

MISSISSIPPI DEPARTMENT OF TRANSPORTATION - TITLE VI ASSURANCES

The Mississippi Transportation Commission, (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, non-discrimination in all Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, handicap or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7 (a) (1) of the Regulations.

The Recipient hereby gives the following specific assurances with respect to all Highway Programs:

1. The Recipient agrees that each "program" and each "facility" as defined in 49 CFR part 21, Subsections 21.23 (a) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to Federal Regulations.

2. The Recipient shall insert the following notification in solicitations for bids for work or material subject to the Federal Regulations made in connection with all Federal Aid Highway Programs, and in adapted form, in all proposals for negotiated agreements:

The Mississippi Transportation Commission in accordance with Title VI of the Civil Rights Act of 1964, 78-252, 42 U.S.C. 2000d to 2000d-4, the Civil Rights Act of 1987, and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders

that it will affirmatively insure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprise firms will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of Race, Color, Sex, Age, National Origin, or Handicap/Disability in consideration for an award.

3. The Recipient will insert the clauses of Assurances Appendix A of this assurance in every contract subject to the Act and the Federal Regulations.

4. The Clauses of Assurances Appendix B of this assurance shall be included as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. Where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, this assurance shall extend to the entire facility and facilities operated in connection therewith.

6. Where the Recipient receives Federal financial assistance in the form of or for the acquisition of real property or an interest in real property, the assurance shall extend to the right to space on, over or under such property.

7. The Recipient shall include the appropriate clauses set forth in Assurances Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:

(a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and

(b) for the construction or use of or access to space on, over, or under real property acquired or improved under the Federal-Aid Highway Program.

8. This assurance obligates the Recipient for the period during which Federal Financial assistance is extended to the program except where the federal financial assistance is to provide, or is in the form of personal property, or real property, or interest therein or structures or improvements there on, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods.

- (a) the period which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- (b) the period during which the Recipient retains ownership or possession of the property

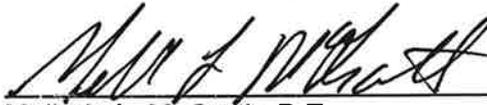
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferee, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the Act, the regulations and this assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof the Recipient by the Department of Transportation under the Federal-Aid Highway Program of the Mississippi Transportation commission and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in the interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Dated: *July 29, 2013*

Mississippi Transportation Commission

By: 
Melinda L. McGrath, P.E.
Executive Director
Mississippi Department of Transportation

Attestation: 
Amy Hornback
Secretary to the Mississippi Transportation Commission