

Title VI Responsibilities for Special Emphasis Program Areas

Planning

A. Transportation Planning Office

The Planning Office has the responsibility to develop long- and short-range plans for WSDOT to provide efficient transportation services to the citizens of the state of Washington. The Transportation Planning Office is located within the Planning and Programming Service Center.

B. Operational Guidelines

The Metropolitan Planning Organization Procedures Manual
23 CFR 450

RCW 47.06 Statewide Transportation Planning

RCW 47.80 Regional Transportation Planning Organization (RTPO)

C. Planning Process

A comprehensive transportation planning process is used which incorporates input from the public in coordination with the various Metropolitan Planning Organizations (MPOs), and Regional Transportation Planning Organizations (RTPO). The process further entails the monitoring and collection of varied data pertaining to transportation issues. The Transportation Planning Office coordinates with the MPO, RTPO, urban transportation planning, public involvement, and provides technical support when needed.

D. Title VI Responsibilities

- Ensure that all aspects of the planning process operation complies with the nondiscrimination provisions of Title VI.
- Ensure full participation of all social, economic, and ethnic populations impacted by the Department's planning processes by disseminating program information to minority media and ethnic/gender related organizations and participating in roundtable meetings in predominantly minority communities. Provide information on languages other than English when a Limited English Proficiency population of 5% or more have been identified in any given project area.
- Assist the Title VI Coordinator in gathering and organizing the Planning Office portion of the Annual Title VI Update Report.
- Review the Planning Office work program, MPO Procedures Manual and other directives to ensure compliance with Title VI program requirements.
- Verify that there is equal participation on Citizens Advisory Committees (CAC) by requesting the MPO, or RTPO to provide information pertaining to their selection criteria for CAC members and to furnish information on membership makeup (race, gender, and position within the organization) for evaluation.

- Visit CAC meetings as well as public meetings to verify the level of participation of Title VI protected group members when offered in predominantly ethnic minority communities. Collect data on gender, race, and national origin off public forum attendees.
- Perform Title VI compliance assessments as part of the annual reviews of the MPO's and/or RTPO's work and transportation programs.

Research

A. Research Office

The Research Office is responsible for the development of research projects that include not only engineering-related projects, but other areas such as transit, transportation and environmental studies, and socioeconomic analysis. The Research Office is located within the Planning and Programming Service Center.

B. Operational Guidelines

Research, Development and Technology Transfer Program Manual 23 CFR 511

C. Research Development

Projects for research are prioritized based on the department needs and availability of funding. Approximately 98 percent of all research projects are conducted by state universities and performed by graduate students under the direction of a designated research professor. Department program personnel regularly monitor the projects.

D. Title VI Responsibilities

- Ensure adherence with DBE program requirements in the granting of research contracts and nondiscrimination in the selection of grant recipients, when applicable.
- Develop procedures to promote the participation of minorities and women in all aspects of a research project.
- Verify that the Title VI language in Appendix 1 of the Title VI Assurances is incorporated in all research contracts and agreements.
- Gather reporting data for the Annual Title VI Update Report.
- Review internal operational procedures, guidelines, directives and policies to ensure compliance with Title VI requirements.
- Monitor accomplishments and promptly correct program area deficiencies.

Design

A. Design Management Office

The Design Management Office performs studies to assess various environmental factors as they relate to project development, which include social and economic elements. The office also provides technical support to the regions during project development process. The Design Management Office is located within Environmental and Engineering Programs.

B. Operational Guidelines

Design Manual — M 22-01
Federal Aid Policy Guide for Hearings
23 CFR 771
Executive Order 12898 on Environmental Justice

C. Design Process

Economic, social, topographic, and environmental impacts of a proposed project are key factors weighed in the location consideration. Federal, state, local, and departmental policies and procedures require that public hearings and/or informational meetings be held to give all citizens, including minorities, an opportunity to obtain information and express their opinions on proposed project locations. Special efforts shall be made to inform members of minority communities of public hearings and other public involvement activities. These efforts include public notices in minority newspapers and selection of accessible location and time for public hearings.

D. Title VI Responsibilities

- Ensure that all aspects of a project's location selection process comply with the Title VI nondiscrimination requirements.
- Consult and seek input from all affected populations, including minority and low-income individuals.
- Develop mechanisms to identify minority and low-income populations affected by WSDOT's design activities.
- Promote equal access to public consultation during the project selection process.
- Provide notice of public consultation forums in minority newspapers and newsletters and in languages other than English when needed.
- Gather and maintain required Title VI compliance documentation and statistical data on hearing attendees.
- Monitor all program functions for compliance with the Title VI - requirements.
- Review activities associated with public hearings to enhance the participation of minority and low-income communities.

- Review and update operational manuals and directives to ensure the inclusion of Title VI language and provisions.
- Gather program area data to be included in the Title VI Annual Update Report.

Education and Training (Staff Development)

A. Staff Development

The Staff Development Office is under WSDOT's Office of Human Resources, Administration and Support Division. The Staff Development Office provides overall training program administration within the department, including training provided by the National Highway Institute (NHI). Staff Development is located within the Office of Human Resources.

B. Operational Guidelines

Human Resources Desk Manual (M 3009)

C. Education and Training Process

A training matrix (a list of training courses that are recommended, and in some cases required) has been established for every major job classification within the department. WSDOT managers, through the Automated Training Management System (ATMS), can access upcoming courses and register employees as training needs arise.

The training program is divided in six programs: Technical Professional Program, Maintenance Program, Safety Program, Data Processing Program, Employee Development Program, and Management Program.

D. Title VI Responsibilities

- In conjunction with managers and executives, ensure that all employees have equal access to training.
- Ensure accessibility to M/W/DBE consulting/training firms to compete for training contracts.
- Maintain program administration documentation and data necessary for preparation of Annual Title VI Update, including attendance data for NHI and Washington Management Service courses.
- Review directives and manuals to ensure the adherence with Title VI requirements.

Right of Way (Real Estate Services Office)

A. Real Estate Services Office

Real Estate Services manages and coordinates the appraisal and acquisition of real property for transportation needs, the management of excess properties, and Relocation Assistance Services. The office is a part of Environmental and Engineering Programs.

B. Operational Guidelines

Right of Way Manual

23 CFR 130

49 CFR 24

RCW Chapter 47

WAC 468.100

C. Acquisition Process

The property acquisition process follows the Right of Way Manual and all applicable laws and regulations, including Title VI. The right of way acquisition process entails appraisal of property, negotiation of terms and conditions for acquisition, and assistance in the relocation of displaced individuals, business, farm operations, and nonprofit organizations, as well as property management.

D. Title VI Responsibilities

- Ensure equal access by Minority/Women/Disadvantaged Business Enterprises as identified by the Office of Minority and Women's Business Enterprises (OMWBE) to Personal Services Contracts. The contracts are typically appraisal contracts but can cover all services of real estate including negotiation, relocation, and property management.
- Ensure participation by minority/women disadvantaged business appraisers by updates to fee appraisers directories identifying minority and female appraisers.
- Apprise all affected property owners, tenants, and others involved of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process. Provide communications in languages other than English when needed.
- Conduct annual implementation reviews of Title VI provisions within the entire real estate acquisition process.
- Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business.
- Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.

- Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
- Coordinate the preparation of deeds, permits and leases to ensure the inclusion of the appropriate Title VI clauses (Appendices 2 and 3 to Title VI Assurances).
- Gather the statistical data required for completion of department's Annual Title VI Update Report including awards to minority and female appraisers, number of relocations, etc.

Environmental Services Office

A. Environmental Services Office

Assists the regions in integrating environmental considerations and regulatory requirements into WSDOT's transportation program. Provides technical expertise for project analyses. Develops environmental policies, procedures, manuals, and training. Works with regulatory agencies to streamline the environmental permit process. Environmental Services is located within Environmental and Engineering Programs.

A systematic process is used to study and evaluate all necessary environmental aspects of a proposed project, including social and economic. Depending on the scope, complexity, and impacts of the project, a National Environmental Policy Act (NEPA) Categorical Exclusion (CE), NEPA Environmental Assessment (EA), State Environmental Policy Act (SEPA) checklist, SEPA Determination of Non-significance (DNS), or NEPA and/or SEPA Environmental Impact Statement will be completed. The Environmental Affairs Office also develops agreements, guidance documents and training programs with the Regulatory and Resource Agencies.

B. Operational Guidelines

Executive Order 12898 on Environmental Justice
49 CFR 622, 635, 640, 712, 771, and 790

C. Title VI Responsibilities

- Monitor compliance with Title VI and Environmental Justice requirements during the social, economic and environmental analysis of the National Environmental Policy Act (NEPA) process.
- Ensure equal access to meetings to review a project's impact.
- Disseminate to all members of the public information describing their rights to call or write the department to view plans and discuss environmental problems. Information shall be provided in languages other than English, when needed.
- Coordinate the gathering of Environmental information for the Annual Title VI Update Report including contracts awarded to DBE firms.

- Notify and make accessible to affected minority and low-income residents about public meetings or hearings regarding a proposed project. Notification may be issued in languages other than English as necessary.
- Develop mechanisms to identify the different segments of the population affected by a project.
- Ensure equal access to public participation in the location selection process.
- Monitor Ensure Title VI/Environmental Justice compliance in all Environmental Impact Statements in coordination with OEO's Title VI Coordinator.

Consultant Contracts Coordination

A. Consultant Services Office

The Consultant Services Office is responsible for consultant selection, negotiation, and the administration of consultant contracts. The office is located within the Environmental and Engineering Service Center.

B. Operational Guidelines

Consultant Services Procedures Manual (M 27-50)

48 CFR 31

23 CFR 172

RCW 39.29

RCW 39.80

C. Consultant Selection Process

The Consultant Services Office operates under M 27-50, as revised, Title 23 Code of Federal Regulations Part 172, Title 48 Code of Federal Regulations Part 31, Revised Code of Washington 39.29 and 39.80. Selection of consultants is made by either the Consultant Selection Board process or from a scored and ranked register. Upon a consultant's selection, the office assists the department's project manager with negotiation and administration of the contract.

D. Title VI Responsibilities

- Self-monitor compliance with DBE program requirements in contracts.
- Ensure that all federally funded consultant contracts administered by the Consultant Services Office have the appropriate Title VI provisions included.
- Review directives and procedures to ensure Title VI language is incorporated as needed.
- Maintain necessary data and documentation required for completion of the department's Title VI Update Annual Report.
- Provide Title VI Training and assistance in the development of Title VI compliance assurances for consultants.

Construction

A. Construction Office

The Construction Office is responsible for the administration of new - construction projects. The Maintenance Office is responsible for the preservation and upkeep of the state transportation system. The offices are located within the Maintenance and Operations Programs.

B. Operational Guidelines

Construction Manual – M 41-01

Standard Specifications for Road, Bridge, and Municipal Construction
(Section M 41-10)

General Special Provisions for Disadvantaged Business Enterprise

General Special Provisions for Equal Employment Opportunity

C. Construction Process

The Construction Office sets policy and provides guidance and oversight for the decentralized administration of transportation construction projects by the regions and the regional project engineers.

D. Title VI Responsibilities

- Review activities and programs to assure that maintenance and - construction efforts and resources are applied uniformly and fairly.
- Review all projects for application of DBE program requirements.
- Include appropriate DBE general special provisions in those projects with assigned goals federally assisted contracts.
- Include Title VI language in contract advertisements and award letters to encourage the utilization of DBE firms. Award of construction contracts shall be granted on the basis of the lowest responsive bidder including DBE requirements.
- Ensure through reviews that prime contractors with DBE requirements award previously committed work to proper DBEs and that DBEs actually perform a commercially useful function on the contracts.
- Consult DBE firms using a comprehensive questionnaire to identify possible barriers to their participation in contracts. The obtained information shall be gathered and analyzed for the elimination of such barriers.
- Assist OEO in providing supportive services to DBEs.
- Title VI language shall be included in every contract to ensure - nondiscrimination in contract awards due to race or gender.
- Coordinate the gathering of maintenance and construction information regarding DBE participation for the Title VI Annual Update Report.

Maintenance

A. Maintenance Office

The Maintenance Office is responsible for the preservation and upkeep of the state transportation system. The Maintenance Office is located within the Maintenance and Operations Programs.

B. Operational Guidelines

Maintenance Manual – M 51-01

Standard Specifications for Road, Bridge, and Municipal Construction
(Section M 41-10)

C. Maintenance Process

The Maintenance Office is responsible for developing an efficient program for highway maintenance by utilizing the resources of people, equipment, and materials in the most economic way.

D. Title VI Responsibilities

- Monitor all maintenance operations to ensure nondiscrimination.
- Review activities and programs to assure that maintenance efforts and resources are applied uniformly and fairly.

Highways and Local Programs Division

A. The Highways and Local Programs Division has oversight responsibilities to ensure that cities, counties, and MPOs comply with the administrative requirements of Title VI. Highways and Local Programs will perform project management reviews to ensure local agencies' adherence to Title VI administrative requirements and will advise and assist local agencies in the management of Title VI complaints.

B. Operational Guidelines

Local Agencies Guidelines manual

C. Highways and Local Programs Division Operation

The Highways and Local Programs Division, through the cities and counties agreements, commits local governments to comply with all federal regulations in the administration of federally funded projects. The local governments, as with the state, must have the necessary resources to administer all aspects of the federal grant.

D. Title VI Responsibilities

- The Highways and Local Programs Division shall maintain documentation and statistical data on race, color, national origin, and sex on staff as well as participants and beneficiaries of WSDOT programs.

- Perform project management reviews to ensure local agencies' adherence to Title VI administrative requirements for special emphasis programs.
- Assist the Title VI Coordinator in keeping the Title VI Chapter of the Local Agencies Guidelines (LAG) Manual published and updated.
- Advise and assist the local agencies in the management of Title VI complaints.
- Provide basic technical support to local agencies with questions regarding the implementation of their Title VI administrative requirements.
- Assist local agencies in developing their Title VI compliance document.
- Assist in the coordination of Title VI Training for local agencies through their T2 Center.