



Puget Sound Regional Council

Puget Sound Regional Council Title VI Plan

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Title VI Notice to the Public

The Puget Sound Regional Council (PSRC) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America 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 program or activity for which PSRC 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 PSRC. Any such complaint must be in writing and filed with PSRC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our Web site at <https://www.psrc.org/title-vi> or call (206) 464-6171.

Alternative Formats

Sign language, and communication material in alternative formats, can be arranged given sufficient notice by calling 206-464-7090, TTY Relay 711.

العربية | Arabic, 中文 | Chinese, Deutsch | German, Français | French, 한국어 | Korean, Русский | Russian, Español | Spanish, Tagalog, Tiếng Việt | Vietnamese, visit <https://www.psrc.org/contact-center/language-assistance>.

Additional copies of this document may be obtained by contacting:
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1011 Western Avenue, Suite 500
Seattle, Washington 98104-1035
206-464-7532 | info@psrc.org | www.psrc.org

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Puget Sound Regional Council Title VI Plan

“It has been The Federal Highway Administration's (FHWA's) and the Federal Transit Administration's (FTA's) longstanding policy to actively ensure nondiscrimination under Title VI of the 1964 Civil Rights Act in Federally funded activities. Under Title VI and related statutes, each Federal agency is required to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, or national origin. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients, subrecipients, and contractors whether those programs and activities are federally funded or not.” (Source: US Department of Transportation)

Title VI and environmental justice are an integral part of the transportation planning and programming process throughout the United States, particularly in urban regions. This renewed commitment to Title VI has, and continues to be, reflected in the Puget Sound Regional Council's (PSRC) work program, publications, communications, and public involvement efforts. This document establishes a framework for efforts that will be taken at PSRC to ensure compliance with Title VI and related statutes regarding nondiscrimination and environmental justice.

About the Puget Sound Regional Council

PSRC is a regional planning organization that develops policies and makes decisions about transportation planning, economic development and growth management in the central Puget Sound region. It is a forum for cities, towns, counties, transit agencies, port districts, Native American tribes and state agencies to address common regional issues. PSRC is designated under federal law as the Metropolitan Planning Organization (MPO) and Economic Development District (EDD), and under state law as the Regional Transportation Planning Organization (RTPO), for King, Kitsap, Pierce, and Snohomish counties. Under state and federal mandates and an Interlocal Agreement signed by all its members, the PSRC conducts and supports numerous state and federal planning, compliance and certification programs which enable members and other jurisdictions and entities in the region to obtain state and federal funding.

Members

PSRC members include more than 80 entities, including King, Kitsap, Pierce and Snohomish counties, as well as cities, towns, ports, state and local transportation agencies and tribal governments within the region.

In addition, a memorandum of understanding with the region's eight transit agencies outlines their participation in PSRC. The transit agencies are: Community Transit, Everett Transit, King County Metro, Kitsap Transit, Pierce County Ferries, Pierce Transit, City of Seattle and Sound Transit.

Membership benefits include: a voice in key regional decisions, distribution of federal transportation dollars, technical assistance to obtain federal and state funding, education and training, data to meet special planning needs, access to Geographic Information systems databases, free standard and secondary data products and working data sets, and technical expertise.

Governance, Boards, and Committees

PSRC is governed by a General Assembly and an Executive Board. Each member of PSRC 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 Executive Board is chaired by the PSRC President, meets monthly, and serves as the governing board. Both the General Assembly and Executive Board use weighted votes based on population to make decisions.

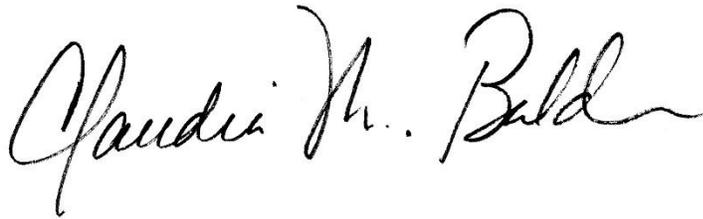
The Transportation Policy Board and Growth Management Policy Board include representatives of PSRC's member jurisdictions, tribes, regional business, labor, civic, and environmental groups, as well as voting members representing each caucus of the state Legislature. These boards make recommendations on key transportation and growth management issues to the Executive Board.

PSRC's Economic Development District is governed by a board composed of public and private members that meets quarterly to coordinate regional economic development planning.

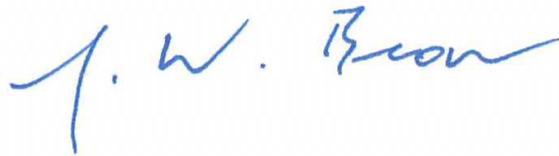
Board action on PSRC's Title VI Plan

PSRC's Operations Committee and Executive Board acted on this plan on September 23, 2021.

Adopted this 23rd day of September, 2021



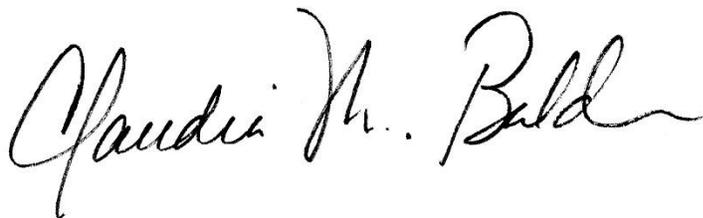
Claudia Balducci, Councilmember
President, Puget Sound Regional Council



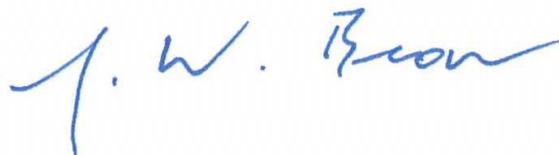
ATTEST: _____
Josh Brown, Executive Director

PSRC's Operations Committee and Executive Board acted to amend the plan on January 27, 2022.

Adopted this 27th day of January, 2022



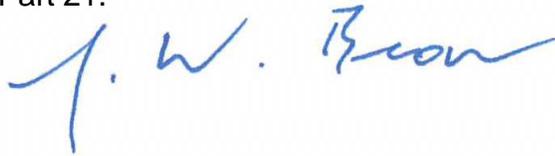
Claudia Balducci, Councilmember
President, Puget Sound Regional Council



ATTEST: _____
Josh Brown, Executive Director

Title VI Policy Statement

The Puget Sound Regional Council (PSRC) assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. PSRC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event PSRC distributes federal aid funds to another governmental entity, PSRC will include Title VI language in all written agreements and will monitor for compliance. PSRC's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other PSRC responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



09/23/2021

Josh Brown, Executive Director

Date

Authorities

Title VI of the 1964 Civil Rights Act provides 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 receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include: Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000-4; 42 USC 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; Executive Order 13166; 28 CFR 50.

Title VI Notice to the Public

The paragraph below will be inserted in all significant publications that are distributed to the public, such as future versions and updates of the Growth Management, Economic, and Transportation Strategy; Metropolitan Transportation Plan; and Regional Transportation Improvement Program for the central Puget Sound region. The text will remain permanently on the agency's website, www.psrc.org and in the office. The version below is the preferred text, but where space is limited, the abbreviated version can be used in its place.

The Puget Sound Regional Council (PSRC) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America 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 program or activity for which PSRC 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 PSRC. Any such complaint must be in writing and filed with PSRC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our Web site at <https://www.psrc.org/> or call (206) 587-4819.

Abbreviated Title VI Notice to the Public

The following shortened version of the above paragraph can be used in communications where space or cost is an issue. This is what appears in PSRC news releases.

PSRC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see <http://www.psrc.org> or call (206) 587-4819.

Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 [including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components], Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by PSRC or its subrecipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with PSRC's Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s).
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
 - d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for PSRC to be able to process it.
 - e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to PSRC for processing.
2. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of PSRC's subrecipients of federal funds, PSRC will assume jurisdiction and will investigate and adjudicate

the case. Complaints against PSRC will be referred to the Washington State Department of Transportation's (WSDOT) Office of Equal Opportunity (OEO), the Federal Highway Administration or the Federal Transit Administration, as appropriate, for proper disposition pursuant to their procedures. In special cases warranting intervention to ensure equity, these agencies may assume jurisdiction and either complete or obtain services to review or investigate matters.

3. In order to be accepted, a complaint must meet the following criteria:
 - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
 - b. The allegation(s) must involve a covered basis such as race, color, national origin, gender, disability, or retaliation.
 - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, subrecipient, or contractor, or, in the case of ADA allegations, an entity open to the public.
4. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The complainant cannot be located after reasonable attempts.
5. Once PSRC or WSDOT decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged in PSRC's or WSDOT's records identifying its basis and alleged harm, and the race, color, national origin, and gender of the complainant.
6. In cases where PSRC assumes the investigation of the complaint, PSRC will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of PSRC's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. In cases where PSRC assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, PSRC's Investigator* will prepare an investigative report for review by the agency's Legal Counsel and Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. *This can be one of PSRC's Title VI Liaisons, or PSRC's Title VI Coordinator.

8. The investigative report and its findings will be sent to PSRC's Legal Counsel for review. The Counsel will review the report and associated documentation and will provide input to the Investigator within 10 calendar days.
9. Any comments or recommendations from PSRC's Legal Counsel will be reviewed by PSRC's Investigator. The Investigator will discuss the report and recommendations with the Executive Director within 10 calendar days. The report will be modified as needed and made final for its release.
10. PSRC's final investigative report and a copy of the complaint will be forwarded to WSDOT's OEO within 60 calendar days of the acceptance of the complaint. WSDOT's OEO will share the report with FHWA and FTA, Washington Division Offices, as part of its Annual Title VI Update and Accomplishment Report.
11. PSRC will notify the parties of its preliminary findings, which are subject to concurrence from WSDOT's OEO. WSDOT's OEO will issue the final decision to PSRC based on PSRC's investigative report.
12. Once WSDOT's OEO issues its final decision, PSRC will notify all parties involved about such determination. WSDOT's final determination is not subject to an appeal.
13. WSDOT will also serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by PSRC. WSDOT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Washington State Department of Transportation
Office of Equal Opportunity
PO Box 47314
310 Maple Park
Olympia, WA
98504-7314

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR 1200
New Jersey Ave., SE Washington, DC 20590

United States Department of Justice Civil Rights Division
Coordination and Review Section – NWB
950 Pennsylvania Avenue NW
Washington, DC, 20530

Jodi Petersen
Civil Rights Program Mgr. & Training Coordinator
FHWA Washington Division
711 S. Capitol Way, Suite 501
Olympia, WA 98501-1284

Complaint Form

The complaint form is available at <https://www.psrc.org/title-vi>.

Investigations

PSRC has not received any complaints in the reporting period.

Title VI as part of PSRC's Work Program

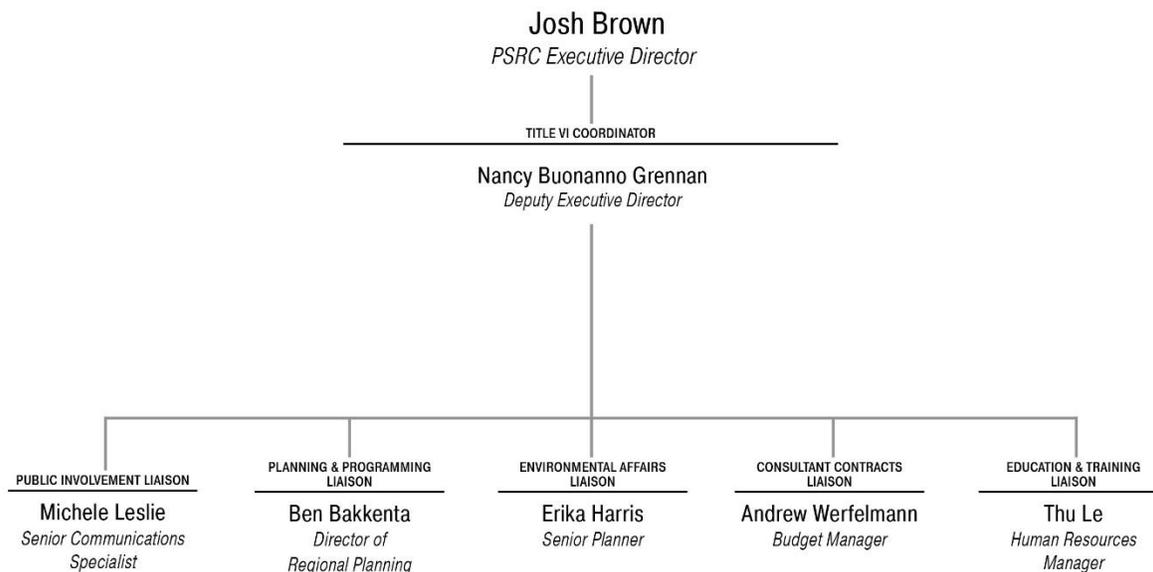
PSRC's Executive Director is responsible for ensuring implementation of the agency's Title VI program. Title VI Coordinators, under supervision of the Executive Director, are responsible for coordinating the overall administration of the Title VI program, plan, and Assurances.

Five areas of PSRC's work program have been identified as applicable to Title VI regulations – they are referred to as the five Title VI Program Areas: (1) Communications & Public Involvement, (2) Planning & Programming, (3) Environmental Affairs, (4) Contracts, and (5) Education & Training. One staff member has been assigned to each Title VI Program Area as that area's Title VI Liaison. Staff assigned as Title VI Liaisons generally have prime responsibility for that area of the agency's work program. Title VI Liaisons, under supervision of the Title VI Coordinators, are responsible for the day-to-day administration of the Title VI program, and for carrying out the "Program Area responsibilities" in their assigned Title VI Program Area. Other staff members are assigned to assist the Liaisons or consulted and involved, as needed.

Organizational Chart of PSRC Title VI Responsibilities

Organizational Chart of Title VI Responsibilities

January 2022



General Title VI Program Responsibilities

Following are general Title VI responsibilities of the agency. The Title VI Coordinator is responsible for ensuring these elements of the plan are appropriately implemented and maintained; Title VI Liaisons are responsible for implementing and maintaining these elements in their assigned Program Area.

1. Data collection

Demographic data on race, color, national origin, income level, and language spoken of the region's population is to be collected and maintained by PSRC. This demographic data will be used to develop public outreach efforts and to conduct environmental justice analyses.

2. Annual Title VI Report

An Annual Title VI Report is to be submitted each year, to WSDOT's Office of Equal Opportunity. The document is to include:

- Any changes to the Title VI Plan
- Organization and Staff
- Complaints
- Accomplishments and Updates on the 5 Reporting Areas

3. Annual review of Title VI program

Each year, in preparing for the Annual Title VI Report, the Title VI Coordinator and Liaisons will review the agency's Title VI program to assure compliance with Title VI. In addition, they will review agency operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on the agency's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the "Program Area Responsibilities" section of this document, and in other languages when needed.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint with PSRC, if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, or national origin. PSRC will make a concerted effort to resolve complaints informally at the lowest level, using the agency's Nondiscrimination Complaint Procedures.

Responsibilities of the Title VI Coordinator

The Title VI Coordinator is responsible for supervising Title VI Liaisons in implementing, monitoring, and reporting on PSRC's compliance with Title VI regulations. In support of this, the Title VI Coordinator will:

- Identify, investigate, and eliminate discrimination when found to exist.
- Process Title VI complaints received by PSRC.
- Meet with Liaisons quarterly to monitor and discuss progress, implementation, and compliance issues.
- Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with Liaisons to develop and submit the Annual Title VI Report to WSDOT by the end of August each year.
- If a subrecipient is found to not be compliance with Title VI, work with the

Consultant Contracts Liaison and subrecipient to resolve the deficiency status and write a remedial action if necessary, as described in the Consultant Contracts section of this plan.

- Review important Title VI-related issues with the Executive Director, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.

Responsibilities of the Title VI Liaisons

Title VI Liaisons, under supervision of the Title VI Coordinator, are responsible for day-to-day administration of the Title VI program, including implementation of the plan and Title VI compliance, program monitoring, reporting, and education within the assigned program area, as described in the “Program Area Responsibilities” section of this document. In addition, each Liaison is responsible for drafting text for their section of the Annual Title VI Report and maintaining the data and documentation necessary for that report. This includes reviewing guidelines and procedures for the assigned Title VI Program Area and incorporating Title VI-related language and provisions into agency documents, as appropriate.

Program Area 1: Communications and Public Involvement

Title VI Liaison’s Responsibilities

The Communications & Public Involvement Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency’s public involvement process.

The Liaison will:

- Ensure all communications and public involvement efforts comply with Title VI.
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public in some press releases and on the agency Web site.
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.
- Ensure that any Citizen Advisory Committee PSRC creates has representation from Title VI relevant populations.

Public Participation Plan

PSRC operates under a comprehensive Public Participation Plan. The Plan explains the agency role and mission, goals for public participation, governing structure, composition of boards, procedures for board meetings, program areas, interagency coordination, specific procedures for public participation in the Regional Transportation Plan and Regional Transportation Improvement Program, public engagement and notification methods, a menu of public participation techniques, an evaluation matrix, and an appendix of the various laws and regulations PSRC operates under. The full plan is available at <https://www.psrc.org/contact-center/public-involvement>.

In an effort to keep the Title VI Plan a reasonable size, the sections of the Public Participation Plan specifically relevant to Title VI are included below.

Environmental Justice and Title VI of the 1964 Civil Rights Act and the Americans with Disabilities Act

PSRC maintains a Title VI Plan to ensure that no person in the region 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 program or activity for which PSRC receives federal financial assistance. PSRC's Title VI Plan is updated approximately every three years. PSRC also submits annual reports on its Title VI program to the Washington State Department of Transportation to ensure all federal regulations are being met.

Demographic Profile of the Metropolitan Area

PSRC seeks out and considers the needs of people traditionally underserved by transportation systems (e.g., low-income and minority households). To identify these populations, PSRC publishes a Demographic Profile of the Metropolitan Area using Census and American Community Survey data to identify the number and locations of minority, low-income, elderly and limited English proficient populations in the region. PSRC updates this profile approximately every three years. The current demographic profile can be found at <https://www.psrc.org/title-vi>.

With these data, PSRC provides an Environmental Justice analysis of the impacts of key decisions on traditionally underserved populations as part of the planning process. During plan updates, PSRC may work with an EJ advisory group or hold focus groups with EJ populations to discuss transportation impacts and hear concerns as a way to help identify the needs of historically underserved populations. PSRC mailing lists include EJ populations, Title VI relevant community groups, and minority-owned businesses. PSRC publishes its Title VI Notice to the Public on major publications, news releases pertaining to federal programs, and its website. Find out more on PSRC's website at psrc.org. PSRC is committed to accessibility and has an ADA

coordinator to request accommodation and lodge grievance with. For more information, contact Thu Le at 206-464-6175.

Alternative Formats and Limited English Proficiency

PSRC's agendas, news releases, and publications are available in alternative formats and in other languages with advance request. Notification about alternative formats and TTY Relay 711 are on agendas, psrc.org, and all publications, along with contact information for obtaining translation services. PSRC has obtained the services of a telephone translation provider, which can instantly connect anyone in the office to over 100 different languages. PSRC's website also offers a translation widget with dozens of languages available for instant translation. PSRC has a language assistance plan, a list of staff who speak other languages, and the receptionist keeps an "I Speak" card at the front desk in case someone with limited English proficiency enters the office.

PSRC maintains a Language Assistance Plan as part of its Title VI Plan and Program. This includes a four-factor analysis of language needs in the region. PSRC will translate vital documents for needed languages based on this analysis. See the Title VI Program for the most up to date information on this.

PSRC staff received training in 2018 on how to make Word, InDesign, and PDF documents accessible for individuals using screen readers and is working towards improved accessibility of its online publications.

Techniques for Involving, ADA Low-Income Communities and Communities of Color

- Outreach in the community (farmer's markets, festivals, churches, health centers, etc.)
- Personal interviews or use of audio recording devices to obtain oral comments
- Focus groups to obtain oral comments
- Translate materials; have interpreters and cultural mediators available at meetings as requested
- Include information on meeting notices on how to request translation or ADA assistance
- Robust use of "visualization" techniques, including maps and graphics to illustrate trends, choices being debated, etc.
- Use of community and minority media outlets to announce participation opportunities
- Use of Regional Equity Network to engage communities

Techniques for Involving Limited - English Proficient Populations

- Use of Department of Justice 4-Factor Analysis

- Personal interviews or use of audio recording devices to obtain oral comments
- Interviews conducted in languages other than English
- Translated documents and web content on key initiatives
- Web based translation tools
- On-call translators for meetings (requires 5 days advanced notice)
- Translated news releases and outreach to alternative language media
- Include information on meeting notices on how to request translation assistance
- Robust use of "visualization" techniques, including maps and graphics to illustrate trends, choices being debated, etc.

Strategy 4

Proactively encourage and solicit the involvement of all, including, but not limited to, the transportation disadvantaged, minorities, non-English-speaking, older adults, people with disabilities, and low-income households.

Tactics

4.1 Demographic Profile: PSRC uses Census Data on minority, low-income, and limited English proficient residents of the region to analyze the impact of plans and programs. In addition, PSRC uses this information to consider the transportation needs of these populations. PSRC may also use this data to map where public comments are coming from.

4.2 PSRC meetings: PSRC holds its meetings at accessible locations with transit access.

4.3 Visualization Techniques: PSRC uses visualization techniques, such as maps, charts, graphics, photos, or drawings to provide information to people with limited English proficiency or low literacy.

4.4 Special Needs Transportation: PSRC works with the Special Needs Transportation Committee to maintain a regional Coordinated Transit-Human Services Transportation Plan.

4.5 Alternate Formats: PSRC offers sign language and translation services on the website, agenda packets, and publications. TTY Relay 711 is published in all publications. PSRC staff received training in 2018 on how to make Word, InDesign, and PDF documents accessible and is working towards improved accessibility of its online publications.

4.6 Vital Documents: Translation of vital documents as needed

Guidance for public participation in the Regional Transportation Plan and the Transportation Improvement Program

There are two key transportation initiatives of PSRC's that are specially called out in federal law as needing early and continuing opportunities for public participation: development of the Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP). Because of its comprehensive, long-term vision, the Regional Transportation Plan provides the earliest and the best opportunity for interested persons and public agencies to influence PSRC's policy and investment priorities for transportation. It is at this earlier RTP stage where investment priorities and major planning-level project design concepts are established, and broad, regional impacts of transportation on the environment are addressed.

Regulatory and Planning Context for Environmental Justice

Under 1998 guidance from the Federal Highway Administration and the Federal Transit Administration on environmental justice, metropolitan planning organizations must, as part of the planning process:

- Enhance analytical capabilities to ensure that the long-range transportation plan and transportation improvement program comply with Title VI.
- Identify residential, employment and transportation patterns of low-income, ADA and minority populations, identify and address needs, and assure that benefits and burdens of transportation investments are fairly distributed.
- Improve public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decisions.

PSRC carries out each of these directives by:

- Gathering and analyzing regional demographic and travel data and refining its analytical capabilities.
- Conducting an equity analysis of each long-range plan, available on the website.
- Preparing an investment analysis of the TIP with a focus on environmental justice.
- Examining and refining the agency's public involvement process to ensure full and fair participation in decision-making.

Summary of Outreach Efforts

October 1, 2018 to August 31, 2021 Reporting Period

PSRC's Website – psrc.org

PSRC maintains a website about its programs and activities, including a meeting calendar and electronic copies of agendas, public comment periods, comments

received, data products, publications, and other relevant information. The website offers web streaming of meetings and often other interactive features like comment forms, surveys, presentations, or searchable maps. PSRC follows its adopted privacy policy, which describes the privacy protections offered to users of the agency's website. PSRC's website is accessible. PSRC's website is updated on a daily basis. In the reporting period, PSRC's website had 223,602 users of its website.

Public Comment Periods

Public comment is always encouraged on any topic. When the agency is seeking public comment on a particular action, PSRC may offer a specific public comment and review period of at least 20 days and use the variety of notification methods discussed in this plan to let the public know how to comment. Federal and SEPA requirements are also taken into consideration when determining the length and number of public comment and review periods. The Transportation Improvement Program and Regional Economic Strategy public comment periods will be a minimum of 30 days. The Regional Transportation Plan and the Public Participation Plan public comment periods will be a minimum of 45 days. In the reporting period, PSRC held 15 public comment periods.

Summary of Public Involvement Activities for Key Decisions

PSRC provides a summary document that records all of the public involvement activities related to a key decision, including summaries of public comments received, lists of presentations offered, events, or related publications. In the reporting period, PSRC adopted VISION 2050 and the 2021-2024 Regional Transportation Improvement Program. PSRC also updated its Public Participation Plan.

Find out about the public involvement and comments received here:

VISION 2050: https://www.psrc.org/sites/default/files/v50_outreach_summary.pdf

2021-2024 Regional Transportation Improvement Program:

<https://www.psrc.org/sites/default/files/tip2020appendixc-publiccomments.pdf>

Public Participation Plan: https://www.psrc.org/sites/default/files/ppp_dec_19_2018.pdf

Studies conducted by PSRC relevant to Title VI and Environmental Justice

Title VI and Environmental Justice are an integral part of PSRC's Work Program and are covered in studies and planning efforts. In the reporting period, the following studies were done related to equity and environmental justice:

VISION 2050: <https://www.psrc.org/sites/default/files/v2050finaleis-appendixh-equity-march2020.pdf>

2021-2024 Regional Transportation Improvement Program:

<https://www.psrc.org/sites/default/files/tip2020-appendixf-equityanalysis.pdf>

Regional Equity Strategy Work Plan: [Regional Equity Strategy Initial Work Plan \(psrc.org\)](#)

Opportunity Mapping: [Opportunity Mapping | Puget Sound Regional Council \(psrc.org\)](#)

Displacement Risk Mapping: [Displacement Risk Mapping | Puget Sound Regional Council \(psrc.org\)](#)

Blog and Social Media

PSRC has developed a blog, which provides near daily updates on the programs and events related to its work program. The blog feeds into the PSRC website to keep content fresh and is posted on Facebook, Twitter and Instagram. The blog has been a popular source for the local media and has led to more news coverage of PSRC work. In the reporting period, the blog received 81,337 pageviews.

Newsletters

PSRC distributes an email newsletter after meetings of the Executive Board, Transportation Policy Board, Growth Management Policy Board and Economic Development District Board. The At Work email newsletter provides a summary of what took place at the meetings and may include links to presentation materials, background materials or to the webstream of the meeting. At Work is emailed to PSRC's membership and mailing list and posted on the website at psrc.org after the meeting. PSRC also distributes a newsletter from the Executive Director covering relevant regional news. In the reporting period, PSRC sent over 97 At Work E-Newsletters and 61 messages from the Executive Director.

News Releases, Media Advisories and Media Relations

PSRC sends news releases or media advisories as appropriate on its programs and other important information to news and social media in the four-county region. In addition, news releases or media advisories are distributed to news and social media in the region regarding major upcoming actions or events, whom to contact for more information or to make a comment. PSRC maintains and routinely updates a comprehensive contact list of media outlets within the region. In the reporting period, PSRC sent out 27 news releases.

Information Center

PSRC maintains an Information Center at its offices to keep its documents, publications and other significant material on file for public inspection and use. The Information Center is open to the public weekdays from 8 a.m. to 5 p.m. at 1011 Western Avenue Suite 500, Seattle, WA 98104. A librarian is available to help answer questions and find requested documents and data. In the reporting period, there was a mandatory office closure due to the pandemic, but the Information Center was available virtually and assisted 320 people.

Other Publications

PSRC produces other publications as needed, including reports, maps, and brochures, and makes them available to anyone. These publications include technical and policy information and often use visualization techniques (such as aerial and 3D maps; charts and graphs; comparison graphics; and mapping techniques which display data by area) to enhance understanding of regional planning. All publications are available free of charge. In the reporting period, PSRC produced 85 publications.

Language Assistance Plan

PSRC takes reasonable steps to ensure that all persons have meaningful access to its programs, services, and information, at no cost. PSRC develops a Language Assistance Plan for Limited English Proficiency persons as part of its Title VI Plan. This plan is specifically aimed at individuals who have a limited ability to read, write, speak or understand English, referred to as limited English proficient (LEP).

This plan includes an assessment to identify LEP individuals who need language assistance. Implementation includes the development of language assistance methods, notification to LEP individuals, and monitoring of the plan.

The full Language Assistance Plan can be found at <https://www.psrc.org/title-vi>.

Non-Elected Committees/Citizen's Advisory Committees

PSRC is currently developing an Equity Advisory Committee, a cross-sector working group composed of residents as well as governmental and community-based organizations in the Puget Sound region representing communities of color. Membership will be composed of residents, elected officials, and staff from governmental and nongovernmental organizations focused on equity issues around the region. PSRC staff used a variety of techniques to reach potential committee members. This included networking through partner community based organizations, social media and reaching out directly to community leaders. Meetings will occur at a time most convenient for committee members.

Members will be selected through an application and interview process. Members who are not being compensated for their time spent on the committee will be eligible to receive compensation from PSRC. A table depicting the racial breakdown of members will be available once membership is finalized.

Planning Area 2: Planning and Programming

Title VI Liaison's Responsibilities

The Planning Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's planning process. In addition, the Liaison will:

- Ensure all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on PSRC's website and in the Information Center.
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.

Demographic Profile of the Metropolitan Area

PSRC seeks out and considers the needs of people traditionally underserved by transportation systems (e.g., low-income and minority households). To identify these populations, PSRC publishes a Regional Demographic Profile using Census and American Community Survey data to identify the number and locations of minority, low-income, elderly and limited English proficient populations in the region. PSRC updates this profile approximately every three years. The September 2021 update is available at <https://www.psrc.org/title-vi>.

Title VI and the Planning Process

Considerations of Title VI are made throughout PSRC's planning and programming activities, for example:

- Data collection – A large part of the agency's work program involves collecting, analyzing, and reporting on data for the central Puget Sound region. This includes information on population, housing, employment, poverty, income, wages, transportation, traffic, and growth. Member agencies and other groups use this data for activities such as planning and the distribution of funds.
- Regional Transportation Plan – PSRC is currently underway in developing the 2022-2050 Regional Transportation Plan. The development of the plan includes environmental justice considerations from the outset. PSRC sets out to ensure that the burdens and benefits of implementing the plan are equitably distributed across groups based on race, income, age, and disability. PSRC's analysis includes (1)

outreach and meaningful participation from minority and low-income population groups in the development of the plan, and (2) an equity analysis to determine any discrimination of minority and low-income population groups in the distribution of impacts and benefits associated with the projects and programs advanced in the Regional Transportation Plan. This was also completed for the 2018 plan. Refer to [Appendix B: Equity Analysis Report](#) for a full review of environmental justice efforts and demographic maps related to development of the Regional Transportation Plan and [Appendix C: Public Engagement and Outreach](#) for a summary of Public Involvement efforts related to development of the Regional Transportation Plan. Similar documentation will be prepared for the 2022-2050 Regional Transportation Plan when it is adopted in spring 2022.

- VISION 2050 – Development of the region’s growth, economic development and transportation strategy involved a comprehensive public involvement effort as well as an evaluation of environmental justice issues. The plan was adopted in October 2020. The [Outreach and Engagement Summary](#) includes a full report on public involvement techniques that were used to reach all segments of the population, including an emphasis on people of color and people with low-income. The [Final Supplemental Environmental Impact Statement Equity Analysis](#) considers impacts of the Regional Growth Strategy alternatives in areas with particularly high concentrations of people of color and people with low incomes. For each measure possible mitigation measures are discussed.
- Regional Transportation Improvement Program (TIP) – The region’s short-term, four-year Regional TIP implements the plan and policies established in the Regional Transportation Plan. Included in the program of projects are federal STP, CMAQ, and FTA formula funds managed by PSRC. PSRC’s Executive Board selects projects to receive these funds. The criteria used to identify projects to receive funds includes how well the project provides access for transportation users identified in the President’s Order for Environmental Justice. See [Appendix F. Environmental Justice and Social Equity Analysis](#) of the TIP for this analysis, which includes demographic maps. The sponsors of all projects programmed in the TIP are required to submit an annual certification of compliance with Title VI and other applicable federal and state laws and regulations. Similar documentation will be prepared as part of the development and adoption of each TIP.

Program Area 3: Environmental Affairs

Title VI Liaison's Responsibilities

The Environmental Affairs Liaison is responsible for state environmental review, and Title VI environmental justice compliance in all aspects of PSRC's work that triggers environmental review requirements under SEPA.

The Liaison will:

- Ensure Title VI environmental justice compliance, in coordination with the Title VI coordinator, of all EISs prepared by PSRC.
- Analyze and make findings regarding the population affected by the action.

- Analyze and make findings regarding the impacts of the project on protected Title VI groups and determine if there will be a disproportionately high and adverse impact on these groups.
- Look at the mobility needs of Title VI Populations.
- Disseminate information to the public on the processes used and findings of the analysis, in accordance with all agency public involvement procedures. This includes dissemination to groups representing minority media and ethnic/gender related organizations, and the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

Title VI and Environmental Affairs

When PSRC adopts new planning documents, or substantively amends existing documents in a manner that requires action by the General Assembly, the agency is required to comply with the Washington State Environmental Policy Act (SEPA), and with federal and state environmental justice requirements. When this occurs, a systematic process is used to study and evaluate all necessary environmental aspects of the proposed action(s), as set forth in EB-2016-01. Depending on the scope, complexity, and impacts of the project, a SEPA checklist, Determination of Non-significance (DSN), or SEPA Environmental Impact Statement (EIS) will be produced. In some cases, an existing environmental document may be adopted and a Supplemental EIS or Addendum may be prepared. When one of these documents is required, the agency's Environmental Affairs Liaison (also designated as the SEPA Responsible Official) oversees the process, and ensures all federal and state requirements are met, and that the public has been involved as appropriate.

Title VI was a part of the [EIS process](#) for VISION 2050. A Supplemental Environmental Impact Statement (SEIS) was prepared that built on the Final EIS from VISION 2040. In the Final SEIS, refer to Chapter 5 for the Environmental Justice analysis and outreach, Appendix H for the Equity Analysis, and Appendix I for comments and responses on the VISION 2050 Draft SEIS. Information on the scoping process and comments received are available on the VISION 2050 [environmental review webpage](#). Future major updates of the [Regional Transportation Plan](#) will include a comprehensive outreach and environmental justice analysis and SEPA review.

Program Area 4: Contracts

Title VI Liaison's Responsibilities

The Contracts Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's consultant contracts process.

Contract Procedures

PSRC's contract procedures are described in "PSRC Procurement and Contract Administration Manual." PSRC verifies Title VI compliance by consultants with the use of Title VI Compliance Review forms. Responses provided in the forms are evaluated to verify compliance on the part of the consultant. In addition, Title VI text is included in all PSRC Requests for Proposals (RFP) and contracts.

Disadvantaged Business Enterprises (DBE) Program

PSRC maintains a DBE Program, and corresponding DBE participation goals that are updated as needed. PSRC reports on DBE participation when required. When PSRC's program is active, actual DBE participation is evaluated in comparison to established goals annually, and efforts are made to "create a level playing field" for DBE and non-DBE consultants when PSRC does not meet the established goals. PSRC's DBE program is currently inactive because the agency is under the threshold for contracting opportunities with FTA funds.

Remedial Action Related to Consultant Reviews

PSRC will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with this Title VI program, both within PSRC and with PSRC's contractors. In conducting reviews of consultants, if a consultant is found to not be in compliance with Title VI, the Title VI Contract Liaison and Title VI Coordinator will work with the subrecipient to resolve the identified issues.

If the issues cannot be resolved, PSRC will issue a notification of deficiency status and remedial action for the consultant, as agreed upon by PSRC and WSDOT, within a period not to exceed 90 calendar days. PSRC will seek the cooperation of the consultant in correcting deficiencies and will provide the technical assistance and guidance needed for the consultant to comply voluntarily. Consultants placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter and remedial action, to voluntarily correct deficiencies. If a consultant fails or refuses to voluntarily comply with requirements within the allotted time frame, PSRC will submit to WSDOT, FHWA, and FTA two copies of the case file and a recommendation that the consultant be found in noncompliance.

A follow-up review will be conducted within 180 calendar days of the initial review to ensure the consultant has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the consultant refuses to comply, PSRC may, with WSDOT's, FHWA's, and FTA's concurrence, initiate sanctions per 49 CFR 21.

Subrecipient Monitoring

As a part of its subrecipient monitoring plan, PSRC will ensure subrecipients comply with Title VI requirements. The FTA Circular 4702.1B is the basis for PSRC's Title VI monitoring. PSRC will also adhere to other Title VI requirements prescribed by other funding agencies as applicable.

The following steps will be performed to ensure subrecipient compliance. As part of the pre-award assessment and as needed for ongoing subrecipient monitoring, each subrecipient's Title VI plan will be collected and reviewed for compliance with applicable requirements. PSRC will ensure that the subrecipient's board of directors or appropriate governing body approved the program. PSRC will check periodically to determine if there are significant changes to the plan. If there are significant changes, PSRC will review them for compliance. Also, at the request of the FTA, in response to a complaint of discrimination, or as otherwise deemed necessary, PSRC will request verification that the subrecipient in question provides service on an equitable basis.

When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds from a primary recipient, the subrecipient /direct recipient reports directly to FTA and the primary recipient/designated recipient is not responsible for monitoring compliance of that subrecipient.

PSRC does not pass through FTA financial assistance to subrecipients.

If PSRC was in a position of monitoring subrecipients, assistance provided to the subrecipient would be based on the results of PSRC's internal compliance checklist completed by PSRC Staff which includes pre and post award questions. PSRC has not constructed a facility, such as a vehicle storage facility, maintenance facility, or operation center.

Program Area 5: Education and Training

Title VI Liaison's Responsibilities

The Education & Training Liaison is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the education and training program. WSDOT will provide information on training opportunities open to PSRC staff and subrecipients, including information on training provided by NHI and NTI. The Liaison will:

- Assist WSDOT in the distribution of information to PSRC staff on training programs regarding Title VI and related statutes.

- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified PSRC employees
- Track staff participation in Title VI, NHI, and NTI courses.

Employees Encouraged to Participate in Training

All PSRC employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and the National Transit Institute (NTI).

Questions

For questions on the PSRC’s Title VI Plan or procedures, please contact Nancy Buonanno Grennan, at (206) 464-7527 or nbgrennan@psrc.org. For information on PSRC’s work program or publications, including reports, data forecasting, maps, or other information available for use, contact the Information Center, at (206) 464-7532 or info@psrc.org. For information on all of the above, including current public comment periods and meetings open to the public, visit PSRC’s website at www.psrc.org.

Title VI Plan Amendment Log

Date	Section(s) Amended	Summary of Amendments
January 27, 2022	Title VI as Part of PSRC’s Work Program	Updated staffing and organizational structure to reflect change in Title VI coordinator
September 23, 2021	2021 Title VI Plan Adopted	All sections updated to reflect current Title VI work program

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."

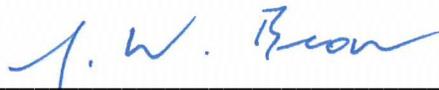
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting 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 Puget Sound Regional Council 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 Puget Sound Regional Council. You must keep records, reports, and submit the material for review upon request to Puget Sound Regional Council, 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: September 6, 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)**, its successors and assigns.

The **(Title of Recipient)**, 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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, **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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, **(Title of Recipient)** 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, **(Title of Recipient)** will there upon revert to and vest in and become the absolute property of **(Title of Recipient)** 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).