



## TITLE VI ACCOMPLISHMENTS & GOALS REPORT

### Contact Information

Name and title of administrator (signature on Standard Assurances): Josh Brown

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Phone #: 206-464-7515 email address: [jbrown@psrc.org](mailto:jbrown@psrc.org)

Name and title of head of transportation-related services: Kelly McGourty

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Phone #: 206-971-3601 email address: [kmcgourty@psrc.org](mailto:kmcgourty@psrc.org)

Name and title of designated Title VI coordinator\*: Nancy Buonanno Grennan

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City: Seattle WA Zip Code: 98104 County: King

Phone #: 206-464-7527 email address: [nbgrennan@psrc.org](mailto:nbgrennan@psrc.org)

\*When the Title VI coordinator changes, notify [TitleVI@WSDOT.wa.gov](mailto:TitleVI@WSDOT.wa.gov) within 30 days.

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To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A). This document is included as Appendix A.

### Accomplishments

1. [Have there been any changes to the approved Title VI Plan that have not been reported to OEO? If Yes, please submit an update to the Title VI Plan with a new signature.](#)

The Title VI plan was updated in 2021 and was most recently updated administratively to reflect staffing changes for the agency's work in May 2023. The most recent version is located here: [title-vi-plan-2021.pdf \(psrc.org\)](#)

2. [Organization, Staffing, Structure – Describe the Title VI Program reporting structure including the Title VI Coordinator, Administrative Head, and transportation-related staff. The list should include name, race, color, and national origin of each individual. Include the same details if your LPA has a volunteer or appointed board related to transportation decision making.](#)

### PSRC Executive Director:

Josh Brown, White, Male. Oversees the agency, reports to the Executive Board.

**Title VI Coordinator:**

Nancy Buonanno Grennan, Deputy Executive Director, White, Female. Helps oversee the agency, reports to the Executive Director, provides agency wide guidance on the Title VI program and is responsible for processing Title VI complaints if received by PSRC. Oversees the agency's Title VI program.

Ms. Buonanno Grennan has delegated day-to-day administration of the program to Noah Boggess, Senior Public Engagement Specialist, co-coordinator and Title VI Liaison Coordinator.

**Title VI Program Co-Coordinator and Title VI Liaison Coordinator**

Mr. Boggess, White, Male, Senior Public Engagement Specialist, is responsible for the development of Title VI Accomplishments and Goals Report and day-to-day administration of PSRC's Title VI program.

**Public Involvement Liaison:**

Michele Leslie, Principal Communications Manager, White, Female. Coordinates communications and outreach.

**Planning & Programming Liaison:**

Ben Bakkenta, Director of Regional Planning, White, Male. Leads regional planning.

**Environmental Affairs Liaison:**

Erika Harris, Senior Planner, White, Female, SEPA responsible official.

**Consultant Contracts Liaison:**

Andrew Werfelmann, Budget Manager, White, Male. Oversees consulting contracts and DBE program.

**Education & Training Liaison:**

Thu Le, Human Resources Manager, Asian, Female. Oversees human resources, including education and training.

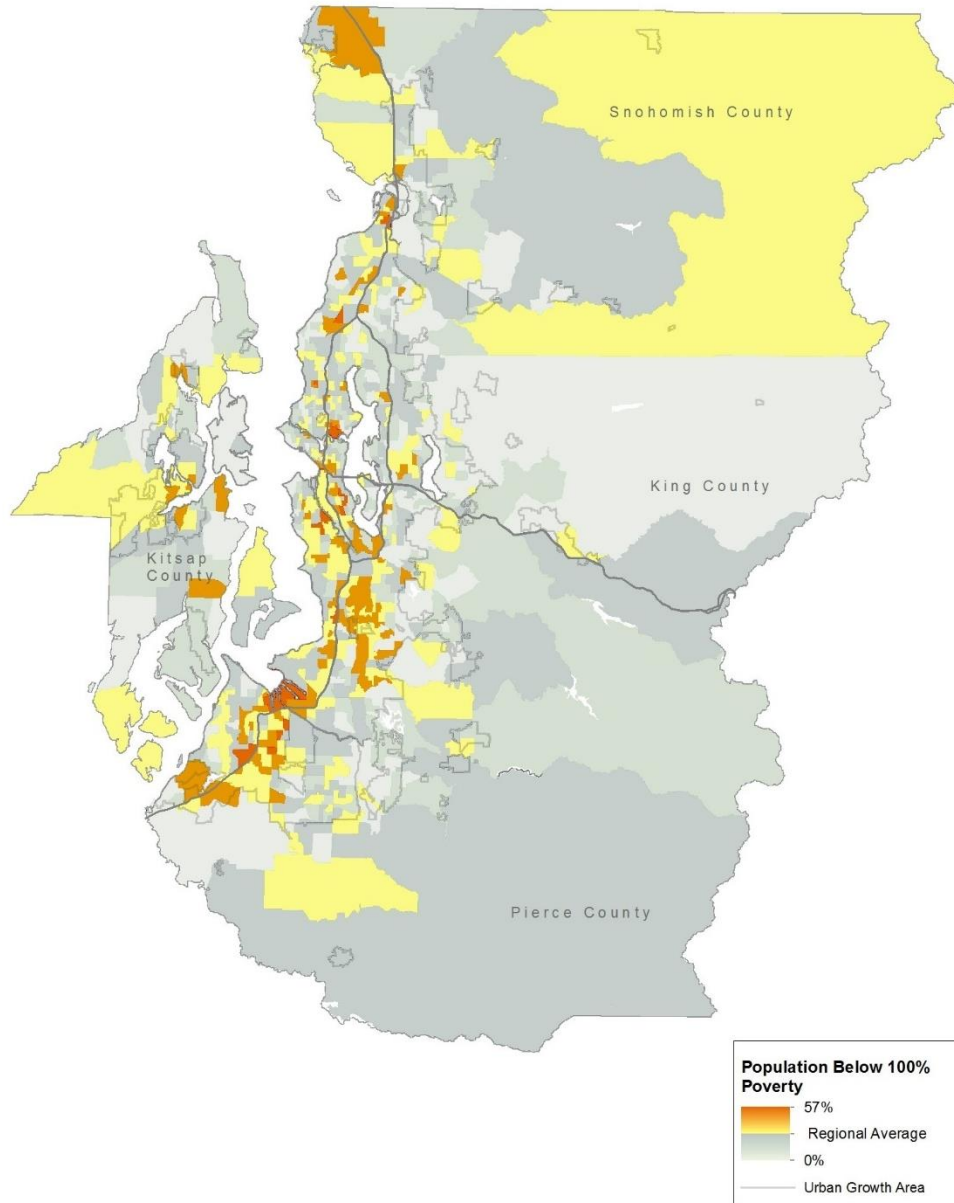
3. Community Demographics – Using a map of the LPA's boundaries, describe the demographics of the LPA's service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient.

**Low Income Population**

Within the central Puget Sound region, eight percent (8%) of residents live in households earning income less than 100% of the federal poverty level and nineteen percent (19%) in households with income less than 200% of the federal poverty level.

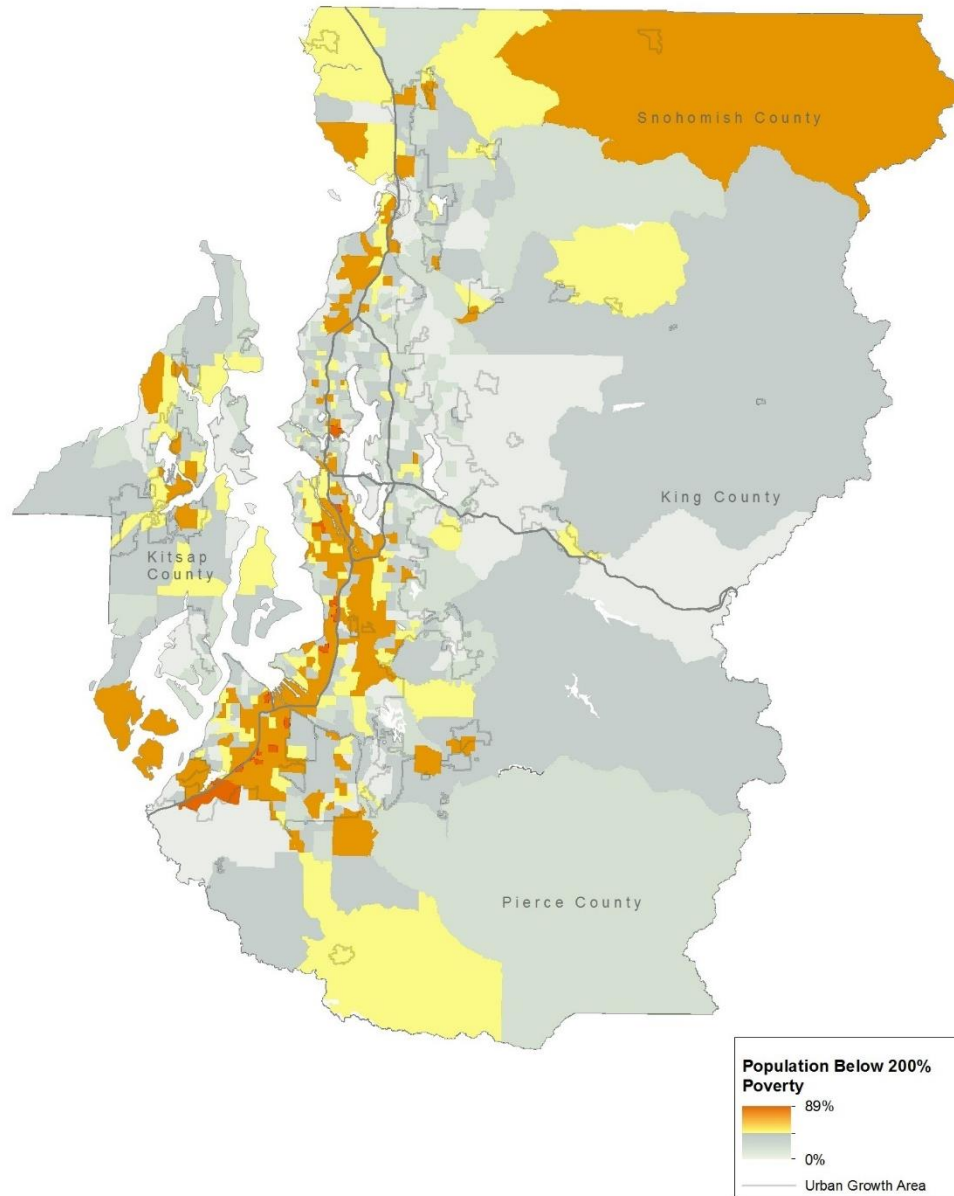
Maps 1 and 2 highlight census tracts in the region with a higher-than-average share of residents below 100% and 200% of the federal poverty level. Lower income communities include neighborhoods in Everett and other areas along the Interstate 5 corridor in Snohomish County; Seattle's University, central, and south districts; southwest King County; Poulsbo, Bremerton, and Port Orchard in Kitsap County; central and south Tacoma; central and northwest Pierce County; and several rural communities across the region.

Map 1. Population Below 100% Federal Poverty Level



Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates, Table C17002. Ratio of Income to Poverty Level in the Past 12 Months

Map 2. Population Below 200% Federal Poverty Level



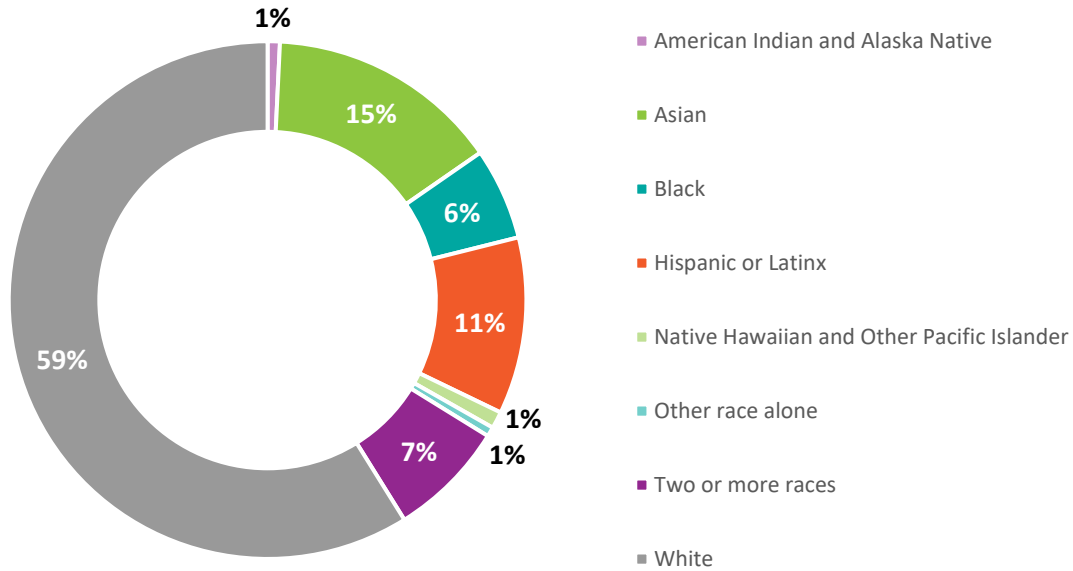
Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates, Table C17002. Ratio of Income to Poverty Level in the Past 12 Months

### People of Color

People of color represent forty-one percent (41%) or two-fifths of the region's current population. Figure 1 illustrates the composition of the region's population by race and Hispanic/Latinx origin. The region's largest non-White population is Asian (fifteen percent (15%)) followed by Hispanic or Latinx (eleven

percent (11%), multiracial persons (seven percent (7%)), and Black (six percent (6%)). Note: Persons of any race who reported Hispanic/Latinx origin are included under Hispanic or Latinx.

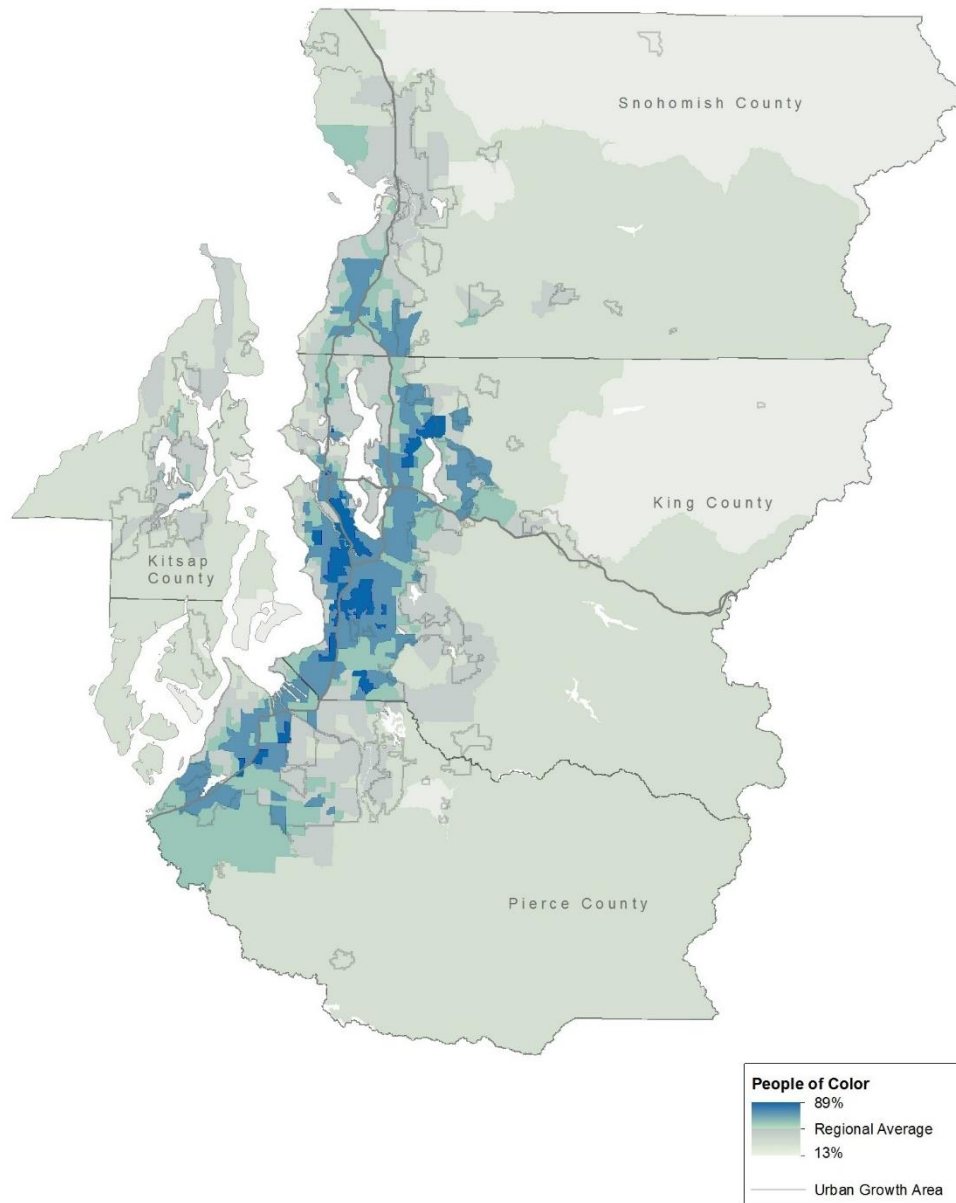
Figure 1. Population by Race and Hispanic/Latinx Origin



Source: U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics (DHC) File, Table P5. Hispanic or Latino Origin by Race

Map 3 shows the percent share of people of color by census tract in the region. Communities of color are present along the Interstate 5 and Interstate 405 corridors, particularly in southwest Snohomish County; Seattle’s University, central, and south districts; east King County; southwest King County; Bremerton; central and south Tacoma; and central Pierce County.

Map 3. People of Color



Source: U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics (DHC) File, Table P5. Hispanic or Latino Origin by Race

**Language and Limited English Proficiency**

In the central Puget Sound region eight percent (8%) of the population speaks English less than “very well.” Listed below are the most common languages spoken at home other than English, along with the number and percent share of speakers with limited English proficiency.

Table 1: Population with Limited English Proficiency by Language Spoken at Home

Language Spoken at Home	Population	Speaks English less than "very well"	
Spanish	253,900	94,100	37%
Chinese (dialect unspecified)	65,300	31,400	48%
Vietnamese	55,900	32,400	58%
Korean	46,000	23,900	52%
Russian	40,200	16,100	40%
Tagalog	38,000	12,600	33%
Hindi	32,200	4,600	14%
Mandarin	28,200	11,900	42%
Japanese	22,600	7,900	35%
French	18,900	4,000	21%
Ukrainian	18,600	9,000	48%
Punjabi	16,900	6,300	38%
Arabic	16,700	7,100	43%
Amharic	15,800	7,200	46%
Cantonese	15,700	8,100	51%
Khmer	15,000	7,800	52%

Source: U.S. Census Bureau, 2021 American Community Survey 5-Year Public Use Microdata Sample

4. Complaints – Provide a copy of the LPA’s Title VI complaint log, including new Title VI complaints received during this reporting period and any still pending. Include the basis of the complaint (race, color, national origin) and describe the disposition (status/outcome).

No complaints were received during FY 2023.

5. Planning – Describe the transportation planning activities performed this reporting period. Describe the actions taken to promote Title VI compliance regarding transportation planning, including monitoring and review processes, community involvement, their outcome or status. Include examples of community outreach.

#### **Preparatory work for Regional Safety Plan**

PSRC submitted a successful application to the U.S. Department of Transportation’s Safe Streets and Roads for All (SS4A) Grant Program. The nearly \$4.9 million grant will support development of a Regional Safety Plan and local safety plans for Pierce County and the cities of Burien, Everett, Kent, Redmond and Tukwila. The new funding provided through the Bipartisan Infrastructure Law will help accelerate the statewide goal of reducing roadway fatalities to zero by 2030. Work will include extensive public outreach with particular emphasis on safety and underserved populations.

#### **2030 Climate Analysis**

The 2030 Climate Analysis examined the estimated greenhouse gas emissions from the planned 2030 regional transportation system compared to the region’s climate goals. The analysis examined various levers such as different levels of a road usage charge, increases in electric vehicle sales and forecasted

work from home levels. This work will inform and support development of a regional climate implementation strategy.

### **New Regional Electric Vehicle Collaborative Clearinghouse Website**

The website was created in partnership with the Puget Sound Clean Air Agency to help local planners and decision makers find the resources needed to prepare for the influx of electric vehicles. This includes information on installing EV chargers, adding electrification aspects in updated comprehensive plans and codes, and learning about the benefits of EVs.

### **Analysis of ADA Transition Plans in the Region**

The 2022-2050 Regional Transportation Plan directed PSRC to elevate the work and needs of ADA (Americans with Disabilities Act) transition planning, including monitoring the progress and supporting the development and analysis of these local plans, which are designed to prevent or eliminate obstacles in the public right-of-way that impede access for people with disabilities. PSRC reviewed federal requirements and applicability, surveyed jurisdictions, reviewed existing transition plans, and presented findings to the Transportation Policy Board.

6. Right-of-way actions – Describe activities during this reporting period associated with the purchase, sale, lease/use, or transfer of real property (related to highway transportation/public right-of-way use). Include demographic information of affected populations. For example, the race, color, national origin of affected property/business owners(s)/tenant(s).

Not applicable: PSRC does not purchase, sell, lease/use or transfer real property related to highway transportation /public right-of-way use.

7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin.

Not applicable: PSRC does not employ right-of-way appraisers and acquisition staff, or contract for those services.

8. Studies and Plans – Were any transportation studies (including environmental reviews) conducted or transportation plans completed during this reporting period? Identify the data source(s) and provide data summary (Title VI/Environmental Justice Analysis) relative to ethnicity, race, languages spoken, neighborhoods, income levels, physical environments, and/or travel habits. Explain how data was used in these studies/reviews/plans.

There were no transportation related studies and plans completed during reporting period.

The planning process at PSRC makes use of data sources that provide information on race, ethnicity, languages spoken, and income. These includes survey data from the U.S. Census.

PSRC conducts a Household Travel Survey in two-year survey cycles. This provides information on travel patterns and includes demographic information. <https://www.psrc.org/household-travel-survey-program>



9. Project Location and Design – Provide a list of construction projects that began during this reporting period. Using a map of the LPAs service area, identify project locations, and a brief description of the projects’ benefits/burdens to affected populations. If possible, provide a map that overlays projects with the racial composition of affected neighborhoods.

Not applicable. PSRC acknowledges its responsibility to complete a Title VI equity analysis if PSRC were to construct a facility, such as an operation center, storage facility, etc. PSRC does not perform construction projects and has no plans to undertake a construction project at this time. However, if PSRC were to plan a construction project, it would complete the Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color or national origin. This process would include outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis would compare the equity impacts of various siting alternatives and occur before the selection of the preferred site.

10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials.

Identify members of the LPA’s transportation planning and/or advisory groups by race, color, and national origin

Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

List any language assistance services requested. For which languages? Who provided the service? In addition, list vital documents translated during the reporting period and identify the languages.

**Public Meetings**

From July 2022 through June 2023, PSRC held hybrid meetings, allowing its board members and the public to participate either virtually or in person at PSRC’s offices in downtown Seattle.

**General Assembly:** PSRC’s General Assembly includes all mayors, county executives, commissioners, and councilmembers of PSRC’s member jurisdictions. Each elected representative is a voting member of the General Assembly, which meets at least annually to vote on major decisions, establish the budget, and elect new officers.

The General Assembly meetings are open to the public. Members of the public are welcome to attend and submit comments on an individual agenda item. The meeting dates and times can be found on PSRC’s website, as well as agenda materials which are posted 10 days in advance. For outreach, PSRC sends out a save the date, publishes a blog post and accompanying social media posts, and features the meeting in the Executive Director’s email to over 3,700 recipients.

<https://www.psrc.org/board/general-assembly>

During the period of July 1, 2022 – June 30, 2023, the General Assembly met as follows:

Dates/Times	Attendance	Included Topics
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May 30, 11:00 AM – 1:00 PM In person meeting with remote public comment available; live streamed for the public	Attended by 85 elected officials representing 52 member jurisdictions; total in-person attendance was 154; viewed live by 18 individuals	Adoption of Fiscal Years 2024-2025 Budget and Work Program; Election of Officers
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**Executive Board:** PSRC’s Executive Board members are appointed by their General Assembly constituents to represent the member governments. The board is chaired by PSRC’s president, meets monthly and carries out delegated powers and responsibilities between meetings of the General Assembly. The Board’s meetings are open to the public. Members of the public are welcome to attend and provide input, whether orally or in writing, on an individual agenda item at the beginning of each meeting. Executive Board meetings are typically held on the fourth Thursday of the month on or about 10:00 a.m. Specific meeting dates and times can be found on PSRC’s website, as well as agenda materials, which are posted seven days in advance. For outreach, PSRC sends the agenda out to the Board’s electronic mailing list and publishes a blog post and accompanying social media posts.

<https://www.psrc.org/board/executive-board>

During the period of July 1, 2022 – June 30, 2023, the Executive Board met as follows:

Dates/Times	Attendance	Included Topics
July 28, 2022, 10 AM – 11:30 AM	38 Board members participated in the meeting; 87 attendees	Approved 2022 Annual FTA adjustments and approved projects for PSRC’s 2025-2026 Federal Highway Administration Funds
September 22, 2022, 10 AM – 11:30 AM	32 Board members participated in the meeting; 78 attendees	Legislative agenda and regional transportation plan work program
October 27, 2022, 10 AM – 11:30 AM	31 Board members participated in the meeting; 56 attendees	Federal Partners Report on the TMA Certification Report; Adoption of the 2023 -2026 Regional Transportation Improvement Program
December 1, 2022 10 AM – 11:30 AM	34 Board members participated in the meeting; 64 attendees	The Board heard presentations from the Equity Advisory Committee, as well as an update on the Climate Change Implementation Strategy
January 26, 2023, 10 AM – 11:30 AM	33 Board members participated in the meeting; 39 attendees	The Board heard presentations on the Housing Monitoring Report and Public Opinion Survey as well as the Regional Transportation Plan Performance Dashboard

Dates/Times	Attendance	Included Topics
February 23, 2023, 10 AM – 11:30 AM	36 Board members participated in the meeting; 38 attendees	Discussed Safe Streets and Roads for All Safety Action Plan Grant; heard a State Legislative Update
March 23, 2023, 10 AM – 11:30 AM	31 Board members participated in the meeting; 44 attendees	Approved TBP working group recommendation on FTA funding distribution; released Public Participation Plan for public comment
April 27, 2023, 10 AM – 11:30 AM	35 Board members participated in the meeting; 54 attendees	Recommended adoption by the General Assembly of the FY 2024-205 Biennial Budget and Work Program; approved Regional Transportation Plan Project Amendments
June 22, 2023, 10 AM – 11:30 AM	22 board members participated in the meeting; 64 attendees	Approve Greater Downtown Kirkland Regional Growth Center Designation; Adoption of the Public Participation Plan

PSRC's Executive Board sponsored two all board workshops to build a foundation for PSRC's racial equity work and is an integral part of PSRC's Regional Equity Strategy.

Dates/Times	Attendance	Included Topics
November 30, 2022, 10:00 AM – 11:30 AM	28 Board members participated; 29 additional attendees	Understanding Institutional and Structural Racism
April 28, 2023 10 AM – 12 PM	23 Board members participated; 73 additional attendees	Affirm, Counter, Transform (ACT): A Guide to Talking About Race

**PSRC's Policy Boards/Committees:** PSRC's policy-making process is guided by the work of three Policy Boards/Committees, detailed below. Members of the General Assembly may be appointed to one of the policy boards. Most of the discussion and debate on the "nuts and bolts" of a policy issue occurs in the boards and committees. Issues to be considered by the Executive Board typically come through one or more of the boards or committees. Representatives from PSRC member jurisdictions are required to be elected officials, but Tribes may appoint a non-elected representative.

The policy committee meetings typically occur on a Thursday morning. Members of the public are welcome to attend and provide input, either by submitting or making a comment on an individual agenda item.

PSRC typically provides public notice through posting information on PSRC's website, and, if appropriate, through e-mail notices and news releases to local media outlets. Materials to be considered at PSRC meetings are posted on PSRC's website and are made available to interested persons upon request.

Operations Committee (OC): The OC is composed of Executive Board members and is chaired by PSRC's vice-president. The OC reviews and makes recommendations to the Executive Board on the budget and work program, and on contracts and other financial and personnel issues. The OC meets monthly, on the fourth Thursday of every month, just prior to the Executive Board meeting, typically from 9 AM to 9:50 AM.

Growth Management Policy Board (GMPB): The GMPB includes representatives of PSRC's member jurisdictions, regional business, labor, civic and environmental groups. The GMPB typically meets on the first Thursday of the month from 10 AM to 12 PM and advises the Executive Board on key growth management issues, including the work leading up to the adoption of VISION 2050.

Transportation Policy Board (TPB): The TPB includes representatives of PSRC's member jurisdictions, regional business, labor, civic and environmental groups. The TPB advises the Executive Board on key transportation issues, including distribution of transportation funding.

During this Fiscal year, the TBP formed a subcommittee of its members to recommend distribution of Federal Transit Administration (FTA) funding. In addition, PSRC's chairs and elected leadership met monthly as part of a Regional Transportation Plan (RTP) Steering Committee to provide high level policy direction and oversight on the agency's implementation of the RTP.

<https://www.psrc.org/board/transportation-policy-board>

Dates/Times	Attendance	Included Topics
July 14, 2022, 9:30 AM – 11:30 AM	40 Board members participated in the meeting; 81 attendees	Recommended approval of projects proposed for PSRC's 2025-2026 Federal Highway Administration Funds; Discussion of overall Transportation work program
September 8, 2022, 9:30 AM – 11:30 AM	34 Board members participated in the meeting; 91 attendees	Released draft of 2023-2026 Regional TIP for public comment; Discussion of Transportation Work Program; formation of subcommittee to discuss FTA fund distributions
October 13, 2022, 9:30 AM – 11:30 AM	31 Board members participated in the meeting; 61 attendees	Recommend adoption of the 2023-2026 Regional Transportation Improvement Program; Overview of Climate Change Work Program
November 10, 2022, 9:30 AM – 11:30 AM	27 Board members participated in the meeting; 111 attendees	Overview of Project Tracking and Delivery; Transportation Demand Management Activities; Climate Change Work Program continued discussion
December 8, 2022, 9:30 AM – 11:30 AM	29 Board members participated in the meeting; 64 attendees	Safety Work Program discussion; Climate Analysis Preliminary Results

Dates/Times	Attendance	Included Topics
January 12, 2023, 9:30 AM – 11:30 AM	35 Board members participated in the meeting; 229 attendees	Consolidated grant competition regional rankings; Climate Change Implementation Strategy
February 9 2023, 9:30 – 11:30 AM	38 Board members participated in the meeting; 72 attendees	Transportation Work Program Status Report and Milestones; Puget Sound Regional Electric Vehicle Collaborative
March 9, 2023, 9:30 – 11:30 AM	39 Board members participated in the meeting; 49 attendees	WSDOT presented on Revive I-5 initiative; Transportation Data Collection and Inventory Work program; FHWA Targets and Project Delivery; Public Participation Plan
April 13, 2023, 9:30 AM – 11:30 AM	35 Board members participated in the meeting; 299 attendees	Recommendation on 2023 Project Tracking and Delivery; Climate Change Implementation Strategy
June 8, 2023, 9:30 AM – 11:30 AM	30 Board members participated in the meeting; 69 attendees	2023 FTA Annual Adjustments; Safety Program Updates; PSRC Funding Updates

#### Workshops, Community Forums, and Other Events —

PSRC conducts workshops, community forums, and other events to keep the public informed and involved in various high-profile transportation projects and plans, and to elicit feedback from the public, partners, and stakeholders. Most public meetings took place over Zoom webinar, with the TOD FOR ALL session in October 2022 featuring an in-person walking tour.

PSRC asks attendees at in-person meetings to voluntarily provide demographic information. During the last fiscal year, most of PSRC's outreach activities were held on-line, either directly with PSRC staff or with consultants retained for outreach and engagement. PSRC asked attendees to voluntarily identify their race and ethnicity, language spoken at home, gender identification, and total annual income through completion of on-line forms and/or to self-identify orally during focus groups. The results of reach of these meetings can be found in Appendix B. Due to the voluntary nature of these surveys, the number of respondents differs from the total number of attendees. Respondent totals are included in Appendix B.

Project	Dates	Count	Outreach Materials
Passport to 2044 Webinar Series: Climate Change	August 17, 2022	59	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: Economic Development	September 7, 2022	48	Email notifications to interested parties, blog post, social media posts

Project	Dates	Count	Outreach Materials
Passport to 2044 Webinar Series: Transportation	October 18, 2022	43	Email notifications to interested parties, blog post, social media posts
TOD FOR ALL: Planning for 1 Million+ New People Near Transit	October 21, 2022	95	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: Housing Session 1 - Racially Disparate Impacts	October 26, 2022	55	Email notifications to interested parties, blog post, social media posts
TOOLBOX Peer Networking: Advancing Equity, Health, and Resiliency with Stormwater Parks	November 4, 2022	13	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: Equity (Session 1)	November 8, 2022	60	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: Coordination with Tribes	November 15, 2022	20	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: Planning for Critical Areas	November 30, 2022	34	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Webinar Series: TOD & Centers	December 13, 2022	29	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Series: Housing Need and Capacity	February 15, 2023	67	Email notifications to interested parties, blog post, social media posts
Passport to 2044: Elected Officials and Planning Commissioners	May 18, 2023	60	Email notifications to interested parties, blog post, social media posts
Passport to 2044 Series: Legislative Session Wrap-Up & Comprehensive Planning	June 28, 2023	99	Email notifications to interested parties, blog post, social media posts

A sample flyer from blog posts can be found at the following links:

<https://www.psrc.org/boards-committees/upcoming-meetings/meeting/passport-2044-webinar-series-equity-session-2-equity>

<https://www.psrc.org/media/6315>

### Demographic Identification

Equity Advisory Committee (EAC): The EAC is composed of residents as well as governmental and community-based organizations in the Puget Sound region representing BIPOC communities (see demographics below). The Committee co-creates products (*e.g.*, data tools and planning resources) for the Regional Equity Strategy and other agency projects with staff and the Executive Board as well as advises PSRC committees and policy boards on policies and programs with an equity lens. The EAC meets monthly, on the first Thursday of every month, from 5:30 PM to 7:30 PM.

Race / Ethnicity	Number of Members
Asian American	4
Black	9
Multi-racial	6

Gender	Number of Members
Men	4
Women	15

### Language Assistance

PSRC received no requests for language assistance in the reporting period.

PSRC provides the following documents translated into the most frequently spoken languages in the region: Arabic, Simplified Chinese, French, German, Korean, Russian, Spanish, Tagalog, and Vietnamese.

- ADA Commitment
- ADA Grievance Procedure
- Title VI Notice
- Title VI Complaint Form and Procedures

PSRC has a streamlined process for individuals requesting language assistance. This procedure has been translated in the languages listed above and is available on PSRC's Language Assistance page:

<https://www.psrc.org/contact-center/language-assistance>.

In addition to vital documents, PSRC translated the following documents into simplified Chinese, traditional Chinese, Somali, Spanish and Vietnamese:

- Equity Advisory Committee (EAC) Application and Interview Questions
- EAC Call for applications
- EAC FAQ

These were all posted on our website and pushed through our outreach networks and community partners.

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

After it is determined that an RFP needs to be issued, PSRC posts the RFP on PSRC's website and then proceeds to advertise the release. This is done by sending an email to all registered consultants along with advertising in the local Business Journal, one minority newspaper and posting an ad on the State's OMWBE website for Minority and Women owned businesses as well as uploading it to the Washington Electronic Business Solution (WEBS). After solicitations are received a review committee evaluates the proposals and if necessary, schedules interviews with firms. Based on evaluations a consultant is selected.

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

PSRC's uses a standard contract for all consultants/contractors which was thoroughly reviewed by USDOT and FTA Region 10 representatives in December 2014 and includes Title VI requirements. It also requires consultants/contractors to include those requirements in all sub-contracting opportunities (see below). We also require all new consultants to complete a Title VI review form and attach their policy regarding non-discrimination.

*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. § 324 et seq.), (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 1986, (42 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, color, national origin, or sex);*
- *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 of 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 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 1975, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).*

*The Contractor shall include the above certification in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.*

13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as a prime contractor/consultant).

Unless noted, none are certified DBE:

- Contract 2023-01: \$135,300 (federal, DBE Certified)
- Contract 2023-02: \$870,000 (federal)
- Contract 2023-03: \$210,000 (federal)
- Contract 2023-04: \$100,000 (federal)
- Contract 2023-05: \$228,000 (local)
- Contract 2023-06: \$40,000 (federal)
- Contract 2023-07: \$80,000 (local)
- Contract 2023-08: \$228,000 (local)
- Weaver Architects: \$11,900 (indirect)
- Avidex Phase 1: \$10,000 (indirect)
- Avidex Phase 2: \$484,619 (indirect)
- Integrated Telecom Group: \$165,564 (indirect)
- Catalyst: \$397,338 (indirect)

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status.

PSRC formed a staff committee to create internal learning opportunities for staff on equity, diversity, and inclusion topics., including Title VI.

All new staff are required to participate in anti-discrimination and harassment training within the first 90 days of employment, with additional training required for supervisory staff. Staff are required to re-take the anti-discrimination training every two years.

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

None during this reporting period.

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

May 17, 2023; Noah Boggess; *Title VI, Engagement, and Equity*

November 30, 2022; Charles Patton; *Institutional and Structural Racism*

April 28, 2023; Charles Patton and Noah Boggess; *Affirm, Counter, Transform (ACT): A Guide to Talking about Race*

**Attendees:**

All Staff – agency demographics consist of Asian, Black, White, Latinx, and job titles include the following:

- Administrative Assistant I
- Administrative Assistant II
- Assistant Data Programmer and Analyst
- Assistant Planner
- Associate Communications Specialist
- Associate Graphic Designer
- Associate Planner
- Budget Manager
- Data Scientist
- Database Manager
- Deputy Executive Director
- Digital Graphic Designer
- Director of Data
- Director of Growth Management
- Director of Government Relations and Communications
- Director of Regional Planning
- Director of Transportation Planning
- Executive Administrator
- Executive Assistant
- Executive Director
- Finance Manager
- HR Manager
- Library Manager
- Principal Communications Manager
- Principal Modeler
- Principal Planner
- Program Manager
- Senior Data Programmer and Analyst
- Senior IT Specialist
- Senior Modeler
- Senior Planner
- Senior Public Engagement Specialist

Support Services Specialist

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable.

November 30, 2022; Charles Patton; *Institutional and Structural Racism*

April 28, 2023; Charles Patton and Noah Boggess; *Affirm, Counter, Transform (ACT): A Guide to Talking about Race*

**Participants:**

All Staff – agency demographics consist of Asian (13.9%), Black (4.2%), White (80.5%), Hispanic/Latinx (1.4%), and job titles include the following:

Administrative Assistant I

Administrative Assistant II

Assistant Data Programmer and Analyst

Assistant Planner

Associate Communications Specialist

Associate Graphic Designer

Associate Planner

Budget Manager, Consultant Contracts Liaison

Data Scientist

Database Manager

Deputy Executive Director, Title VI Coordinator

Digital Graphic Designer

Director of Data

Director of Growth Management

Director of Government Relations and Communications

Director of Regional Planning, Planning & Programming Liaison

Director of Transportation Planning

Executive Administrator

Executive Assistant

Executive Director

Finance Manager

HR Manager, Education & Training Liaison

Library Manager

Principal Communications Manager, Public Involvement Liaison

Principal Modeler

Principal Planner

Program Manager

Senior Data Programmer and Analyst

Senior IT Specialist

Senior Modeler

Senior Planner, Environmental Affairs Liaison

Senior Public Engagement Specialist, Title VI Program Co-Coordinator and Title VI Liaison Coordinator

Support Services Specialist

## 15. Title VI Goals for Upcoming Year

What area(s) of Title VI does your agency plan to focus on in the upcoming year? Describe by particular program area what your agency hopes to accomplish. Include any significant problem areas to focus on and plans to address those.

In the upcoming year PSRC will finalize the development of the Regional Equity Strategy and transition toward implementation. The Strategy includes a suite of tools and resources used to guide PSRC's work in advancing racial equity and guidance for local jurisdictions in their work.

As part of this work PSRC developed an Equity Advisory Committee (EAC), which serves as a cross-sector working group composed of residents as well as governmental and community-based organizations in the Puget Sound region representing BIPOC communities and other marginalized groups. The Committee co-creates products for the Regional Equity Strategy and other agency projects with staff and the Executive Board as well as advises PSRC committees and policy boards on various policies and programs with an equity lens. The EAC is currently undergoing development of an Equity Pilot Project as part of PSRC's Transportation Project Selection Process. This Pilot is a \$6 million set aside to fund projects with an equity lens. The allocation of these funds will be decided by the end of 2023 by the EAC, and will inform an update to the agency's project selection process.

As PSRC continues to implement the Regional Equity Strategy, there are numerous opportunities for all staff at the agency to be working towards shared goals on advancing racial equity in the region. These goals include the following:

- PSRC staff and board members will develop a deeper understanding of racial equity
- PSRC staff will reflect the diversity of the region we serve
- PSRC will ensure that BIPOC communities inform decision-making processes
- PSRC will center race in its work and use its various roles to advance racial equity
- PSRC will spend its resources to improve racial equity outcomes

Throughout 2022 and early 2023, PSRC held working sessions on racial equity for staff and elected officials in the region. These sessions focused on developing a shared language around racial equity to begin the process of equipping staff and board members with the skills necessary to successfully implement the equity related elements of VISION 2050, as well as other agency work. PSRC staff will look to continue these trainings and expand them to partners in the region.

Over the past fiscal year, PSRC has worked to get greater demographic information from those participating in its meetings, whether held in-person, on-line or in a hybrid fashion. The agency will continue to work to standardize this practice and thoroughly collect demographic information. That demographic information follows as Appendix B.

### **Attachments**

Appendix A. Signed Standard Assurances

Appendix B. Demographics at meetings

Project	Date	Gender	General Ethnic ID Categories	Disability	Language	Age	Income	
PSRC Webinar - Bipartisan Infrastructure Law (BIL) (64 respondents)	7/29/2022	Female	47% American Indian/Alaska Native	0% No	92% English Only	84% 18-34	25% Less than \$25,000	3%
		Male	50% Asian	14% Yes	3% Language other than English	2% 35-54	38% \$25,000-\$75,000	9%
		Non-binary	0% Black or African American	0% Prefer not to disclose	5% Multiple Languages	13% 55-64	30% \$75,000 - \$125,000	11%
		Prefer not to disclose	3% Hispanic/Latinx	2%	Prefer not to respond	2% 65+	5% \$125,000-\$175,000	25%
			Native Hawaiian/Pacific Islander	2%		Prefer not to disclose	3% \$175,000-\$199,999	11%
			Other	3%			\$200,000+	23%
		Two or More Races	0%			Prefer not to disclose	11%	
		White	75%					
		Prefer not to disclose	5%					
Passport to 2044 Webinar Series: Climate Change (59 respondents)	8/17/2022	Female	69% American Indian/Alaska Native	0% No	88% English Only	92% 18-34	29% Less than \$25,000	2%
		Male	27% Asian	0% Yes	3% Language other than English	0% 35-54	46% \$25,000-\$75,000	5%
		Non-binary	0% Black or African American	2% Prefer not to disclose	8% Multiple Languages	7% 55-64	14% \$75,000 - \$125,000	27%
		Prefer not to disclose	3% Hispanic/Latinx	0%	Prefer not to respond	2% 65+	5% \$125,000-\$175,000	25%
			Native Hawaiian/Pacific Islander	3%		Prefer not to disclose	7% \$175,000-\$199,999	2%
			Other	0%			\$200,000+	19%
		Two or More Races	5%			Prefer not to disclose	20%	
		White	83%					
		Prefer not to disclose	7%					
Passport to 2044 Webinar Series: Economic Development (48 respondents)	9/7/2022	Female	65% American Indian/Alaska Native	0% No	96% English Only	92% 18-34	27% Less than \$25,000	2%
		Male	31% Asian	2% Yes	2% Language other than English	0% 35-54	42% \$25,000-\$75,000	8%
		Non-binary	2% Black or African American	0% Prefer not to disclose	2% Multiple Languages	8% 55-64	23% \$75,000 - \$125,000	46%
		Prefer not to disclose	2% Hispanic/Latinx	8%	Prefer not to respond	0% 65+	6% \$125,000-\$175,000	25%
			Other	0%		Prefer not to disclose	2% \$175,000-\$199,999	4%
			Two or More Races	8%			\$200,000+	8%
		White	77%			Prefer not to disclose	6%	
		Prefer not to disclose	4%					
Passport to 2044 Webinar Series: Transportation (43 respondents)	10/18/2022	Female	51% American Indian/Alaska Native	0% No	91% English Only	88% 18-34	28% Less than \$25,000	0%
		Male	47% Asian	12% Yes	7% Language other than English	12% 35-54	42% \$25,000-\$75,000	2%
		Non-binary	0% Black or African American	5% Prefer not to disclose	2% Multiple Languages	0% 55-64	19% \$75,000 - \$125,000	47%
		Prefer not to disclose	2% Hispanic/Latinx	2%	Prefer not to respond	0% 65+	7% \$125,000-\$175,000	23%
			Other	2%		Prefer not to disclose	5% \$175,000-\$199,999	7%
			Two or More Races	2%			\$200,000+	14%
		White	74%			Prefer not to disclose	7%	
		Prefer not to disclose	2%					
TOD FOR ALL: Planning for 1 Million+ New People Near Transit (95 respondents)	10/21/2022	Female	63% American Indian/Alaska Native	0% No	88% English Only	86% 18-34	18% Less than \$25,000	0%
		Male	36% Asian	4% Yes	7% Language other than English	2% 35-54	47% \$25,000-\$75,000	14%
		Non-binary	0% Black or African American	2% Prefer not to disclose	4% Multiple Languages	9% 55-64	19% \$75,000 - \$125,000	40%
		Prefer not to disclose	1% Hispanic/Latinx	1%	Prefer not to respond	2% 65+	16% \$125,000-\$175,000	19%
			Other	1%		Prefer not to disclose	1% \$175,000-\$199,999	9%
			Two or More Races	3%			\$200,000+	12%
		White	85%			Prefer not to disclose	5%	
		Prefer not to disclose	2%					
Passport to 2044 Webinar Series: Housing Session 1 - Racially Disparate Impacts (55 respondents)	10/26/2022	Female	60% American Indian/Alaska Native	2% No	89% English Only	91% 18-34	31% Less than \$25,000	2%
		Male	38% Asian	2% Yes	4% Language other than English	0% 35-54	42% \$25,000-\$75,000	2%
		Non-binary	Black or African American	0% Prefer not to disclose	7% Multiple Languages	4% 55-64	18% \$75,000 - \$125,000	45%
		Prefer not to disclose	2% Hispanic/Latinx	4%	Prefer not to respond	5% 65+	5% \$125,000-\$175,000	22%
			Other			Prefer not to disclose	4% \$175,000-\$199,999	11%
			Two or More Races	9%			\$200,000+	11%
		White	82%			Prefer not to disclose	9%	
		Prefer not to disclose	2%					
TOOLBOX Peer Networking: Advancing Equity, Health, and Resiliency with Stormwater Parks (13 respondents)	11/4/2022	Female	46% American Indian/Alaska Native	No	69% English Only	92% 18-34	30% Less than \$25,000	8%
		Male	46% Asian	8% Yes	15% Language other than English	3% 35-54	62% \$25,000-\$75,000	8%
		Non-binary	Black or African American	Prefer not to disclose	15% Multiple Languages	8% 55-64	7% \$75,000 - \$125,000	15%
		Prefer not to disclose	8% Hispanic/Latinx		Prefer not to respond	6% 65+	8% \$125,000-\$175,000	38%
			Other			Prefer not to disclose	1% \$175,000-\$199,999	8%
			Two or More Races	8%			\$200,000+	23%
		White	77%			Prefer not to disclose		
		Prefer not to disclose	8%					
Passport to 2044 Webinar Series: Equity (Session 1) (60 respondents)	11/8/2022	Female	60% American Indian/Alaska Native	No	93% English Only	92% 18-34	30% Less than \$25,000	
		Male	35% Asian	2% Yes	3% Language other than English	3% 35-54	48% \$25,000-\$75,000	12%
		Non-binary	3% Black or African American	2% Prefer not to disclose	3% Multiple Languages	3% 55-64	15% \$75,000 - \$125,000	40%
		Prefer not to disclose	2% Hispanic/Latinx	7%	Prefer not to respond	2% 65+	7% \$125,000-\$175,000	23%
			Other			Prefer not to disclose	1% \$175,000-\$199,999	8%
			Two or More Races	5%			\$200,000+	10%
		White	83%			Prefer not to disclose	7%	
		Prefer not to disclose	2%					
Passport to 2044 Webinar Series: Coordination with Tribes (20 respondents)	11/15/2022	Female	65% American Indian/Alaska Native	5% No	90% English Only	95% 18-34	25% Less than \$25,000	
		Male	30% Asian	Yes	1% Language other than English	1% 35-54	45% \$25,000-\$75,000	5%
		Non-binary	0% Black or African American	Prefer not to disclose	10% Multiple Languages	5% 55-64	20% \$75,000 - \$125,000	35%
		Prefer not to disclose	5% Hispanic/Latinx		Prefer not to respond	6% 65+	1% \$125,000-\$175,000	15%
			Other			Prefer not to disclose	10% \$175,000-\$199,999	10%
			Two or More Races				\$200,000+	10%
		White	90%			Prefer not to disclose	25%	
		Prefer not to disclose	5%					
Passport to 2044 Webinar Series: Planning for Critical Areas (34 respondents)	11/30/2022	Female	62% Asian	3% No	88% English Only	95% 18-34	35% Less than \$25,000	
		Male	35% Black or African American	Yes	6% Language other than English	0% 35-54	41% \$25,000-\$75,000	15%
		Non-binary	Hispanic/Latinx	6% Prefer not to disclose	6% Multiple Languages	6% 55-64	18% \$75,000 - \$125,000	26%
		Prefer not to disclose	3% Other		Prefer not to respond	0% 65+	3% \$125,000-\$175,000	26%
			Two or More Races	3%		Prefer not to disclose	3% \$175,000-\$199,999	12%
			White	85%			\$200,000+	12%
		Prefer not to disclose	3%			Prefer not to disclose	9%	
Passport to 2044 Webinar Series: TOD & Centers (29 respondents)	12/13/2022	Female	51% Asian	No	97% English Only	97% 18-34	21% Less than \$25,000	0%
		Male	45% Black or African American	Yes	0% Language other than English	0% 35-54	52% \$25,000-\$75,000	3%
		Non-binary	4% Hispanic/Latinx	Prefer not to disclose	3% Multiple Languages	3% 55-64	10% \$75,000 - \$125,000	38%
		Prefer not to disclose	Other		Prefer not to respond	0% 65+	10% \$125,000-\$175,000	14%
			Two or More Races	7%		Prefer not to disclose	7% \$175,000-\$199,999	21%
			White	90%			\$200,000+	10%
		Prefer not to disclose	3%			Prefer not to disclose	15%	
Passport to 2044 Series: Housing Need and Capacity (67 respondents)	2/15/2023	Female	49% Asian	3% No	90% English Only	90% 18-34	24% Less than \$25,000	
		Male	48% Black or African American	1% Yes	6% Language other than English	0% 35-54	54% \$25,000-\$75,000	12%
		Non-binary	3% Hispanic/Latinx	7% Prefer not to disclose	4% Multiple Languages	10% 55-64	13% \$75,000 - \$125,000	27%
		Prefer not to disclose	Other	1%	Prefer not to respond	0% 65+	6% \$125,000-\$175,000	30%
			Two or More Races	4%		Prefer not to disclose	3% \$175,000-\$199,999	7%
			White	79%			\$200,000+	13%
		Prefer not to disclose	3%			Prefer not to disclose	10%	
Passport to 2044: Elected Officials and Planning Commissioners (60 respondents)	5/18/2023	Female	47% Asian	5% No	80% English Only	85% 18-34	10% Less than \$25,000	2%
		Male	50% Black or African American	0% Yes	12% Language other than English	5% 35-54	48% \$25,000-\$75,000	8%
		Non-binary	0% Hispanic/Latinx	5% Prefer not to disclose	8% Multiple Languages	10% 55-64	10% \$75,000 - \$125,000	33%
		Prefer not to disclose	3% Other	2%	Prefer not to respond	6% 65+	25% \$125,000-\$175,000	23%
			Two or More Races	2%		Prefer not to disclose	7% \$175,000-\$199,999	8%
			White	78%			\$200,000+	15%
		Prefer not to disclose	8%			Prefer not to disclose	10%	
Passport to 2044 Series: Legislative Session Wrap-Up & Comprehensive Planning (99 respondents)	6/28/2023	Female	58% Asian: 1%	1% No	92% English Only	94% 18-34	35% Less than \$25,000	2%
		Male	38% Black or African American: 2%	2% Yes	3% Language other than English	2% 35-54	45% \$25,000-\$75,000	7%
		Non-binary	2% Hispanic/Latinx: 1%	1% Prefer not to disclose	5% Multiple Languages	3% 55-64	11% \$75,000 - \$125,000	27%
		Prefer not to disclose	2% Other: 2%	2%	Prefer not to respond	1% 65+	5% \$125,000-\$175,000	17%
			Two or More Races: 11%	11%		Prefer not to disclose	3% \$175,000-\$199,999	16%
			White: 80%	80%			\$200,000+	16%
		Prefer not to disclose: 3%	3%			Prefer not to disclose	14%	

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

**Assurances**

**DOT Order No. 1050.2A**

The Puget Sound Regional Council (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 Puget Sound Regional Council, 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, the Puget Sound Regional Council 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 Washington State Department of Transportation 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 Washington State Department of Transportation. You must keep records, reports, and submit the material for review upon request to Washington State Department of Transportation, 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.

Puget Sound Regional Council 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.

Puget Sound Regional Council  
**(Name of Recipient)**

by   
**(Signature of Authorized Official)**

DATED: July 31, 2023



## 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 Puget Sound Regional Council 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 Puget Sound Regional Council 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 ***Puget Sound Regional Council*** 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 ***Puget Sound Regional Council***, its successors and assigns.

The ***Puget Sound Regional Council***, 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 ***Puget Sound Regional Council*** 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 **Puget Sound Regional Council** 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, **Puget Sound Regional Council** 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 **Puget Sound Regional Council** 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 **Puget Sound Regional Council** 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 ***Puget Sound Regional Council*** 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, ***Puget Sound Regional Council*** 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, ***Puget Sound Regional Council*** will there upon revert to and vest in and become the absolute property of ***Puget Sound Regional Council*** 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).