TITLE VI POLICY STATEMENT AND ASSURANCES

Delaware Department of Transportation

THE DELAWARE DEPARTMENT OF TRANSPORTATION (hereinafter referred to as DelDOT) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (U. S. DOT) it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 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, Nondiscrimination in 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. DelDOT further agrees that no person in the United States shall on the grounds of race, color, national origin, sex, age, and handicap/disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity which is administered by DelDOT, regardless of the funding source, (i.e. State, Federal Highway Administration (FHWA), or Federal Transit Authority (FTA)). DelDOT HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement.

More specifically, and without limiting the above general assurance DelDOT hereby gives the following specific assurances with respect to its programs:

1. That DelDOT agrees that each "program" and each "facility as defined in subsections 21.23(e) 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, the Regulations.

2. That DelDOT shall insert, in all solicitations for bids for work or material subject to the Regulations, the FHWA and FTA mandatory language and notifications regarding non-discrimination, solicitation for subcontractors which notifies subcontractors and vendors of the obligations to comply with the Regulations, termination as a sanction for breach of the required provisions, and incorporation of the mandatory language in all subcontracts made in connection with all federally-funded activities.

3. That DelDOT shall insert the clauses of Appendix A of this assurance, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest therein.

4. That where DelDOT receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

5. That where DelDOT receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

6. That DelDOT shall include the appropriate clauses set forth in Appendix B of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by DelDOT with other parties: (a) for the subsequent transfer of real property acquired or improved under DelDOT federally-funded programs and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under DelDOT federally –funded programs.

7. That this assurance obligates DelDOT 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 thereon, in which case the assurance obligates DelDOT or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for 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 DelDOT retains ownership or possession of the property.

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

9. DelDOT 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 to DelDOT and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in its

programs. The person whose signature appears below is authorized to sign this assurance on behalf of DelDOT.

Dated 2-5-13

By _____
Shailen Bhatt
Secretary, Delaware Department of Transportation