

# Annual Title VI Update Accomplishment Report

Federal Fiscal Year FFY: 2019 October 1, 2018 - September 31, 2019

## October 2019



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| --- | --- |
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**2019 Annual Title VI Update & Accomplishment Report CONCURRENCE MEMORANDUM**

October 29, 2019

**Washington State Department of Transportation Office of Equal Opportunity**

PO Box 47314

310 Maple Park Olympia, WA 98504-7314

**Mariko Lockhart**

**Director, Seattle Office for Civil Rights**

810 3rd Ave, Suite 750

Seattle, WA 98104

I have reviewed the materials forwarded for the 2019 Annual Title VI Update & Accomplishment Report and concur with the information provided therein. As always, I appreciate any correspondence or comments that may arise from the review of the Annual Title VI Update Accomplishment Report materials.

Concurrence and approval is based on the information available at the time of review and submittal

|  |
| --- |
| **Approval Signature:**2019 Annual Title VI Update & Accomplishments Report |
| **Date** | **Name** | **Signature** |
| Seattle Office for Civil Rights, Director |
|  | Mariko Lockhart |  |

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# Section I Policy Statement

The City of Seattle updated its Title VI Plan in March of 2015 as part of a corrective action following an FTA review. The plan was received and approved by the FTA as of the last Triennial Review performed in 2017. The upcoming Triennial review is scheduled for 2020. The Policy Statement is posted on the City of Seattle website at: [http://www.seattle.gov/civilrights/title-vi-notice-of-nondiscrimination/plan.](http://www.seattle.gov/civilrights/title-vi-notice-of-nondiscrimination/plan)

For more information please refer to Attachment A.

# Section II Organization, Staffing, and Structure

### Organization

The 2014 Title VI Plan set out a new organizational structure that created a designated role for compliance. The Title VI Compliance Specialist is responsible for handling Title VI complaints. The Title VI Coordinator continues to monitor compliance, provide staff training on Title VI and fulfill reporting requirements. The Title VI Coordinator and Title VI Compliance Specialist meet regularly to review Title VI compliance and alert the Title VI Liaison of any pressing issues. This new structure continues to be a helpful change.

**Mayor**

Jenny Durkan

206-684-4000

**Title VI Liaison Officer** Mariko Lockhart, Director Seattle Office for Civil Rights 206-684-4500

**Title VI Coordinator**

Oscar Cerda, Deputy Director Seattle Office for Civil Rights

 206-684-4500

**Title VI Compliance Specialist**

Mike Chin, Enforcement Manager

Seattle Office for Civil Rights

206-684-4500

Title VI Special Program Liaisons and SDOT

Title VI Coordinator

**TABLE 1**. City of Seattle TITLE VI Structure

In late 2014 (following submittal of our 2014 Accomplishment Report), the Title VI Liaison requested that the Seattle Department of Transportation (SDOT) designate an SDOT Title VI Coordinator to work directly with the City’s Title VI Coordinator on fulfilling reporting requirements. In May 2019, SDOT hired a new Manager of the SDOT Office of Equity & Economic Inclusion has assumed the role as SDOT’s Title VI Coordinator. The SDOT TITLE VI Coordinator works in unison with SDOT’s Grants Oversight Manager.

### Staffing

Staffing changes that have taken place include new staff assignments. Table 2 lists current Title VI compliance staff.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Assignment** | **Race** | **Gender** |
| Jenny Durkan | Mayor, City of Seattle | White | Female |
| Mariko Lockhart | Director, Seattle Office for Civil Rights (Title VI Liaison) | 2 or more races | Female |
| Oscar Cerda | Deputy Director, SOCR (Title VI Coordinator) | Latino | Male |
| Mike Chin | Enforcement Manager (Title VI Compliance Specialist) | Asian Pacific Islander | Male |
| Roberto Bonaccorso | Communications | Latino | Male |
| Brandon Kuykendall | Enforcement Supervisor | White | Male |
| Christopher Bhang | Enforcement, Investigator | Asian Pacific Islander | Male |
| Erin McIntire | Enforcement, Investigator | 2 or more races | Female |
| Sedrick Ross | Enforcement, Investigator | Black/African American | Male |
| Quinn Dennehy | Enforcement, Investigator | White | Male |
| Astor Kidane | Enforcement, Investigator | African American | Female |
| Ron Ramp | Enforcement, Paralegal | White | Male |
| Nicki Hellencamp | Enforcement, Intake | 2 or more races | Female |
| Latrice Ybarra | Office Manager | Black | Female |

|  |  |  |  |
| --- | --- | --- | --- |
| Gabrielle Sivage | SDOT Grants Oversight Manager | White | Female |
| Michele H. Domingo | SDOT OEEI Manager, Title VI Coordinator | Asian Pacific Islander | Female |

**TABLE 2.** TITLE VI Compliance Staff

### Structure

The current structure for TITLE VI work highlights regular coordination and collaboration between the SDOT and SOCR. Specifically, the SDOT TITLE VI Coordinator has access to and regular check ins with the SOCR TITLE VI Coordinator and SDOT Grants Oversight Manager.

SDOT Director

SDOT Deputy

Director

SDOT TITLE VI

Coordinator

SDOT Finance Manager

SDOT Grants Oversight Manager

SOCR Director

**TABLE 3.** City of Seattle Interdepartmental TITLE VI Coordination

SOCR TITLE VI

Coordinator

# Section III TITLE VI Monitoring & Review Process

### Actions to Promote Internal & External Compliance with TITLE VI

* + 1. Internal

The following actions and reviews have taken place in FFY 2019 to promote compliance with Title VI:

The City of Seattle continues to notify the public of their rights under Title VI of the Civil Rights Act and the City’s obligation to fulfil these duties through its Title VI Notice of Nondiscrimination (Attachment B, Attachment F, Attachment G, and Attachment H). The notice is also sent to departments across the City and includes information on what is protected under Title VI and other civil rights laws, how to receive more information on the City’s Title VI program, and how to file a complaint with the Seattle Office for Civil Rights if someone feels they have been discriminated against. The notice is posted on the main City of Seattle webpage (seattle.gov), through Seattle Department of Transportation project websites, in City offices open to the public and in places of service, including the Seattle Streetcar and the Seattle Monorail.

The notices are translated based on the City of Seattle’s Office Immigrant and Refugee Rights, [Language Access Program](https://www.seattle.gov/iandraffairs/LA). The program identified languages other than English spoken by the largest number of city residents, based upon data from the U.S. Census Bureau, American Community Survey, Seattle Public Schools, Seattle Municipal Court, and departmental data. Both tier 1 and 2 languages were identified, and the notices were translated into Amharic, Chinese (Simplified and Traditional), Korean, Spanish, Tagalog, Vietnamese, Cambodian/Khmer, Oromo, Tigrinya, Laotian, Thai and Russian.

The Title VI Notice is also posted on the following web pages:

* + - * Seattle Office for Civil Rights Title VI webpage: [http://www.seattle.gov/civilrights/civil-rights/title-vi-notice-of- nondiscrimination.](http://www.seattle.gov/civilrights/civil-rights/title-vi-notice-of-nondiscrimination)

Includes protections under the law, information on the Title VI program, information on how to file a complaint, and a link to the complaint form.

* + - * Seattle Streetcar:

<https://seattlestreetcar.org/about/non-discrimination-policy/>

* + - * Seattle Monorail:

<http://www.seattlemonorail.com/notice-of-nondiscrimination/>

* + - * Seattle Waterfront:

<https://waterfrontseattle.org/get-involved/contact-us>

* + 1. External

Staff from the Seattle Office for Civil Rights met with Seattle Monorail staff in September 2019 to ensure the monorail was meeting Title VI requirements. SOCR will continue to support the parties in ensuring announcements for public meetings are translated and reaching culturally diverse media, and that language interpretation is provided upon request.

* 1. TITLE VI Compliance Reviews During This Reporting Period

Annual Site Visits:

SDOT and SOCR have coordinated site visits to verify TITLE VI Compliance for messaging and posting documentation. These visits were held 09/13/2019 by SDOT’s Title VI Coordinator, Michele Domingo. Ms. Domingo went on-site to the Monorail stations, inspected the monorail itself and met with Denise Wells, the Seattle Center representative who manages the monorail, and Ms. Domingo photographed the Title VI notices posted. Ms. Domingo also inspected the Streetcar and several stops with Curtis Ailes, Streetcar Operations Manager, and photographed the Title VI notices posted. Please see Attachment F, Attachment G and Attachment H.

# Section IV TITLE VI Complaints During This Report Period

There have been no Title VI complaints during this period.

# Section V Accomplishment Report for Each Program Area

### Planning

The Policy and Planning Division at SDOT is responsible for developing short and long- range plans, such as development of funding strategies for capital projects; and development of master plans that guide the City’s implementation of transportation improvements, as well as transit corridor planning.

SDOT Staff coordinate with other government agencies, private groups, and the public to develop planning and policy strategies that meet the transportation needs of the residents of the City of Seattle.

* 1. Number of Consultant Projects for Planning Awarded During This Reporting Period Planning is often part of a larger design process performed by consultants. SDOT has specific planning consultant projects for work such as an ADA evaluation, bicycle and pedestrian safety analysis, integrated multimodal planning, corridor development reports and trail upgrade planning.

Below is an overview of consultant projects in this reporting period:

|  |  |
| --- | --- |
| **Planning Consultant Projects Elements** | **Data** |
| # of consultant contracts awarded | 7 |
| Total value of consultant contracts awarded | $2,864,003 |
| Value of consultant contracts awarded to DBE firms | $657,404 |
| Value of consultant contracts awarded to WMBE firms | $706,894 |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Contract # | Contract Type | Description | Consultant | Contract Total | Is the Prime a WMBE | Is the Prime a DBE | Pre- Submittal |
| 17-099 | Planning | Accessible Mount Baker Design (FHWA) | Perteet, Inc. | $1,121,906 | No | No | Yes |
| 18-053 | Planning | Ballard Bridge Planning Study | COWI North America, Inc. | $983,203 | No | No | No |
| 18-066 | Planning | UW MICMA Program Manager and Evaluation Consultant Support (FHWA) | Smart City Traffic LLC | $500,000 | Yes | Yes | Yes |
| 18-093 | Planning | Urban Design Action Plan | Brink Communications, LLC | $49,490 | Yes | No | No |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 19-019 | Planning | Transit-Plus Multimodal Corridors Program Support | Nelson\Nygaard Consulting Associates, Inc. | $52,000 | No | No | No |
| 19-025 | Planning | McGraw Square Lighting Improvements | Dark Light Consulting LLC dba Dark Light Design | $17,404 | Yes | Yes | No |
| 19-028 | Planning | SDOT Operations Planning On-Call | Concord Engineering, Inc | $140,000 | Yes | Yes | No |

For more information, please refer to Attachment E

* 1. Efforts Made to Utilize Minority & Female Consultants and Subconsultants in Federally Assisted Contracts

It is the policy of the City of Seattle to comply with 49 Code of Federal Regulations, Part 26, to ensure that Disadvantaged Businesses, including minorities and women, have an equal opportunity to receive and participate in federally assisted contracts. The City of Seattle does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex or national origin.

For federally funded consultant contracts there are no thresholds for individual DBE goals. All requests for proposals include federal DBE provisions and bidders must be fully responsive in validating why DBE utilization is not attainable for a contract.

WSDOT’s waiver for white women DBE firms on FHWA projects has been

implemented on projects advertised after June 1, 2017 as directed by WSDOT.

|  |
| --- |
| **DBE Measures** |
| **Three year DBE goal actual : 13.9%****Race-conscious DBE measures**For FTA projects, Confirmed 8.3%**Race-neutral conscious DBE measures**For FTA projects, Confirmed 5.6%**Overall DBE goal effective October 1, 2019 to September 30, 2022 is 17.05%.** |

The City of Seattle has met the 3-year DBE goal of 13.9% for the period ending September 30, 2019. (This is per 2 contracts on the executed Madison BRT CMAQ grant). However, the official report will not be available until Dec 1, 2019.

Furthermore, in accordance with [Ordinance 119603 (1999),](http://clerk.seattle.gov/~scripts/nph-brs.exe?s3&amp;s4=119603&amp;s5&amp;s1&amp;s2&amp;S6&amp;Sect4=AND&amp;l=0&amp;Sect2=THESON&amp;Sect3=PLURON&amp;Sect5=CBORY&amp;Sect6=HITOFF&amp;d=ORDF&amp;p=1&amp;u=%2F%7Epublic%2Fcbor1.htm&amp;r=1&amp;f=G) [Ordinance 121717](http://clerk.seattle.gov/~scripts/nph-brs.exe?s3&amp;s4=121717&amp;s5&amp;s1&amp;s2&amp;S6&amp;Sect4=AND&amp;l=0&amp;Sect2=THESON&amp;Sect3=PLURON&amp;Sect5=CBORY&amp;Sect6=HITOFF&amp;d=ORDF&amp;p=1&amp;u=%2F%7Epublic%2Fcbor1.htm&amp;r=1&amp;f=G) [(2005),](http://clerk.seattle.gov/~scripts/nph-brs.exe?s3&amp;s4=121717&amp;s5&amp;s1&amp;s2&amp;S6&amp;Sect4=AND&amp;l=0&amp;Sect2=THESON&amp;Sect3=PLURON&amp;Sect5=CBORY&amp;Sect6=HITOFF&amp;d=ORDF&amp;p=1&amp;u=%2F%7Epublic%2Fcbor1.htm&amp;r=1&amp;f=G) [Executive Order 2010-05: Outreach to Women and Minority Businesses](http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/WMBE/ExecutiveOrder2010-05.pdf) and [Executive Order 2014-03: Equity in City Contracting](http://murray.seattle.gov/wp-content/uploads/2014/04/WMBE-Executive-Order.pdf), the City of Seattle encourages all of its departments to be inclusive of underrepresented business communities, and strives to use all legal means to see that minority-owned and women-owned businesses do not face unfair barriers in their competition for city contracts and in their successful performance of those contracts.

On September 24, 2019, City of Seattle Mayor Jenny A. Durkin issued [Executive](https://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/WMBE/Executive-Order-2019-06.pdf) [Order 2019-06: Economic Inclusion and Contracting Equity.](https://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/WMBE/Executive-Order-2019-06.pdf) The Mayor ordered a disparity study to inform a contracting equity policy including data tracking provisions such as self-identification and certification, consistency and effectiveness of procurement practices in departments, technical assistance efforts to include viability of mentorship program. The three main areas the Executive Order focuses on are, 1) Contracting Equity Administration, 2) Contracting Equity Data and Compliance, and 3) Contracting Equity Accountability and Reporting. The City Department of Finance and Administration (FAS) was ordered to issue a competitive solicitation to select a firm or organization to engage with the City to provide technical assistance support services for businesses interested in contracting with the City. The order also ordered that the City be inclusive of immigrant/refugee-owned or emerging businesses by fostering participation in City contracting opportunities through language-appropriate outreach. The Mayor’s Office will convene a Mayoral Women and Minority Owned Business Advisory Committee to provide guidance and feedback on the City of Seattle contracting equity initiatives. For more information, please refer to Attachment J.

For non-federally funded projects, the City of Seattle continues to require Women and Minority Business Enterprise (WMBE) sub consultant inclusion plans for contracts over $314,000. These plans detail a consultant’s proposed utilization of WMBE sub consultants and creates a voluntary commitment that reflect responsible good faith efforts at inclusion of WMBE firms. They are reviewed during the submittal process and scored at no less than 10% of total scores as part of the evaluation. SDOT requires prime consultants to report on inclusion through the life of the project and evaluates the firm’s success at project close out. WMBE firms are defined by Seattle Municipal Code (SMC) as firms at least 51% owned by women and/or minority (including but not limited to, African Americans, Native Americans, Asians and Hispanics). State or Federal certification is not required to

participate in the City’s WMBE Program. WMBE inclusion efforts for SDOT are led by the SDOT WMBE Advisor (in the Office of Equity & Economic, Director’s Office), include but are not limited to:

#### Scope Review:

Input and consultation on procurement opportunities by the SDOT WMBE Advisor who suggests methods of scoping or phasing projects to make small WMBE firms more likely to compete.

#### Advance Notice of Opportunities

The SDOT WMBE Advisor collects and disseminates advance notice of procurement opportunities detailing scope, timelines and Project Manager contact information for consulting and public works. When applicable, information on anticipated federal funding is denoted to facilitate conversations on the DBE Program and DBE certification.

The City of Seattle promotes networking among the different Departments and contractors including WMBE firms attending contracting forums and trade shows, networking time at Pre-bid meetings, and at “Meet and Greet” events. The City conducts a monthly event staffed by Contract Administrators and Buyers. DBEs and other small businesses can share their products and services with pertinent staff, learn about the City processes and programs and obtain information and assistance on registering as a vendor with the City and resources on State Certification. City representatives attend vendor fairs sponsored by other agencies to provide information on how to do business with the City and about upcoming contracting opportunities and is a member of various contracting oriented organizations. City representatives attend monthly membership meetings and membership events to inform contractors about upcoming opportunities. The City conducts an annual networking event to showcase projects from The City’s capital departments. Project managers from each of The City’s capital Departments present their projects including the scopes of work, schedule, and budget. SDOT presents detailed information on federally funded projects.

#### Monitoring Performance Data:

The SDOT WMBE Advisor presents performance data regarding WMBE utilization for consultant and purchasing procurement spend in departmental STAT Sessions, Director’s meetings, Quarterly Business Meetings and annually to the City of Seattle Council. In collaboration with the leadership, the WMBE Advisor exploring project sizing, procurement vehicles, unbundling as well as early, proactive WMBE evaluation at scoping.

#### WMBE Availability / Procurement Review

The Consultant Contract Request Form (CCRF) and Purchasing Internal Request Form (IRF) for all SDOT projects includes questions regarding WMBE utilization, and prompts the applicant to consult with the WMBE strategic advisor during the intake process.

#### Outreach Events:

The WMBE Advisor also creates and hosts SDOT specific outreach events.

Additional efforts made to use minority and female consultants during FFY 2019 include the following:

#### City of Seattle Meet and Greets:

* + - * FAS conducts a monthly event staffed by Contract Administrators and Buyers. DBEs and other small businesses can share their products and services with pertinent staff, learn about the City processes and programs and obtain information and assistance on registering as a vendor with the City and resources on State Certification.
			* The City conducts an annual networking event to showcase projects from the City’s capital departments. Project managers from each of the City’s capital departments present their projects including the scopes of work, schedule, and budget. SDOT presents detailed information on federally funded projects.

#### Participation & Engagement in Contracting Inclusion Events

Annually, FAS and SDOT regularly participate in local or regional outreach events.

* + - * For FFY 2019, participation in regional events included, but was not limited to:

|  |  |
| --- | --- |
| **Date** | **Event** |
| **10/09/2018** | Attendance and booth at 2018 Regional Contracting Forum at the Seattle Center McCaw Hall |
| **03/21/19** | Attendance and booth at 2019 City of Seattle Upcoming Consultant Business Opportunities Forum |
| **07/31/19** | Attendance and booth at City of Seattle Reverse Trade Vendor Show in Seattle Center Fisher Pavilion |

#### SDOT Hosted Inclusion Events

For FFY 2019, in addition to participation in regional events, SDOT hosted and led additional inclusion and outreach events including but not limited to:

|  |  |
| --- | --- |
| **Date** | **Event** |
| **10/18/2018** | Working with SDOT : Ready to Prime Event at Bertha Knight Landes Hall in Seattle City Hall |
| **11/01/2018** | Intro to SDOT/ City of Seattle - Spanish Language Workshop |
| **11/15/2018** | SDOT and Washington State Procurement Technical Assistance Webinar |
| **3/7/19** | Attendance and booth at 2019 Alliance NW Event in Puyallup Washington State Fair |
| **12/11/18-****12/12/18** | How to Work with the City, Spanish Language Workshops |
| **5/17/19** | Working with SDOT: Move Seattle Event in the Bertha Knight Landes Hall of Seattle City Hall |
| **9/16/19** | Working with SDOT: Ready to Prime in the Bertha Knight Landes Hall of Seattle City Hall |

#### Membership & Engagement with Community Organizations:

SDOT representatives engage many local associations and provide information on upcoming bid opportunities. Local associations distribute upcoming project information to their membership. Examples of associations include, but are not limited, to:

|  |  |
| --- | --- |
| **Organization** | **Further Details** |
| TABOR 100 | Attendance at TABOR 100 monthly meetings in the Central Senior Center |
| National Association of Minority Contractors (NAMC) | Attendance at NAMC Washington chapter monthly meetings in Tukwila Community Center |

Moreover, the City maintains a list of minority and woman consultants. The City uses the Online Business Directory (OBD) to track WMBE status and to distribute news about City business. OBD is linked to the Washington State Office of Minority & Women Business Enterprises (OMWBE), who certifies WMBE and DBE on behalf

of the federal government. City of Seattle uses The Online business Directory (OBD) to track WMBE status and to distribute news about City business. OBD is linked to The Washington State Office of Minority & Women business Enterprises (OMWBE), who certifies WMBE and DBE on behalf of the federal government. Currently 529 WMBE Consultants are registered in the OBD.

* 1. Studies Conducted which Provide Data Relative to Minority Persons, Neighborhoods, Income Levels, Physical Environments, and Travel Habits

SOCR reviewed the Public Involvement Plan template used by SDOT to ensure it continued to meet Title VI requirements when conducting outreach and engagement during planning and implementation of projects. SOCR continues to work with the City's demographer to ensure up to date race, language and income level information is accessible to City staff.

* 1. Hearings Held During the Report Period and Efforts Utilized to Ensure Citizen Participation, Particularly Minorities, and Women – the Number of These Individuals and the Capacity of Their Participation

SDOT hosted 36 public events in FFY.

1. Location Program

For FFY 2019, SDOT’s emphasis has been on improving existing Rights of Way and

corridors.

* 1. Number of Complaints Filed

Not applicable during this reporting period.

* 1. Identification of Titles, Ethnicity, and Gender of Employees in the Location Program

Not applicable during this reporting period.

* 1. Number of Environmental Impact Statements Reviewed During the Report Period, Including a Summary of Comments on EIS where Minority, Handicapped, Elderly, Etc. Communities were Adversely Impacted

Not applicable during this reporting period.

* 1. Number of Consultants Contracts Involving Project Development Activities

Not applicable during this reporting period.

* 1. Number of Public Hearings Held During the Report Period Concerning Location of a Project, including How the Hearings were Advertised and Notifications to Minorities Not applicable during this reporting period.
	2. Encouragement of Minority Leaders to Provide Suggestions and Ask Questions on Location of Highways

Not applicable during this reporting period.

* 1. Need to Use Bilingual Advertisements, Announcements, Notices, Etc. During the Report Period

Not applicable during this reporting period.

### Design

* 1. Number of Consulting Firms with Design Contracts, including the Number of these Contracts Held by Minority Firms and Women-Owned Firms / Dollar Value

|  |  |
| --- | --- |
| **Design Consultant Projects Elements** | **Data** |
| # of consultant contracts awarded | 13 |
| Total value of consultant contracts awarded - | $13,339,436 |
| Value of consultant contracts awarded to DBE firms- | $1,497,760 |
| Value of consultant contracts awarded to WMBE firms - | $2,497,760 |
| Existence/frequency of pre-submittal/networking sessions | 5 |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Contract# | Contract Type | Description | Consultant | Contract Total | Is the Prime a WMBE | Is the Prime a DBE | Pre- Submittal |
| 18-022 | Design | Market Corridor Planning, Design and Environmental Services | Jacobs Engineering Group, Inc. | $1,007,716 | No | No | Yes |
| 18-026 | Design | Bridge Seismic Program - Seismic Improvement Structural Services Contract 1 | CH2M Hill, Inc. | $1,071,841 | No | No | No |
| 18-027 | Design | Bridge Seismic Program - Seismic Improvement Services, Contract Bundle# 2 | HDR Engineering, Inc. | $3,462,119 | No | No | No |
| 18-028 | Design | Seismic Improv. Services - Delridge Way SW Ped Bridge, Contract 4 | CivilTech Engineering, Inc. | $707,712 | Yes | Yes | No |
| 18-029 | Design | Bridge Seismic - Contract 5: 15th Ave NW/ Leary Wy Bridge Retrofit | Exeltech Consulting , Inc. | $221,945 | Yes | Yes | No |
| 18-030 | Design | Bridge Seismic Program - Seismic Improvement Structural Services - Contract 6 | R. H. Chen Engineering dba RHC Engineering | $568,103 | Yes | Yes | No |
| 18-039 | Design | Pioneer Square East West Streets Pedestrian Improvements | MIG/SvR | $2,100,000 | No | No | Yes |
| 18-065 | Design | ITS Design and Signal Timing/Modeling Consultant Support (FHWA) | DKS Associates, Inc. | $700,000 | No | No | Yes |
| 18-095 | Design | Bicycle and Multi-Modal On-Call Design Services - DOWL | DOWL, LLC | $1,000,000 | No | No | Yes |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 19-009 | Design | Bicycle Multimodal On- Call Design - Toole Design Group | Toole Design Group, LLC | $1,000,000 | Yes | No | Yes |
| 19-015 | Design | SDOT Structural On-Call - HDR Engineering, Inc. | HDR Engineering, Inc. | $500,000 | No | No | No |
| 19-045 | Design | Structural On-Call - Jacobs | Jacobs Engineering Group, Inc. | $500,000 | No | No | No |
| 19-046 | Design | Structural On-Call - WSP USA Inc. | WSP USA Inc. | $500,000 | No | No | No |

For more information, please refer to Attachment E

* 1. Efforts to Increase Minority and Female Participation in Obtaining Consultant Contracts

Please refer to Section V A.2

* 1. Public Hearings Held During the Design Phase of Any Highway (Roadway)

SDOT hosted 36 public events in the FFY.

* 1. Employees in the Design Program Area, including Ethnicity and Sex, including Efforts to Increase Minority and Female Representation

|  |  |  |
| --- | --- | --- |
| **Special Emphasis Area** | **Race** | **Gender** |
|  | **Female** | **Male** |
| **DESIGN** | Am. Indian | 0 | 0 |
| Asian | 6 | 6 |
| Black or African American | 1 | 1 |
| White | 0 | 15 |
| Hispanic/Latino | 0 | 2 |
| Not Specified | 1 | 0 |
| Two or more races | 1 | 0 |
| Native Hawaiian / Other Pacific Islander |  | 1 |
| **Total** | **9** | **25** |

For more information, please refer to Attachment C

* 1. Complaints Filed in the Design Program Area

No Title VI complaints related to design or any other area regarding SDOT activities were filed with the Seattle Office for Civil Rights for the FFY.

* 1. Significant Problem Areas, Accomplishments, and Actions to Take During the Ensuing Year

In 2019, SOCR worked with SDOT to ensure the department had a designated Title VI Coordinator who could work with the Citywide coordinator, ensuring the department is in compliance. Michele H. Domingo, Manager of the Office of Equity & Economic Inclusion at SDOT was placed into this position, with the authority to coordinate amongst divisions, ensure corrective actions are taken as needed and ensure training is delivered to staff. SOCR has not recognized any significant Title VI problem areas.

### Environmental Unit

|  |  |
| --- | --- |
| Environmental Category | Data |
| Confirm # of NEPA exclusions | 9 |
| Confirm # of NEPA assessments | 0 |
| Confirm # of SEPA exemptions | 11 |
| Confirm # of SEPA determinations of significance | 15 |
| Confirm # environmental impact statements | 1 |
| Confirm any disproportionate impact to minority or economically disadvantaged communities - | NONE : We did not identify any disproportionate impacts to minority or economically disadvantaged communities |

For more information on State Environmental Project Act (SEPA) Exemption Determinations and Determinations of Nonsignficance/National Environmental Policy Act (NEPA) Categorical Exclusions and Environmental Assessments, please refer to Attachment D. There is 1 environmental impact statement for the Burke Gilman Trail Project. Please refer to Attachment I.

### Real Estate Services (Right of Way)

* 1. Civil Rights Complaints in the following Real Estate Services (Right of Way) Areas
1. Appraisals

No complaints were filed with the Seattle Office of Civil Rights for the FFY.

1. Negotiations

No complaints were filed with the Seattle Office of Civil Rights for the FFY.

1. Relocation Assistance Payments

No complaints were filed with the Seattle Office of Civil Rights for the FFY.

1. Property Management

No complaints were filed with the Seattle Office of Civil Rights for the FFY.

* 1. Number of Appraisers Utilized During the Reporting Period

Three appraisal firms were utilized during this period. Two (2) appraisers were WMBEs. Efforts made to increase minority and women representation: Appraisal Manager has been soliciting additional appraisers to get certified as WMBEs.

* 1. Number of Negotiations During the Report Period and Disparity in Contract Negotiations between Minorities and Non-Minorities

Number of negotiations: 121

The negotiator's log does not reflect any disparity in negotiations with minorities as compared to non-minorities.

* 1. Concerns Raised by Minorities or Women Regarding their Options in the Negotiations Phase

No concerns were raised by minorities or women about their options in the negotiation phase.

* 1. Number of Relocations During the Report Period

There are three on-going relocations during this reporting period.

* 1. Concerns Raised by Minorities or Women on Replacement Housing, Referral Housing, and Advisory Services

There were no concerns raised by minorities or women on replacement housing, referral housing or advisory services during this reporting period.

* 1. Opportunities for Minorities and Women to Obtain Contracts Awarded for Providing Relocation Assistance

There was one consultant contract for providing relocation assistance, which was not a WMBE. Only two remaining payments were made in FY 2019, on 11-29- 2018 and on 12-4-2018. Contract 16-094 then expired on December 15, 2018.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Contract****#** | **Contract Type** | **Description** | **Consultant** | **Contract Total** | **WMBE** | **DBE** | **Pre- Submittal** |
| 16-094 | Relocation | Right of Way Relocation Services | Tierra Right of Way Services, LTD | $53,256 | No | No | No |

For more information, please refer to Attachment E

1. Describe special efforts made to comply with Title VI regulations:

Per City policy, all real property and real property right acquisitions and relocations performed by the City of Seattle fully comply with the federal Uniform Relocation and Assistance Act of 1971, as amended.

1. Identify Staff Responsible for Right of Way by name, job title, race and gender:

|  |  |  |  |
| --- | --- | --- | --- |
| Name | TITLE | Ethnicity | Gender |
| Aldrich, Barrett | Senior Real Property Agent | White | Female |
| Bloomer, Leslie | Senior Real Property Agent | Native American/Indigenous | Female |
| Bulzomi, Barbara | Senior Real Property Agent | White | Female |
| Hawkinson, Paul | Senior Real Property Agent | White | Male |
| Hayden, Gretchen | Administrative Staff Analyst | Black / African American | Female |
| Talbot, Michelle | Senior Real Property Agent | Other | Female |

### Construction and Maintenance Services

* 1. Civil Rights Complaints Involving Competitive Bidding Procedures

There were no civil rights complaints or inquiries involving competitive bidding procedures.

* 1. Summary of Efforts Made by the TITLE VI Coordination to Encourage the Use of Minority Individuals, Firms, or Agencies to Obtain Maintenance Agreements or Contracts
		+ Bid documents contain a non-discrimination language with an agreement to the bidders to ensure equal opportunity for employment and to engage in Affirmative Efforts in the solicitation of women and minorities and WMBE firms for participation on the contract.
		+ All Federal funded contracts specifications contracts contain a nondiscrimination policy statement: “The Contractor in accordance to Title VI of the Civil Rights Act of 1964, 78 Stat.252, 42 U.S. Code 2000d to 2000d-4, and Title 49 Code of Federal Regulations, Part 21, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises 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 and sex in consideration for an award.”
		+ The City advertises for services in the Journal of Commerce, the City Procurement website, and the City Ebid-exchange website. City of Seattle also uses the Online Business Directory (OBD) to track WMBE status and to distribute news about City business. OBD is linked to the Washington State Office of Minority & Women Business Enterprises (OMWBE), who certifies WMBE and DBE on behalf of the federal government. There are 529 WMBE consultants registered in the OBD.

FAS and SDOT have been active in outreach internally and externally regarding DBE and WMBE hiring in contracting. Additional efforts made by FAS include the following:

* + - City of Seattle provides contractors with information on how to access approved consultant rosters to identify W/M/DBE firms.
		- The City of Seattle promotes networking among the different City Departments and contractors including WMBE firms attending contracting forums and trade shows, networking time at Pre-bid meetings, and at Meet and Greet events.
		- The City of Seattle also promotes advance notice of public works/ construction opportunities online at the E-bid Exchange and SDOT website as well as community organization events like Tabor 100 and the Washington chapter of the

National Association of Minority Contractors (NAMC). The National Association of Minority Contractors is a national non-profit trade association established in 1969 to serve the advocacy, training and business development needs of the over 5000 minority contractors in America. Tabor 100 is an association committed to economic power, educational excellence and social equity for African-Americans and the community at large.

* + - The City conducts a monthly event staffed by Contract Administrators and Buyers. DBEs and other small businesses can share their products and services with pertinent staff, learn about the City processes and programs and obtain information and assistance on registering as a vendor with the City and resources on State Certification.
		- City representatives attend vendor fairs sponsored by other agencies to provide information on how to do business with the City and about upcoming contracting opportunities.
		- The City is a member of various contracting oriented organizations and City representatives attend monthly membership meetings and membership events to inform contractors about upcoming opportunities.
		- The City conducts an annual networking event to showcase projects from the City’s capital departments. Project managers from each of the City’s capital departments present their projects including the scopes of work, schedule, and budget. SDOT presents detailed information on federally funded projects.
	1. Procedures Reviewed to Assure Subcontract Agreements, First and Second Tier, Material Supply and Equipment Lease Agreements During the Report Period

The City Purchasing and Contracting Division regularly updates its General Special Provisions (GSP) to reflect any new guidelines, rules, or updates from Federal, State or local agencies. In addition, every three years, a revised Standards Specifications book is published and includes all GSPs.

On bid documents, the bidder, by signing agrees to comply with all the requirements of

FHWA form 1273 “Required Contract Provisions Federal-Aid Construction Contracts”

In the contract documents, the City of Seattle includes the following forms which are reviewed by the contract specialist and SDOT project manager:

* + - Contractor and Subcontractor or Lower Tier Subs Certification for Federal Aid Projects (Form 420-004)
		- DBE Utilization Certification
		- DBE Written confirmation document for each DBE listed on the DBE Utilization Certification
		- Attend each Pre-bid and pre-construction meeting. During these meetings, Contract Analysts explain the Social Equity provision of the contract including any goals, reports, and monitoring procedures.
	1. Significant Accomplishments and/or Action Items for the Ensuing Year
		+ City of Seattle/SDOT continued with the program: outreach to immigrant and refugees communities, emerging WMBEs and Micro Businesses with a series of workshops to connect with startup, small WMBE and immigrant firms to build bridges to work with SDOT and the City of Seattle.
		+ On July 15, 2019, both the SDOT Title VI Coordinator and WMBE Advisor attended the WSDOT DBE Update Training. The DBE Training highlighted updates to their federal Disadvantaged Business Enterprises (DBE) Program.
		+ Contracts and Procurement Division staff attended several trainings during this FFY 2019 period:
* Maura Donoghue, New Manager, SDOT Contracts & Procurement took WSDOT LTAP DBE Program Training
* Jana Duran, Prior Manager, SDOT Contracts & Procurement took NTI training, Procurement Series III – RFPs and Competitive Contract Negotiations which included a section on Civil Rights and DBE
* Beth Lofton, Supervisor, SDOT Contacts & Procurement took NTI training, Procurement Series III – RFPs and Competitive Contract Negotiations which included a section on Civil Rights and DBE, NTI Procurement Series IV— Contract Administration, and WSDOT DBE Program Training for Public Agency Staff.
* Melissa Enciso, Contract Specialist, took WSDOT DBE Program Training for Public Agency Staff
* Dominic Kirangi, Contract Specialists Senior, took SDOT RSJI Title VI Training # 2 Delivering on Title VI Expectations, WSDOT DBE Program Training for Public Agency Staff, and WSDOT LTAP DBE Training NTI Training Procurement III – RFPs and Competitive Contract Negotiations – included section on Civil Rights and DBE, WSDOT DBE Program Training for Public Agency Staff, and WSDOT LTAP DBE Training.
	+ - WMBE Advisor, Viviana Y. Garza, attended the annual American Contract Compliance Association (ACCA) in San Diego, CA from August 13 – 18, 2019 in order to stay updated on best practices and trends in WMBE and DBE program

design, implementation and oversight services, as well as contract compliance monitoring and reporting.

* + - The WMBE Advisor, Viviana Y. Garza, who was in an interim, temporary position, competitively competed and was selected as the permanent WMBE Advisor for SDOT in August 2019. SDOT is expanding the contracting equity / WMBE program by hiring a Data Analyst to support the work, provide data analysis and reports to the WMBE Advisor and all of SDOT.
		- A permanent Manager for SDOT’s Office of Equity and Economic Inclusion, Michele

H. Domingo, was selected and brought onto the team in May 2019.

### Education and Training

1. During the Reporting Period, Efforts Made to Encourage Participation by Minorities and Women in the NHI Educational Program

The SDOT Grant Oversight Manager informed managers of relevant trainings from the NTI and NHI as notifications are sent out. In both cases, all staff were encouraged to attend, depending on the relevance to the work group. The Grant Oversight Manager brought Federal DBE technical assistance to SDOT on August 27, 2019 from the FTA Civil Rights Officer, who implements the DBE program.

1. Types of NHI Sponsored Programs and Number of SDOT Participants, including Minorities and Women

NHI trainings by webinar are made available to all staff as they occur.

1. Identify Staff Responsible for Training by Job Title, Ethnicity, and Gender

|  |  |  |  |
| --- | --- | --- | --- |
| Name | TITLE | Ethnicity | Gender |
| Oscar Cerda Civil Rights 101 | Deputy Director, Seattle Office of Civil Rights | Latino | Male |
| Mike ChinCivil Rights 101 | Compliance Specialist, Enforcement Manager, Seattle Office of Civil Rights | Asian Pacific Islander | Male |
| Michele H. Domingo SDOT TITLE VITrainings | Manager, Office of Equity & Economic Inclusion, Seattle Department ofTransportation | Asian Pacific Islander | Female |

|  |  |  |  |
| --- | --- | --- | --- |
| Gabrielle Mary Sivage DBE and Contracts Compliance Technical Assistance | Grant Oversight Manager, Seattle Department of Transportation | White | Female |

1. Civil Rights Complaints Filed Concerning Training and Educational Opportunities and Any Corrective Actions Taken

No complaints were received for the FFY

### Administration

* 1. List of Employees by Ethnicity and Gender in Each of the TITLE VI Program Areas

See Attachment C Program Employee Demographic Details

* 1. Summarize All Activities Undertaken During the Reporting Period which Provide for Assurances of TITLE VI Compliance with Contractors, and by Contractors

Introducing inclusion of TITLE VI specific contract language on contracts. Sample below:

*7.26A Title VI and Title VII Civil Rights and Equal Opportunity*

*The City of Seattle, in accordance with Title VI of the Civil Rights Act of 1964, 78 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 submitters that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 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. To the extent applicable and except to the extent that the federal cognizant agency determines otherwise in writing, the submitter agrees to comply with the policies of Executive Order No. 13166, “Improving Access to Services for Persons with Limited English Proficiency,” 42 U.S.C. § 2000d-1 note, and with the provisions of U.S. DOT Notice, “DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries,” 66 Fed. Reg. 6733 et seq., January 22, 2001 if awarded under a US DOT agency. The submitter further agrees to comply with the policies of Executive Order No. 12898, "Federal Actions to Address*

*Environmental Justice in Minority Populations and Low-Income.”*

*7.26B Disadvantaged Business Enterprise (DBE) Program.*

*As a recipient of Federal Aid Funds, the City of Seattle is required to follow 49 Code of Federal Regulations (CFR) Part 26 “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs.” The Seattle DBE goal at the date of this solicitation is XX%. It is anticipated that the agreement resulting from this solicitation will utilize federal funds. Therefore, all requirements under the City’s DBE Program and the SDOT DBE Procedures for Consultant Contracts shall be followed. Washington DBEs are registered here. The U.S. Department of Transportation DBE website hosts links for all state DBE registries for out-of-state entities.*

*Consultants are advised that any agreement, including subcontracts, awarded pursuant to this RFQ shall include the following assurance:*

*"The consultant, sub-recipient or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The consultant shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the consultant to carry out these requirements is a material breach of this contract, which may result in the termination* of this contract or such other remedy as the recipient deems appropriate."

* 1. TITLE VI Training During the Period

Trainings were not conducted due to staffing resource demands and leadership changes both at SDOT and SOCR. The SOCR Director, Mariko Lockhart signed the 2018 AUAR and the Title VI Plan in her capacity as Interim Director for that period of time.

SDOT will address Title VI trainings in the current fiscal year and beyond to satisfy the requirements of the AUAR reporting element. We will work with SOCR and WSDOT to develop a more robust training for Title VI in the next fiscal year, now that there is a permanent OEEI Manager/Title VI Coordinator on staff at SDOT and permanent Director at SOCR.

---END---