

**TITLE VI
NON-DISCRIMINATION AGREEMENT**

**Washington State Department of Transportation
and
Northeast Washington Regional Transportation
Planning Organization**

Lead Agency: Tri-County Economic Development District

Policy Statement

The Tri-County Economic Development District, Agent for the Northeast Washington Regional Transportation Planning Organization (NEW RTPO), hereinafter referred to as the "Recipient" assures that no person shall on the grounds of race, color, national origin, or sex, 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 Recipient further assures every effort will be made to ensure non-discrimination 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 Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient's Title VI Specialist is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21.

Jeff Koffel



Executive Director

5/26/2021

Date

Title VI Program

Organization and Staffing

Pursuant to 23 CFR 200, Northeast Washington Regional Transportation Planning Organization (NEW RTPO) has appointed a Title VI Specialist who is responsible for Attachment 1, which describes the hierarchy for the Northeast Washington Regional Transportation Planning Organization's Title VI Program, including an organization's chart illustrating the level and placement of Title VI responsibilities.

Assurances

49 CFR Part 21.7

The NEW RTPO hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are Federally funded or not. That it will promptly take any measures necessary to effectuate this agreement.
2. That each program, activity, and facility as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
3. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Washington State Department of Transportation (WSDOT) under the Federally-Funded Program and is binding on it, other recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
4. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federally-Funded programs and, in adapted form all proposals for negotiated agreements.

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 79 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be

discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

5. That the Recipient shall insert the clauses of Appendix 1 of this Agreement in every contract subject to the Act and the Regulations.
6. That the Recipient shall insert the clauses of Appendix 2 of this Agreement, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
7. That the Recipient shall include the appropriate clauses set forth in Appendix 3 of this Agreement, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.
8. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

Implementation Procedures

This agreement shall serve as the recipient's Title VI Plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

- grants and loans of Federal funds,
- the grant or donation of Federal property and interest in property,
- the detail of Federal personnel,
- the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The recipient shall:

1. Issue a policy statement, signed by the Executive Director of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.

2. Take affirmative action to correct any deficiencies found by WSDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The Title VI Specialist of the recipient shall be held responsible for implementing Title VI requirements.
3. Establish a civil rights unit and designate a Specialist who has a responsible position in the organization and easy access to the Executive Director of the recipient. This unit shall contain a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately staff the civil rights unit to effectively implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by the Executive Director. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the recipient's report of investigation, will be forwarded to WSDOT's Office of Equal Opportunity (OEO) within 10 days of the date the complaint was received by the recipient.
6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by the recipient.
7. Conduct Title VI reviews of the recipient and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Conduct training programs on Title VI and related statutes.
9. Prepare a yearly report of Title VI accomplishments for the last year and goals for the next year.
 - a. Annual Work Plan (*due Jan 31st of each year*)
Outline Title VI monitoring and review activities planned for the coming year; state each activity planned to be accomplished and target date for completion.
 - b. Accomplishment Report
List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews (internal or external) conducted by the Title VI Specialist. List any major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the recipient.

Discrimination Complaint Procedure

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 (Title VI), including its Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity (EEO) and On-the-Job Training (OJT) Program components, Section 504 of the Rehabilitation Act of 1973 (Section 504), Civil Rights Restoration Act of 1987 (CRRRA), and the American with Disabilities Act of 1990 (ADA), regarding any program or activity administered by NEW RTPO or its sub-recipients, consultants, and/or contractors. These procedures apply to complaints filed against a program and/or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA). Intimidation or retaliation of any kind is prohibited by law per Title 49, Code of Federal Regulations, Part 21.11(e).

The 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. Every effort will be made to resolve complaints informally at the agency and sub-recipient level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution.

All complaints will be referred to the RTPO's Title VI Coordinator for review and action. NEW RTPO's Title VI Coordinator shall be the Executive Director of NEW RTPO.

PROCEDURES:

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a written complaint with NEW RTPO. A formal complaint must be filed within one hundred and eighty (180) calendar days of the alleged occurrence. NEW RTPO will not officially act or respond to complaints made verbally.
2. Upon receiving the written complaint, the NEW RTPO Executive Director will determine its jurisdiction, acceptability, need for additional information, and the investigative merit of the complaint. In some situations, NEW RTPO may request that WSDOT Office of Equal Opportunity conduct the investigation. In the event WSDOT handles the investigation, it will follow adopted procedures for investigating discrimination complaints, per the current State Title VI Plan.
3. The NEW RTPO Executive Director will assign a member of the NEW RTPO staff investigative responsibilities.
4. If the complaint is against a sub-recipient, consultant, or contractor, under contract with NEW RTPO, the appropriate division and/or agency shall be notified of the complaint, within fifteen (15) calendar days.
5. Once NEW RTPO decides its course of action, the complainant and the respondent will be notified in writing of such determination within five (5) calendar days. The complaint will be logged into the records of the Title VI Coordinator, and the basis for the allegation identified including race, color, national origin, handicap/disability, age or sex.

6. In cases where NEW RTPO assumes investigation of the complaint, it will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt, to furnish NEW RTPO with a response to the allegations.
7. Within sixty (60) days of receipt of the complaint, the Coordinator or WSDOT investigator will prepare a written investigative report for NEW RTPO. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
8. Once the investigative report becomes final, briefings will be scheduled with each party within fifteen (15) days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
9. A copy of the complaint and NEW RPTO's investigative report will be issued to WSDOT's External Civil Rights Branch (or the appropriate oversight agency) within sixty (60) calendar days of the receipt of the complaint.
10. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s) he or she shall be advised of their rights to appeal the agency's decision to WSDOT, US Department of Transportation, or US Department of Justice. The complainant has one hundred and eighty (180) calendar days after the appropriate agency's final resolution to appeal to USDOT. Unless facts not previously considered come to light, reconsideration of the final determination by the investigating agency will not be available.
11. An annual Log of Complaints must be maintained by each agency. The Log of Complaints must contain the following information for each complaint filed:
 - a. The name and address of the person filing the complaint.
 - b. The date of the complaint.
 - c. The basis of the complaint.
 - d. The disposition of the complaint.
 - e. The status of the complaint.

Contacts for the different Title VI administrative jurisdictions are as follows:

Washington State Department of Transportation
Office of Equal Opportunity, Title VI Program
PO Box 47314
Olympia, WA 98466
(360)705-7098

Federal Highway Administration
Washington Division Office
711 Capitol Way South, Suite 501
Olympia, WA 98501
(360)534-9325

Only qualified, well-trained investigators should conduct these investigations. NEW RTPO will not investigate a complaint against itself.

Sanctions

In the event the recipient fails or refuses to comply with the terms of this agreement, the WSDOT may take any or all of the following actions:

Cancel, terminate, or suspend this agreement in whole or in part;

Refrain from extending any further assistance to the recipient under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.

Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.

Refer the case to the Department of Justice for appropriate legal proceedings.

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION:

Signature

Director of the Office of Equal Opportunity

Title

Date

NAME OF RECIPIENT:

Signature

Jeff Koffel, Executive Director

Title

Date

Appendix 1

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

Compliance with Regulations

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

Non-discrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

Solicitations for Sub-contracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to WSDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

Sanctions for Non-compliance

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

Withholding of payments to the contractor under the contract until the contractor complies, and/or;
Cancellation, termination, or suspension of the contract, in whole or in part

Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request WSDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

Appendix 2

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Washington 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 Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation WSDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Washington all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Washington, 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 the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Washington, its successors, and assigns.

The state of Washington, 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 shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Washington, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

Appendix 3

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by NEW RTPO pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Washington State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Appendix 4

PUBLIC PARTICIPATION POLICY

FOR THE NORTHEAST WASHINGTON REGIONAL TRANSPORTATION ORGANIZATION (NEW RTPO)

The goals of the NEW RTPO include providing visionary leadership on regional plans, policies and issues, which are best achieved with public outreach activities and interactions.

Through its Public Participation Policy, NEW RTPO intends to provide opportunities for appropriate broad-based, early, continuous, and meaningful public participation in all planning, programs, and projects. Further, NEW RTPO intends to encourage an on-going forum for the discussion of regional issues, striving for open exchanges of information and ideas. The Policy calls for a broad range of public information and participation opportunities, supplying complete information, timely public notice, and full access to key decisions.

The Policy provides a broad overview of basic public participation policy. As deemed necessary, NEW RTPO will incorporate details of routine procedures into NEW RTPO policies and procedures. Certain major planning efforts, programs, or projects may include Public Participation Plans specific to that effort. The term "major" is to be applied loosely. If a proposed action or decision is clearly a normal-course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these public procedures. If there is a question as to whether the Policy should be followed, NEW RTPO shall apply the policy to ensure appropriate public notification and participation is obtained.

The Policy will be reassessed as necessary to determine if the public's needs for information and access are being met or to comply with changing regulatory requirements. Additionally, the Public Participation Policy shall be reviewed periodically to determine its effectiveness in assuring full and open access to all.

Failure to exactly comply with all Policy elements shall not constitute a failure of public process, nor render any actions or decisions invalid.

Public Access

NEW RTPO will provide the public with timely notice and reasonable access to meetings and information. All regular meetings of NEW RTPO and any Policy Board Committee meetings shall be open to the public, except as needed and as allowed under the State Open Public Meetings Act. Special meetings, such as public hearings and forums, shall also be open to the public.

NEW RTPO shall hold all regular and special meetings at venues that are accessible to persons with possible. Every effort will be made to select venues that are accessible to people who rely on public transportation.

Public notification of all regular meetings of the RTPO's committees shall be made at least seven calendar days in advance of the meeting. Each agenda shall also include the date of the next

scheduled meeting. In the case of special meetings, every attempt will be made to provide at least seven calendar days advance notice.

Notification of all regular and special meetings will be provided to PRTPPO membership, meeting participants, local news media, and anyone requesting notification. Notification will be made via news media and or/electronic means, and shall include the time, date and location of the meeting. In certain circumstances, notice may also take the form of a press release, paid legal notice or advertisement, or may use non-traditional methods to reach certain segments of the community.

All NEW RTPO plans and documents shall be made available for public review at the NEW RTPO office. In certain circumstances, copies of documents and plans may also be distributed to public libraries and other public venues for review, as well, as posted to the NEW RTPO website.

Most publications will be made available free of charge. When appropriate, a charge may be assessed to cover the cost of reproduction and mailing.

NEW RTPO will provide reasonable access to technical and policy information used in the development of plans and programs.

Public Outreach

NEW RTPO shall create opportunities for all segments of the community to learn about and engage in issues under consideration by NEW RTPO, particularly those segments that may be directly impacted by the outcomes of specific recommendations and decisions.

NEW RTPO shall inform and educate the public about regional issues using a variety of means, including, but not limited to: regular and special meetings, printed materials, electronic communication.

NEW RTPO may work with civic, advocacy, service and other organizations and interested or potentially interested persons to disseminate information about regional activities.

Public Input

NEW RTPO values a two-way conversation with the public it serves. Explicit consideration of public input and response to public input shall be an integral element of NEW RTPO's decision-making processes.

A public comment period shall be provided during each regular meeting of NEW RTPO. The Policy Board President, or assignee, may limit the duration of comments or provide alternative options for public comment in certain circumstances.

As needed, NEW RTPO will utilize surveys to assess either widespread or selected public opinion.

NEW RTPO shall offer multiple avenues for public comment, such as written, oral, formal, informal, electronic and other means suitable to the project and the constituency involved.

Certain plans and programs require an extended review period, often from seven to thirty days, to allow for the submittal of written comments. For projects with an extended review period, NEW RTPO shall provide ample notice and opportunity for review and written comment.

Written and oral comments will be maintained in NEW RTPO's files. In certain circumstances, the comments may be incorporated into plans, programs or studies, either in total or in summary.

Title VI Notice to Public

It is the Northeast Washington Regional Transportation Planning Organization's (NEW RTPO) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the NEW RTPO office. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact the Title VI Coordinator of NEW RTPO at (509)684-4571.

Americans with Disabilities Act (ADA) Information

For events:

Accommodation requests for people with disabilities can be made by contacting NEW RTPO at (509)684-4571

For publications:

This material can be made available in an alternate format by calling (509)684-4571.

ADA and Title VI Information

By law, both ADA and Title VI information is required on all publications that NEW RTPO produces.

This enables the NEW RTPO to fulfill its commitment to taking those affirmative action steps which will ensure equitable participation in our business and employment opportunities without regard to race, color, religion, sex, national origin, age, disability, veteran status, marital status or sexual orientation.

What is ADA?

The Americans with Disability Act (ADA) is federal legislation that opens up services and employment opportunities to Americans with disabilities. The law is intended to eliminate illegal discrimination and level the playing field for disabled individuals.

What is Title VI?

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, sex or national origin in programs or activities receiving federal financial assistance.

To get this language in an electronic format that you can cut and paste directly into your folios, go to the Title VI and ADA Language for Publications site: www.tricountyedd.com

In addition to the procedures outlined in the Policy, NEW RTPO will comply with all applicable state and federal laws, including but not limited to:

Open Public Meetings Act {RCW 42.30}
State Environmental Policy Act {RCW 43.21C}
State Growth Management Act {RCW 36.70A}
Americans with Disabilities Act of 1990 {P.L. 101 –336}
Federal Transportation Equity Act for the 21st Century (TEA21) {P.L. 105-178}
The Civil Rights Act of 1964 {42 U. S.C 2000d}
Federal Aid Highway Act of 1973 {23 U.S.C. 324}
Rehabilitation Act of 1973, Section 504 {29 U.S.C. 790}
Age Discrimination Act of 1975 {42 U.S.C. 6101}
Civil Rights Restoration Act of 1987 {P.L. 100-209}
Executive Order 12898 - 59 Fed. Reg. 7629 (1994) - (Environmental Justice)

For additional information regarding NEW RTPO's Public Participation Policy, please contact NEW RTPO at the following:

Northeast Washington Transportation Planning Organization (NEW RTPO)
986 S Main, Suite A Colville,
Washington 99114
Phone: (509) 684-4571
FAX: (509) 684-4788

Adopted by TEDD/NEW RTPO Policy Board on: May ____, 2021

Appendix 5



Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 requires NEW RTPO to ensure protection from discrimination on the basis of race, color and national origin. This form may be used by anyone who believes he or she has experienced discrimination. To register your Title VI complaint, please complete the form below.

| |
|--|
| SECTION I |
| Name: |
| Address: |
| <i>Telephone Numbers</i> Home: Cell: |
| Email: |

| |
|--|
| SECTION II |
| Are you filing this complaint on your own behalf? YES NO If you answered YES, go to Section III on the next page. If you answered NO, please indicate the name and relationship of the person for whom you are filing this complaint. |
| Please explain below why you have filed for a third party. |
| Please confirm you have obtained permission from the aggrieved party to submit this complaint. <input type="checkbox"/> YES, I have permission to file this claim. <input type="checkbox"/> NO, I don't have permission to file claim. |

SECTION III

I believe the discrimination I experienced was based on (select all that apply):

- Race
- Color
- National Origin

Date of alleged discrimination (month, day, year):

Explain what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. You may attach any written materials or other information relevant to your complaint.

SECTION IV

Have you previously filed a Title VI complaint with NEW RTPO?

- YES
- NO

Signature

Date

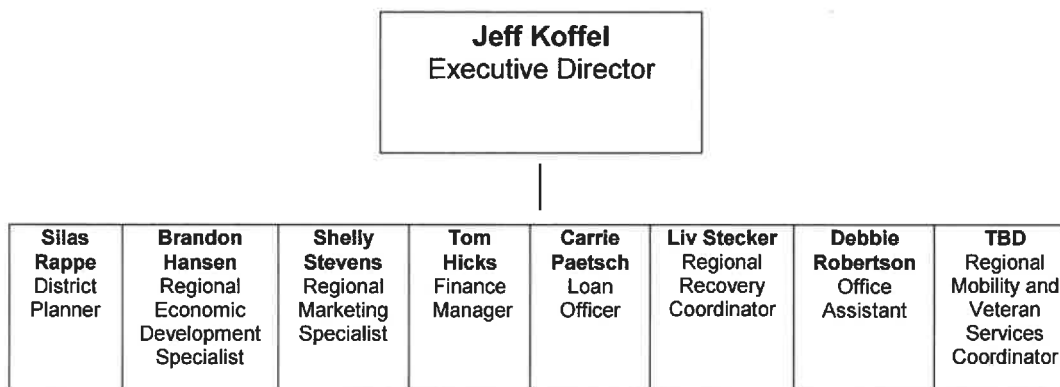
Please sign and email this form to NEW RTPO at admin@teddonline.com or mail to NEW RTPO, 986 S. Main, Suite A, Colville, WA 99114

The Title VI Coordinator Contact is:
Jeff Koffel
Executive Director, TEDD / NEW RTPO
jkoeffel@teddonline.com | 509.684.4571
986 S. Main, Ste A
Colville, WA 99114

Attachment 1

Organization

The Executive Director of the NEW RTPO is responsible for ensuring the implementation of the Title VI programs. The Title VI Specialist, on behalf of the Executive Director, is responsible for the overall management of the Title VI programs. The day-to-day administration of the program lies with the Title VI Specialist under the supervision of the Executive Director. **(Tri County Economic Development District has 9 employees)**



Title VI Specialist Responsibilities

The Title VI Specialist is charged with the responsibility for implementing, monitoring, and ensuring the NEW RTPO compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by the NEW RTPO.
2. Review Environmental Impact Statements prepared by the NEW RTPO for Title VI and Environmental Justice compliance.
3. Conduct annual Title VI reviews of special emphasis program areas (planning, education training, environmental affairs, and consultant contracts) to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of all consultant contractors and recipients of federal funds distributed by the NEW RTPO (hereinafter, "recipients of federal funds directly distributed by will be referred to as "sub recipients").
5. Identify, investigate, and eliminate discrimination when found to exist.
6. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 days.

7. Take minutes of each NEW RTPO meeting and other clerical duties as necessary.
8. Collect statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of, federally funded programs.
9. Review the NEW RTPO work program in coordination with Title VI liaisons for special emphasis program areas and, where applicable, include Title VI language and related requirements.
10. Assist WSDOT in the distribution of information on training programs regarding Title VI related statutes.
11. Prepare the annual Title VI update report presenting the accomplishments for the past year goals for the following year.
12. Develop Title VI information for dissemination to the general public and, where provide versions in languages other than English.
13. Identify, investigate, and eliminate discrimination when found to exist.

Title VI Liaison Responsibilities

In addition to the Title VI Specialist, each of the special emphasis program areas listed below shall have a designated Title VI Liaison (hereinafter referred to as "Liaison"). The Liaison shall be responsible for ensuring compliance, program monitoring, reporting, and education within their respective program areas. Program areas are as follows:

- Planning Coordination
- Consultant Contracts Coordination

The Title VI Specialist meets quarterly with all Liaisons to discuss issues regarding program implementation and compliance monitoring within NEW RTPO. The Title VI responsibilities for each special emphasis program area are as follows:

Planning Coordination

NEW RTPO Responsibilities

- **Transportation Planning:**
The NEW RTPO has the responsibility to develop long- and short-range plans to provide efficient transportation services to the North East Washington Region.
- **Operation Guidelines:**
⇒ RCW 47.80 Regional Transportation Planning Organization
- **Planning Process:**
A comprehensive transportation planning process is used which incorporates input from the public. The process further entails the monitoring and collection of varied data

pertaining to transportation issues. NEW RTPO coordinates with WSDOT, cities, and counties; seeks public involvement; and provides technical support when needed.

Title VI Liaison's Responsibilities

- Ensure that all aspects of the planning process operation comply with Title VI.
- Ensure that participation of a cross section of various social, economic, and ethnic interest groups are represented in the planning process by disseminating program information to minority media and ethnic/gender related organizations and participating in roundtable meetings in predominantly minority communities.
- Assist the Title VI Specialist in gathering and organizing the Planning portion of the Annual Title VI Update Report.
- Review the Planning work program and other directives to ensure compliance with Title VI program requirements.
- Ensure equal participation on any Citizens Advisory Committees (CAC) by reviewing information pertaining to their selection criteria for CAC members and obtaining information on membership makeup (race, gender, and position within the organization) for evaluation.

Consultant Contract Coordination

NEW RTPO Responsibilities

- **Consultant Services:**
The NEW RTPO is responsible for consultant selection, negotiation, and the administration of the consultant contracts.
- **Operational Guidelines:**
 - ⇒ 48 CFR 31
 - ⇒ 23 CFR172
 - ⇒ RCW 39.29
 - ⇒ RCW 29.80
- **Consultant Selection Process:**
The NEW RTPO operates under its internal contract procedures and all relevant federal and state laws.

Title VI Liaison's Responsibility

- Monitor DBE Program Requirements.
- Ensure that all federally funded consultant contracts administered by the NEW RTPO have the appropriate Title VI provisions included.
- Review directives and procedures to ensure Title VI compliance.
- Maintain necessary data and documentation required for completion of the agency's Title VI Update Annual Report.