



**AUTONOMOUS MUNICIPALITY OF GUAYNABO**

**TITLE VI PROGRAM**

**In accordance with FTA Circular 4702.1B**



A handwritten signature in blue ink, appearing to read "E. Rosa".

**EDWARD O'NEILL ROSA  
MAYOR**

**OCTOBER 2023**

**TITLE VI NONDISCRIMINATION POLICY STATEMENT**

The Public Transportation Program of the City of Guaynabo is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractor/consultants, and to ensuring that the public-at-large is afforded access to our programs and services.

No person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of the Guaynabo City Public Transportation Program on the grounds of race, color, or national origin, or limited English proficiency. In accordance with Puerto Rico State Law, the Guaynabo City Government assures all its programs and activities will be free from discrimination, whether those programs and activities are federally funded or not.

The Municipality of Guaynabo Public Transportation Program conducts its Title VI/Environmental Justice Program in a team approach involving personnel from all pertinent program areas, with guidance from the Title VI Coordinator who serves as the Title VI/EJ Specialist, to ensure that the City of Guaynabo complies with Title VI/ Environmental Justice implementing regulations.

Inquiries concerning the Municipality of Guaynabo Public Transportation Program, investigation, complaints, compliance with applicable laws, regulation, and concerns regarding compliance with Title VI/Environmental Justice may be directed to:

COMMUNITY AFFAIRS OFFICE – COMPLAINTS  
PO BOX 7885 GUAYNABO PR 00970-7885  
TEL. 787 720-4040 Ext. 2700 / 3039/ 3315 / 3300 / 3052 / 3085

This Policy statement must be circulated throughout the Guaynabo City Public Transportation Program vehicles and facilities and be included by reference in all contracts, agreements, programs and services administered by the Guaynabo City Government.

*Oct. 5, 2023*

DATE



MAYOR

**TITLE VI PROGRAM  
AUTONOMOUS MUNICIPALITY OF GUAYNABO**

**CONTENTS**

**Title VI Nondiscrimination Policy**

**Description of Transit Service and Facilities**

**General Requirements:**

- (1) Summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
- (2) Municipal plan for providing language assistance for persons with Limited English Proficiency (LEP).
- (3) Municipal procedures for tracking and investigating Title VI complaints.
- (4) List of any Title VI investigations, complaints, or lawsuits filed with the Municipality since the time of the last submission.
- (5) Notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.
- (6) System-wide service standards and system-wide service policies

**EXHIBITS:**

1. PUBLIC PARTICIPATION PLAN
2. MUNICIPAL AND FTA COMPLAINT PROCEDURE
3. TITLE VI CIVIL RIGHTS ADVISORY NOTICE
4. TITLE VI COMPLAINT FORMS
5. ANNUAL CERTIFICATIONS AND ASSURANCES

**TITLE VI PROGRAM  
AUTONOMOUS MUNICIPALITY OF GUAYNABO**

**Description of Transit Service and Facilities**

The Municipality of Guaynabo is located at the core of the San Juan Metropolitan Area and is the fourth most populated Municipality in the San Juan Metro region. The demographics of the Municipality may be characterized as a northern and central densely populated urban area with flat to rolling topography and a southern suburban and rural hilly terrain. Guaynabo has the highest average and median per capita income level for any Municipality in Puerto Rico and has an area of 27.6 sq miles..

The Metropolitan Bus Authority (MBA) has a Bus Station at San Patricio- Buchanan in the central-north part of Guaynabo where bus routes originate or pass through to facilitate transfers. MBA provides regional transportation within the San Juan Metro region and operates the region's main Paratransit system called "*Llame y Viaje*".

Four stations of the San Juan Metro Region TREN URBANO heavy rail system are located in Guaynabo and are transfer points for both the Municipal transit system and the MBA. The train depot and operating center is located between the Altamesa and Garden Hills stations in Guaynabo.

The Municipality Government operates its own transit service since 1995. At the present it is comprised of ten routes covering the entire municipality. The service area reaches all 89,000 residents, 37% of who are from low- or moderate-income families. The city extended transit service to rural areas in the southern part of the Municipality in 2014. This expanded the transit system service area to all residents under its jurisdiction.

A Public Transportation Terminal facility in the town of Guaynabo was originally built in the late 1980's for the "Público" system routes which no longer operate. This Terminal was turned in 2002 into the hub for its own City operated trolley bus system. The Terminal was severely damaged by Hurricane María in September 2017 and the structure eventually became a safety hazard and closed in 2021. The Transit operations hub was then transferred temporarily to the Guaynabo Arts Center until a new Terminal is built on the site of the damaged Terminal which will be demolished by April 2024. The new Transit Terminal should be constructed by 2025.



The Municipality of Guaynabo transit system fleet is comprised of eight 35' long buses, and five 30' long buses and three 26 ft long buses with passenger capacities varying from 24 to 40 passengers depending on vehicle size. The City also has three Paratransit minibuses for ADA Complementary Paratransit service. All of these vehicles have wheelchair lifts. All these buses were purchased with FTA funds. Eight additional buses are to be purchased within the next three years and the existing fleet replaced as vehicles exceed their useful life.

The Municipality operates the shuttle buses daily from Monday to Friday from 6:00 am to 5:00 pm. Two of the main urban routes also operate on Saturday from 8:00 am to 3:00 pm. Headways for the routes vary from 20 to 30 minutes for the routes in the more densely populated areas to hourly service in the less populated areas of the central and south wards of Guaynabo. Service is provided free of any charge. The daily passenger trip volume averages 1,000 to 1,500 riders for the entire system.

*(1) Summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.*

The Municipality monitors the level and quality of public transportation services offered to its residents and visitors through spot surveys of passengers throughout the year. It also holds public hearings throughout the year for FTA and other Federal programs and local capital development programs at which the public is free to voice their comments on their needs and problems with transportation or other services. The most recent Public Hearings were held in March 2022 and 2023. The comments received at these meetings are used to elaborate a needs analysis and is the basis for requesting Federal funds from HUD and FTA. The general consensus at these meetings is that there is increasing demand for transit service, particularly in the lower income neighborhoods dispersed throughout the Municipality. Over 80% of riders who use public transportation are from low and moderate income families according to City surveys. In addition a Public Participation Plan enclosed as Exhibit 1 provides opportunity for Public hearings for fare increases or significant reductions in the transit service level.

The Mayor and top members of the staff receive the general public by appointment and at public activities. It is at these appointments and meetings that the Mayor gets to deal personally with requests for services and refers these persons individually to staff members who will implement his directives.

*(2) Municipal plan for providing language assistance for persons with Limited English Proficiency (LEP).*

The Municipal Government of Guaynabo has a population which is 97.6% of Hispanic origin, 55% either do not speak English or do so less than very well according to the US Census Estimate figures from 2022 and the ACS data for 2011-2015 indicated that 92% speak Spanish as their vernacular language at home,. It should be mentioned that Guaynabo, like most other municipalities in Puerto Rico has lost population over the last fifteen years due to the island's economic crisis and natural disasters.

The Municipality conducts almost all its activities in Spanish and most official documents are originally written in Spanish. All laws, regulations and policies are written in Spanish, so that LEP measures are built into the system. Exceptions to this norm are Federal fund applications and other documents that must be submitted in English to the Federal agencies that provide funding. Nonetheless, even these few documents are made available in Spanish upon request. All of the documents originally written in Spanish are made available in English translations upon request.

**LEP FOUR FACTOR ANALYSIS:**

1. Number and proportion of LEP persons served or encountered in the eligible service population

The 2010 US Census found 97,924 residents within the Guaynabo municipality, whereas 2022 estimates from the Census place the number of residents at 89,057 persons, a loss of 9% in twelve years. The Census estimates for 2022 revealed that out of the 89,057 people city residents, 97.6% were of Hispanic origin. Out of the 86,456 people 5 years of age or older living in Guaynabo, 54.7% of them revealed they spoke English "less than very well". The overwhelming majority of this last group speaks Spanish at home. The entire population of Guaynabo City is served by the Guaynabo City Transit System.

Source: US Census – American Community Survey 2022

Guaynabo Municipio, Puerto Rico								
	Total		Native; born in Puerto Rico		Native; born in the U.S.		Native; born outside Puerto Rico and the U.S.	
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total population	89,057	*****	77,296	±2,131	5,051	±1,661	1,306	±830
<b>AGE</b>								
Under 5 years	2.9%	*****	3.1%	±0.3	3.3%	±4.2	0.0%	±17.2
5 to 17 years	10.9%	*****	11.5%	±0.7	10.6%	±8.4	0.0%	±17.2
18 to 24 years	8.1%	*****	8.4%	±0.7	7.1%	±9.1	15.8%	±23.8
25 to 44 years	25.6%	*****	25.7%	±1.0	18.2%	±12.7	21.7%	±22.4
45 to 54 years	12.3%	*****	12.8%	±0.7	10.3%	±7.6	7.6%	±13.4
55 to 64 years	14.4%	*****	12.8%	±1.0	31.9%	±12.9	36.6%	±22.2
65 to 74 years	13.1%	*****	12.4%	±0.8	15.6%	±7.5	4.4%	±7.2
75 years and over	12.7%	*****	13.3%	±0.7	2.9%	±4.2	14.0%	±14.6
Median age (years)	46.6	±0.4	45.8	±0.8	55.1	±12.7	56.6	±25.0
<b>SEX</b>								
Male	46.8%	*****	47.9%	±1.1	47.1%	±11.8	39.1%	±20.5
Female	53.2%	*****	52.1%	±1.1	52.9%	±11.8	60.9%	±20.5
<b>RACE AND HISPANIC OR LATINO ORIGIN</b>								
<b>ORIGIN</b>								
One race	N	N	N	N	N	N	N	N
White	11.6%	±2.7	9.6%	±2.4	36.7%	±21.4	14.3%	±13.7
Black or African American	N	N	N	N	N	N	N	N
American Indian and Alaska Native	N	N	N	N	N	N	N	N
Asian	N	N	N	N	N	N	N	N
Native Hawaiian and Other Pacific Islander	N	N	N	N	N	N	N	N
Some other race	23.2%	±4.0	24.2%	±4.1	22.2%	±13.6	33.9%	±25.4
Two or more races	62.4%	±4.7	63.7%	±4.8	41.0%	±18.2	51.8%	±30.8
Hispanic or Latino origin (of any race)	97.6%	±1.8	99.5%	±0.5	78.0%	±22.4	92.6%	±10.8
White alone, not Hispanic or Latino	N	N	N	N	N	N	N	N
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>								
Population 5 years and over	86,456	*****	74,862	±2,004	4,884	±1,469	1,306	±830
Speak language other than English	92.9%	±2.2	93.5%	±2.0	78.0%	±18.6	100.0%	±17.2
Speak English "very well"	38.2%	±3.5	37.6%	±3.7	40.5%	±15.7	53.1%	±28.8
Speak English less than "very well"	54.7%	±3.8	55.9%	±3.9	37.6%	±14.9	46.9%	±28.8



2. Frequency with which LEP individuals come into contact with the program, activity, or service

It is safe to state that the transit program serves almost exclusively Spanish speaking passengers since over 97% of the population is Hispanic; therefore contact with non-Spanish speaking individuals is present in every single vehicle transit trip. Over 97% of the services provided by the Municipality are directed to Spanish speaking persons. All the transit system related documents, such as posters, flyers, applications for Paratransit service related to our transit system are available in both English and Spanish. Needless to say, all of the Guaynabo City employees and contractors who work as part of this transit system, such as bus drivers, mechanics, receptionists, senior staff and the Mayor, who are native Spanish speaking, are also fluent in English and are able to provide any information and/or assistance required by the passengers.

3. Nature and importance of the program, activity, or service provided by the program

Guaynabo City has a temporary Terminal facility for the Municipal transit system, as aforementioned. It operates twelve fixed routes to different destinations of the Municipality. Over 98% of transit riders are Spanish speaking, and approximately half of the public transportation passengers depend exclusively on this transit system for transportation since there are no vehicles in their households according to surveys performed by the City Government. This service is therefore important for the low income people for mobility.

4. Resources available to the recipient and costs

The implementation of LEP compliance measures is not a significant issue since it has always been built into the system. All the employees of the transit system and the entire Guaynabo City Government speak Spanish which is their vernacular language and more than 80% of the Transit system employees are also fluent in English. Should transit operators come across riders that do not speak English or Spanish, drivers have access to smartphones and tablets on which they can access translating services such as that provided by some search engines. There is no additional cost in communicating in Spanish and English with the transit systems operators and passengers. All the information about our Municipal Transit System and policies are now prepared in Spanish and English for the benefit of non- Spanish speaking people in order to comply with FTA Title VI.

**(3) *Municipal procedures for tracking and investigating Title VI complaints.***



Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by Title VI may by himself or by a representative file a written complaint with the Director of the Community Affairs Office. Complaints may also be submitted in writing by mail to Mr. Roberto Garcia, Community Affairs Office, PO BOX 7885, GUAYNABO, PUERTO RICO 00970-7885, or by phone at 787 720-4040 Ext. 3315 / 3039 / 3085/ 2700 /3300/ 3052. A copy of the Complaint Procedure is included as Exhibit 1 and Complaint forms in English and Spanish are offered in Exhibit 2.

A complaint may be filed with the City no later than 60 days after the date of the alleged discrimination, or must be filed with FTA up to 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA.

Regardless if the complaint is submitted directly to the City, or referred to it by the FTA Region, the Office of Planning and Land Use in coordination with other Municipal authorities will carry out the pertinent investigation. . The investigation will include, where appropriate, a review of the pertinent practices and policies of the Municipality, the circumstances under which the possible noncompliance with this part occurred, and other factors relevant to a determination as to whether the City has failed to comply with Title VI.

The Office of Planning and Land Use will respond in writing to the complainant indicating the results of said investigation and corrective measures if necessary. The letter shall also indicate that the complainant may submit within 60 days to FTA an appeal as part of process if not satisfied by the response of the Guaynabo City Government.

The Office of Planning and Land Use shall strive to complete this investigation and response process within 60 days of filing the complaint, and if it exceeds this period it will immediately notify FTA of the complaint and measures taken providing a copy of this letter to the complainant simultaneously.

A copy of this complaint and the corresponding investigation and written answer to the complainant will be kept on file for a period of 5 years from the date it is filed and will be made available for FTA Triennial reviews or FTA Title VI Reviews.

*(4) List of any Title VI investigations, complaints, or lawsuits filed with the Municipality since the time of the last submission.*

**The Municipality of Guaynabo has not had any complaints, investigations or lawsuits regarding discriminatory practices in any transit system related activity under Title VI since the 1980's when Title VI certifications were first submitted to FTA for the construction of the Public Transportation Terminal.**

*(5) Notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint.*

The Municipality of Guaynabo has posted in its public transportation vehicles and at other public facilities including the Public Transportation Terminal, the Public Library, Municipal Legislature and the entrance to City Hall, an announcement in Spanish that it complies with Title VI regulations, offering equal access to all transit services and facilities to persons regardless of race, color, gender or income level and that it considers environmental justice issues in the development of its construction projects.

The announcement indicates the availability of a complaint process and the contact person, address and telephone number in the Guaynabo City Hall and at the FTA Regional Office. A copy of the announcement is enclosed as Exhibit 3.

*(6) System-wide service standards and system-wide service policies*

1) System-wide Service Standards

(1) Vehicle load.

The Municipality of Guaynabo shall have transit vehicle load factors (ratio of passengers on board to seats available) not to exceed 1.0 during off peak hours and 1.3 for peak hours. Since all transit vehicles are 30 ft. or 35 ft. long and have a 24 or 30 passenger seating capacity, the maximum standees allowed is 7 and 9 passengers respectively. Load factors above this ratio constitute an overload and may be used to justify the need for additional transit vehicles to service the route.

The peak and off peak hours shall be determined for each route. Peak hours shall be defined as hours which exceed by 25% or higher the daily average load factor for the route. These load parameters are to be determined by a minimum of three daily ridership counts.

(2) Vehicle headway.

Vehicle headway for the main transit routes operating in the urban north half of Guaynabo will be every 30 minutes during peak hours and every 30 to 60 minutes during off-peak hours, as defined in (1) above. For routes which will serve south of the town core to the less populated Municipal wards, service shall be every 45 to 60 minutes during peak hours and 60 to 90 minutes during off -peak hours.

(3) On-time performance.

On-time performance is a measure of runs completed as scheduled. “On time” is considered if a bus shuttle route completes its circuit or one-way run within 12 minutes of the daily average for the route.



(4) Service availability.

The Municipality shall provide access to a transit stop within ½ mile of 100% of residents in the urban area. Residents of Wards in the south part of the Municipality shall have access to a transit stop within ½ mile of 95% of the households. Public transportation service shall be available through the Municipal Transit vehicles. Transit service shall allow riders to meet their basic daily needs from Monday to Saturday except on holidays.

2) System-wide Service Policies

(1) Vehicle Assignment

Due to the small size of the Guaynabo Municipality transit fleet which is scheduled to reach a maximum of 30 vehicles by 2025, all of them small or mid-size buses and all of them purchased within the last 10 years, there is no specific criteria for assignment to routes. The only policy that would apply would be for the assignment of <30 ft long buses to the rural area routes , since roads are too narrow to maneuver larger buses.

(2) Distribution of Transit Amenities

Bus shelter sites are selected based on passenger boarding's and the availability of right of way to locate the same without invading the vehicular right of way or posing an architectural barrier according to ADA standards. Bus Stop shelters within the urban area of Guaynabo should have at least 20 daily boarding's. All stops on the other wards should have at least 15 boarding's to be provided a bus shelter subject to the availability of road right of way. All bus shelters shall be accessible to persons on wheelchairs. The reason for the different standards is that the time between boarding's is often longer beyond the urban center, requiring passengers to wait longer for bus service.

Bus stops shall be located not closer than 300 meters apart or over 600 meters apart along the north urban area routes. South of the urban center, these shall be no closer than 400 meters and no further than 800 meters from each other. Bus stops shall have at least 12 boarding's per day in the urban center and 5 boarding's daily beyond the urban center. All bus stops shall be accessible to persons on wheelchairs.

The Public Transportation Terminal to be built shall be provide passenger waiting areas with seats for at least 20% of waiting passengers at peak hours and at least one boarding berth for each route.



**EXHIBIT 1**

**AUTONOMOUS MUNICIPALITY OF GUAYNABO  
PO BOX 7885  
GUAYNABO, PUERTO RICO 00970**

**Citizen Participation Plan for the Municipality of Guaynabo  
When considering fare increases and / or service reductions  
MUNICIPAL PUBLIC TRANSPORTATION SYSTEM**



---

**EDWARD O'NEILL ROSA  
MAYOR  
OCTOBER 2023**

**TABLE OF CONTENTS**

TERM AND ADOPTION OF CITIZEN PARTICIPATION PLAN..... 3  
INCENTIVES FOR PARTICIPATION, PARTICULARLY LOW INCOME PERSONS ..... 3  
PUBLICATION OF NOTICE OF PUBLIC HEARINGS..... 4  
ACCESS TO DOCUMENTS ..... 5

## TERM AND ADOPTION OF CITIZEN PARTICIPATION PLAN

This Citizen Participation Plan establishes policies and procedures for the active participation of the community, public agencies and legal persons resident or located in the Municipality of GUAYNABO to consider their comments whenever municipal public transportation service is planned to be significantly reduced and / or when transit fares are to be raised, including ADA complimentary transportation to persons with disabilities, as well as whenever Civil Rights regulations applicable to the transit system so require. Its validity shall commence from the signing by the Mayor, Edward O'Neill and shall remain in effect for as long as required by Federal Transit Administration (FTA) regulations.

## INCENTIVES FOR CITIZEN PARTICIPATION, PARTICULARLY LOW INCOME PERSONS

The Citizen Participation Plan will be available to the public in the language of the citizens who comprise a significant portion (at least 0.5% or 500 persons, whichever is less) of the population and particularly low and moderate income residents of Guaynabo (English and Spanish). It also provides for equal access to citizens with disabilities.

Among the public notification mechanisms that may be used are:

- Notices in newspapers of general circulation
- Ads in regional newspapers
- Distribution of radio and television ads
- Letters to community organizations, residents of affected communities and through agencies that provide services to low-income people
- Through mailing lists
- Distribution of fliers
- Notices on **the website: [guaynabocity.gov.pr](http://guaynabocity.gov.pr)**

The Office of Planning and Land Use in the Municipality of Guaynabo is the designated division responsible for the preparation of the application for funds to the "Federal Transit Administration" (FTA), the implementation of planned projects with these funds and ensure that they carry federal regulations tied to these funds and services provided as a result. This responsibility includes handling the release of the documents; preparing public notices and holding the corresponding required public hearings.

The regulatory procedures adopted by this Citizen Participation Plan apply to the following activities:

- publishing notices of public hearings
- holding hearings and public meetings;
- making available documents subject to public hearing or comment
- providing access to documents that were used as a basis for planning and decision making.

## PUBLICATION OF NOTICE OF PUBLIC HEARINGS

There will be two public hearings as part of the Planning processes in the reduction of the municipal public transportation service or increasing fares to its users or whenever FTA regulations regarding Civil Rights so require. During these hearings the Municipality will gather information about the transportation needs of citizens, comments, recommendations and objections to the changes propose mass transit routes and service levels that represent a significant reduction of the service, and any increase in rates and consider the same in the final decision.

Significant changes in public transportation service are defined as follows:

- • Elimination or displacement of the transit trajectory a distance equal to or greater than 500 meters for a period greater than 90 days of any route to be operated permanently for more than 6 months.
- • Reduction for longer than 90 days by more than 20% in the number of daily vehicle trips of the fixed routes that have operated at least 6 months.

The service reductions below these levels are limited to routes that are on trial or which suffer seasonal changes, usually due to construction activities in sections of their trajectory. These will be notified to the public through notices in the "trolleys", stops and terminals of municipal public transportation system at least 15 days in advance of their implementation.

The public hearing notices will be published in a newspaper of general circulation not less than 15 nor more than 30 days prior to the date of the hearing. These will be published in Spanish and in other languages, provided that these represent a significant portion of the local population. The Office of Federal Affairs may provide notice of public hearings in any other form as deemed necessary to ensure effective citizen participation including promotional measures not alternative to publication in a newspaper of general circulation. Also it may notify by mail individuals, public agencies and other legal persons that are on record or have shown interest in participating in the planning process.

The public hearing notice shall specify:

- • Synthesis of the objectives of public hearings, including routes and neighborhoods affected
- • Date, time and place of the public hearings will be held;
- • Availability of resources to meet the needs of blind, deaf or with some other impediment, translators and translations for those who do not speak Spanish;
- • Contact person or community liaison before, during and after holding public hearings.



Public hearings will be held in accessible places free of architectural barriers to persons with disabilities. The Press Office will provide sign language services for deaf people and interpreters for those who cannot express themselves in Spanish, as required. The service will be available when it is requested at least 10 days prior to holding the public hearings.

The Planning and Land Use Office will coordinate the recording and transcript of the public hearing. The summary of the comments, suggestions and other aspects accepted and not accepted and the reasons why they were not considered shall be included as part of the analysis of citizen participation.

### **ACCESS TO DOCUMENTS**

Access to documents that were used as a basis for planning and decision making in the preparation of the municipal public transportation routes will be provided to individuals, public agencies and any legal person. The Municipality will retain documents on file for term of at least four (4) years. These documents will be available for public review through written or oral request to the Director of the Office of Planning and Land Use. Access to them is free of charge and will be located in the Office of Planning and Land Use on the third floor of City Hall.

The documents are available in English and Spanish. Blind persons can get a recorded copy of the referenced documents in order to hear the contents. People with physical disabilities may access these documents at the Office of Planning and Land Use which is ADA accessible.



---

Edward O'Neill Rosa  
Mayor

**EXHIBIT 2**  
**COMPLAINT PROCEDURE**

1. RIGHT TO FILE A COMPLAINT Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by Title VI may by himself or by a representative file a written complaint with the City of Guaynabo or directly to the FTA Civil Rights Office. A complaint may be filed with the Municipality at the Federal Affairs Office no later than 60 days after the date of the alleged discrimination, or must be filed with FTA up to 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA.
2. COMPLAINT ACCEPTANCE When a complaint is submitted directly to the City, the Federal Affairs Office in coordination with other City Government authorities will carry out the pertinent investigation and respond in writing to the complainant indicating the results of said investigation and corrective measures if necessary. The City shall strive to complete this process within 90 days of filing the complaint, and if it exceeds this period it will immediately notify FTA of the complaint and measures taken. A copy of this complaint and the corresponding investigation and written answer to the complainant will be kept on file for a period of 5 years from the date it is filed and will be made available for FTA Triennial reviews or FTA Title VI Reviews.
3. INVESTIGATIONS Guaynabo City Federal Affairs Office will make a prompt investigation whenever a compliance review, report, complaint or any other information indicates a possible failure to comply with this part. The investigation will include, where appropriate, a review of the pertinent practices and policies of the City, the circumstances under which the possible noncompliance with this part occurred, and other factors relevant to a determination as to whether the recipient has failed to comply with Title VI.
4. LETTERS OF FINDING AND RESOLUTION After the investigation has been completed the Federal Affairs Office will transmit to the complainant one of the following two letters based on its findings:
  - a. A letter of resolution that explains the steps the City of Guaynabo has taken or promises to take to come into compliance with Title VI This letter will include each violation referenced as to the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, and the consequences of failure to achieve voluntary compliance.
  - b. A letter of finding that is issued when the City is not found to be in noncompliance with Title VI. This letter will include an explanation of why the City Government was not found to be in non-compliance, and provide notification of the complainant's appeal rights. If applicable, the letter can include a list of procedural violations or concerns, which can put the City on notice that certain practices are questionable and that without corrective steps, a future violation finding is possible.

5. APPEALS PROCESS. The letters of finding and resolution will offer the complainant the opportunity to provide additional information that would lead Guaynabo City to reconsider its conclusions. This additional information must be provided within 60 days of the date the City's letter of finding was transmitted. After reviewing this information, the Legal Office of the City will respond either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force. The City shall transmit these letters within 30 to 60 days of receiving the appeal.

**EXHIBIT 3**

**MUNICIPIO AUTONOMO DE GUAYNABO  
NOTIFICACION TITULO VI –  
DERECHOS CIVILES Y QUERELLAS**

**AUTONOMOUS MUNICIPALITY OF GUAYNABO  
COMPLAINTS PROCEDURES AND TITLE VI  
CIVIL RIGHTS ADVISORY NOTICE**

EL MUNICIPIO DE GUAYNABO OFRECE SUS SERVICIOS DE TRANSPORTACIÓN PÚBLICA POR IGUAL A TODOS SUS RESIDENTES Y VISITANTES, IRRESPECTIVO DE RAZA, COLOR, ORIGEN NACIONAL O DISCAPACIDAD.

- SI USTED SE SIENTE DISCRIMINADO EN LA FORMA QUE RECIBE ESTE SERVICIO PUEDE RADICAR UNA QUERELLA ANTE EL MUNICIPIO PARA CORREGIR DICHA SITUACIÓN. TAMBIÉN PUEDE SOLICITAR ACOMODO RAZONABLE POR ALGUNA CONDICIÓN FÍSICA O MENTAL. PUEDE OBTENER INFORMACIÓN SOBRE ESTOS SERVICIOS, SUS DERECHOS Y OBLIGACIONES Y SOLICITAR ACOMODO RAZONABLE, TANTO EN ESPAÑOL COMO EN INGLÉS.
- POR FAVOR SOMETA SU QUERELLA, COMENTARIOS O SOLICITUDES A LA DIRECCIÓN O TELÉFONO DE LA OFICINA INDICADA AL CALCE DE ESTE AVISO.

THE MUNICIPALITY OF GUAYNABO OFFERS ALL ITS TRANSIT SERVICES ON AN EQUAL BASIS TO ALL RESIDENTS AND VISITORS, REGARDLESS OF RACE, COLOR, NATIONAL ORIGIN OR HANDICAP.

- IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST IN THE PROVISION OF THESE SERVICES, YOU MAY FILE A COMPLAINT WITH THE MUNICIPALITY TO CORRECT THIS SITUATION. YOU MAY ALSO REQUEST REASONABLE ACCOMMODATION DUE TO PHYSICAL OR MENTAL CONDITIONS. INFORMATION ABOUT THESE SERVICES AND REQUESTS, YOUR RIGHTS AND OBLIGATIONS ARE AVAILABLE BOTH IN SPANISH AND ENGLISH.
- PLEASE SUBMIT YOUR COMPLAINTS, COMMENTS OR REQUESTS TO THE OFFICE AT THE ADDRESS OR PHONE AT THE END OF THIS NOTICE.
- IF YOU NEED REASONABLE ACCOMMODATION PLEASE REQUEST PREVIOUSLY.

COMMUNITY AFFAIRS OFFICE – COMPLAINTS  
PO BOX 7885 GUAYNABO PR 00970-7885  
TEL. 787 720-4040 Ext. 3315 / 3039 / 3052 / 2700/3300



**EXHIBIT 4****AUTONOMOUS MUNICIPALITY OF GUAYNABO TITLE VI/ADA COMPLAINT  
FORM**

FORMULARIO PARA QUERELLAS POR DISCRIMINACION BAJO TITULO VI/ADA

<b>Section I:</b>		<b>Sección I:</b>	
Name:			
Nombre:			
Address:			
Dirección			
Telephone (Home):		Telephone (Work):	
Teléfono (hogar):		Teléfono (trabajo):	
Electronic Mail Address:			
Correo electrónico:			
Accessible Format Requirements?  Requiere formato accesible:	Large Print		Audio Tape
	Letras grandes		Audiograbación
	TDD		Other
	Asistencia telefónica		Otro
<b>Section II:</b>		<b>Sección II:</b>	
Are you filing this complaint on your own behalf?		Yes*	No
Somete esta querella por derecho propio		Si*	No
*If you answered "yes" to this question, go to Section III.			
* Si usted contestó "si" vaya a la Sección III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Si usted contestó "no" indique su relación con el querellante:			
Please explain why you have filed for a third party:			
Por favor indique la razón para someter esta querella por un tercero:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No

Por favor confirme que la persona afectada le autorizó a querrellarse en su representación:	Si	No
---	----	----

**Section III: Sección III:**

I believe the discrimination I experienced was based on (check all that apply):

Creo que fui discriminado basado en:

Race / Raza       Color       National Origin / Origen Nacional

Date of Alleged Discrimination (Month, Day, Year):

Fecha de la alegada discriminación: (Mes/Día/Año) : \_\_\_\_\_

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Explique tan claro como le sea posible lo ocurrido y la razón por la cual cree se discriminó contra usted. Indique la(s) persona(s) involucrada(s). Incluya el nombre y datos de la(s) persona(s) que discriminó en su contra (si conocido), además de los nombres y datos de testigos. Si requiere más espacio continúe escribiendo al dorso de este formulario.

---



---



---

**Section IV: Sección IV:**

Have you previously filed a Title VI complaint with this agency?	Yes	No
Ha sometido anteriormente querellas bajo el Título VI en este Municipio?	Si	No

**Section V: Sección V:**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Ha sometido esta querrella ante otras entidades Federales, Estatales o locales o ante una Corte Federal o Estatal?

Yes / Si       No

If yes, check all that apply:      Indique todas las que apliquen si contesta "Si":

Federal Agency / Agencia: \_\_\_\_\_

Federal Court/ Corte Federal: \_\_\_\_\_

State Agency / Agencia Estatal: \_\_\_\_\_

State Court / Tribunal Estatal \_\_\_\_\_

Local Agency/ Agencia Local o Municipio \_\_\_\_\_

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

Por favor indique los datos de la persona de contacto en la agencia o Corte donde sometió su querrela

Name:

Nombre:

Agency / Agencia:

Address:

Dirección:

Telephone / Teléfono:

**Section VI:                      Sección VI:**

Name of agency complaint is against:

Nombre de la agencia/ Municipio contra la cual se querrela:

Contact person:

Persona contacto:

Title / Título:

Telephone number / Teléfono:



**EXHIBIT 5**  
**CERTIFICATIONS AND ASSURANCES FY 2023**

## **Affirmation of Applicant**

### **Affirmation of Applicant**

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it. The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year. The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute. In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

#### **Official's Name**

Edward O'Neill

I accept the above

#### **Certification Date**

Mar 27, 2023

## **Affirmation of Attorney**

### **Affirmation of Applicant's Attorney**

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it. I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

#### **Attorney's Name**

Eduardo Faria

I accept the above

#### **Certification Date**

Mar 27, 2023