

Title VI Review for Cities:

Name of City: Arkansas City, Kansas

What is "Title VI"

Title VI of the Civil Rights Act of 1964, amendments and related laws state that recipients of federal-aid highway funds cannot discriminate on the basis of race, color, age, disability, gender, national origin, or low income.

The Kansas Department of Transportation (KDOT) receives federal funds, and in turn the city receives funds from KDOT. This makes the city a recipient of federal funds and responsible for including and implementing Title VI requirements on ALL contracts over \$10,000 and in ALL programs and activities, not just highway related contracts.

A. GENERAL

1. What is the population of your city? 11,974
2. What is the minority population of your city? 3,629
3. Number of minority & women owned businesses in your city? 18 ?
4. What do you do to ensure non-discrimination in all programs, operations and activities of this city? EEO, Anti-discrimination, Anti-Harassment, Training, ~~HR Council~~, and City's Equal Opportunity and Accessibility Advisory Board, *policies?*
5. What do you do to monitor the effectiveness of these actions? Based on complaints, feedback, and statistics.
6. How have these actions specifically improved diversity and inclusion of minorities in all programs and activities? We try to bring to light the diversity within the City with the goal of inclusion and transparency. *One example is the recent creation of the wildly popular Tacolalah multicultural festival.*
7. Cite specific results and effects of non-discrimination to improve the benefits of programs, operations and activities in the past year. Existing diversity within the workplace.
8. Does your city have a local bus system?
Yes No
9. If your city does not have a bus system, does your city provide taxi coupons or van service for the elderly and citizens with disabilities?
Yes No Cowley County Counsel on Aging buses and vans.

B. TITLE VI PROGRAM AND PLAN

Do you have a written Title VI Plan? Yes No

If yes, complete the following questions and attach a copy of your current plan. If no, proceed to section C.

Your Title VI Plan should include the following components:

1. Public Participation Plan (PPP) Yes No
2. Limited English Proficiency (LEP) Plan? Yes No
3. Title VI Complaint Process & Form Yes No
4. Designated Title VI Coordinator: Human Resources

C. CONSULTANT CONTRACTS

Does your city let contracts for planning design or research? Yes

If yes, please complete the following questions. If no, proceed to section D.

1. Number of consultants hired in the past five years? Five
2. How does your city select consultants? Formal Bid Process. Smith & Oaks - *Oaks*
is our only local one and we use them when possible.
3. Attach a sample of a contract used by your city for projects over \$10,000. Were any consultant firms reviewed for compliance with Title VI requirements?
Yes No
What were the results? We have had one consultant firm that met Title VI requirements but they were not selected due to costs higher than other submitters.
4. Are Title VI requirements included in your consultant contracts?
Yes No
5. List the minority or women-owned consultant firms hired in the past five years.
None
6. Attach a list of consultants and denote the minorities.
7. List any problems in locating qualified minority or women consultants.
None locally. Formal Bid Process used to attract qualified minority or women consultants but received little response.

8. How often are consultants screened and considered by a review committee? Just in major projects. Use City Consultant Smith & Oaks. If outside their capabilities, we have used PEO and BG Consultants.

Oaks

Professional Engineering Consultants (PEO)

9. What procedures are utilized by your agency to encourage use of prequalified minority or women consultants?
We use KDOT and KDOC qualified consultants lists where available for certain projects.

10. Have consultants employed by the city made positive efforts to employ qualified minority or women subcontractors?

Yes No

Please explain. The best example is the Burns and McDonald/CAS Contractors Joint Venture. They are searching for qualified minority and/or women subcontractors for the Wastewater Treatment Plant Upgrade Project.

D. DESIGN

Complete this section if the city conducted any transportation improvement design studies in the past five years. If not, proceed to Section E.

1. What techniques and procedures, data collection and analysis are used to identify the social, economic and environmental effects and impacts of a transportation project in communities with minority or low income populations?

2. What procedures are used to minimize adverse impacts such as:

- Diminished access to facilities and services;
- Disruption of community cohesion;
- Disruption of people, businesses and farms;
- Changes in tax base and property values;
- Traffic;
- Noise;
- Relocation of residences and businesses; and
- Diminished quality of the water, air, or natural environment used by residents or minority or low income populations?

E. RIGHT OF WAY

Complete this section if in the past five years it was necessary for the city to acquire private property for right of way. If not proceed to Section F.

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1. What are the policies and procedures to assure nondiscrimination in the employment of firms and individuals to perform right of way related functions?

2. Are all qualified appraisers given an equal opportunity to appraise all types of property?

Yes No

3. Attach a list of the appraisers, right of way acquisition and relocation agents used in your city and denote the minorities.

4. What actions are taken to ensure that right of way appraisals and purchases are conducted on a nondiscriminatory basis without regard to race, color, national origin, gender, age, disability, low income?

5. Are requests for hardship acquisitions by minorities, non-minorities and women given equal consideration?

Yes No

6. Are minorities and women homeowners allowed by your agency to retain improvements during the negotiation phase equally with non-minorities?

Yes No

7. Are all affected property owners equally appraised of their benefits, rights and options in connection with the negotiation and condemnation process?

Yes No

8. Does the negotiator's log reflect any disparity in the conduct of negotiations among minorities, women and non-minorities?

Yes No

9. Are offers and settlements fair and consistent for minority, non-minority and female-owned properties?

Yes No

10. How many residences, businesses, farms or nonprofit organizations were displaced over the last five years as a result of street, road or highway improvements administered by the city?

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11. Did any of these displacements occur in minority areas?

Yes No

12. Did the displacements have any effect on the following areas?

Community cohesion Yes No

Please explain _____

Community services such as hospitals, churches, schools, police, etc.

Yes No

Please explain _____

13. What procedures are in place to inform displaced people and businesses of their rights and relocation benefits?

14. Is comparable and decent, safe and sanitary replacement housing made available to displaced minorities and non-minorities alike, without regard to race, color, gender, age, disability, national origin, low income?

Yes No

15. Has your agency received any specific civil rights complaints following any right of way function?

Yes No

Indicate which areas:

Appraisals Relocation Assistance

Negotiations Property Management

16. If the answer is yes in any areas of #15 above, how many complaints were received and what procedures has the city established to resolve these complaints?

F. CONSTRUCTION

1. Does your city let construction projects for bid containing federal-aid highway funds?

Yes No

2. Describe procedures for circulating information to minority and women contractors about planned projects.

The City places ads in the local city newspaper, and also has placed bids and Request for Proposals (RFPs) online on its website.

Prior to Construction Projects:

3. What is the length of the advertising period? 30 days

4. What is the time span between publication dates? _____

5. What is the basis for selecting the media that is used?

We only have one newspaper in the City.

6. In which newspapers with large minority circulation are advertising notices placed? Courier Traveler Newspaper

Cowley

7. What actions are taken to overcome language barriers? (Limited English Proficiency LEP)

The City uses a paid Spanish interpreter.

8. Which minority contractor associations are notified?

None directly

9. Are special notices of advertisement sent to minority groups?

Yes No

Does your city prequalify contractors?

Yes No

If yes, what is your procedure? _____

Also:

10. Provide a list of all prequalified contractors, with minorities and women noted.
11. Provide a list of all contractors denied prequalification with race and sex indicated.
12. Explain the assistance, which is given to minority and women contractors to become prequalified for construction projects. _____

13. List all contractors who have defaulted or were disqualified on a federal aid construction contract, noting the cause.

14. What effect does the ability of a contractor to obtain letters of credit and performance bonds have on prequalification? _____

G. AWARDS OF CONTRACTS

1. Explain your city's procedures for awarding contracts. Formal Bid Process.

2. List major contract awards for the past year awarded to minorities or women.
North Summit Street (Walnut Ave to Kansas Ave) Mill & Overlay awarded to Cornejo & Sons. ~~Also~~ South Summit Street (Bypass to Arkansas River Bridge) Mill & Overlay also awarded to them.

3. List the reasons for rejecting bids in your city. *IP*
All bids must be responsive and responsible. ~~If~~ not they are rejected.

4. How are Title VI requirements included in:
Contracts: Included in contract language.
Subcontracts: N/A
Agreements outside of contracts: N/A
5. Do you have any written Title VI information available to the public?
Yes No KDOT information
6. Do you have EEO resource manuals available for your contractors?
Yes No KDOT information
7. Have you had any problems finding minority or women contractors, subcontractors, vendors and suppliers?
Yes No
8. Please explain. There are very few in our area especially for large contracts.

Please identify the person completing this form.

Name: Mike Crandall

Position: Management Assistant 3?

Title: Management Assistant

Phone Number: (620) 441-4413

Thank you for your cooperation in completing this review!

Revised October 20, 2020