

KING COUNTY DEPARTMENT OF LOCAL SERVICES ROAD SERVICES DIVISION

September 2022

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Agency Administrator:

Dow Constantine, King County Executive

Title VI Oversight Officer

Anita Whitfield, Chief Equity and Inclusion Officer

Title VI Coordinator:

Tricia Davis, Road Services Division Director

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I. Title VI Policy Statement

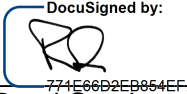
It is the policy of King County that no person shall on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of King County as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of King County, including its contractors and anyone who acts on behalf of King County. This policy also applies to the operations of any department or agency to which King County extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 USC § 2000d and related statutes, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3 and 49 CFR part 21.

Signed:  _____
Road Services Division Director

September 1, 2022
Date

II. Organization, Staffing, and Structure

King County Executive Dow Constantine is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all LPA employees, contractors, and agents pursuant to 49 CFR Part 21.

King County has created the position of Road Services Division Director to perform the duties of the Title VI Coordinator and ensure implementation of their Title VI program. The position of Road Services Division Director is located within the Department of Local Services.

Title VI Coordinator

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf
- Developing procedures for the prompt processing and disposition of complaints
- Investigating complaints, compiling a complaint log, and reporting to WSDOT
- Developing procedures for the collection and analysis of statistical data
- Developing a program to conduct Title VI reviews of program areas
- Conducting annual Title VI assessments of pertinent program areas

- Developing Title VI information for dissemination
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

Agency Administrator

The King County Executive serves as the Title VI Agency Administrator. The Agency Administrator is authorized to ensure compliance with provisions of the Agency's policy of nondiscrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. King County's grants compliance function and Title VI coordination shall be performed under the authority of the Agency Administrator.

Title VI Oversight Officer and Coordinator

The King County Executive has designated the Director of the Office of Equity and Social Justice in the Department of Executive Services to oversee the Title VI report. The Director of the Road Services Division in the Department of Local Services performs the duties of the Title VI Coordinator for King County's Federally Funded Transportation Program.

The Title VI Oversight Officer and Coordinator are responsible for identifying and eliminating discrimination when found to exist and for coordinating the overall dissemination of the Transportation Program Title VI Plan, including:

- Establishing updating and implementing the plan programs and procedures
- Monitoring/data collection
- Training
- Reporting
- Communicating and coordinating with the Washington State Department of Transportation, Federal Highway Administration, and U.S. Department of Transport as need for Title VI compliance purposes

Title VI Manager

The Title VI Coordinator has designated the Road Services Division Program & Project Support Section Manager as the Title VI Manager. The Title VI Manager assists the Title VI Coordinator in coordinating development, implementation, and compliance of the Title VI program.

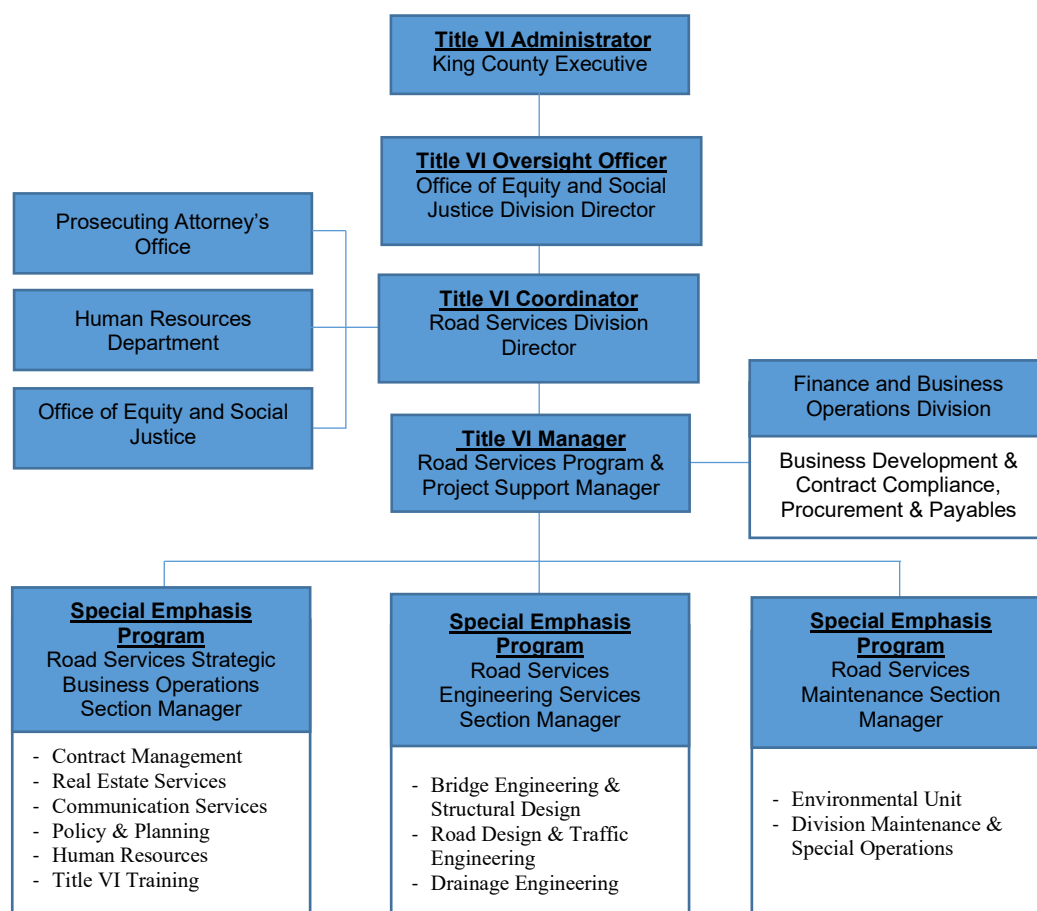
Title VI Specialists and Liaisons

Title VI Specialists (Specialists) have been designated for each of the Road Services Division's key sections/special emphasis program areas. Road Services Division has also designated Title VI Liaisons (Liaisons) to assist the Specialists in transportation special emphasis program areas. The Specialists and Liaisons work in concert with the Title VI Coordinator and Title VI Manager to:

- Ensure their respective departments and programs comply with Title VI regulations and assurances, meet the objectives of the Title VI Plan, and meet federal and state reporting requirements.
- Ensure adequate training opportunities are provided for all staff.
- Ensure Title VI compliance by contractors, sub-contractors, consultants, sub-consultants, suppliers, and other subrecipients under federally funded projects or programs.
- Ensure applicable Title VI provisions and requirements are included in contractual agreements to prime contractors and prime consultants and subrecipients.

- Work with the Coordinator to obtain statistical data on race, color, national origin, handicap/disability, age and sex of participants in, and beneficiaries of federally funded King County Transportation programs.
- Maintain data relative to their respective special emphasis program area (designated below) to help ensure the King County meets applicable reporting requirements. The Coordinator shall use the data to complete annual Title VI reports.

Organization Chart – Reporting Relationships



Special Emphases Program Areas

Road Services Division has designated key sections as Special Emphases Program Areas. These sections are subject to receiving federal assistance through grants or other types of transportation-related funding or are responsible for implementing King County directives and policies to ensure civil rights compliance and equal opportunity. Road Services Division Special Emphasis Program Areas are as follows:

Strategic Business Operations Section (SBOS)

- Contract Management
- Real Estate Services
- Communication Services
- Policy & Planning
- Human Resources
- Title VI Training

Engineering Services Section (ESS)

- Bridge Engineering & Structural Design
- Road Design & Traffic Engineering
- Drainage Engineering

Maintenance Section (MS)

- Environmental Unit
- Division Maintenance & Special Operations

Other Key King County Departments and Offices

The Road Services Division coordinates with the following key King County Departments, Divisions, and Offices to support Title VI compliance:

- Human Resources Department
- Office of Equity and Social Justice
- Prosecuting Attorney's Office
- Finance and Business Operations Division, Procurement and Payables Section
- Finance and Business Operations Division, Business Development and Contract Compliance Section

The Title VI Coordinator, Manager, Specialists, and Liaisons work closely with the King County's Office of Equity and Social Justice Office and the Prosecuting Attorney's Office on any discrimination complaints, and with the King County's Finance and Business Operations Division on purchasing procedures and full and equal opportunity to participate in competitive processes. Road Services Division also works with our Executive Office as appropriate based on unique program or project details. All departmental relationships are also demonstrated in the Organizational Chart above and the following tables:

Table 1
King County Road Services Division
Title VI Coordinator, Specialists, and Liaisons

<u>King County Road Services Division (Roads)</u> <u>Title VI Coordinator, Specialists, and Liaisons</u>		
Title	Position	Emphasis Area
Title VI Coordinator	Division Director	Supports Coordinator, all Special Emphasis Program areas
Strategic Business Operations Section (SBOS)		
Title VI Specialist	Strategic Business Operations Section Manager	Oversees Roads strategic and operation activities
Title VI Liaison	Managing Engineer	Contract Administration, Education/Training for SBOS
Title VI Liaison	Property Program Manager	Real Estate Services
Title VI Liaison	Project Program Manager	Policy and Planning
Title VI Liaison	Communications Program Manager	Outreach and Communications
Title VI Liaison	Payroll Supervisor	Human Resources
Engineering Services Section		
Title VI Specialist	Engineering Services Section Manager	Oversees all Design, Engineering and Construction for Bridge, Drainage, and Road activities
Title VI Liaison	Managing Engineer	Bridge Engineering & Structural Design
Title VI Liaison	Managing Engineer	Road Design & Traffic Engineering
Maintenance Section		
Title VI Specialist	Maintenance Section Manager	Oversees all Road Maintenance, Environmental, and Special Operations activities
Title VI Liaison	Project Program Manager	Education/Training for Maintenance
Title VI Liaison	Engineer III	Environmental Unit
Title VI Liaison	Operations Manager	Division Maintenance Unit

Table 2
King County Road Services Division
2021-2022 Staff

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
Cadman Pit-Renton	Not Specified	1	
	White, not of Hispanic origin	9	
	Black, not of Hispanic origin	4	
	Asian, not of Hispanic origin		2
	Hawaiian/Pacific Is, not Hispanic	1	
	Two or more races, not Hispanic	2	1
Cadman Pit-Renton Total		17	3
Customer Service	White, not of Hispanic origin	3	4
	Black, not of Hispanic origin		3
	Hispanic		2
	Asian, not of Hispanic origin	1	
	Two or more races, not Hispanic		1
Customer Service Total		4	10
Design	White, not of Hispanic origin	2	
	Asian, not of Hispanic origin		1
Design Total		2	1
Drainage	Not Specified	1	
	White, not of Hispanic origin	6	2
Drainage Total		7	2
Drainage/Planning Unit 08	White, not of Hispanic origin	9	1
	Black, not of Hispanic origin	1	
	Two or more races, not Hispanic	1	1
Drainage/Planning Unit 08 Total		11	2
ESS Construction Inspection	White, not of Hispanic origin	4	

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
	Black, not of Hispanic origin	3	
	Hispanic	1	
	Asian, not of Hispanic origin	1	1
	Two or more races, not Hispanic	1	
ESS Construction Inspection Total		10	1
ESS Drainage Design	White, not of Hispanic origin	1	3
	Black, not of Hispanic origin	1	
	Hispanic	1	
	Two or more races, not Hispanic	1	
ESS Drainage Design UNIT Total		4	3
ESS Project Management/Design	White, not of Hispanic origin	5	
	Asian, not of Hispanic origin	2	1
	Not Specified	1	
ESS Project Management/Design Total		8	1
ESS Traffic – King Street Center (KSC)	Not Specified	1	
	White, not of Hispanic origin	4	2
	Hispanic		1
ESS Traffic - KSC Total		5	3
ESS Utility Inspection	White, not of Hispanic origin	1	2
	Asian, not of Hispanic origin	2	
ESS Utility Inspection Total		3	2
ESS Bridge Unit	White, not of Hispanic origin	3	1
	Black, not of Hispanic origin		1
	Asian, not of Hispanic origin	6	4

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
ESS Bridge Unit Total		9	6
ESS Environmental	White, not of Hispanic origin	2	2
ESS Environmental Total		2	2
ESS Material Labs	White, not of Hispanic origin	6	1
	Asian, not of Hispanic origin	1	1
ESS Material Labs Total		7	2
ESS Project Management	White, not of Hispanic origin	1	1
	Asian, not of Hispanic origin		2
ESS Project Management Total		1	3
ESS Administration	White, not of Hispanic origin	1	5
	Hispanic	2	
	Asian, not of Hispanic origin		1
ESS Administration Total		3	6
ESS Survey Unit	White, not of Hispanic origin	6	
	Black, not of Hispanic origin		1
	Hawaiian/Pacific Is, not Hispanic	1	
ESS Survey Unit Total		7	1
Facilities & Bridges	White, not of Hispanic origin	5	
	Black, not of Hispanic origin	1	
Facilities & Bridges Total		6	
Facilities & Bridges/Planning Unit 10	White, not of Hispanic origin	4	1
	Asian, not of Hispanic origin	1	
	Two or more races, not Hispanic	1	
Facilities & Bridges/Planning Unit 10 Total		6	1

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
Fall City (Division 2)	White, not of Hispanic origin	9	1
	Not Specified	1	
	Two or more races, not Hispanic	2	
Fall City (Division 2) Total		12	1
Fall City and Issaquah	White, not of Hispanic origin	1	1
Fall City and Issaquah Total		1	1
MS Administration	White, not of Hispanic origin	4	7
	Black, not of Hispanic origin	2	
	Asian, not of Hispanic origin	1	2
	Hawaiian/Pacific Is, not Hispanic	1	
MS Administration Total		8	9
MS Environmental	White, not of Hispanic origin	6	2
	Hispanic	1	
MS Environmental Total		7	2
Paving	White, not of Hispanic origin	2	2
	Hispanic	2	
Paving Total		4	2
Rockeries & Rivers	Not Specified	1	
	White, not of Hispanic origin	1	1
	Black, not of Hispanic origin	1	
	Native American/Alaska Native, not Hispanic	1	1
Rockeries & Rivers Total		4	2
Rockeries & Rivers/Planning Unit 07	White, not of Hispanic origin	7	
	Black, not of Hispanic origin	4	
	Hawaiian/Pacific Is, not Hispanic	1	

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
	Two or more races, not Hispanic	2	
Rockerries & Rivers/Planning Unit 07 Total		14	
SBOS Administration	White, not of Hispanic origin	1	6
	Black, not of Hispanic origin	1	3
	Asian, not of Hispanic origin		2
SBOS Administration Total		2	11
SBOS Asset Management & Systems	White, not of Hispanic origin	4	3
	Hispanic		1
	Asian, not of Hispanic origin		1
SBOS Asset Management & Systems Total		4	5
SBOS Business Support	White, not of Hispanic origin	1	5
	Asian, not of Hispanic origin	1	
	Two or more races, not Hispanic	1	1
SBOS Business Support Total		3	6
SBOS Finance	White, not of Hispanic origin	2	4
	Black, not of Hispanic origin	1	1
	Asian, not of Hispanic origin	2	3
	Two or more races, not Hispanic		1
SBOS Finance Total		5	9
SBOS Policy Planning Grant	White, not of Hispanic origin	1	11
	Asian, not of Hispanic origin	2	
SBOS Policy Planning Grant Total		2	11
SBOS Program/Project Support	White, not of Hispanic origin	5	3
	Black, not of Hispanic origin		2

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
	Hispanic	1	
	Asian, not of Hispanic origin		1
SBOS Program/Project Support Total		6	6
Sign & Marking	White, not of Hispanic origin	18	2
	Black, not of Hispanic origin	3	
	Hawaiian/Pacific Is, not Hispanic	1	
	Two or more races, not Hispanic	1	1
Sign & Marking Total		23	3
Signal Maintenance	White, not of Hispanic origin	5	
	Hispanic	1	
	Asian, not of Hispanic origin		1
	Hawaiian/Pacific Is, not Hispanic	1	
	Two or more races, not Hispanic	1	
Signal Maintenance Total		8	1
Signal Technology/Administration	White, not of Hispanic origin	1	
	Hispanic	2	
	Hawaiian/Pacific Is, not Hispanic	1	
	Two or more races, not Hispanic	1	
Signal Technology/Administration Total		5	
Skykomish	White, not of Hispanic origin	4	
Skykomish Total		4	
Star Lake	White, not of Hispanic origin	14	2
	Black, not of Hispanic origin	2	1

Work Group Description	Ethnic Group Description	Count of Male	Count of Female
	Hispanic	2	
	Hawaiian/Pacific Is, not Hispanic	2	
Star Lake Total		20	3
Summit Pit and Diamond	Not Specified	1	
	White, not of Hispanic origin	21	2
	Hispanic	1	
	Native American/Alaska Native, not Hispanic	1	
Summit Pit and Diamond Total		24	2
Traffic - KSC	White, not of Hispanic origin	3	
	Asian, not of Hispanic origin		1
Traffic - KSC Total		3	1
Utilities Inspection	White, not of Hispanic origin	1	1
Utilities Inspection Total		1	1
Vashon	Not Specified		1
	White, not of Hispanic origin	6	2
Vashon Total		6	3
Grand Total		279	128

III. Primary Program Area Descriptions & Review Procedures

Title VI Coordinator's Responsibilities and Program Administration – As authorized by the Agency Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring King County's compliance with Title VI requirements as follows:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<i>Contract Management</i>	• Development and management of contracts and purchasing, including hiring of consultants and contractors. • Work with Road Services Division staff and central procurement to assemble Requests for Proposals and Bid Packages, ensure competitive selection of consultant firms, recommend award of construction contracts based on lowest responsive/responsible bidder, assist with final negotiation, award, and execution. • Responsible for administering Roads contracts and for ensuring compliance with contract provisions, including DBE goals and Equity and Social Justice Requirements.	• Include applicable Disadvantaged Business Enterprise (DBE) goals in designated projects and seek to have contractor proactively achieve the goal(s). • Include Title VI assurance and provision language in all federally funded construction contracts. Documents and language shall be periodically reviewed to ensure compliance with current laws and regulations. • Ensure that prime contractors and prime consultants with DBE requirements award contracted work to qualified DBEs, which perform commercially useful functions.	• Maintain necessary data and documentation required for completion of the department's Title VI Annual Report. • Review of directives and operational guidelines to ensure Title VI compliance. • Review and ensure all appropriate Title VI language is placed in bid announcements, requests for proposals and applicable contract documents.
<i>Real Estate Services</i>	• Manages and coordinates the appraisal and the acquisition, disposition, inventorying, and management of real property for Road Services Division, the management of excess properties, and Relocation Services.	• Ensure equal opportunity in all aspects of procuring real estate consultant services and appraisal contracting and follow adopted King County vendor procurement policies in the acquisition of contracted services.	• Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business.

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
	• Ensure that the property acquisition process follows the 5th Amendment of the Constitution, WSDOT Right of Way Manual and Local Agency Guidelines Manual, and all applicable local, state, and federal laws and regulations, including Title VI and Section 504.	• Utilize the current OMWBE directory identifying fee appraiser organizations and WSDOT's list of certified fee appraisers when seeking services; maintain data on awards to minority and female appraisers and provide data to the department Title VI Specialist. • Adhere to departmental policy for appraising affected property owners, tenants, and others involved in right-of-way acquisition of their rights and options regarding negotiation, relocation, condemnation, and other aspects of the acquisition process. • Ensure that appraisal standards and communications associated with the appraisal and negotiation operations result in equitable treatment. • Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities. • Assist project design, communications, environmental and other staff with data gathering and documentation, determining community composition, and communications with property owners, lessees, renters, and others, as	• Ensure that regulatory standards and communications associated with real property acquisition and relocation advisory assistance services result in equitable treatment. • Ensure relocation advisory assistance services are provided to all eligible displaced persons, tenants, and entities. • Ensure the preparation of deeds, permits and leases contain the appropriate Title VI clauses (Appendixes 2 and 3). • Apprise property owners and tenants of their rights and options under eminent domain acquisition including appraisal, negotiation, relocation, condemnation, and other aspects of the acquisition process. • Follow the guidelines in the WSDOT Local Agency Guidelines manual for property acquisition as well

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
		appropriate, to help ensure compliance with Limited English Proficiency and Environmental Justice requirements for projects.	as the WSDOT Right of Way Manual and all applicable local, state, and federal laws and regulations, including Title VI and Section 504 of the Rehabilitation Act of 1973. • Provide copies of relocation assistance literature produced by WSDOT and any information produced concerning King County's Title VI compliance efforts.
Communication Services	• Responsible for public outreach, involvement, and communication support for the Road Services Division. • Assist in conducting background research on all projects to determine the community composition and appropriate outreach; ensure translation or interpretation services are available if the need is anticipated. • Work with design, environmental and other staff to ensure the public has information pertaining to the right to contact the Road Services Division to view project plans and discuss environmental	• Incorporate adequate time into the project communication planning process to invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning and project outreach process. • Disseminate written program or project information to minority media and ethnic organizations, provide public service announcements for social and traditional media as warranted, engage resident advisory committees or planning boards with diverse representation when available, plan public	• Assist Title VI Coordinator and Specialists, program planning, environmental, design, right-of-way, maintenance, and other department staff to evaluate applicability of, and help comply with, Limited English Proficiency (LEP), Environmental Justice (EJ) requirements, and Title VI compliance for transportation improvement programs and projects. • Utilize and consider

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
	problems.	meetings, and generally request public involvement. • Assist Program and Project Managers and other staff in providing, as appropriate, EJ and LEP populations with useful access to information and inclusion in program and project public outreach and involvement processes. • Ensure access to public meetings by selecting accessible meeting locations and times; conducting evening meetings in a variety of community buildings throughout King County, including those along transit routes; and striving to ensure public meetings are held in predominately minority communities when projects will specifically impact those communities. • Ensure access to public meetings by selecting accessible meeting locations and times; conducting evening meetings in a variety of community buildings throughout King County, including those along transit routes; and striving to ensure public meetings are held in predominately minority communities when projects will specifically impact those communities.	demographic data and other sources of information to help identify and address LEP, and EJ, issues, and Title VI compliance.

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<i>Policy and Planning</i>	Responsible for transportation planning, including: completing biennial updates to concurrency; updating the Transportation Needs Report, a 20-year capital plan for the unincorporated King County road system; administration of the agency's grants program; legislative review; policy analysis; review of development proposals under review by other jurisdictions/agencies, with respect to impacts to the county's road system; business planning; transportation planning and legislative review.	- Advance principles of equity and social justice in capital, maintenance and operational decision-making, in coordination with the agency's Title VI Coordinator, communications, environmental, engineering and other division staff. - Coordinate with other King County agencies, local, state and federal agencies, regional organizations, and the public to address transportation in King County, while accounting for all users of the unincorporated road system. - Ensure that participation of a cross section of various social, economic, and ethnic interest groups are represented in the planning process by distributing program information to minority media and ethnic organizations and participating in roundtable meetings in predominantly minority communities. - Ensure that all aspects of the planning process operation comply with Title VI.	- Analyze current demographic data from the U.S. census, American Community Survey, and other sources in support of evaluating budget decisions, investment strategies, project impacts and benefits to all community members. Outcomes include: investments in traditionally underserved communities, language translation, and access to information and development of the public outreach and involvement processes that reflect community characteristics and needs. - Develop and update operational guidelines and directives to ensure the inclusion of Title VI language and provisions.
<i>Engineering Services</i>	Responsible for design and construction of Capital Improvement (CIP)	Maintain required Title VI compliance documentation and statistical data.	Review activities associated with public hearings to

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
	transportation projects, including designing of our roadways and bridges; overseeing design consultants; and working with Project and Program Support Services in assembling Requests for Proposals and Bid Packages. ESS also performs studies to assess various environmental factors as they relate to project development, which include social and economic elements.	• Work Closely with Environmental Services and Communication Services to ensure that all aspects of the location selection process comply with the Title VI requirements. • Work Closely with Environmental Services and Communication Services to consult and seek input from affected populations. • Work closely with Communication Services to provide notice of public hearings and meetings in minority newspapers and newsletters.	enhance the participation of targeted communities. • Develop and update operational manuals and directives to ensure the inclusion of Title VI language and provisions.
Environmental Services	• Responsible for analyzing environmental issues, acquiring permits and approvals, and evaluating pending regulations to achieve cost-effective regulatory compliance and avoid or minimize adverse project/program impacts. • Provide technical expertise for project/program analyses, and develops environmental policies, procedures, manuals, and training, as well as criteria to reduce a project's resource consumption and environmental impacts. • Assist in integrating	• Support public notification and make information accessible to public hearings and outreach meetings to review proposed project and subsequent impact. • Develop mechanisms to identify population affected by a project. • Support the distribution of information to the public confirming their rights to call or write the department to view plans and discuss environmental problems. • Support Communication Services staff with	• Monitor compliance with Title VI requirements in all aspects of the environmental process associated with construction projects/programs. • Review environmental information to assess economic and social impacts to ensure compliance with Title VI and Executive Order 12898, and to assist the Title VI Coordinator to

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
	environmental considerations and regulatory requirements into King County Road Services Division transportation program and construction projects. • Work with regulatory agencies to streamline the environmental permit process.	providing access to persons with Limited English Proficiency affected by King County projects.	identify any potential Title VI/Environmental Justice issues in the project/program development process.
<i>Maintenance & Traffic Special Operations</i>	• Responsible for completing work that is planned and performed on a routine basis to maintain and preserve the condition of the road system including signs, traffic signals, drainage, paving, bridges, rockeries, and river maintenance or to respond to specific conditions and events that restore the roadway system to an adequate level of service. • Works closely with Environmental Services to help avoid or minimize the environmental impact of a project during maintenance and operations.	• Monitoring all maintenance operations and management practice to ensure nondiscrimination. • Coordinates the gathering of maintenance information regarding DBE participation for the Annual Title VI Report.	• Review activities and programs to assure that maintenance efforts and resources are applied uniformly and fairly.
<i>Human Resources</i>	• Works with all Road Services Division Staff in coordination with the Department of Human Resources, to provide training and enforcement of our hiring, nondiscrimination,	• Assist with Title VI and other nondiscrimination related training, and the tracking of training statistical data for use by the Title VI Coordinator and preparation of our Annual Title VI Update Report.	• Review activities and programs to assure that human resources are applied uniformly and fairly for Road Services Division employees.

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
	harassment, violence prevention and similar human resource related laws regulations, policies, procedures, and guidelines.	• Work with the Human Resources Department to obtain gender and racial/ethnic designation employee statistics for use in our Annual Reports.	
Training	• Works with the King County Office of Equity and Social Justice to provide an equal opportunity for employees to attend training within the parameters established by the Department/Division Budget.	• Plan and Assist with Title VI and other nondiscrimination related training. • Ensure all employees have equal access to training. • Ensure staff is notified of training provided by the National Highway Institute (NHI), WSDOT, Office of the Title VI Coordinator and other agencies. • Ensure that no one is denied participation or subjected to discrimination on the basis of race, color, national origin, or sex.	• Maintain program administration and data necessary for preparation of the annual Title VI Report, including attendance data. • Review operational guidelines and directives to ensure the inclusion of Title VI language and provisions.

IV. Review Procedures

King County assures that every effort will be made to ensure non-discrimination in all programs and activities whether those programs are federally funded or not. Road Services Division continues to review and monitor requirements through regular internal protocols which include, but are not limited to, bid evaluations, weekly progress meetings with contractors and consultants, and project submittals.

A. Consultants and Contractors

Specifications defining Title VI requirements based on USDOT 1050.2 are included in the contract documents with a requirement that these provisions be included in all amendments,

supplements and lower tier contracts entered into by the contractor. (Construction contract documents also include GSP 01-07.11 language relating to the Requirements for Non-discrimination.) Goals are established for the participation of Disadvantaged Business Enterprises, when applicable.

After contract execution, the contractor is responsible for reporting requirements outlined in the contract, and adherence to all affirmative action and non-discrimination provisions for itself and its subcontractors in accordance with King County Code. For consultant contracts, the County utilizes the Diversity Compliance Management System (DCMS) for tracking DBE participation. DCMS requires prime consultants and subconsultants to report payments on a monthly basis for tracking participation percentages for certified firms. Division contract administration staff routinely review the database as part of monthly progress payment approvals. Additionally, BDCC communicates these requirements to bidders/proposers and tracks compliance following contract execution.

B. Subrecipients

Title VI Manager, Specialists and Liaisons will assist WSDOT to periodically conduct Title VI compliance reviews. Title VI Specialists and Liaisons will work cooperatively with King County's Finance and Business Operations Division, to periodically confirm operational guidelines provided to consultants, contractors, and subrecipients, including Title VI language, provisions, and related requirements, are adhere to.

When a subrecipient fails or refuses to comply with Title VI requirements within a specified time frame provided by King County, King County will submit to WSDOT and FHWA documentation and recommend that the subrecipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to determine if the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, King County Road Services Division and WSDOT may, with FHWA's concurrence, initiate sanction per 49 CFR 21.

V. Data Collection/Reporting/Analysis

Hearings, meetings, and all project engagement opportunities are publicized (postcards, e-mail, websites, social media, etc.) to residents in the affected neighborhoods. All printed and electronic communications are written in plain, reader-friendly English, and include information on how to access the materials in alternative formats or different languages. Where the population exceeds 5% in non-English speaking communities, every effort is made to translate outreach materials up front into the appropriate languages. At a minimum, we provide contact information in multiple languages for how to get the materials in a different format. In FFY 2021, approximately 30,000 printed materials related to Road Services Division projects and programs were created.

King County held public meetings for various projects and programs. Extensive Community Services Area outreach meetings were held. King County's Community Service Areas program is a public engagement program that informs, involves, and empowers people and communities in unincorporated King County by:

- Expanding outreach and communication to a wide range of community organizations

- Identifying a county employee who will serve as a liaison, ombudsman, and information clearinghouse for each Community Service Area
- Providing a work plan for each Community Service Area that lays out the county's goals, services, and projects for that area as well as issues identified by area residents and/or businesses
- Holding meetings in each Community Service Area to introduce the area's work plan, give residents opportunities to meet with King County leaders, and address issues as needed
- Providing resources to communities in unincorporated areas through the Community Service Area Grant Program, which offers matching funds for community-led projects through a yearly grant application process for community organizations.

Gender and/or racial/ethnic designation data was collected at the CSA meetings during the reporting period only when members voluntarily provided the requested information. The data collected during the CSA public meeting series is provided in the annual accomplishments report. The meetings were held throughout unincorporated King County.

VI. Title VI Training

In keeping with adopted King County's policy of nondiscrimination, departmental procedures will be established or followed for employees to have equal access to applicable educational and training opportunities. Road Services Division staff will maintain program administration documentation and data necessary for preparation of annual Title VI reports and will routinely supply the necessary data to the Title VI Coordinator.

The Title VI Coordinator is responsible for overall Title VI related training and staff development for Title VI Specialists and other employees. The Coordinator will organize or conduct a minimum of one internal Title VI training session annually. The Coordinator will organize and facilitate the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT's Office of Equal Opportunity may be asked to provide applicable training.

VII. Title VI Complaint Procedures

Discrimination Complaint Procedure for King County

Federal law prohibits discrimination on the basis of race, color, or national origin in any King County program, service, or activity. This prohibition applies to all branches of King County, its contractors, consultants, and anyone else who acts on behalf of King County.

Complaints related to the Federal-aid programs may be filed with King County and will be forwarded to Washington State Department of Transportation – Office of Equal Opportunity. If you need assistance to file your complaint or need interpretation services, please contact Tricia Davis.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any King County program, service, or activity because of their race, color, or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact Tricia Davis if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact Tricia Davis.

Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. If a complainant phones King County with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature.

A complaint should contain the following information:

- The complainant's contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available)
- The basis of the complaint (e.g., race, color, national origin)
- The names of specific person(s) and/or agencies/organizations alleged to have discriminated
- A description of the alleged discriminatory actions, meaning sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.

All Title VI complaints are logged. The Complaint log must contain the following information for each complaint filed:

- The name and address of the person filing the complaint
- The date of the complaint
- The basis of the complaint
- The disposition of the complaint
- The status of the complaint.

The Complaint Log and documentation are destroyed four years after the end of the fiscal year in which the case is closed.

King County then forwards complaints to WSDOT-Office of Equal Opportunity for processing by FHWA. [WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.] FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

Complainants have the right to file a complaint directly with the federal funding agency. The following address is where Title VI complaints may be filed directly with FHWA:

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
8th Floor E81-105
1200 New Jersey Avenue, SE
Washington, DC 20590

CivilRights.FHWA@dot.gov

What happens after a complaint is filed?

If your complaint is forwarded to another agency, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with an LPA, WSDOT, and FHWA.

VIII. Title VI Complaint Form

Please complete this form to the best of your ability. If you need translation or other assistance, contact Janel London at janel.london@kingcounty.gov or 206-477-3545.

Name _____

Address _____ City _____ Zip _____

Phone: Home _____ Work _____ Mobile _____

Best time of day to contact you about this complaint: _____

Email: _____

Basis of Complaint (circle all that apply):

Race	Color	National Origin (includes language access)
------	-------	--

Date of alleged incident: _____

Who discriminated against you?

Name _____

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)

What remedy are you seeking for the alleged discrimination? Please note that this process will not result in the payment of punitive damages or financial compensation.

 List any other persons that we should contact for additional information in support of your complaint. Please list their names, phone numbers, address, email address below.

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____

Status (pending, resolved, etc.) _____ Result, if known _____

Complaint number, if known _____

Do you have an attorney in this matter? _____

Name (print) _____

Phone _____ Address _____

City _____ Zip _____

Signed _____ Date _____

IX. Public Participation

King County identifies populations where English is a second language. Based on demography maps centered around language use, communication materials are translated into Spanish and the languages with 5% or greater use among the community population. For outreach meetings, King County provides translators. With COVID still prevalent, meetings are predominantly virtual.

King County has translated web materials, including surveys, into multiple languages to equitably address the needs of certain communities. King County makes every effort to reach intended audiences and to obtain responses.

Gender or racial/ethnic designation data is collected at public meetings only when members of the public fill in the data on the voluntary Title VI Public Meeting Form. The County has migrated this form to an online survey system to allow continuation of this data collection during virtual meetings.

To ensure greater participation, meetings are held online and during the evening. In person meetings are held in mobility accessible locations within specific, identified neighborhoods and communities.

Hearings, meetings and all project engagement opportunities are publicized (postcards, e-mail, websites, social media etc.) to residents in the affected neighborhoods. All printed and electronic communications are written in plain, reader-friendly English, and all included information on how to access the materials in alternative formats or different languages. In FFY

2021, approximately 30,000 printed materials related to Road Services Division projects and programs were created.

X. Limited English Proficiency

King County reviews and ensures that targeted communication materials and vital documents are translated into Spanish and other languages where the population meets or exceeds 5% speaking and reading languages other than English. King County's Office of Equity and Social Justice makes available language maps to help guide which documents need to be translated into which languages; Spanish, Vietnamese, Russian, Chinese, Korean, and some African languages based on percentage of population that speaks the language.

King County translates public communication materials and vital documents into needed languages on an ad hoc basis. King County utilizes best practices per King County's Office of Equity and Social Justice - <https://kingcounty.gov/elected/executive/equity-social-justice/tools-resources.aspx>, guidance from King County's Language Tiers, and direct feedback from staff that work on public facing programs.

King County utilizes Language Line translation services for oral interpretation services on an as-needed basis when assisting customers over the phone and contracted translation services for in-person interactions at remote work sites or community events.

The King County Language Access Program provides guidance and tools to departments, agencies, residents, and business as it pertains to accessible communications to individuals with Limited English Proficiency (LEP) and barriers to communication so that all services, programs, and activities are meaningfully accessible to all constituents.

The project's website ensures that the project information is accessible by all within the community. An example of this can be found at, [16th Avenue SW: SW 100th Street to SW 107th Street Pedestrian Safety Improvements & Traffic Calming Project - King County](#).

**King County's Top Languages
Ranked into Three Tiers
2021 Update**

	Language	Tier
First Tier: Translation Required	Spanish	1
Second Tier: Translation Recommended	Chinese*	2
	Vietnamese	2
	Somali	2
	Russian	2
	Korean	2
	Ukrainian	2
	Tagalog	2
	Amharic	2
	Arabic	2
Third Tier: Translation Encouraged	Dari	3
	Punjabi	3
	Tigrinya	3
	Japanese	3
	Marshallese	3

Key:

	First Tier:	<i>"Public Communication Materials" must be translated into target language, in specific instances spelled out in the Executive Order and where practicable.</i>
	Second Tier:	<i>Translation of Public Communication Materials is recommended, depending on target audience.</i>
	Third Tier:	<i>Translation of Public Communication Materials is encouraged, depending on target audience.</i>

Research on languages spoken in King County used five different sources to identify the most common languages. Spanish is spoken by far more people than any other language and occupies the first tier. Nine other languages are the next most frequently spoken by county residents, forming a second tier. A third tier is made up of five additional languages spoken by smaller numbers in particular communities.

King County works to identify any vital documents requiring translation services. Outreach materials for projects are translated if warranted based on the population of English as a second language speakers in the impacted communities. If time is too short for translation services, we include a brief message in the various languages and offer access in any needed format. This message is included below:

To request this information in another format or language, call 206-477-3800 (Relay 711) or email AskLocalServices@kingcounty.gov.

ይህን መረጃ በሌላ ቅርጽ ወይም ቋንቋ ለማግኘት፣ በ 206-477-3800 ላይ ይደውሉ ወይም በ AskLocalServices@kingcounty.gov ኢሜይል ያድርጉ።

مقرلا بلع لاصتالا بجزي، عيناث غلب وأ رخآ قيسنتب تامولعلا هذه بلطل -- ديرب لاسرا وأ 206- 477- 3800 .AskLocalServices@kingcounty.gov بلا ينورتكلإ

如要索取本資料的其他格式或語言，請致電 206-477-3800 或傳送電郵至 AskLocalServices@kingcounty.gov

Para solicitar esta información en Español, llamar al 206-477-3800 o envíe un mensaje .de correo electrónico a AskLocalServices@kingcounty.gov

その他の形式または言語での情報をご希望される場合は、206-477-3800 までお電話いただくか、または AskLocalServices@kingcounty.gov までEメールにてお問い合わせください

@다른 형식이나 언어로 이 정보를 요청하려면 206-477-3800 번으로 문의하거나 AskLocalServices@kingcounty.gov 로 이메일을 보내주시기 바랍니다

Чтобы запросить эту информацию в другом формате или на другом языке, звоните 206-477-3800 .или пишите AskLocalServices@kingcounty.gov

Si aad u weyddiisato inaad ku hesho macluumaadkan Af-Soomaali, fadlan wac 206-206-477-3800 .ama iimayl u dir AskLocalServices@kingcounty.gov

Để có các thông tin này bằng tiếng Việt, xin gọi số 206-477-3800 hoặc gửi điện thư đến AskLocalServices@kingcounty.gov

ដើម្បីស្នើសុំព័ត៌មាននេះជាភាសាខ្មែរ សូមទូរស័ព្ទទៅលេខ 206-477-3800 ឬផ្ញើអ៊ីមែល AskLocalServices@kingcounty.gov ។

XI. Environmental Justice

As individual capital projects are authorized and initiated, a project review process is initiated early in the project preliminary design phase. Early and ongoing project review is informed by an evolving understanding of the project stakeholders, constituent interests and demographic information obtained by census data GIS data. As the project evolves, so does the project team's understanding of the community and road users being served by the project and specific project products are informed by this data including the Project Charter, the Public Communications Plan, and King County Green Building Ordinance documentation. For non-exempt projects with federal funds, additional stakeholder information is provided via Environmental Justice (EJ) documentation for NEPA.

The Environmental Justice review uses information within a half mile of the project from the U.S. Environmental Protection Agency (EPA). The EPA provides an environmental justice screening and mapping tool, known as EJSCREEN. The project EJ review also includes data from the nearest public school using the Washington State Office of Superintendent of Public Instruction Washington State Report Card. Project sites are visited to help identify potential sensitive receptors to minimize potential impacts. Physical environments are reviewed/documentated by environmental professional staff to identify critical/sensitive areas, potential project impacts, and future mitigation. Travel habits are studied by Traffic Safety Engineers to assess local and regional mobility, potential project impacts, and future mitigation.

XII. Notice of Title VI Rights

Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964

King County hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which Agency receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with King County. Any such complaint filed with the King County Office of Civil Rights, [Civil Rights - King County](#), within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from the King County Office of Civil Rights at no cost to the complainant.

To file a Title VI discrimination complaint, contact:

King County Office of Civil Rights
CNK-EX-0800
401 5th Ave Ste 800
Seattle, WA 98104
Civil-Rights.OCR@kingcounty.gov

Washington Department of Transportation
Office of Equal Opportunity – Title VI
Box 47314
Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
Phone: (800) 259-9143

ATTACHMENT 1:

USDOT 1050.2A, Standard Assurances with Appendices

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination

Assurances

DOT Order No. 1050.2A

The King County (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Washington State Department of Transportation (WSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The King County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

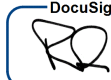
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That 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 thereon, in which case the Assurance obligates the Recipient, 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 the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, 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 Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, King County also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the King County access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the King County. You must keep records, reports, and submit the material for review upon request to King County, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

King County gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

King County
(Name of Recipient)

DocuSigned by:

by 771E06D2EB854EF...
(Signature of Authorized Official)

DATED 9/1/2022

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the King County will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the King County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto King County and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the King County, its successors and assigns.

The King County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the King County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the King County pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, King County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the King County will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the King County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by King County pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, King County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, King County will there upon revert to and vest in and become the absolute property of King County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).