

CITY OF SAMMAMISH
TITLE VI REPORT
for
WSDOT

Reporting period October 2020 – September 2021



INTRODUCTION

The City of Sammamish 2021 Title VI Annual Report has been prepared in response to WSDOT template Title VI Accomplishments & Goal Report, from Appendix 28.93 of the Local Agency Guidelines (LAG) Manual. The report includes efforts from October 2020 through September 2021, as well as goals for the upcoming year. To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A). The City's signed Standard Assurances are included in this report as Attachment A.

CONTACT INFORMATION**Title VI Administrator** (signature on Standard Assurances)

Name and Title	David L. Rudat, City Manager
Mailing Address	801 228 th Avenue SE
City, State, Zip	Sammamish, WA 98075-9509
County	King
Email	DRudat@sammamish.us
Phone	425-295-0550

Head of Transportation-related Services

Name and Title	Jeff Elekes, Public Works Director
Mailing Address	801 228 th Avenue SE
City, State, Zip	Sammamish, WA 98075-9509
County	King
Email	JElekes@sammamish.us
Phone	425-295-0520

Designated Title VI Coordinator

Name and Title	Audrie Starsy, Deputy Public Works Director
Mailing Address	801 228 th Avenue SE
City, State, Zip	Sammamish, WA 98075-9509
County	King
Email	ASTarsy@sammamish.us
Phone	425-295-0572

ACCOMPLISHMENTS

1. TITLE VI PLAN CHANGES

Have there been any changes to the approved Title VI Plan that have not been reported to OEO? If Yes, please submit an update to the Title VI Plan with a new signature.

The City of Sammamish (City) adopted the WSDOT Title VI Plan with a Letter of Intent dated September 22, 2021 (see Attachment B).

2. ORGANIZATIONAL STRUCTURE

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

The core members of the Title VI Team are as follows:

Name and Title	Title VI Responsibility	City Dept.	Gender	Race	Nat. Origin
Jeff Elekes, Public Works Director	Head of Transportation	Public Works	Male	Caucasian	USA
Audrie Starsy, Deputy Public Works Director	Title VI Coordinator	Public Works	Female	Caucasian	USA
Sharon Garcia, PW Administrative Assistant	Title VI Webpage Coordinator	Public Works	Female	Caucasian	USA
Rori Kirkpatrick, PW Management Analyst	Title VI Webpage Coordinator	Public Works	Female	Caucasian	USA
Doug McIntyre, Senior Transportation Planning Manager		Public Works	Male	Bi-Racial	USA

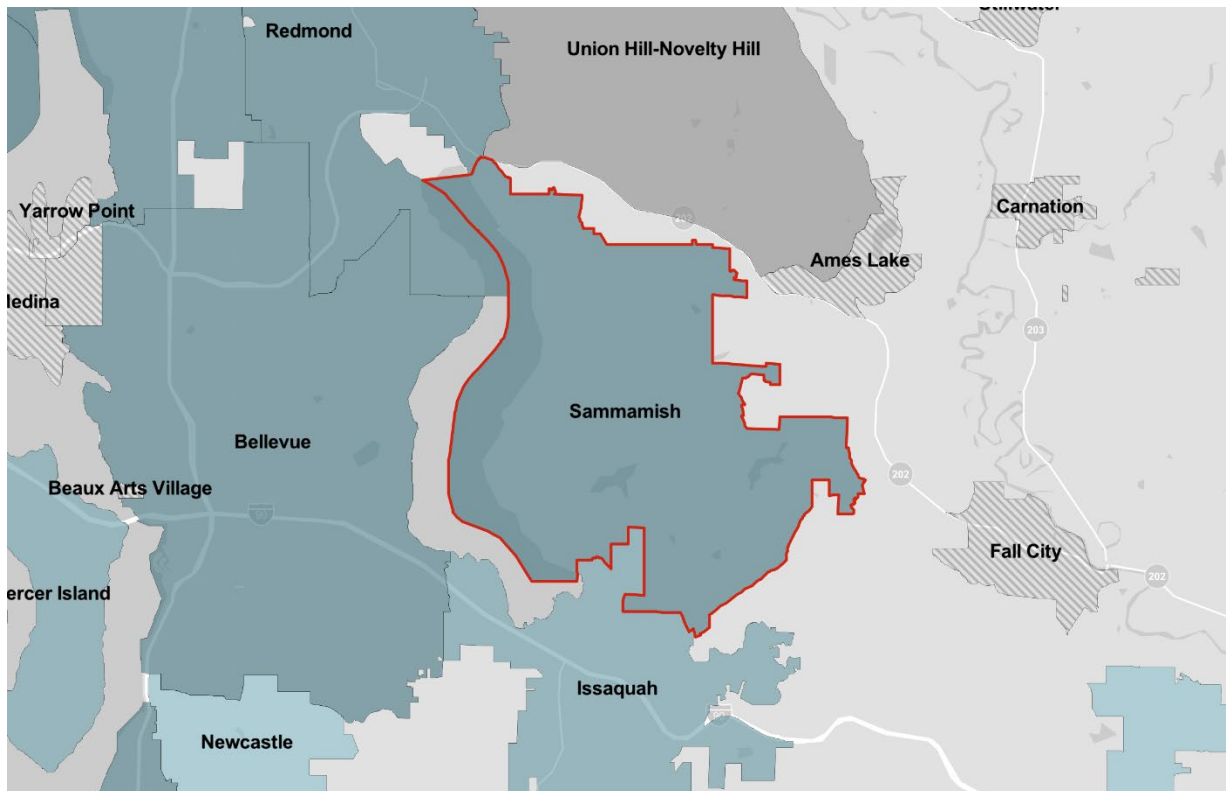
3. COMMUNITY DEMOGRAPHICS

Using a map of the LPA's boundaries, describe the demographics of the LPA's service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient.

The City has a land area of 20.4 square miles (see Figure 1 below). Below is a summary list of demographics specific to the City; the tables on pages 4 and 5 provide detailed information.

- The Total Population for Sammamish, Washington is 67,455
- The Median Household Income for Sammamish city, Washington is \$188,120
- The Bachelor's Degree or Higher for Sammamish city, Washington is 77.5%
- The Employment Rate for Sammamish city, Washington is 67.7%
- The Total Housing Units for Sammamish city, Washington is 22,544
- The Without Health Care Coverage for Sammamish city, Washington is 2.4%
- The Total Households for Sammamish city, Washington is 21,456
- Hispanic or Latino (of any race) is 3,615

Figure 1: Map



Race				
	Estimate	Margin of Error	Percent	Percent Margin of Error
RACE				
Total population	65,880	±49	65,880	(X)
One race	63,562	±1,076	96.5%	±1.6
Two or more races	2,318	±1,072	3.5%	±1.6
Total population	65,880	±49	65,880	(X)
White	42,594	±3,542	64.7%	±5.4
Black or African American	2,475	±1,650	3.8%	±2.5
American Indian and Alaska Native	1,223	±852	1.9%	±1.3
Asian	21,721	±3,413	33.0%	±5.2
Native Hawaiian and Other Pacific Islander	N	N	N	N
Some other race	N	N	N	N
HISPANIC OR LATINO AND RACE				
Total population	65,880	±49	65,880	(X)
Hispanic or Latino (of any race)	2,687	±1,270	4.1%	±1.9

Limited English Speaking Households	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	21,456	±930	(X)	(X)	1,290	±456	6.0%	±2.1
Households speaking --								
Spanish	774	±394	3.6%	±1.8	96	±153	12.4%	±19.8
Other Indo-European languages	2,718	±770	12.7%	±3.6	83	±97	3.1%	±3.5
Asian and Pacific Island languages	4,605	±911	21.5%	±4.2	1,111	±403	24.1%	±8.3
Other languages	337	±309	1.6%	±1.4	0	±210	0.0%	±38.3

Poverty Status	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population for whom poverty status is determined	65,880	±49	1,993	±1,516	3.0%	±2.3

Languages Spoken at Home	Total		Percent	
	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	59,991	±1,585	(X)	(X)
Speak only English	37,748	±2,894	62.9%	±4.7
Speak a language other than English	22,243	±2,898	37.1%	±4.7
SPEAK A LANGUAGE OTHER THAN ENGLISH				
Spanish	1,724	±886	2.9%	±1.5
Other Indo-European languages	6,933	±2,111	11.6%	±3.4
Asian and Pacific Island languages	12,111	±2,377	20.2%	±4.0
Other languages	1,475	±1,245	2.5%	±2.1

Source: <https://data.census.gov/cedsci/profile?g=1600000US5361115>

4. COMPLAINTS

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

The City is not aware of any Title VI complaints during the reporting period.

5. PLANNING

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

During this reporting period, the City worked on several transportation planning activities, as described below. The City encourages community involvement through public meetings, the City website, and through *Connect Sammamish*. Designed to inform the public and promote engagement from the community, *Connect Sammamish* features both current and past projects. The entire webpage can be translated into over 100 languages using Google translate and reduces barriers to public participation for all populations in the community.

BALANCED LAND USE & MOBILITY ANALYSIS (BLUMA) ENVIRONMENTAL IMPACT STATEMENT (EIS)

The City is preparing an environmental impact statement (EIS) pursuant to the State Environmental Policy Act (SEPA) to analyze growth and infrastructure needs throughout Sammamish. The goal, initially prompted by the Growth Management Hearings Board (GMHB) Gerend decision, is to provide the City Council with tangible Growth Management Act (GMA)-compliant options that will result in the ability to more comprehensively address these issues in Sammamish.

Municipal Code amendments are also possible to implement amended Comprehensive Plan guidance and, if pursued, are anticipated to focus on Titles 14A and 21A SMC. Code amendments could, for example, amend Level of Service (LOS) standards to reflect amended Comprehensive Plan guidance, delete outdated tables, correct definitions and Comprehensive Plan references, and take other related actions. To ensure GMA compliance, the process will also consider the need for possible amendments in various Comprehensive Plan elements. Comprehensive Plan amendments could also include updated policy guidance and updated background information.

The City has engaged the public at multiple points in the EIS development process, including through a scoping period and a Draft EIS Comment Period. The City has received written and verbal comments about the project, which are considered in the EIS development process.

ADA TRANSITION PLAN

In an effort to make Sammamish public facilities and programs accessible to all, the City has undertaken a comprehensive ADA Transition Plan process. The Plan was approved by City Council on March 16, 2021, and identifies barriers which impede access to City buildings, parks, and pedestrian facilities in the public right-of-way. City facilities will be surveyed based on compliance with current ADA (Americans with Disabilities Act) Title II standards. The planning process includes identification of physical barriers,

categorization/prioritization of these barriers, and a schedule for barrier removal over time.

The City's ADA Title II Transition Plan team has hosted a booth at the Sammamish Farmer's Market, presented to the Sammamish Rotary and Sammamish Youth Board, completed a community-wide survey on accessibility in Sammamish, and held a focus group with residents who are impacted by accessibility barriers and the groups that work with those individuals. The goal of this outreach was to ensure that accessibility gaps are fully defined and also that the community's priorities are reflected in the Transition Plan.

More details can be found here: <https://www.sammamish.us/government/departments/public-works/current-projects/ada-transition-plan/>

COMMUNITY CONNECTIONS (COMMUNITY VAN, COMMUNITY RIDE, AND SCHOOLPOOL)

The City partners with King County Metro to deliver an alternative transit program called Community Connections. Community Connections implements three separate programs, Community Ride, Community Van, and SchoolPool. These programs are currently in a pilot phase, having started in 2019 (Community Ride and SchoolPool) and 2020 (Community Van). These programs offer flexible transit services to meet the mobility needs of community members who rely on non-personal vehicle transport. Community Ride has been well used by the City's senior populations, who use it for recreation, doctor appointments, grocery store trips, and more.

The City continues to promote these services in myriad ways, including eNews, social media, print newsletter, outreach directly to non-profits and other service providers, and more. The City is working with Metro to extend the Community Van program, with review anticipated to occur in Q4 2021. Community Ride will be reviewed in Q3 2022 for possible extension. School Pool was extended through 2021.

PAVEMENT MANAGEMENT

The City hired a consultant to document and assess the pavement condition of every lane mile of road in the City. The information collected during that assessment is used for creating our multi-year pavement maintenance plan including overlays, sealants and other techniques to prolong the life of our streets. The City utilizes PAVER software, which selects streets for repair based on optimization calculations related to repair timing and costs. The data collection has been completed and the maintenance plan creation will be finished during the next reporting period. The Request for Proposal package to select the consultant included the City's standard Title VI language. The final maintenance plan will be accessible on the City website.

228TH AVENUE OVERLAY PROJECT

This project is currently in contract negotiations and is anticipated to be designed and constructed during the next reporting period. The Request for Qualifications package included the required Title VI language required on all RFQs. No consultants had questions or concerns regarding the language. The project will resurface the City's main arterial, 228th Avenue, causing minor impacts during construction. Residents and commercial owners will be notified about the project during design and prior to construction.

6. RIGHT-OF-WAY ACTIONS

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

There were no known activities.

7. RIGHT-OF-WAY ACQUISITIONS

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

The City typically includes right-of-way acquisition as an element of the design process, completed by City consultants. City legal staff and City project engineers assist as needed.

8. STUDIES AND PLANS

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

The following transportation studies were implemented, worked on, and/or completed during the reporting period:

BALANCED LAND USE & MOBILITY ANALYSIS (BLUMA) ENVIRONMENTAL IMPACT STATEMENT (EIS)

The City of Sammamish has issued the attached Draft Environmental Impact Statement (Draft EIS) addressing the Sammamish Balanced Land Use and Mobility Analysis (BLUMA). The proposal consists of amendments to the Sammamish Comprehensive Plan and Sammamish Municipal Code (SMC) necessary

to amend and implement the City's transportation level of service (LOS) standards and concurrency management program.

Alternatives addressed in the Draft EIS include Alternative 1 No Action—continuation of transportation LOS standards and concurrency program requirements currently in effect—and three action alternatives, which include adoption and implementation of updated LOS standards, concurrency program requirements, and potential Comprehensive Plan and/or development code amendments, depending on the selected alternative. Action Alternatives 2, 3, and 4 all assume the same LOS standards based on intersections, key roadway corridors and segments, along with transportation improvements to meet LOS standards. In addition, Alternative 3 includes land use measures to reduce overall travel demand and an assumed 15% reduction in peak hour trips as a result of changes to work patterns following the pandemic. Alternative 4 includes all the features of Alternatives 2 and 3, plus transportation capacity improvements intended to address transportation needs holistically, considering local and regional connectivity, improvements to substandard streets, transit and non-motorized needs, and environmental constraints. The proposal would apply to all areas within the City of Sammamish city limits. Demographic data was used in the Housing Analysis portion of the BLUMA EIS, which can be found on Page 3-74 at this link: <https://connect.sammamish.us/9550/widgets/37530/documents/22958>. The data informed how housing might be impacted as a result of the implementation of each alternative in the EIS.

ADA TRANSITION PLAN

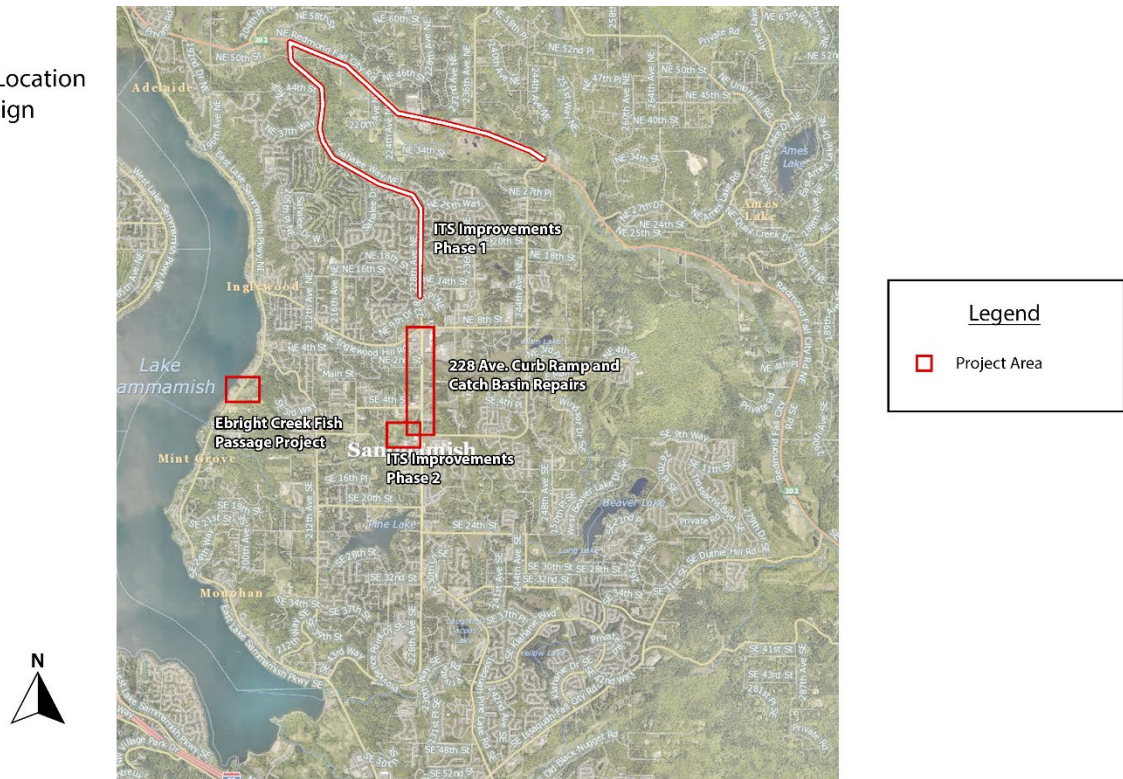
In an effort to make Sammamish public facilities and programs accessible to all, the City has undertaken a comprehensive ADA Transition Plan process. The Plan was approved by City Council on March 16, 2021, and identifies barriers which impede access to City buildings, parks, and pedestrian facilities in the public right-of-way. City facilities will be surveyed based on compliance with current ADA (Americans with Disabilities Act) Title II standards. The planning process includes identification of physical barriers, categorization/prioritization of these barriers, and a schedule for barrier removal over time.

The City's ADA Title II Transition Plan team has hosted a booth at the Sammamish Farmer's Market, presented to the Sammamish Rotary and Sammamish Youth Board, completed a community-wide survey on accessibility in Sammamish, and held a focus group with residents who are impacted by accessibility barriers and the groups that work with those individuals. The goal of this outreach was to ensure that accessibility gaps are fully defined and also that the community's priorities are reflected in the Transition Plan. More details can be found here: <https://www.sammamish.us/government/departments/public-works/current-projects/ada-transition-plan/>

9. PROJECT LOCATION AND DESIGN

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

9. Project Location and Design



228TH AVENUE CURB RAMP AND CATCH BASIN REPAIRS

This project extended from SE 8th St to NE 8th St along 228th Avenue and retrofitting the curb ramps and added aprons around catch basins. The curb ramp retrofits are required prior to overlaying the street and increase accessibility to all residents along the corridor. The existing ramps did not comply with the latest Americans with Disabilities Act, but all the ramps have been retrofitted to meet the requirements or to the maximum extent possible.

INTELLIGENT TRANSPORTATION SYSTEMS (ITS) IMPROVEMENTS PHASE 2

In partnership with King County and Washington State Department of Transportation, the City designed and constructed the Intelligent Transportation System (ITS) Improvements Project. The ITS project includes improvement along 228th Ave NE - Sahalee Way NE which will extend the existing ITS system

from NE 12th Pl to SR202, improvements on SR202 from Sahalee Way NE to 244th Ave NE and constructing a Traffic Management Center (TMC) inside City Hall.

Phase A of the project will furnish and install fiber optic communications throughout project limits and install Adaptive Signal Control Technology (ASCT) for the signals at 228th Ave NE / NE 25th Way and Sahalee Way NE / NE 37th Way. Phase A began in September 2020 and was completed in April 2021.

Phase B of this project is to construct the TMC at Sammamish City Hall. Phase B of the project began in April 2021 and is almost complete.

EBRIGHT CREEK FISH PASSAGE PROJECT

The Ebright Creek Fish Passage Project restored the Ebright Creek crossing at East Lake Sammamish Parkway and reached substantial completion in October 2021. It is a stormwater project that replaced culvert pipes with a fully fish passable box culvert, with the goals of improving stream habitat and fish passage to support Kokanee salmon and other fish species.

10. OTHER PUBLIC MEETINGS

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

CITY COUNCIL MEETINGS

Due to the COVID-19 pandemic and the Governor's emergency Proclamation 20-28, all City Council meetings during the reporting period were held via GoToMeeting or Zoom Webinar. Regular Meetings are held the 1st and 3rd Tuesdays of each month, and Study Sessions are held the 2nd Tuesday of the month. Council meetings, unless a Joint Planning Commission Meeting, begin at 6:30pm. Public Hearings are held during Regular Business meetings or at Planning Commission meetings.

Transportation-related items discussed at Council meetings during the reporting period include:

- Efforts on the draft Transportation Master Plan (TMP); never adopted
- Discussion about a draft 2021 Transportation Improvement Plan (TIP)
- Draft BLUMA EIS
- Project updates, contract awards, and consultant selection

Public involvement is encouraged for meetings by promoting the meetings in the City's eNewsletter, social media, Connect Sammamish, and oftentimes via publication in the Seattle Times.

Meetings can be viewed live via:

- City Website: www.sammamish.us/tv21
- City YouTube: <https://www.youtube.com/channel/UCouPqQz1MSudhAdgiriLC8A>
- Comcast Channel 21 (within Sammamish only)

Meetings can be viewed later and are available the day after the meeting via:

- City Website: www.sammamish.us/tv21
- YouTube: www.youtube.com/channel/UCouPqQz1MSudhAdgiriLC8A; YouTube offers translations in a lot of languages)
- Comcast Channel 21 (within Sammamish)

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

The City does not have a Transportation Planning Committee; members of our Transportation Division are included in Section 2 above.

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

During the reporting period, our transportation-related public meetings consisted of City Council meetings; demographic information of meeting attendees was not collected.

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

The City did not receive any language assistance service requests during the reporting period for City Council meetings.

11. TRANSPORTATION-RELATED CONSTRUCTION & CONSULTANT CONTRACTS

Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants). Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g., what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

Construction projects are advertised a minimum of two times through the Seattle Times and the Daily Journal of Commerce. The project manager will create a Notice to Contractors outlining the bid dates, project summary, working days and location to access the project. Construction plans and specifications

are posted on the City's Builder's Exchange portal, which is available to all contractors to view. Bid openings are held publicly. Due to COVID-19, bid openings have been held through online meetings. The City awards to the lowest responsive and responsible bidder, as required by law.

For consultant contracts, the City utilized both the Municipal Research and Services Center (MRSC) consultant roster and advertised Request for Qualification/Proposal (RFQ/RFP) packages. The City publicly advertises our use of the MRSC Consultant Roster in accordance with our Procurement Manual. This allows to City to select at least five consultants from the roster and review their posted SOQs compared to a predetermined scoring criteria. The consultant with the highest overall score is awarded the contract. Additionally, the City will advertise individual contracts through the Seattle Times and Daily Journal of Commerce. The RFQ/RFP packages will include the submittal date, project summary, submittal requirements, estimated schedule and other language pertinent to the consultants. We include the following language regarding Title VI in RFQs and RFPs:

Title VI Statement:

The City of Sammamish, 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 RFP responders that the City will affirmatively ensure 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 proposals 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.

The City of Sammamish does not discriminate on the basis of disability in the admission or access to, or treatment in, its programs or activities. Request for assistances or accommodation can be arranged by contacting [Contact], [Title] at [Contact Phone Number], fax 425-295-0600, or by email at [Contract Email].

Following submittals of Statement of Qualifications (SOQs), the SOQs will be scored based on the scoring criteria specified in the RFQ/RFP package. Depending on the language in the RFQ/RFP, the top consultants may be selected straight from the SOQ scoring criteria or the top candidates might be interviewed to select the top candidate.

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

See Attachment C.

12. EDUCATION & TRAINING

Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status. List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training. When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

The following staff completed the Title VI WSDOT Level 1 Training in September 2021:

- Audrie Starsy, Deputy PW Director (Title VI Coordinator)
- Ben Ressler, Associate Project Engineer
- Jim Grueber, Senior Project Engineer
- Lita Hachey, City Clerk
- Richard Hill, Contract Administrator
- Sharon Garcia, PW Administrative Assistant
- Stephanie Sullivan, Senior Engineer - Stormwater

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

City staff attended the following training in the spring of 2020:

1. Computer Security Basics
2. Ethical Behavior for Local Government
3. Violence in the Workplace
4. Promoting a Workplace Free of Harassment, Discrimination, and Retaliation – Employees
5. Workplace Bullying
6. Diversity in the Workplace

City staff also attended Implicit Bias Training with Dr. Bryant Marks in August 2020.

TITLE VI GOALS FOR UPCOMING YEAR (OCT 2021 – SEPT 2022)

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

The City, especially the Public Works Department, has had a tremendous amount of staff turnover and shortages throughout the past year and half. Despite the challenges that we have faced, we are committed to improving our Title VI Program. In September, the City adopted WSDOT's Title VI Plan via a Letter of Intent and we submitted our Standard Assurances.

We are committed to rebuilding a Title VI program that is sustainable, provides various levels of redundancy within the City, and is adaptively managed. Here are some of the areas that we plan to focus on in the upcoming year:

- Continue and increase monitoring to ensure Citywide compliance
- Update procedures
- Schedule quarterly coordination meetings with City Title VI Team to evaluate Title VI goals and accomplishments
- Continue to educate City employees regarding Title VI compliance
- Implement and continuously update a City Title VI webpage

CITY OF SAMMAMISH TITLE VI ANNUAL REPORT

Attachment A:

Standard Assurances

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

DOT Order No. 1050.2A

The City of Sammamish (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Washington State Department of Transportation (WSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Sammamish, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."


3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, City of Sammamish also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **Washington State Department of Transportation** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **Washington State Department of Transportation**. You must keep records, reports, and submit the material for review upon request to **Washington State Department of Transportation**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

City of Sammamish gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

City of Sammamish
 (Name of Recipient)

by 
 (Signature of Authorized Official)

DATED 9-22-21

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the City of Sammamish will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Sammamish all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto City of Sammamish and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the City of Sammamish, its successors and assigns.

The City of Sammamish, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the City of Sammamish will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Sammamish pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Sammamish will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the City of Sammamish will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Sammamish and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by City of Sammamish pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, City of Sammamish will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, City of Sammamish will there upon revert to and vest in and become the absolute property of City of Sammamish and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

CITY OF SAMMAMISH TITLE VI ANNUAL REPORT

Attachment B:

Letter of Intent



Letter of Intent to Comply with WSDOT Title VI Plan

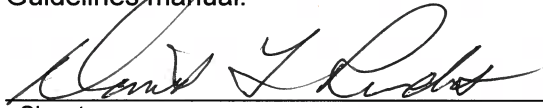
In lieu of adopting a Title VI Plan, the (City of Sammamish) agrees to comply with the WSDOT Title VI Plan.

The (City of Sammamish) assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The (City of Sammamish) further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

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

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

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


Signature

Dave Rudat, City Manager
Title

9-22-21
Date Executed

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

CITY OF SAMMAMISH TITLE VI ANNUAL REPORT

Attachment C:

Transportation Construction, Consultant, and Right-of-Way Contracts

CONSTRUCTION AND CONSULTANT PROJECT TRANSPORTATION RELATED CONTRACTS

TITLE VI ANNUAL REPORT ATTACHMENT C, REPORTING PERIOD: 10/20 - 9/21

Project Name/ Description	Contract For (Design, Construction, Support)	Contract With	Dollar Value	Funding Source	DBE?
Traffic & Transportation Engineering Support Services	Traffic and transportation support	Transportation Solutions, Inc. (TSI)	\$ 10,000.00	Local Funding	No
Engineering Support Services	On-call survey support	DOWL	\$ 200,000.00	Varies	No
Engineering Support Services	Grant writing support	Skillings	\$ 35,000.00	Local Funding	No
Engineering Support Services	Geotechnical engineering support	HWA	\$ 200,000.00	Local Funding	Yes
Engineering Support Services	Wetland monitoring support	Environmental Science Associates	\$ 100,000.00	Local Funding	No
Engineering Support Services	General Civil Support	KPG	\$ 100,000.00	Local Funding	No
Engineering Support Services	General Civil Support	Blueline	\$ 100,000.00	Local Funding	No
Engineering Support Services	Development Review Support	PACE Engineers	\$ 125,000.00	Varies	No
Engineering Support Services	Development Review Support	Stantec	\$ 125,000.00	Varies	No
2021 Pavement Condition Assessment	Pavement condition assessment support	Transmap Corp.	\$ 78,681.57	Local Funding	No
On-Call Construction Management Support	Construction Management Support	KBA	\$ 364,280.00	Local Funding	No
Engineering Support Services	Pavement management support	Kimley-Horn	\$ 49,000.00	Local Funding	No
2021 Guardrail On-Call	Construction	Petersen Brothers	\$ 150,000.00	Local Funding	No
228th Avenue Curb Ramp and Catch Basin Repairs	Construction	Axum General Construction	\$ 1,096,145.70	Local Funding	Yes
Issaquah-Pine Lake Road Phase 1	Engineering Design	David Evans and Associates	\$ 2,117,377.00	Local Funding	No
Issaquah-Fall City Road Phase 1	Construction Management Support	HW Lochner	\$ 5,283,902.00	Local and State	No
Issaquah-Fall City Road Phase 1	Construction	Johansen Construction Company	\$ 28,320,238.18	Local and State	No
SE 4th St	Construction Management Support	Perteet	\$ 136,600.00	Local	No
SE 4th St	Construction	Marshbank	\$ 342,100.00	Local and State	Yes
SE 8th St / 218th Ave	Engineering Design	Perteet	\$ 9,600.00	Local	No
Issaquah-Fall City Road Phase 2	Engineering Design	HDR	\$ 162,700.00	Local	No
Traffic & Transportation Engineering Support Services	On-call traffic and transportation support	Transportation Solutions, Inc. (TSI)	\$ 200,000.00	Local Funding	No
Citywide Traffic Counts	Traffic Counts/Data collections	IDAX Data Solutions	\$ 27,000.00	Local Funding	