



Report for October 2023 through September 2024

TITLE VI ACCOMPLISHMENTS & GOALS REPORT - WSDOT

This outline is for LPA and other governmental entities to report Title VI activities that occurred over the past year and report Title VI goals for the upcoming year. Reports must be returned on or before due date to meet eligibility requirements for federal funding. Send to TitleVI@WSDOT.wa.gov

DUE DATES: Refer to Section 28.3 for scheduled reporting period and due date

Contact Information

Name and title of administrator (signature on Standard Assurances): [Pete Mayer, Public Works Director](#)

Mailing Address: [6300 Southcenter Blvd, Suite 209](#)

City: [Tukwila, WA](#)

Zip Code: [98188](#)

County: [King](#)

Phone #: [\(206\) 200-5882](#)

email address: Pete.Mayer@TukwilaWA.gov

Name and title of head of transportation-related services: [Pete Mayer, Public Works Director](#)

Mailing Address: [6300 Southcenter Blvd, Suite 209](#)

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Zip Code: [98188](#)

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Name and title of designated Title VI coordinator*: [Catrien de Boer, Public Works Grant Analyst](#)

Mailing Address: [6300 Southcenter Blvd, Suite 209](#)

City: [Tukwila, WA](#)

Zip Code: [98188](#)

County: [King](#)

Phone #: [206-482-9199](#)

email address: Catrien.deBoer@TukwilaWA.gov

*When the Title VI coordinator changes, notify TitleVI@WSDOT.wa.gov within 30 days.

To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A).

Accomplishments

1. Have there been any changes to the approved Title VI Plan that have not been reported to OECR?

[In lieu of adopting a Title VI Plan, the City of Tukwila agrees to comply with the WSDOT Title VI Plan. Pete Mayer is the signatory for the City of Tukwila and a signed Letter of Intent to Comply with WSDOT Title VI Plan has been submitted.](#)

[Additionally, the City of Tukwila has adopted a Language Access Plan \(Attached\) which states that all employees must make reasonable efforts to provide equitable access to services to LEP persons.](#)

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

The Title VI Coordinator is responsible for attending Title VI training, communications, and compliance reporting. The Public Works Director oversees the Title VI Coordinator role and manages the department to ensure Title VI regulations are being followed. The Public Works Director is also the Administrative Head of the department and is the signing authority on Title VI documentation and reports.

The Title VI Coordinator, Catrien de Boer, is a white female born in the United States. The Public Works Director, Pete Mayer, is a white male born in the United States.

The City of Tukwila's Title VI Organizational Chart is attached.

3. Community Demographics: Using a map of the LPA's boundaries, describe the demographics of the LPA's service area (e.g., race, ethnicity, and national origin). List, by individual languages, the percentage of the population who is Limited English proficient. If the LPA's Limited English proficient population is 5% of the total population or 1,000 individuals, whichever is less, explain the Four-Factor Analysis by answering the statements listed on the next page.

- 1. Briefly describe the number of LEP persons served and languages spoken in the service area.**
- 2. Briefly describe the frequency of contact with LEP persons for services or projects (e.g., customer service interactions, public meetings, and contracts bidding and awarding).**
- 3. Briefly describe the importance of the program, activity, or service to the lives of LEP persons.**
- 4. Briefly describe current resources available for LEP persons and overall cost.**

Attached are two different data sources providing demographics of Tukwila's service area: ACS School District Profile Data and US Census Bureau QuickFacts (2023)

1. City of Tukwila utilized disaggregate language data provided within the City's Public Use Microdata Area (PUMA) to determine eligible LEP populations. Spanish is the only language that meets the Title VI Safe Harbor Provision for written translation; however, the City's adopted language plan includes providing vital document translation in Vietnamese and Somali. This is due to the number of residents as well as those who patronize businesses and important cultural centers such as the Abubakr Islamic Center and Vietnamese Martyr Parish. In October, 42 identified vital documents were translated by Dynamic Languages.

Note: Tukwila is contained in the PUMA King County (West Central)--Burien, SeaTac, Tukwila Cities & White Center PUMA; Washington

Language	Percent	Rank	Number of People
Speak only English	60.4	1	11879.71
Spanish	15	2	2950.12
Amharic, Somali, or other Afro-Asiatic languages	5.7	3	1123.53
Vietnamese	4.6	4	907.06

2. Currently, the City's webpages are translated using GTranslate. The Tukwila Comprehensive Plan Engagement Hub Website has an automatic Google Translate option for site visitors. We do not have data on how often this was used, but it is available to LEP persons interested in learning more about the project. Also, several departments utilize LanguageLine Solutions for over-the-phone interpretation. This includes Public Works, Human Services, Department of Community Development, Clerk's, Finance, and the Police Department. PD is billed separately, and their usage is not reflected below. Spanish is the language most frequently requested and Human Services is the more frequent user. From January 1 – October, LanguageLine usage was as follows:

Language	Calls	Minutes
SPANISH	18	299.4
FRENCH	7	93.5
DARI	3	75.7
AMHARIC	2	55.7
MANDARIN	2	68.8
RUSSIAN	1	17.2

City front line staff engage at varying frequency with LEP clients and are aided by a professional interpreter, a multilingual staff when available, a third-party speaker that the client brought with them to interpret, and general resourcefulness (according to staff interviews conducted on the topic). Not all interactions are currently tracked.

3. City services are invaluable to the lives of LEP residents, business owners, and visitors. For this reason, the City contracted with leaders from Spanish, Vietnamese, Somali, Swahili, Dari, and Burmese speaking communities to learn about service priorities during the biennial budget process. Further, the City provides an annual program for diverse residents to learn how city government works in an effort to increase civic involvement. This year the program is offered in English with Spanish interpretation.
4. The City uses a free version of GTranslate for webpage translations. LanguageLine Services are available 24/7/365 in over 240 languages. The current annual cost is about \$1,000. The City is exploring adding Direct Response, a LanguageLine service that allows community members to call select departments with the aid of an in-language menu of service options and direct connection to an interpreter. Anticipated cost for this service is \$6,000 to start. To date, the City's budget line item for Interpretation/Translation expended about \$72,000 citywide in 2024. Notably this includes approximately \$45,000 for court administration and \$12,000 for vital document translations.

As part of the City's recently adopted Language Access Plan we will continue to seek opportunities to better connect with LEP populations and standardize tracking of our interactions. Examples within Public Works:

- From March through May of this year, members of Public Works participated in a series of community leader interviews to better understand cultural and communication practices among Spanish, Vietnamese, Somali, Swahili, Dari, and Burmese speakers.
- Beginning September, a Public Works employee initiated a cross-departmental work group to develop public outreach standards, including LEP populations.

- September/October, Public Works translated the following documents into Spanish, Somali, and Vietnamese: Notice to Trim Vegetation, Water Service Checklist, Water Shut-Off Notice, the 2023 Water Quality Report, and a notice titled, “Lead and copper and your drinking water – are you at risk?”
- In November, a cross-departmental team including Public Works staff began meeting to discuss a Generative AI Policy, including for translation purposes.

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

No Title VI related complaints were filed during this reporting period.

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

42nd Ave S Bridge Replacement Project - The City has received a 0% DBE goal for the design of this project, however, throughout the reporting period, TranTech Engineering, LLC was the prime consultant and was a DBE accredited firm. Community outreach and engagement has been conducted in the Allentown neighborhood on a semi-regular basis from March 2021 to present. During this reporting period, the City attended Allentown Community Meetings on 2/27/2024, 5/28/2024, 6/25/2024, and 8/27/2024. Outreach has included a mix of in-person events and periodic e-mail communication updates. No materials were distributed ahead of time, PowerPoints and poster displays were used during the meetings, and minutes were sent out after the meeting. They can be

2024 Annual Overlay & Repair – No DBE goal was assigned to this project which is exclusively funded with City funds. The Annual Overlay program selects roadways for overlay based on a scientific pavement rating system. Streets with the lowest ratings are done first, as funding is available, and work is typically split between residential and commercial areas within the City. Residents can also report issues through the City’s online Tukwila Works reporting tool.

65th Ave and Southcenter Blvd Signal – This project is funded by the Transportation Improvement Board, using state funds. The City conducted a signal warrant analysis in 2017 and began design work on the new signal at 65th and Southcenter Blvd in early 2024. The project design is near complete and when constructed, will reduce speeds on Southcenter Blvd. and provide a safe crossing for transit riders who use the King County metro bus stations on Southcenter Blvd.

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

The City did not purchase or transfer any real property during this reporting period.

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

No right-of-way appraisers were used in association with a highway transportation project during this reporting period.

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

Transportation Element of the Comprehensive Plan – No DBE goal was assigned to this project. The City is in the process of updating the Transportation Element of the Comprehensive Plan and Local Road Safety Plan. The Transportation Element of the City of Tukwila’s Comprehensive Plan establishes Tukwila’s transportation goals and policies for the next 20 years to meet the City’s current and future needs. The goals focus on all modes of transportation: biking, walking, rolling, taking transit, and driving. The Comprehensive Plan is a long-term guiding document or “blueprint” that explains the community’s values and priorities to guide growth and development. The Transportation Element anticipates changes and needs in transportation facilities and provides specific guidance for future projects. The City and consultant, Fehr and Peers have been present in the community soliciting resident feedback. The team participated in City-wide Comprehensive Plan outreach events on 9/20/2023 and 2/1/2024. There was also a virtual “Idea Wall” on the City’s Engagement Hub Website which can be viewed here: <https://makers.mysocialpinpoint.com/tukwila-engagement-hub/ideas#/>

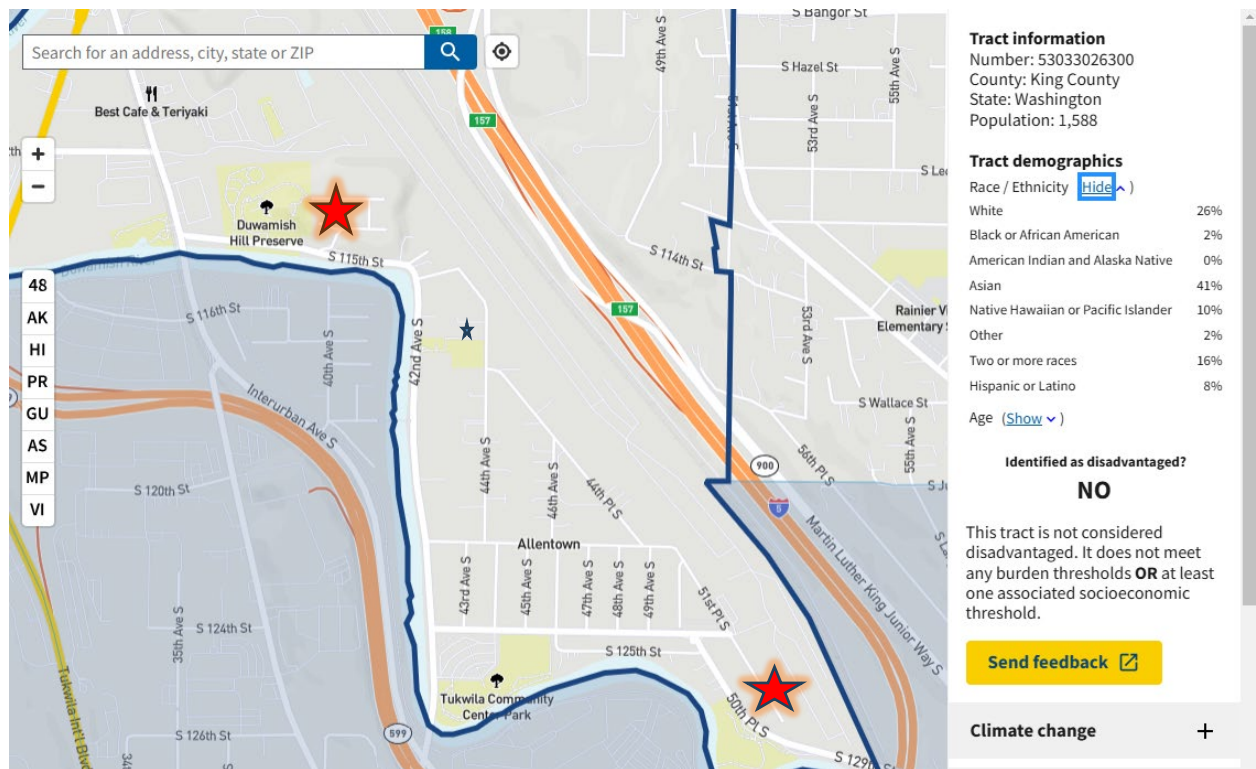
Environmental Impact Statement- The City of Tukwila is developing an Environmental Impact Statement (EIS) to evaluate alternatives to reroute existing BNSF truck traffic in Allentown. This is funded exclusively from City funds. An EIS is a process to evaluate potential effects that proposed alternatives may have on the built and natural environment and residents. No specific data relative to ethnicity, race, languages spoken, or income levels is collected as part of this study. However, staff have been working on spacing out meetings, offering a variety of public comment forums, and opportunities to engage in an attempt to hear from a wide array of residents who are affected by this. Additionally, by studying the impact on the built and natural environment, it is expected that those who have been historically affected by the pollution and disruption in the area, are at the forefront to avoid persistent and future harm. Community outreach and engagement has been conducted in the Allentown neighborhood on a semi-regular basis from March 2021 to present. During this reporting period, the City attended Allentown Community Meetings on 2/27/2024, 5/28/2024, 6/25/2024, and 8/27/2024. Outreach has included a mix of in-person events and periodic e-mail communication updates.

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

The maps below correspond to each project with the demographics for that census tract along the right side of the screenshot. This data is from the [U.S. Climate and Economic Justice Screening Tool](#).

2024 Annual Overlay & Repair – Several locations were overlaid in 2024. Specific improvements at each site vary, but include new signage, gravel shoulders, and/or ADA improvements to the curb

ramps and sidewalks. The Annual Overlay program selects roadways for overlay based on a scientific pavement rating system. Streets with the lowest ratings are done first, as funding is available. The project benefitted affected populations by preserving and maintaining the street structure in a safe and usable condition. The project closed roadways during periods of construction, which was a short-term burden to affected populations. There were three streets included in this year's overlay. They are shown on the map below, 50th PI and S 114th PI in the Allentown neighborhood and residential streets in the Riverton neighborhood.



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

The City invited community members to a public open house at the Sullivan Center on February 1st, 2024 to learn and share thoughts about draft Comprehensive Plan goals and policies for related elements. Information and interactive displays were provided for the Comprehensive Plan's land use, transportation, housing, utilities, capital facilities, and natural environment elements. Below is a photo of one of the interactive displays. This meeting was intended to be an informal way for residents to drop in and learn more. The City made an effort to space out the open houses on different days of the week and at different times throughout the past 2 years to encourage participation. Tukwila also offered food and refreshments at most events.

City of Tukwila
Comprehensive Plan Transportation Element

WHAT DO YOU THINK ABOUT THESE TRANSPORTATION COMMENTS?

Here are key themes we heard through public outreach. Did we hear you correctly?
Vote your top 5 ideas!

COMMENTS **VOTES**

BIKING

- 3 Want to bike to Seattle via East Marginal Way S.
- 4 It's hard to bike to Boeing Field, Georgetown, and SODO.
- 5 It's uncomfortable to bike on Southcenter Boulevard.
- 6 Want better connections to bike to McMicken via 51st Ave S.
- 7 Southcenter Mall is difficult to access by bike.
- 8 Want to bike to Renton.

VEHICLE

- 9 Want slower cars on 42nd Ave S.
- 10 More parking near Tukwila International Boulevard Station.
- 11 Want slower cars on 51st Ave S.
- 12 Want slower cars on Southcenter Parkway.

WALK/ROLL

- 13 The intersection of E Marginal Way and S 112th St feels uncomfortable for pedestrians.
- 14 Want more sidewalks in Allentown.
- 15 Sidewalks missing along Macadam Rd S.
- 16 Sidewalks missing along 40th Ave S.
- 17 Hard to walk on Tukwila International Blvd with cars parked on sidewalks.
- 18 It's uncomfortable to walk or bike across I-5 on the S 144th St bridge.
- 19 Sidewalks missing on S 360th St.
- 20 It's hard to walk between Southcenter Mall, Tukwila Sounder Station, and the Interurban Trail.
- 21 It's hard to walk to and around Tukwila Pond Park.

TRANSIT

- 22 Better security and enforcement at TIB Station.
- 23 Want better transit connections between light rail and Southcenter.
- 24 Want to get to more places from the Tukwila Sounder Station and have more frequent trips.

OTHER

- 1 More lighting in Ryan Hill.
- 2 Clean up Green River Trail / Interurban Trail.

Tukwila

Want to bike/walk between Foster High/Pool to 42nd Ave S / South Centers

SEATTLE-TACOMA INTERNATIONAL AIRPORT

1. Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin. N/A

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

The transportation team partnered with the Department of Community Development to host an open house for residents to drop in and discuss any topic, including but not limited to land use, housing, transportation, and parks. The City held meetings at different locations throughout the City and relied on trusted community liaisons from a broad range of demographic groups to encourage participation. No Public Involvement Forms were filled out.

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

Currently, the City's webpages are translated using GTranslate in 15 languages, including Spanish, Somali, and Vietnamese. Also, several departments utilize LanguageLine Solutions for over-the-phone interpretation in over 240 languages. From January 1 – October, LanguageLine usage was as follows:

Language	Calls	Minutes
SPANISH	18	299.4
FRENCH	7	93.5
DARI	3	75.7
AMHARIC	2	55.7
MANDARIN	2	68.8
RUSSIAN	1	17.2

In-person interpretation is contracted through Dynamic Languages, Language Connection LLC, and Adams Interpreting. Municipal Court utilizes interpreters from a database they manage called Moli. The court also uses Pocketalk (portable voice translator devices) for interpersonal interactions with LEP clients. The City purchased interpretation equipment that is being utilized in a bilingual, English/Spanish, civic leadership program.

Attached is a list of translated vital documents. Documents were translated into Spanish, Somali, and Vietnamese by Dynamic Languages.

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

For our transportation-related consultant contracts, the City either uses the MRSC Statewide Roster or publishes an RFQ in local newspapers, typically the Seattle Times and the Daily Journal of Commerce. In either case, the project manager will create a matrix with the relevant criteria and rank all interested firms according to the criteria. Once a preferred firm has been selected, the team and consultant will negotiate a scope and fee and enter into a contract.

For our construction contracts, the City publishes a call for bids in the local newspapers and uploads the plans to Builders Exchange Washington website (www.bxwa.com) for potential contractors to reference.

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

The City includes all required Title VI Language in our contracts as specified in FHWA 1273 (construction contracts) and Appendix A and E of the Non-Discrimination Assurances. The City also includes the Title VI language in all Requests for Proposals/Qualifications for projects with Federal Aid. Contractors and consultants review the language and sign agreements acknowledging they will act in compliance with Title VI and other applicable federal regulations.

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

A full list of our active projects and contracts is attached.

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

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

Catrien de Boer, Public Works Analyst, Department of Public Works Title VI Coordinator

- Attended virtual Title VI Training provided by WSDOT on May 30, 2024.
- Attended in-person Title VI Training provided by WSDOT on September 19, 2024 at the Snohomish County Everett Campus.
- Met with Doris Karolczyk on June 12, 2024 to discuss other Title VI requirements.

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

Throughout the year, Catrien met with Transportation Project Managers to discuss Title VI Compliance, specifically around solicitation for consultants and advertising construction projects. She met with the Transportation Project Manager (white male born in the US), the Senior Transportation Program Manager (white female born in the US), and the Traffic Engineer (white male born in the US).

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

Jo Anderson, Inclusion and Engagement Manager

- Attended in-person Title VI Training provided by WSDOT on September 19, 2024 at the Snohomish County Everett Campus.

-Regularly attends the Interagency Language Access Community of Practice and Municipal Language Access Network (MLAN) meetings.

15. Title VI Goals for Upcoming Year

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

1. *Hire Deputy Public Works Director/City Engineer who will take responsibility for Tukwila's Title VI and ADA Compliance and Reporting. Doing so will achieve several things:*

- a. Centralize Citywide Title VI efforts and reporting, and
- b. Provide oversight of consultant and construction contracts for Title VI Compliance.

2. *Title VI Training*

To ensure that Public Works employees involved in the project management and the contracting practice are knowledgeable on potential Title VI issues, the Title VI Coordinator will participate in training programs and workshops offered through Washington State Department of Transportation annually. Training elements may include:

- *The role of Title VI Coordinators/Specialists within the City*
- *Technical Assistance on Title VI matters*
- *Title VI reviews of program areas*
- *Procedures for processing of complaints of discrimination*
- *Organizational policies and compliance for Title VI reporting*

3. *EPIC and Language Access Plan*

A Language Access subcommittee of the City of Tukwila's Equity Policy Implementation Committee (EPIC) develops language access strategy for Title VI compliance and beyond. The subcommittee meets alternating months and attends related external meetings and trainings. The group completed the City's Language Access Plan and is working on a communication plan for Q1 2025. The group recognizes that Public Works projects have very rigorous and specific Title VI obligations. This is certainly a part of the overall effort, but when we reference Title VI, we are talking also about the interpretation that any activity of the city should be compliant since some of its programs are federally funded.

EPIC also facilitated a cross-departmental team to review a racial equity analysis toolkit. Language access beyond Title VI was an area of focus. As part of that work, the project team interviewed internal and external stakeholders to identify challenges, needs, and opportunities. The report and recommendations are attached.

Language Access Activities To Date:

- *Developed communication recommendations based on internal and external stakeholder interviews.*
- *Translated 42 documents into Spanish, Somali, and Vietnamese.*
- *Developing a communication plan for the citywide LAP.*

- *Continuing to participate in the Interagency Language Access Community of Practice - Quarterly meeting of government language access professionals in WA*
- *Continuing to participate in Municipal Language Access Network (MLAN) - a collaboration of government employees to share resources and develop best practices for the improvement of language access*
- *Utilized interpretation equipment (3 sets of transmitters/receivers) for a bilingual civic leadership program, English and Spanish.*
- *Reviewing a draft Language Access Plan*

On the Horizon:

- *Adding Direct Response, a LanguageLine service*
- *Continue to identify technology solutions*
- *Community engagement*
- *Develop depository of documents*
- *Develop language access webpage*
- *Develop staff training resources*
- *Internal and external communication*

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

Assurances

DOT Order No. 1050.2A

The City of Tukwila (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 City of Tukwila, 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."

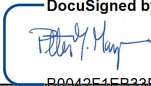
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting 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, City of Tukwila 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 WSDOT 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 WSDOT. You must keep records, reports, and submit the material for review upon request to WSDOT, 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.

City of Tukwila 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.

City of Tukwila
(Name of Recipient)

by  _____
(Signature of Authorized Official)

11/12/2024 | 11:36 AM PST
DATED _____

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 City of Tukwila 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 City of Tukwila 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 City of Tukwila 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 City of Tukwila, its successors and assigns.

The City of Tukwila, 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 City of Tukwila 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 City of Tukwila 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, City of Tukwila 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 City of Tukwila 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 City of Tukwila 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 City of Tukwila 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, City of Tukwila 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, City of Tukwila will there upon revert to and vest in and become the absolute property of City of Tukwila 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).



Letter of Intent to Comply with WSDOT Title VI Plan

In lieu of adopting a Title VI Plan, the City of Tukwila

agrees to comply with the WSDOT Title VI Plan.

The City of Tukwila 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 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The City of Tukwila further assures 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.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988).

In the event the City of Tukwila distributes federal aid funds to a sub-recipient, the City of Tukwila of will include Title VI language in all written agreements and will monitor for compliance.

The City of Tukwila is responsible for initiating and monitoring Title VI activities, collecting data, preparing reports (including Appendix 28.93) and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation, WSDOT Title VI Plan, and the WSDOT Local Area Guidelines manual.

DocuSigned by:

B0042F1EB33F4BA...

Signature

Public Works Director

Title

Pete Mayer, Public Works Director

Name and Title of Public Works/Transportation Manager

Catrien de Boer, Public Works Analyst

Name and Title of Title VI Coordinator

11/12/2024 | 11:36 AM PST

Date Executed

Pete/mayer@tukwilawa.gov

Email Address

Catrien.deBoer@tukwilawa.gov

Email Address

Required Attachment: signed, unaltered USDOT1050.2a, Standard Title VI Assurances