.

3.4 SPACE COAST TPO GOVERNING BORD HEARING.

(A) Any complainant dissatisfied with the decision of the Space Coast TPO Executive Committee shall file a written notice of appeal with the Space Coast TPO Governing Board within twenty (20) days of the date of the date of rendition of the Space Coast TPO Executive Committee's decision. The Space Coast TPO Governing Board shall meet to hear the appeal, within sixty (60) days of the date the appeal is filed in the Space Coast TPO office. The Space Coast TPO Governing Board will not conduct a new evidentiary hearing on the appeal but shall instead review the record presented to the Space Coast TPO Executive Committee. The complainant shall be permitted an opportunity to address the Space Coast TPO Governing Board as to why the complainant believes the Space Coast TPO Executive Committee's decision was in error. Similarly, the Executive Director, and/or advisory committee Chair, shall be permitted to address the Space Coast TPO Governing Board.

(B) The Space Coast TPO Governing Board in Rendering its decision shall review all the documents in evidence including the Executive Director or advisory committee Chair's decision, the Space Coast TPO Executive Committee's decision, and the tapes or transcript of the Space Coast TPO Executive Committee's hearing. A written decision shall be issued within sixty (60) days of the appeal hearing date. The Space Coast TPO Governing Board shall uphold, rescind, or modify the decision of the

Space Coast TPO Executive Committee in whole or in part and may order any resolution within its power and authority.

(C) Nothing in this complaint procedure will prevent an interested party, dissatisfied with the complaint resolution, from submitting the same complaint to the FHWA, FTA, or FDOT for investigation under State or Federal regulations, as may be appropriate to the nature of the complaint.

EXHIBIT A

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TPO DISCRIMINATION COMPLAINT PROCEDURE

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by the Title VI of the Civil Rights Act of 1964, and other related state and federal authorities, may file a written complaint. All written complaints received by the Space Coast Transportation Planning Organization shall be referred immediately by the SCTPO to the FDOT's District Five Title VI Coordinator for processing in accordance with approved State procedures.
2. Verbal and non-written complaints received by the SCTPO shall be resolved informally by SCTPO staff. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the SCTPO staff shall refer the Complainant to the FDOT's District Five Title VI Coordinator for processing in accordance with approved State procedures.
3. The SCTPO staff will advise the FDOT's District Five Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's District Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant.
 - (b) Name(s) and address (es) of Respondent.
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).
 - (d) Date of alleged discriminatory act(s).
 - (e) Date of complaint received by the SCTPO.
 - (f) A statement of the complaint.
 - (g) Other agencies (state, local or Federal) where the complaint has been filed.
 - (h) An explanation of the actions the SCTPO has taken or proposed to resolve the allegation(s) raised in the complaint.
4. Within ten (10) calendar days, the SCTPO staff will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EOO).
5. Within sixty (60) calendar days, the SCTPO staff will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will Render a recommendation for action in a report of findings to the SCTPO Executive Director and Chair.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the SCTPO Executive Director will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter.

The notification will advise the Complainant of said complainant's right to file a formal complaint with the FDOT's EOO, if they are dissatisfied with the final decision rendered by the recipient. The SCTPO

Executive Director will also provide the FDOT's District Title VI Coordinator with a copy of this decision and summary of findings.

7. The SCTPO Staff will maintain a log of all verbal and non-written complaints received by the recipient. The log will include the following information:

- a. Name of Complainant.
- b. Name of Respondent.
- c. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
- d. Date verbal or non-written complaint was received by the recipient.
- e. Date recipient notified the FDOT's District Title VI Coordinator of the verbal or non-written complaint.
- f. Explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.

SECTION 4.0 LIMITED ENGLISH PROFICIENCY PLAN (LEPP)

4.1 POLICY STATEMENT.

It is the Space Coast Transportation Planning Organization's policy to provide meaningful access to all its programs and services to all individuals, including those who are limited in English proficiency.

4.2 OVERVIEW.

(A) Most individuals living in the United States read, write, speak and understand English. There are many individuals, however, for whom English is not their primary language. The 2010 census shows that 26 million individuals speak Spanish and almost seven (7) million individuals speak an Asian or Pacific Island language at home. If these individuals have a limited ability to read, write, speak, or understand English, they are of limited English proficiency, or "LEP." Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities.

(B) As a recipient of federal funding, the Space Coast TPO is committed to taking reasonable efforts to assure that individuals are not excluded from participating in programs simply because they face challenges communicating in English.

(C) The purpose of this Limited English Proficiency (LEP) Plan is to establish the steps that the Space Coast TPO will take to provide language assistance for LEP persons seeking meaningful access to Space Coast TPO programs. The production of multilingual publications and documents and/or interpretation at meetings/events will be provided to the degree that funding permits and based on current laws and regulations. As available, educational material (*i.e.*, safety brochures) provided free-of-charge from various entities (*i.e.*, National Highway Traffic Safety Administration) will be ordered and distributed at Space Coast TPO public participation events.

4.3 DETERMINING THE NEED.

(A) As a recipient of federal funding, the Space Coast TPO must take reasonable steps to ensure meaningful access to the information and services it provides. Following guidance from the U. S. Department of Transportation, a review of four (4) factors serve as the developmental foundation of this LEP.

(B) The number or proportion of LEP persons eligible in the service area or likely to encounter a Space Coast TPO program, activity or service. According to the 2010 Census, ten percent (10%) of the Brevard County population does not speak English "very well".

LANGUAGE SPOKEN AT HOME

(US Census 2008-2012 American Community Survey)

	NUMBER	PERCENT
Only English	465,547	90.0%
Spanish	28,967	5.6%
Other Indo-European ²	15,001	2.9%
Asian Language ³	6,207	1.2%
Other	1,552	0.3%
Total Population Age 5+	517,274	100.00%

(C) The frequency with which LEP individuals come into contact with a Space Coast TPO program is important information to determine the effectiveness with which the Space Coast TPO achieves access to LEP persons. The Space Coast TPO maintains records of public meetings and phone

inquiries in order to assess the frequency with which staff has possibly been in contact with LEP persons. Space Coast TPO staff has no record of receiving a request for an interpreter, nor has there been any request for translated Space Coast TPO documents.

(D) The nature and importance of the program, activity or service provided by the Space Coast TPO to the LEP population is also important information to determine the effectiveness with which the Space Coast TPO achieves access to LEP persons.

(1) The Space Coast TPO does not provide any transportation services as a general matter. It is responsible for the federal transportation funding that reaches our communities and ensuring that there is public participation in how that funding is spent.

(2) The Transportation Disadvantaged Local Coordinating Board (TDLCB) is an independent Board, supported and appointments made by the Space Coast TPO Governing Board. A Space Coast TPO Governing Board Member serves as the Chair of the TDLCB. The purpose of the TDLCB is to evaluate service levels, safety and other issues of transit operations provided by Space Coast Area Transit serving the elderly, people with disabilities, or otherwise disadvantaged citizens, such as those with low income.

(3) Outreach programs, particularly in the area of bicycle and pedestrian safety education, include the distribution of educational material. When available, copies of brochures, coloring books, and similar documents, in other languages (generally in Spanish, if available) are secured and distributed at events which are held throughout Brevard County.

(4) Citizen involvement with the Space Coast TPO and/or its Committees is voluntary. The Space Coast TPO does provide opportunities for the public to comment on the use of Federal funds; specifically, during open comment periods and/or public meetings for: the bi-annual UPWP, a five-year (developed annually) Transportation Improvement Program, and the Long Range Transportation Plan (LRTP). It is recognized that the impacts of transportation projects have an impact on all residents, so efforts are made to encourage an understanding of the process and promote opportunities to comment.

(E) The resources available to the Space Coast TPO and overall costs to provide LEP assistance are as set forth herein.

(1) Translation of all Space Coast TPO plans and materials is not possible due to cost restrictions. Further, the LEP population in the County is not of a significant proportion to warrant such expenses.

(2) Space Coast TPO Website: A free service, provided by Google, provides the ability to translate the information provided on our website. A user may choose from up to 30 languages, including: Chinese Simplified, Chinese Traditional, Thai, Japanese, Italian, Spanish and Russian. The translation service is available by clicking the link at the top right side of each page of the Space Coast TPO website.

(3) Outreach Materials – Spanish and any other available language outreach materials from organizations such as Federal, State and local agencies will be utilized, whenever possible. Current Space Coast TPO-produced materials will not be translated at this time.

(4) Brevard County's Office of Human Resources maintains a database of language interpreters/translators.

(F) After analyzing the four factors, the Space Coast TPO developed the LEP Plan, as outlined below:

LEP IMPLEMENTATION PLAN
LANGUAGE ASSISTANCE MEASURES

(1) The Space Coast TPO has not received inquiries in a language other than English. Should someone call for assistance, staff should take the name and contact information of the person and work with available services, as outlined below.

(2) As of May, 2010, the Space Coast TPO has identified two (2) Brevard County employees who have volunteered their translation services:

Spanish: Ms. Miriam Fuentes, Natural Resources Secretary
Brevard County Natural Resources Management Office

Telephone: 321-633-2058

Email: Miriam.Fuentes@brevardcounty.us

German: Ms. Marina Nebel, Licensing Regulation and Enforcement Investigator
Brevard County Planning and Development: Contractor Licensing and Regulations Section

Telephone: 321-633-2058

Email: Marina.Nebel@brevardcounty.us

(3) Effective April of 2014 Brevard County's Office of Human Resources maintains a list of personnel who have volunteered to do language translation which is available to use as well. Additionally, the Brevard County Sheriff's Department utilizes a translation service that is available 24 hours a day, and it has worked well for them. Initial contacts have been made, and should the need arise for a language other than Spanish and German, the Space Coast TPO will pursue this avenue. The name of the company is Language Line Services, Inc. located at One Lower Ragsdale Drive; Bldg. 2; Monterey, CA 93940; www.LanguageLine.com.

4.4 MONITORING AND UPDATING THE LEP PLAN.

(A) This plan is designed to be flexible and is one that can be updated easily. Updates will examine all Plan components, including:

(1) How to identify persons who may need language assistance.

(2) Examine past records from past meetings and events for requests for language assistance in order to anticipate possible need for assistance at upcoming meetings (tracking system).

(3) Review to determine staff training needs.

(B) The Space Coast TPO will post the LEP Plan on its website at www.spacecoasttpo.com

(C) Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the Plan. Printed copies will be made available, as requested.

(D) Any questions or comments regarding this Plan should be directed to:

Space Coast Transportation Planning Organization
2725 Judge Fran Jamieson Way
Building B-105
Viera, FL 32940
Telephone: 321-690-6890
FAX: 321-690-6827
e-mail: tpostaff@spacecoasttpo.com

SECTION 5.0 DISADVANTAGED BUSINESS ENTERPRISE (DBE)

5.1 PURPOSE.

The purpose of the DBE program is to comply with 49 CFR part 26 when expending U. S. Department of Transportation FHWA funds.

5.2 GENERAL PROCEDURES.

(A) The Space Coast TPO has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U. S. Department of Transportation (DOT), 49 CFR Part 26. The Space Coast TPO has received Federal financial assistance from the U. S. Department of Transportation, and as a condition of receiving this assistance, the Space Coast TPO has signed an assurance that it will comply with 49 CFR Part 26.

(B) The FDOT Disadvantaged Business Enterprise Program Plan and the FDOT Methodology for Determining DBE Goal (49 CFR part 26.45), as adopted and amended from time to time, shall be the umbrella under which the Space Coast TPO will function in the award of applicable contracts incurring the expenditure of federal transportation funds. The FDOT DBE program, is hereby included and made a part of this policy. Please follow the link: <http://www.fdot.gov/equalopportunity/divisions.shtm> for the latest FDOT program document.

(C) It is the policy of the TPO to ensure that DBEs, as defined in 49 CFR part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also the TPO's policy:

(1) To ensure nondiscrimination in the award and administration of DOT- assisted contracts.

(2) To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.

(3) To ensure that the DBE Program is narrowly tailored in accordance with applicable law.

(4) To ensure that only firms that fully meet 49 CFR part 26 eligibility standards are permitted to participate as DBEs;

(5) To help remove barriers to the participation of DBEs in US DOT-assisted contracts; and,

(6) To assist the development of firms so that they can compete successfully in the market place outside the DBE Program.

(D) The appropriate Space Coast TPO staff shall act as the DBE liaison with FDOT to provide all appropriate materials and assistance necessary for the FDOT to carryout the provisions of the DBE program on behalf of the Space Coast TPO.