

**TITLE VI ANNUAL ACCOMPLISHMENT AND UPDATE REPORT
FOR
OFFICE OF THE SPOKANE COUNTY ENGINEER
2014**

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1.0 OVERVIEW

Chapter 28, *Title VI Program*, of the Local Agency Guidelines manual requires that local agencies serving a population of 100,000 or more develop a “Title VI Plan,” which is to be submitted to the WSDOT Office of Equal Opportunity for review and approval. [LAG Ch. 28.1] It also calls for an “Annual Title VI Update and Accomplishment Report,” to be submitted by all agencies with approved Title VI Plans. The Annual Report is to record the agency’s Title VI Program implementation and compliance activities for the one year period following the last Annual Update.

This Report is for 2014, and gives an overview of changes in, procedures and practices of the Office of the Spokane County Engineer to ensure nondiscrimination in all of the agency’s programs and activities.

2.0 TITLE VI ACCOMPLISHMENTS [Ref. 23 CFR 200.9(a)(10)]

Title VI Plan: The latest revised Title VI plan for Spokane County was submitted on August 22, 2008 for review by WSDOT's External Civil Rights Branch, and was accepted by letter dated October 3, 2008

Complaint Form: The Office makes available a **Discrimination Complaint Form**, a copy of which is included here as Attachment A. This form is made available for both internal and public access on the County Engineer website, and may be accessed at:
<http://www.spokanecounty.org/engineer/content.aspx?c=1480>.

In addition, construction job site posters inform workers and other interested parties of the availability of the Discrimination Complaint process.

The Annual Title VI Update Accomplishment Report calls for identification of changes that have occurred since the last update was submitted.

I. Policy Statement:

There has been no change in the Title VI policy of the Spokane County Engineers since plan approval.

II. Organization, Staffing, and Structure

The County Engineer is responsible for administration of the County's public highways, and coordinates compliance with Title VI and related Federal, State, and County laws and regulations governing the administration of grants for the County's highway projects. [RCW 36.80; RCW 36.75.020 and 36.75.070]

III. Title VI Self Monitoring and Review

- a. Spokane County is in compliance with Title VI for all changes in positions, including but not limited to hiring, promotions, and lay-offs.
- b. Spokane County requires all Contractors and Subcontractors to be in compliance with Title VI, by including Title VI language in all contracts, as well as collecting and evaluating Monthly Employment Utilization reports for all projects.
- c. As a part of its mandate to collect and analyze data, and to take affirmative action to ensure nondiscrimination in the use of federal-aid highway funds, the Spokane County Office of the County Engineer reviews records and data gathered on contractors in order to obtain empirical evidence of the Office's performance in achieving compliance with Title VI.

IV. Complaints

There have been no Title VI complaints filed with this department for the year 2014.

V. Location

- i. The Primary emphasis for Spokane County has been the maintenance of existing Right-of-Way with occasional improvements to existing Right-of-Way, as necessitated to maintain or improve the safety of the traveling public.

VI. Accomplishment Report for Each Program Area

a. Planning

No non-agency forces were used for Planning.

b. Research

No Research Programs were conducted during the 2014 year.

c. Environmental Unit

- i. In 2014 an additional staff member, Ethan Rogers, was added to the Environmental Unit.
- ii. The Environmental Unit of the Spokane County Engineers works to ensure the promotion of environmental integrity in the design, construction, and maintenance of transportation systems that serve the needs of Spokane County. This section responds to the requirements of the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) to ensure that the projects undertaken by Spokane County meet these provisions, as required by Local, Washington State, and the Federal Government.
- iii. During 2014, The Spokane County Engineer's Environmental Programs and Special Projects Department conducted 2 NEPA and 2 SEPA environmental reviews. Spokane County and WSDOT completed the technical studies pertaining to socio-economic impacts and Title VI Environmental Justice considerations for all NEPA projects. The results from those studies were incorporated into the completed Environmental Classification Study (ESC). The completed environmental reviews did not identify impacts to minority or economically disadvantaged communities. See the table below for a list of the projects that were subject to an environmental review during 2014. A copy of the ECS, SEPA exemption determination and determination of non-significance for projects listed are available for viewing at the office of the Spokane County Engineer, 1026 W. Broadway, Spokane WA 99260.

Project Name	ECS Complete	SEPA Complete	SEPA Not Complete	SEPA Exempt
Palouse Hwy. Reconstruction - from Windmill to Jamieson	11/14/14			Exempt
Appleway/Spokane Bridge Trailhead Parking	12/2/14			Exempt
Wellesley Avenue Sidewalks	State funded	5/29/14		
Christensen Rd. Bridge Replacement	12/31/2013	2/12/14		

d. Design

i. There were several Consultant task orders assigned for the Road Design and the Bridge Design Departments in 2014. Award of the consultant contracts is based primarily on the firm's ability to perform the necessary tasks. The selection process used is as outlined in the LAG Manual, and based on a RFQ submitted by each firm. The task orders for 2014 were:

1. Plateau Archaeological Investigations, LLC-Provided Archeological Consulting services for Old Trails/Inland Road (CRP-3149)-\$5438.65, Historic Property Surveys for Bigelow Gulch / Forker Road Urban Connector EA update-\$6,032.02, and Cultural Resource Survey for Market St from Railroad crossing to Farwell Rd-\$3,308.94.
2. J-U-B Engineering Inc.: Bigelow Gulch EA update – Provide stream, wetland ESA and Air Quality & Noise Documentation -\$16,852.58. Provide Phase I Environmental Site Assessments for 4 site options for South Hill STA Park & Ride Study-\$12,767.20. Provide HMP, Stream & Wetland Delineations, Biological Assessment & Mitigation Plan for Seven Mile Bridge Replacement-\$10,810.66. Provide HMP & Mitigation Plan for Bigelow Gulch/Forker intersection Project (CRP-2989A)-\$11,715.70. Provide Well Assessment & Sampling for Bigelow Gulch/Forker Intersection Project (CRP-2989A)-\$48,945.20
3. Budinger & Associates, Inc. Field investigation and Geotechnical Report for Seven Mile Bridge #1602 (CRP-3164)-\$25,884. Field investigation for Madison Road Bridge #4409 (SWR 74-14)-\$5,677. Field investigation for Shady Slope Bridge #3710 (CRP-3181)-\$3,810.
4. Geo Engineers. Provided Construction Support for Bruce Road Bridge #3604 (CRP-3126)-\$23,599.
5. AHBL. Assisted with Design and Construction Management of Country Homes Boulevard Restoration project-\$46,979.82.

6. Coffman Engineering. Provided Structural Engineering and Electrical Engineering services including design and bid assistance for Spokane County Regional Decant Facility -\$10,952.

- ii. The selection process is carried out as per chapter 31 of the LAG Manual, which makes Title VI part of the selection process, however the primary selection criteria is ability/qualifications to do the required work.
- iii. No public hearings were held in 2014. However there were two (2) informal Open House meetings held in 2014, for the Market Street reconstruction project.
- iv. The only change in the Design Staff during 2014 was the hiring of an Engineer Tech. II to fill a vacant position, created by a transfer to the Utilities Dept.
- v. There were no Title VI complaints filed in the Design Program area.

e. Right of Way

Staff of Right-of-Way Department

Engineering Office Administrator	Male	White Caucasian
Administrative Specialist 2	Female	White Caucasian
Administrative Specialist 2	Female	White Caucasian
WSDOT Contracting Appraiser, Property & Acquisition Specialist	Male	White Caucasian

- i. Real Estate Services (Right of Way)
 - The property acquisition process follows the WSDOT Right of Way Manual and all applicable laws and regulations, including Title VI and Section 504. The acquisition process includes appraisal of property, negotiation of terms and conditions for acquisition, and relocation assistance, as well as property management.*
- ii. Civil Rights Complaints in the following Real Estate Services (Right of Way) Areas:
 - 1. Appraisals — *None during this report period.*
 - 2. Negotiations — *None during this report period.*
 - 3. Relocation Assistance and Payments — *None during this report period.*
 - 4. Property Management — *None during this report period.*

- iii. Number of Appraisers Utilized During the Reporting Period - Include name of firm or agency used as well as gender and race of appraisers.
 - 1. *Auble, Jolicoeur & Gentry* *Male* *White Caucasian*
 - 2. *LEH Appraisal Services* *Male* *White Caucasian*
 - 3. *Sweitzer Company, Inc.* *Male* *White Caucasian*
 - 4. *Value Logic* *Male* *White Caucasian*
 - 5. *WSDOT, Stephen Goss* *Male* *White Caucasian*

- iv. Number of Negotiations During the Report Period, and Disparity in Contract Negotiations between Minorities and Non-minorities.
 - 1. Number of Negotiations During the Report Period - *12*.
 - 2. Disparity in Contract Negotiations between Minorities and Non-minorities - *Minor right of way issues handled by internal staff.*

- v. Concerns Raised by Minorities or Women Regarding their Options in the Negotiation Phase.

There were no concerns raised by minorities or women regarding their options in the negotiation phase.

- vi. Number of Relocations During the Report Period. -- *3*.

- vii. Concerns Raised by Minorities or Women on Replacement Housing, Referral Housing and Advisory Services. *There were no concerns raised by minorities or women on replacement housing, referral housing and advisory services.*

- viii. Right-of-Way Task Orders for 2014 – The selection process is carried out as per chapter 31 of the LAG Manual, which makes Title VI part of the selection process, however the primary selection criteria is ability/qualifications to do the required work.
 - a. HDR Engineering, Inc. Provided Right-of-Way Relocation Remediation Services for Bigelow Gulch Project - \$86,162.11
 - b. Universal Field Services, Inc.
 - i. Provided Right-of-Way Acquisition services for Wellesley Ave. Sidewalk Project -\$28,369.00
 - ii. Provided Right-of-Way acquisition services for South Ridge Storm Drainage Facility Project-\$25,053.00
 - c. Cope Acquisition Services provided Right-of-Way Acquisition Services for Market St. Widening Project - \$8,500.00
 - d. LEH provided appraisals for Market Street Reconstruction
 - e. Auble, Jolicoeur & Gentry provided appraisals for Remediation Services for Bigelow Gulch.

f. Construction and Maintenance

- i. There were no Civil right complaints filed for construction or maintenance projects during 2014.
- ii. All contracts for new construction either contain recommended or required levels of minority, female and DBE participation. All maintenance on existing roads is carried out by county forces.
- iii. Contractors DBE usage and Employee utilization are reported to and monitored by the Title VI coordinator.

g. There has been no NHI training for 2014.

h. Administration

The Title VI policies and procedures developed by the County Engineer for implementation of the Office's Title VI Program are intended to provide a systematic, interdisciplinary approach to preventing discrimination that relies on existing staff resources. In conformance with the policies and procedures of the Spokane County Engineering Department, staff throughout the various organizational elements of the department work together to ensure compliance with Title VI.

3.0 DATA COLLECTION [Ref. DOJ's Title VI Coordinating Regulations, 28 CFR 42.401 – 42.415 (Subpart F), Sec. 42.406 Data and information collection]

CONTRACTOR PARTICIPATION: DOT Order 1000.12, *IMPLEMENTATION OF THE DEPARTMENT OF TRANSPORTATION TITLE VI PROGRAM*, provides at DOT 1000.12.II.1.a that “Each operating element shall require every applicant for Federal financial assistance in which there will be contracts awarded to include information sufficient to make a determination as to **minority contractor participation:**”

Pursuant to LAG Chapter 26.2.C.1, The Office of the Spokane County Engineer routinely gathers data on Disadvantaged Business Enterprise contractor participation. During 2014, \$91,386.22 of DBE participation was reported for Spokane County highway projects. There was a total of \$4,397,587.86 paid out on four federally funded projects, giving us a DBE utilization of 2.1% for 2013.

23 CFR 200.(a)(4) requires that State Highway Agencies, such as WSDOT: **“Develop procedures for the collection of statistical data (race, color, religion, sex, and national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities.”**

LAG Chapter 28, in turn, requests that Local Agencies, as sub-recipients, submit data on sex; and on race, color and national origin. (Data on religion is not called for by the LAG.) [LAG 28.73; 28.74; and 28.75]

49 CFR 21, NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF TRANSPORTATION – EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, applies to any program for which Federal financial assistance is authorized under the law and administered by DOT. It provides at Part 21.9(b), *Compliance reports*, that “In the case in which a primary recipient extends Federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part. In general recipients should have available for the Secretary racial and ethnic data showing the extent to which members of minority groups are beneficiaries of programs receiving Federal financial assistance.”

MINORITY CLASSES:

The population of Spokane County, based on 2007-2011 American Community Survey from the US Census Bureau, is 487,091. Of the total County population, fifty-seven percent (276,452) are **members of disadvantaged minority classes**, distributed as follows:

MINORITY CLASSES IN SPOKANE COUNTY

CLASS	%	POPULATION
Hispanic	4.2%	20,594
Asian/Pacific Islander (API)	2.5%	12,182
Black	1.6%	8,030
Indian/Alaskan Native	1.2%	5,896
Two or more	3.6%	17,442
Total:	13.2%	64,144

CONTRACTOR EMPLOYMENT DATA:

During 2014, the Office of the Spokane County Engineer submitted its annual *Summary of Employment Data* report (FHWA-1392), which provides data for contractors with Spokane County that performed work on Federal-aid projects during the month ending July 31st, 2013. Spokane County had only one (1) active project with one (1) contractor working during this time period.

The summary totals were as follows:

- Total Employees: 9
- Total Males: 9
- Total Females: 0
- Total Minorities: 0

The data reveals that in 2014 there was 0% female utilization, and 0% Minority utilization for Spokane County contracts. FHWA-1392 only provides a “Snap-Shot” of the Female and Minority utilization, Monthly Employment Utilization reports submitted by contractors doing work for Spokane County reveal contractors are utilizing both female and minority workers.

4.0 PUBLIC INVOLVEMENT

[Ref.: DOJ Regulation 28 CFR 42.405, Public Dissemination of Title VI Information]

The Office of the Spokane County Engineer actively encourages public involvement from all segments of the community in its transportation planning in order to integrate ideas from all classes of the public into transportation decisions, and seeks to gather data on those who participate.

Notifications of meetings are widely circulated to all income levels and to all affected races, sexes and nationalities.

The Office of the Spokane County Engineers maintains a website for the public to access information on current projects at:

<http://www.spokanecounty.org/News.aspx?dept=5>.

Bridge projects are available at:

<http://www.spokanecounty.org/engineer/content.aspx?c=2365>.

5.0 GOALS FOR THE NEXT YEAR

PROCEDURES DEVELOPMENT: In 2015, the Office of the Spokane County Engineer plans to continue refining and expanding its policies and procedures for a systematic, interdisciplinary approach to preventing discrimination, in accordance with the requirements of Title VI and related civil rights laws and regulations.

LIMITED ENGLISH PROFICIENCY: This Office will continue to assure that people who are not proficient in English can effectively participate in, and have meaningful access to the programs and activities administered by the County Engineer.

